

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
MAY 18, 2011**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, May 18, 2011 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

MEMBERS PRESENT:

Randy Roland, Chair
Mike Walker, Vice Chair
Will Kidd, Member
Larry Menke, Member
Chip Pratt, Member
Eron Linn, Alternate
John Veatch, Alternate

MEMBERS LATE:

CITY STAFF PRESENT:

Chris Shacklett, Planner
Cindy Wilson, Secretary

Randy Roland, Chairman, introduced Chris Shacklett, Planner, and Cindy Wilson, Secretary explaining that the City staff serves in an advisory capacity and does not influence any decisions the Board might make. Roland summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Roland added that all 5 voting members are present. Roland noted that 4 of the 5 members present must vote in favor for a request to be approved.

1. MINUTES:

The Zoning Board of Adjustment minutes of the April 20, 2011 meeting were approved as presented on a motion by Walker. The motion was seconded by Pratt and passed with a unanimous vote.

2. PUBLIC HEARING ON ZBA FILE V 11-03:

A request by Tom Rohm for the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article VII, Sec. 4, for a 12-foot variance to the required 24-foot length of pavement perpendicular to the entry opening of a garage at 629 Winchester Drive, Richardson, Texas.

Shacklett stated that the applicant recently purchased the subject property and is proposing to convert an existing portion of the home from living area to an enclosed garage. Shacklett continued saying the existing living area was at one time a garage prior to 1999 when it was converted to living area. Shacklett added that previously, the property provided a driveway off of Winchester that ran south along the west property line and turned east into a garage which had an entry on the west side of the structure. Shacklett stated that in 1999, the pool was permitted and constructed; however, it does not appear that a permit was issued for the garage conversion. Shacklett stated that in 1999, the R-1100-M parking regulations only required two (2) parking spaces to be provided, however, they did not have to be located in an enclosed structure. Shacklett added that it does not appear that two (2) off-street parking spaces were provided after the pool construction. Shacklett continued that in 2004, the Comprehensive Zoning Ordinance was revised to require two (2) off-street parking spaces, accessible from a driveway constructed of an approved parking surface, and they must be provided in an enclosed structure behind the front building line.

Shacklett stated the owner desires to convert the previously converted living area back to a garage with the entry being located on the east side of the structure. Shacklett added that access to the structure would be provided from the alley. Shacklett continued that according to the applicant, the proposed driveway location is the only location where the driveway can be placed that does not affect a large, existing tree along the south property line and does not pave over the remainder of the rear yard area to the east of the pool. Shacklett noted that staff worked with the applicant to determine if the garage could be accessed from the south side which would provide adequate maneuverability but the applicant and owner felt this option would not be desirable due to the possible effect on the existing tree as well as it would require paving over much of their rear yard.

Shacklett noted that the applicant has stated the owners want to provide enclosed parking that would be in conformance with the City's current off-street parking regulations. Shacklett added that although they will be conforming to the two (2) enclosed parking spaces required by Ordinance, a variance will be required for reduced maneuverability to the entry opening of the proposed garage. Shacklett stated it appears that the reduced maneuverability would make it difficult to park two (2) vehicles within the structure.

Shacklett delivered the staff technical recommendation in case V 11-03 by stating that based on the information presented and applicable codes and ordinances; it is staff's opinion that the property hardship has been self-imposed.

There were no questions of staff.

Tom Rohm, 2503 Springwood Lane, Richardson, Texas came forward to present the case. Rohm stated that a petition was circulated to 15 of the 21 residents

living within the 200' notification area. None of these neighbors were opposed or raised any concerns. Rohm continued that the additional 6 residents were unable to be contacted.

Rohm continued by saying that prior to 1999 the subject area was used as a garage. Rohm added that also in 1999 a swimming pool was permitted and constructed leaving no off-street parking and the 12' deficiency.

Menke asked the applicant if a slab up to the property would create drainage problems.

Shacklett responded stating he did not believe this would create drainage problems.

Rohm continued that the owner took good care of the property although it has sat vacant for some time. Rohm described the new owners plan to bring new life to the property. Rohm continued that the new owners plan to do pavestones and fill around the tree so that it stays as healthy as it is. Rohm indicated that there will be a rolling gate.

There being no one to speak in favor or in opposition to the case, Chairman Roland closed the public hearing.

Walker made a motion to approve V 11-03, limited to those specifics the applicant presented in the case. The motion was seconded by Menke and passed with a unanimous vote.

There being no further business, the meeting was adjourned at 7:00 p.m.

William R. Roland, Chair