

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
NOVEMBER 14, 2012**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, November 14, 2012 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: Mike Walker, Chair
Will Kidd, Vice Chair
Chip Pratt, Member
Larry Menke, Member
Paul Voelker, Member

MEMBERS ABSENT: Shamsul Arefin, Alternate
John Veatch, Alternate

CITY STAFF PRESENT: Chris Shacklett, Planner
Cindy Wilson, Administrative Secretary

Mike Walker, Chairman, introduced Chris Shacklett, Planner; and Cindy Wilson, Administrative Secretary explaining that the City staff serves in an advisory capacity and does not influence any decisions the Board might make. Walker summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Walker added that two (2) Members are absent. Walker noted 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 October 17, 2012 meeting were approved as written on a motion by Kidd. The motion was seconded by Voelker and passed with a unanimous vote.
2. **PUBLIC HEARING ON ZBA FILE V 12-07,** a request by Aron Noll for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article IV, Sec. 4(h)(1), to allow a carport in lieu of the required 2-car garage at 2902 Tam O'Shanter Lane.

Shacklett stated the applicant is requesting a variance to locate a carport at the rear of the home in the southeast corner of the property. Shacklett added that the property has access to the alley that is currently secured by a sliding gate. Shacklett continued that the proposed carport would be located adjacent to the portion of the home that was previously a garage. Shacklett stated the garage was legally converted from a garage to living area prior to the change to the Comprehensive Zoning Ordinance in 2004, which requires single family homes to provide two (2) parking spaces within an enclosed garage. Shacklett indicated the applicant has stated that it would not be

possible to construct a garage in the area since the garage would not be able to respect the required 25-foot rear yard setback. Shacklett stated a carport is only required an 18-inch rear setback; however, carports are only allowed if there is already two (2) enclosed parking spaces in a garage.

Shacklett acknowledged that the applicant desires to create an area where he can park his vehicles and protect them from the elements. Shacklett continued that the applicant states there is no additional room in the rear yard area to construct a garage. Shacklett expressed the applicant has stated his hardship is that since the garage was converted to living area, returning the area back would require lowering the square footage of the home, thus lowering the home's value to convert it back to a garage. Lastly, Shacklett explained the applicant is in the process of selling his home and states the contract is contingent upon acquiring approval to construct a carport.

Shacklett stated that one letter of opposition has been received from the property owners at 2905 Tam O'Shanter Lane.

Shacklett delivered the staff technical recommendation in case V 12-07 by stating that based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the request does not appear to be a physical property hardship.

There were no questions of staff.

Aron Noll, 2902 Tam O'Shanter Lane, Richardson, Texas came forward to present his case. Noll distributed to the Board, Speaking Points for Aron Noll and a list of Important Dates for building the carport. Copies of each of these are attached to these minutes.

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

Pratt made a motion to approve V 12-07 as presented, limited to those specifics the applicant presented in the case. Menke seconded the motion and the motion passed on a 4 – 1 vote with Kidd opposed.

There being no further business, the meeting was adjourned at 7:05 p.m.

Mike Walker, Chairman