

**MINUTES**  
**ZONING BOARD OF ADJUSTMENTS**  
**MEETING OF MAY 4, 2021**

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The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, May 4, 2021 at 1:00 p.m. in the T. W. "Turk" Cannady/Cedar Hill Room, 285 Uptown Blvd, Bldg. 100, Cedar Hill, TX.

Zoning Board of Adjustments Members Present: Chairperson, Michael Craig; Vice-Chairperson, Douglass Hibbs; Board Members: Rod Tyler, Charles Lee Jr., Jim Klipp, Alternate #1, Charles Johnson, Alternate #2

Absent: Board Member Emelda Martin

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Building Official, Gail Lux; Senior Planner, Maria Pena; Planner, Katherine Linares; Planning Secretary, Debra Kalsnes

**I. Call the Meeting to Order.**

Chairperson Craig called the meeting to order at 1:00 p.m. declaring it an open meeting in which a quorum was present, and the meeting notice was duly posted.

**II. Approve the minutes of the March 2, 2021 regular meeting.**

A motion made by Board Member Klipp, Alternate #1, and seconded to approve the minutes of the March 2, 2021 regular meeting. The vote was as follows:

Ayes: 5 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Tyler, Klipp, and Johnson\*

Nays: None

Chairperson Craig declared the motion carried.

\* Only five members are needed to consider the minutes. In the absence of one regular member, the alternate #1 member will vote. In the absence of two regular members, alternate #1 member and alternate #2 member will vote.

**III. Swearing in of all persons presenting to the Board.**

Chairperson Craig swore in all persons who would be presenting to the Board.

**IV. Citizens Forum.**

No one spoke.

**V. Public Hearings:**

1. **Case No. APPL-345-2021** - Conduct a public hearing and consider an application for a variance to the rear yard requirement on property zoned "PD" (Planned Development District) 02-114 legally described as Lot 9, Block A of the Shenandoah Addition, generally located on the east side of Belclaire Circle, south of FM 1382 with the approximate address being 913 Belclaire Circle.

Representatives: Pamela Moore & Demitre Gary, D Construction Services, Inc.  
Applicant/Property Owner: Morris Hollings

Planner Katherine Linares briefed the Board on the request. She indicated that staff recommends denial.

At this point, Board Member Lee entered the meeting.

Chairperson Craig asked the applicant to address the Board. Demitre Gary at 4526 Brass Way, Dallas, TX, (972) 880-4891, was sworn in and addressed the Board regarding the request for a variance.

Chairperson Craig asked what was precluding the applicant from moving the plans forward on the property. Mr. Gary indicated that there was minimal space in the front for the plans to move forward.

Board Member Tyler asked if they considered any other footprint to fit better on the lot. Mr. Gary stated that the property owners have been planning this home for 10 to 15 years and with modifications, this is the best footprint they came up with.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support of this request.

Jewell Whitlowe at 909 Belclaire Circle, Cedar Hill, TX, spoke in support of this request and asked the city to be flexible.

No one spoke in opposition.

Chairperson Craig closed the public hearing.

Chairperson Craig asked if any Board Members had any questions.

Board Members asked about other variances in the nearby area and the setback requirements. Building Official Lux stated there were no other requests for variances but that the Planned Development District dictates multiple different rear yard setbacks depending on where the property is in the subdivision.

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Board Member Johnson asked if any property owners on Sleepy Hollow Drive who abut the property responded in support or opposition to the variance. Planner Linares confirmed there were no responses from those property owners.

Board Member Tyler made a motion to deny this request. There was no second.

Board Member Lee made a motion to approve the request.

The motion was seconded by Vice-Chairperson Hibbs.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, Klipp, and Johnson\*

Nays: 1 – Board Member Tyler

\* Only five members vote on applications before the Board. In the absence of one regular member, the alternate #1 member will vote. In the absence of two regular members, alternate #1 member and alternate #2 member will vote.

Chairperson Craig declared the motion carried.

**2. Case No. APPL-347-2021** – Conduct a public hearing and consider an application for a variance to the side yard requirement on property zoned "SF-E" (Single Family Residential– Estate minimum 1-acre lots) District, legally described as Lot 1838 of the Lake Ridge Section 22, Phase A Addition, generally located on the north side of Mount McKinley Place, north of Hardwick Lane, with the approximate address being 1905 Mount McKinley Place.

Applicant: Brad Davis, Bedrock Homes, LLC

Property Owner: Anthony Peterson, ALP Vision Care Services, PLLC

Planner Katherine Linares briefed the Board on the request. She indicated that staff recommends approval.

Board Member Tyler asked if all properties on a cul-de-sac in this area were going to need a variance. Director Stringfellow stated that this particular lot has an escarpment plus it is on a cul-de-sac.

Chairperson Craig asked what part was encroaching. Planner Linares indicated it was the residence on one side.

Additionally, Building Official Lux stated that anywhere in Lake Ridge that was platted before 2005 was a planned development and anywhere platted after 2005 in Lake Ridge was straight zoning. City requirements for straight zoning conflicts with some of the CC&R with Lake Ridge on their rear and side yard setbacks. The City requires the HOA to approve all plans before a permit is issued for the development of a lot for building construction.

Board Member Lee asked what this is zoned. Planner Linares stated this is zoned SF-E with a minimum lot width at the front build line of 125 feet and this lot meets the minimum.

In response to a question from Board Member Tyler, Building Official Lux indicated that the building is within the escarpment zone and that 20 feet past the retaining wall is a cliff edge of the escarpment. An escarpment development plan will be required but has not been submitted.

Chairperson Craig asked the applicant to address the Board. Brad Davis, 7701 Berry Road, Burleson, TX, (817) 675-4434, was sworn in and addressed the Board.

Mr. Davis responded to questions from Board Members about the floor plan and site layout.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support of this request.

No one spoke in support.

Chairperson Craig asked if there was anyone wishing to speak in opposition of this request.

Denis O'Neil, 2470 Creekwood Drive, Cedar Hill, TX, 75104, (817) 800-8516 spoke and asked if his HOA was contacted as he wants to protect his property and the escarpment. Staff responded that the Lake Ridge POA was contacted, but not the HOA for the smaller area as that contact information was not available to staff.

Chairperson Craig closed the public hearing.

Chairperson Craig asked if any Board Members had any questions.

Vice-Chairperson Hibbs made a motion to approve the request. The motion was seconded.

The vote was as follows:

Ayes: 5 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Tyler, Lee, Klipp, and Johnson\*

Nays: None.

\* Only five members vote on applications before the Board. In the absence of one regular member, the alternate #1 member will vote. In the absence of two regular members, alternate #1 member and alternate #2 member will vote.

Chairperson Craig declared the motion carried.

**VI. Staff Reports**

Planning Director LaShondra Stringfellow stated that applications for reappointment were due by Friday. There will be no meeting in June.

**VII. Adjourn.**

A motion was made to adjourn and it was seconded.

The meeting adjourned at 2:05 p.m.



Michael Craig  
Chairperson



Debra Kalsnes

Planning Executive Secretary

