

MINUTES
ZONING BOARD OF ADJUSTMENTS
MEETING OF JUNE 29, 2021

The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, June 29, 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., Emelda Martin, Charles Johnson, Alternate #2

Absent: Board Member Jim Klipp, Alternate #1

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 June 15, 2021 regular meeting.

A motion was made by Board Member Tyler and seconded by Board Member Lee to approve the minutes of the June 15, 2021 regular meeting. The vote was as follows:

Ayes: 5 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Tyler, Lee and Martin

Nays: None

* 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.

Chairperson Craig declared the motion carried.

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-359-2021** – Conduct a public hearing and consider an application for a special exception to the minimum lot width requirement on property zoned "RR" (Rural Residential District – minimum 2-acre lots), legally described as Tract 9.9 of the George J. Newby Survey, Abstract No. 1085, generally located on the west side of South Joe Wilson Road, south of East Little Creek Road with the approximate address being 1167 South Joe Wilson Road

Applicants / Property Owners: Elys Jerome and Tracy Watkins

Senior Planner Maria Pena briefed the Board on the request. She indicated that staff recommends approval of the request for a special exception subject to the condition that the site provides a circular driveway or other turnaround method on site so that vehicles do not back onto South Joe Wilson Road.

The Board asked staff about the Rural Residential zoning and if the property was platted prior to the property being zoned. Staff stated in order to build a single-family residence, the property needs to be platted and in order to plat, they need this special exception.

Chairperson Craig asked the applicant to address the Board. Tracy Watkins at 1704 Wind Haven Court, Cedar Hill, TX, 75104 addressed the Board regarding the request.

The Board had no questions for the applicant.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support or opposition of this request. No one spoke.

Chairperson Craig closed the public hearing.

Chairperson Craig asked if any Board Members had any questions.

Vice-Chairperson Hibbs made a motion to approve subject to staff's condition.

The motion was seconded by Board Member Martin.

The vote was as follows:

Ayes: 5 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, Tyler, and Martin

Nays: None

* While Charles Johnson, Alternate #2, voted in support of the motion, only five members vote on applications before the Board. Since all five regular members were present, no alternate member votes were needed.

Chairperson Craig declared the motion carried.

2. **Case No. APPL-361-2021** – Conduct a public hearing and consider an application for a special exception to exceed the maximum allowed floor area for accessory buildings and a variance to the maximum height requirement allowed for an accessory building on property zoned Planned Development District No. 95-210 on property legally described as Lot 221A of the Lake Ridge, Section 3 Addition, generally located on the north side of Eden Drive, west of Lake Ridge Parkway, with the approximate address being 2837 Eden Drive.

Applicant/Property Owner: Dalace Duvall

Planner Katherine Linares briefed the Board on the request. She indicated that staff recommends approval of the request for a special exception to allow the accessory building to exceed 15 percent of the floor area of the main residential building and subject to the site plan and denial of the variance to allow the height of the accessory building to exceed 12 feet.

The Board asked staff if the POA approved this request. Building Official Lux stated that he had a letter dated May 4, 2021 from the POA approving the structure with the exception that a stucco finishing was required. The Board asked staff if this was an accessory building versus an accessory dwelling. Mr. Lux read the definition of an accessory building. He indicated that the building does not have a dwelling.

Chairperson Craig asked the applicant to address the Board. Dalace Duvall at 2837 Eden Drive, Cedar Hill, TX, 75104, addressed the Board. The applicant's contractor, Michael Biggs, at 1232 Sproles Drive, Benbrook, TX, also indicated he was available.

The Board asked about the height of the house. Mr. Biggs stated that the height of the accessory building would not obstruct anyone's view.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support of this request. Mr. Biggs addressed the Board again.

Chairperson Craig asked if there was anyone wishing to speak in opposition of this request. The following persons spoke in opposition to the request: 1) Patrick Dale at 1112 Prosperity Ct, Cedar Hill, TX, President of the Lakeridge Property Owners Association (POA). 2) Roger Welch at 2640 Wells Court, Cedar Hill, TX.

Chairperson Craig asked Mr. Duvall to come to the podium and asked him if he would consider tabling until the POA could review it. Mr. Duvall stated that he would be against tabling.

Chairperson Craig closed the public hearing.

Chairperson Craig asked if any Board Members had any questions.

Board Member Hibbs made a motion to deny the request for a special exception to exceed the maximum allowed floor area for accessory buildings and a variance to the maximum height requirement allowed for an accessory building.

The motion was seconded by Chairperson Craig.

The vote was as follows:

Ayes: 3 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Tyler

Nays: 2 – Board Members Martin and Lee

* While Charles Johnson, Alternate #2 voted in support of the motion, only five members vote on applications before the Board. Since all five regular members were present, no alternate member votes were needed.

Chairperson Craig declared the motion carried.

VI. Staff Reports

Planning Director LaShondra Stringfellow stated that this would be Board Member Emelda Martin's last ZBA meeting. Director Stringfellow also noted a Texas Local Government Code change regarding how the Board reviews variances.

Gail Lux reported that Staff is looking into the ordinance regarding accessory buildings.

VII. Adjourn.

A motion was made by Vice-Chairperson Hibbs to adjourn and it was seconded by Chairperson Craig.

The meeting adjourned at 1:57 p.m.



Michael Craig
Chairperson



Debra Kalsnes

Debra Kalsnes
Planning Executive Secretary