

**MINUTES
ZONING BOARD OF ADJUSTMENTS
MEETING OF JUNE 7, 2022**

The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, June 7, 2022 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., Ronda Tyler; Charles Johnson, Alternate #2

Absent: Jim Klipp, Alternate #1

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

1. 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.

2. Approve the minutes of the May 3, 2022 regular meeting.

A motion was made by Vice-Chairperson Hibbs and seconded by Board Member Ronda Tyler to approve the minutes of the May 3, 2022 regular meeting. The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

3. Swearing in of all persons presenting to the Board.

Chairperson Craig swore in all citizens wishing to speak.

4. Citizens Forum/Public Comments.

No one spoke. There were no written comments submitted online.

5. Public Hearing Items:

- 1. Case No. APPL-446-2022** – Conduct a public hearing on an application for a special exception to exceed the maximum allowed floor area for an accessory building, a variance to the rear yard requirement, and a variance to the side yard
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requirement on property zoned "SF-7" (Single-Family Residential District – minimum 7,000-square-foot lots) legally described as the western half of Lot 18, Block U of the Highlands No. 8 Addition, generally located on the south side of Pogue Street, west of South Highland Drive, with the approximate address being 433 Pogue Street.

Applicant: Courtney Campbell

Property Owner: Justin D. Dixon

Planner Linares briefed the Board on the request. She indicated that an affirmative vote of four members of the ZBA was required to approve this request. She stated that if ZBA were to approve the special exception, it should be with the following conditions:

1. The accessory building shall be construction subject to the site plan.
2. Provide approval from Oncor for encroachment into the easement.

Chairperson Craig asked the Board if there were any questions for staff.

Staff responded to the Board's questions regarding the surrounding carports, easement encroachment, construction date, and code requirements.

Chairperson Craig asked the applicant to address the Board. Courtney Campbell at 433 Pogue St, Cedar Hill, TX, 75104, made a statement to the Board and stated she was available to answer questions.

The applicant responded to questions from the Board regarding contact with Oncor and the construction of the accessory building.

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 in support or opposition to the request.

Chairperson Craig closed the public hearing.

- A.** Consider and take action on a special exception to exceed the maximum allowed floor area for an accessory building.

The Board deliberated. Vice-Chairperson Hibbs made a motion to approve subject to the conditions noted in the staff report with the allowance for a modification to the footprint pending Oncor approval.

The motion was seconded by Board Member Ronda Tyler.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, and Ronda Tyler

Nays: 1 - Board Member Rod Tyler

Chairperson Craig declared the motion carried.

B. Consider and take action on a variance to the rear yard requirement.

The Board deliberated. Board Member Ronda Tyler made a motion to approve subject to the condition of Oncor's approval to encroach into the easement. It was reiterated to the applicant that all Building Codes must be met.

The motion was seconded by Board Member Lee.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, and Ronda Tyler

Nays: 1 – Board Member Rod Tyler

Chairperson Craig declared the motion carried.

C. Consider and take action on a variance to the side yard requirement.

The Board deliberated. Board Member Lee made a motion to approve.

The motion was seconded by Board Member Ronda Tyler.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, and Ronda Tyler

Nays: 1 – Board Member Rod Tyler

Chairperson Craig declared the motion carried.

- 2. Case No. APPL-450-2022** – Conduct a public hearing on an application for a special exception to exceed the maximum allowed floor area for an accessory building and a variance to the maximum height requirement on property zoned "SF-E" (Single-Family Residential Estate District – minimum 1-acre lots) legally described as Lot 1499 of the Lake Ridge Addition Section 21, generally located on the west side of Molton Court, south of Creekwood Drive with the approximate address being 2007 Molton Court.
Representative: Quentin Dehoyos, Quality Pro Service
Applicant/Property Owner: Van Houston Turner

Planner Linares briefed the Board on the request. She indicated that an affirmative vote of four members of the ZBA is required to approve this request. If the Board approves, staff recommends the following conditions:

1. The accessory building shall be constructed subject to the site plan with attachments provided.
2. The proposed accessory building shall only be for personal use. No business use shall be allowed.

Chairperson Craig asked the Board if there were any questions for staff.

Staff answered the Board's question regarding the height requirements.

Chairperson Craig asked the applicant to address the Board. Van Turner at 2007 Molton Court, Cedar Hill, TX, 75104, made a statement to the Board and stated he was available to answer questions.

The applicant responded to questions from the Board regarding HOA guidelines, the use of the garage, and plan adjustments.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support of this request. Roger Welch at 2640 Wells Ct, Cedar Hill, TX, 75104, spoke in support. After being sworn in, Joseph Kemp at 2011 Molton Court, Cedar Hill, TX, 75104, also spoke in support.

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

Chairperson Craig closed the public hearing.

- A.** Consider and take action on a special exception to exceed the maximum allowed floor area.

The Board deliberated. Board Member Ronda Tyler made a motion to approve subject to staff's conditions.

The motion was seconded by Board Member Lee.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, and Ronda Tyler

Nays: 1 – Rod Tyler

Chairperson Craig declared the motion carried.

- B.** Consider and take action on a variance to the maximum height requirement.

The Board deliberated. Board Member Ronda Tyler made a motion to approve subject to staff's

conditions.

The motion was seconded by Board Member Lee.

The vote was as follows:

Ayes: 4 – Chairperson Craig, Vice-Chairperson Hibbs, Board Members Lee, and Ronda Tyler

Nays: 1 – Board Member Rod Tyler

Chairperson Craig declared the motion carried.

6. Staff Reports

Director Stringfellow informed the Board that there would not be a meeting in July.

7. Adjourn.

A motion was made by to adjourn by Vice-Chairperson Hibbs, and it was seconded by Board Member Ronda Tyler.

The meeting adjourned at 2:14 p.m.


Michael Craig
Chairperson
Debra Kalsnes
Planning Executive Secretary

