

**MINUTES
ZONING BOARD OF ADJUSTMENTS
MEETING OF OCTOBER 4, 2022**

The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, October 4, 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.; Jim Klipp, Alternate #1; Charles Johnson, Alternate #2

Absent: Board Member Ronda Tyler

City Staff Members Present: Director of Planning, LaShondra Stringfellow; Building Official, Gail Lux; Senior Planner, Maria Pena; Planner, Katherine Linares; Planning Executive 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 September 6, 2022 regular meeting.

A motion was made by Board Member Klipp and seconded by Vice-Chairperson Hibbs to approve the minutes of the September 6, 2022 regular meeting. The vote was as follows:

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

Nays: None

Abstain: Chairperson Craig abstained due to absence

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:

The public hearing and consideration for Case No. APPL-492-2022 was considered prior to APPL-487-2022 because the applicant for APPL-492-2022 had not arrived.

- 2. Case No. APPL-492-2022** – Conduct a public hearing for an application containing the following requests on property zoned Old Town Residential Sub-District, legally described as Tract 3, Block 45 of the Original Town Cedar Hill Addition, generally located on the east side of Houston Street and west side of South Main Street, south of Texas Street, with the approximate address being 321 Houston Street.
Applicants/Property Owners: Gary and Frances Reed

- a. A variance to the minimum rear yard requirement for the encroachment of a residential dwelling.
- b. A variance to the minimum lot depth requirement for one lot.

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

- 1. At the time of final plat submission, there shall be a 7-foot rear yard building line imposed on the two new proposed lots in order to maintain a minimum 10-foot separation between the existing structure and any future structures.
- 2. The existing accessory building and covered patio shall be removed prior to the recordation for the final plat.

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

Staff responded to the Board's questions regarding removal of the covered structure, the 7-foot no build line on Lots 2 and 3, the depth of the lots, and removal of the wood shed.

Chairperson Craig asked the applicant to address the Board. Gary Reed at 132 N. Potter St., Cedar Hill, TX, made a statement to the Board and stated he was available to answer questions.

The applicant responded to questions from the Board regarding when the house was constructed and changes over the years.

Building Official Lux informed the applicant of the current code regarding placement of a storage building.

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 or in opposition to the request.

Chairperson Craig closed the public hearing.

- a. Consider and take action on a variance to the minimum rear yard requirement for the encroachment of a residential dwelling.

The Board deliberated on the variance to the minimum rear yard requirement for the encroachment of a residential dwelling.

Vice-Chairperson Hibbs made a motion to approve subject to the conditions noted in the staff report.

The motion was seconded by Board Member Klipp.

The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

- b. Consider and take action on a variance to the minimum lot depth requirement for one lot.

The Board deliberated on a variance to the minimum lot depth requirement for one lot.

Board Member Klipp made a motion to approve subject to the conditions noted in the staff report.

The motion was seconded by Vice-Chairperson Hibbs.

The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

1. **Case No. APPL-487-2022** – Conduct a public hearing and consider an application for a variance to the minimum lot depth requirement on property zoned Old Town Residential Sub-District, legally described as Tract 15 and a portion of Tract 16 of the Joseph Munden Survey, Abstract No. 881, generally located on the east side of South Main Street, south of Texas Street and north of Cooper Street, with the approximate address being 317 and 319 South Main Street.
Applicants/Property Owners: Rob Franke and Scott James, R&S Properties Partnership, LLC

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 with the following condition:

1. The lot configuration shall be consistent with the site exhibit.

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

Staff responded to the Board's questions regarding lot depth and administrative approval, and the confirmation of the 5-foot side yard.

Chairperson Craig asked the applicant to address the Board. Rob Franke at 1132 Stoney Creek Dr., Cedar Hill, TX, made a brief statement to the Board and stated he was available to answer questions.

The applicant responded to questions from the Board regarding removal of the existing storage sheds and repositioning of the mailbox posts and a gas meter.

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.

Board Member Klipp made a motion to approve subject to staff's conditions.

The motion was seconded by Vice-Chairperson Hibbs.

The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

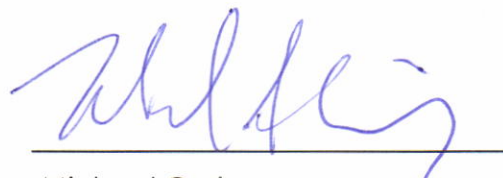
6. Staff Reports

Director Stringfellow informed the board of a meeting on November 1, 2022.

7. Adjourn.

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

The meeting adjourned at 1:46 p.m.

A handwritten signature in blue ink, appearing to read "Michael Craig", written over a horizontal line.

Michael Craig
Chairperson

A handwritten signature in blue ink, appearing to read "Debra Kalsnes", written over a horizontal line.

Debra Kalsnes
Planning Executive Secretary