

**MINUTES
ZONING BOARD OF ADJUSTMENTS
MEETING OF NOVEMBER 1, 2022**

The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, November 1, 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: Board Member Jim Klipp

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 October 4, 2022 regular meeting.

A motion was made by Vice-Chairperson Hibbs and seconded by Board Member Rod Tyler to approve the minutes of the October 4, 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-489-2022** – Conduct a public hearing and consider an application for a special exception to exceed the maximum allowed floor area for accessory buildings on property zoned "RR" (Rural Residential – minimum 2-acre lots) District,
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legally described as Tract 4A and 4A.1 of the William C. Billingsly Survey, Abstract No. 135, generally located on the west side of South Duncanville Road, south of Bear Creek Road with the approximate address being 1731 South Duncanville Road.
Applicant/Property Owner: Christian Anyadike

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 the ZBA were to approve the special exception, it should be with the following conditions:

1. The special exception is subject to the site plan submitted with the application.
2. The accessory building is limited to 300 square feet, shall be limited to personal (non-business) use, and shall not exceed 11 chickens.

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

Staff responded to the Board's questions about the code regulations regarding chickens on the property.

Chairperson Craig asked the applicant to address the Board. Christian Anyadike at 1731 S. Duncanville Rd, 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 about the animals on his property and the size and location of the chicken coop.

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.

The Board asked for clarification about the number chickens. The applicant stated 16 chickens. Director Stringfellow stated that the city may need to re-advertise because the applicant initially told staff there would be 11 chickens on the site. The applicant indicated the chickens were for personal consumption, the smell was not an issue though there were code complaints, and he would comply with the 11 chickens.

Board Member Lee made a motion to approve subject to staff's conditions and adding that the square footage of the barn be added and drawings of the coop be submitted for approval by staff.

The motion was seconded by Board Member Ronda Tyler.

The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

2. **Case No. APPL-496-2022** – Conduct a public hearing and consider an application for a variance to the rear yard requirement on property zoned "SF-7" (Single-Family Residential – minimum 7,000-square-foot lots) District legally described as Lot 14, Block K of the Highlands Addition 3, generally located on the south side of Kenya Street and west of South Highlands Drive, with the approximate address being 453 Kenya Street.
Representative; Johnny Freeman
Applicant/Property Owner: Velma Wilkerson

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 condition:

1. The structure is not allowed to encroach further into the setbacks than they are currently constructed as shown in the photographs and on the site plan submitted as exhibits.

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

Staff answered the Board's question about how the code violation was discovered.

Chairperson Craig asked the applicant to address the Board. Johnny Freeman at 1231 McMillen Dr., Cedar Hill, TX, 75104, the contractor representing the applicant indicated the property owner's willingness to make changes by moving the posts in and cutting the corrugated roof shorter with adequate car protection, which nullified the need for the variance.

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.

In response to the Board's questions, the applicant indicated that the homeowner was willing to make the carport compliant.

Vice-Chairperson Hibbs made a motion to deny the application.

The motion was seconded by Board Member Ronda Tyler. Board member Tyler reiterated the board's decision being reflective of the property owner's voluntary compliance.

The vote was as follows:

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

Nays: None

Chairperson Craig declared the motion carried.

- 3. Case No. APPL-497-2022** – Conduct a public hearing and consider an application for a special exception to allow an alternative pavement surface in lieu of the required reinforced concrete on property zoned "I" (Industrial District), legally described as Lot 1A of the US 67 Industrial Park, generally located on the northeast corner of Industrial Way and South J. Elmer Weaver Freeway (South Highway 67) with the approximate address being 1260 South J. Elmer Weaver Freeway.
Applicant: Darrell Babbitt, Superstar Collision
Property Owner: Paul Anderson

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 the ZBA were to approve the special exception, it should be with the following conditions:

1. The crushed rock and outdoor storage shall be consistent with the areas denoted on the site plan and the maintenance timeline.
2. The outdoor storage shall be limited to vehicles associated with the business operation.

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

Staff responded to the Board's questions about screening on the site and where the additional storage would be located relative to the septic system that was being removed.

Chairperson Craig asked the applicant to address the Board. Darrell Babbitt at 1260 S. J Elmer Weaver Freeway, 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 the stacking of the cars on this crushed stone.

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.

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

Nays: None

Chairperson Craig declared the motion carried.

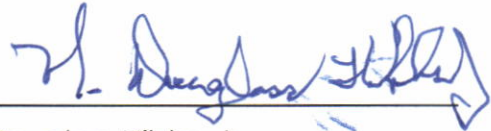
6. Staff Reports

Planner Linares informed the Board that there were no upcoming cases to date, therefore, no meeting was scheduled for December 6, 2022.

7. Adjourn.

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

The meeting adjourned at 2:10 p.m.



Douglass Hibbs, Jr.
Vice-Chairperson



Debra Kalsnes
Planning Executive Secretary