

**MINUTES
ZONING BOARD OF ADJUSTMENTS
MEETING OF JANUARY 10, 2023**

The Zoning Board of Adjustments of the City of Cedar Hill, Texas met on Tuesday, January 10, 2023, 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; Jim Klipp, Alternate #1; Charles Johnson, Alternate #2

Absent: None

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 December 6, 2022 regular meeting.

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

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

Nays: None

Abstain: 1 – Chairperson Craig 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:

1. **Case No. APPL-506-2022** - Conduct a public hearing for an application for a special exception to exceed the maximum allowed floor area for accessory buildings and a variance to the maximum height requirement on property zoned "SF-E" (Single-Family Residential District – Estate - minimum 1-acre lot size), legally described as Lot 3 of the Promontory Addition, generally located on the north side of Promontory Drive, west of Mobley Road with the approximate address being 1621 Promontory Drive.
Applicant: Glenn Corbett, Brass Key Custom Builders, Inc.
Property Owner: Mark & Alexandra Warsop

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 1,551 square feet and shall be limited to personal use.

Chairperson Craig read out loud the letter of opposition received.

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

Staff responded to the Board's questions regarding the height requirement of an accessory building citing the zoning ordinance.

Chairperson Craig asked the applicant to address the Board. Mark Warsop at 1621 Promontory Dr, Cedar Hill, TX, 75104, and Glenn Corbett with Brass Key Custom Builders at 1521 Pierce St, Waxahachie, TX, made statements to the Board and stated they were available to answer questions.

The applicant responded to questions from the Board about the accessory building height and the location of the building on the site. He stated that they have obtained HOA approval.

Chairperson Craig opened the public hearing.

Chairperson Craig asked if there was anyone wishing to speak in support or opposition of this request. Nancy Hubler at 1643 Promontory, Cedar Hill, TX, spoke in favor of the application.

Chairperson Craig closed the public hearing.

The Board deliberated.

- 1a. Consider the application for the special exception to exceed the maximum allowed floor area for accessory buildings.

Board Member Ronda Tyler 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, Board Members Lee, Rod Tyler, and Ronda Tyler

Nays: None

Chairperson Craig declared the motion carried.

1b. Consider the application for the variance to the maximum height requirement.

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

The motion was seconded by Chairperson Craig.

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-511-2022** - Conduct a public hearing and consider an application for a special exception to reduce the required number of parking spaces by up to twenty-five percent (25%) for a restaurant [Taco Casa] on property zoned "LR" (Local Retail District), legally described as Lot 2, Block A of the Advantage Storage Addition, generally located on the south side of East Belt Line Road, west of Waterford Oaks Drive with the approximate address being 802 East Belt Line Road.
Representative: Steve Alford, Madewell Companies
Applicant: Roger Iskandarani, Dollars and Sense
Property Owner: Michael Horne, Saratoga Family Trust

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 special exception is subject to the site layout submitted with the application.
2. The reduction of required off-street parking spaces shall not exceed 8 parking spaces.

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

Staff answered the Board's questions regarding the drive-thru lane location relative to the gas pipeline easement and the pending approval from TxDOT to construct parking in its right-of-way.

Chairperson Craig asked the applicant to address the Board. Michael Horne at 6959 Lebanon Rd, Frisco, TX, 75034, made a statement to the Board and stated he was available to answer questions.

The applicant responded to the Board's questions about outdoor dining and TxDOT's approval process.

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 staff's recommended conditions. Staff clarified that approval of reduction of required off-street parking spaces could not exceed 25% of the required parking spaces.

Board Member Ronda Tyler made a motion to approve subject to staff's conditions with modification of staff condition #2 to state that the reduction could not exceed 25% of the required parking spaces.

The motion was seconded by Vice-Chairperson Hibbs.

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.

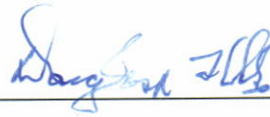
3. Staff Reports

Planner Linares informed the Board that the next meeting is scheduled for February 7, 2023, with three applications.

4. Adjourn.

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

The meeting adjourned at 2:11 p.m.



Douglass Hibbs
Vice-Chairperson



Debra Kalsnes
Planning Executive Secretary