

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

November 6, 2018 6:00 P.M.

CALL TO ORDER AND DECLARE A QUORUM

CITIZENS COMMUNICATION

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it individually as part of the Regular agenda.)

1. Review and approve minutes for the June 5, 2018 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **PZ-2018-1105 - Conduct Hearing** on request from the City of Taylor for a Variance on behalf of the property owner to provide relief from Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 405 Bland Street.
3. **PZ-2018-1105 – Take Action** on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 405 Bland Street.
4. **PZ-2018-1106 - Conduct Hearing** on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 721 Sturgis Street.
5. **PZ-2018-1106 – Take Action** on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 721 Sturgis Street.
6. **Discuss date for possible January 2019 Board meeting (First Tuesday is January 1st).**

ADJOURN

Next Meeting Date: Tuesday, December 4, 2018

The Board may vote and/or act upon each of the items listed in this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of meeting was posted in the **Taylor City Hall Lobby before 6:00 P.M. on November 2, 2018** and remained posted for at least 72 continuous hours before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted By: Carrie Orts Date: 11-2-18
Carrie Orts, Administrative Assistant Development Services

**MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, June 5, 2018
6:00 P.M.**

PRESENT:

Gayle Collins
Nancy Talley
Craig Eulenfeld
David Paul
Michael Prillaman
Suzanne Bice

ABSENT:

OTHERS PRESENT:

Tamera Baird, Building Official
Michael Elabarger, Senior Planner
Jade Brockman, Assistant to Utility Maintenance

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:01 p.m.

CITIZENS COMMUNICATION

None

Review and approve Minutes from May 1, 2018

Mrs. Talley made a motion to approve the minutes as written. Second by Mrs. Bice. All voted Aye.

PZ-2018-1087 - Conduct Hearing on a request from Murphy Oil USA, Inc., being Lot 1B, Replat of Wal-Mart Supercenter Addition, located at 105 Northwest Carlos G. Parker Blvd. in the City of Taylor, for the following Variance to Section 3.Q of the Sign Ordinance, Chapter 24 of the Municipal Code, to exceed the one (1) permitted Fuel Price sign and permit four (4) signs, and exceed the allowed 16 square feet maximum sign area and permit a maximum of 140 square feet.

Hearing opened. Mr. Elabarger made a presentation on the request, including the technical recommendation for Denial, as none of the 7 criteria for approval are met. The Variance would allow the applicant to maintain the same level of signage that currently exists. Mr. Chip Ashley was present to answer questions. There was discussion between and the Board. Hearing closed.

PZ-2018-1087 – Take Action on a request from Murphy Oil USA, Inc., being Lot 1B, Replat of Wal-Mart Supercenter Addition, located at 105 Northwest Carlos G. Parker Blvd. in the City of Taylor, for the following Variance to Section 3.Q of the Sign Ordinance, Chapter 24 of the Municipal Code, to exceed the one (1) permitted Fuel Price sign and permit four (4) signs, and exceed the allowed 16 square feet maximum sign area and permit a maximum of 140 square feet.

Mr. Paul made a motion to allow four signs not to exceed what is already there. Second by Mrs. Bice. 3 in favor, 2 opposed (Craig Eulenfeld & Gayle Collins). Motion passed. Variance granted.

PZ-2018-1088 - Conduct Hearing on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from the Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required street-side setback to provide adequate room to build a single-family home with an enclosed garage located at 508 Barker Street.

Hearing opened. Mr. Elabarger made a presentation on the request for a Variance. Ms. Karen Rego was present to answer questions. There was discussion between and the Board and Staff. Hearing closed.

PZ-2018-1088 – Take Action on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from the Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required street-side setback to provide adequate room to build a single-family home with an enclosed garage located at 508 Barker Street.

Mrs. Talley made motion to approve variance. Second by Mrs. Bice. All voted aye.

PZ-2018-1089 - Conduct Hearing on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from the Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 118 Royal Street.

Hearing opened. Mr. Elabarger made a presentation on the request for a Variance. Ms. Karen Rego was present to answer questions. There was discussion between and the Board and Staff. Hearing closed.

PZ-2018-1089 – Take Action on a request from the City of Taylor for a Variance on behalf of the property owner to provide relief from the Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards, to encroach into a required side setback to provide adequate room to build a single-family home with an enclosed garage located at 118 Royal Street.

Mr. Paul made motion to approve variance. Second by Mrs. Talley. All voted aye.

Discuss date for possible July Board meeting.

Board and Staff discussed new meeting date.

Mr. Eulenfeld made motion to change July 3, 2018 Board meeting to Tuesday, July 17, 2018. Second by Mr. Paul. All voted aye.

Adjourn

Mr. Eulenfeld made motion to adjourn meeting. Second by Mrs. Talley. Meeting adjourned at 7:09 PM

Carrie Orts
Administrative Assistant, Development Services

Gayle Collins
Chair of the Board

MEMORANDUM

TO: City of Taylor Zoning Board of Adjustment (ZBA)
FROM: Michael Elabarger, Senior Planner
RE: Variance Request PZ-2018-1105
DATE: November 2, 2018

Hearing Date: November 6, 2018
Property Owner: Sherman Deary
Applicant: City of Taylor / HOME Program
Location/Address: 405 Bland Street
Size of the Site: The lot is 0.12 acre (5,228 SF).
Current Land Use: Residential
Legal Description: TAYLOR CITY OF, BLOCK 104, LOT 9
Current Zoning: R-1, Single Family Residential District
Future Land Use Map designation: Downtown Neighborhood
Right of Way Issues: None; one driveway can be attained

Development Objective and Code Section Request:

The subject property seeks to be redeveloped with a new Single-family detached dwelling through the HOME Investment Partnerships Program administered through the Texas Department of Housing and Community Affairs (TDHCA), which is funded by the U.S. Department of Housing and Urban Development (HUD). The City of Taylor and the Langford Community Management Services, Inc. (a qualified Community Housing Development Organization 501(c) non-profit) collaborate locally to work with individual property owners whose property are in need of renovation or redevelopment. Langford has created a standard housing product with three bedrooms, two bathrooms, and an attached single-car garage that meets all of the Zoning Ordinance requirements; it measures 39'4" wide.

Per the R-1 Single Family Residential District Zoning Ordinance requirements, Section 2.7.3.7.c, an Interior Side Minimum Yard Setback of 5' applies. The subject property is 45' wide, which cannot accommodate the house plan (39' 4" wide) without encroaching into the 5' side yard setbacks.

The Variance request is thus to allow one of the 5' side yard setbacks to be encroached upon by the attached garage (*the exact side yard, the north or the south, will be determined when the Building Permit plans are submitted, and is largely dictated by which side certain utilities are located*) by up to 4' 4". This would leave a side setback dimension of approximately 8". The wall of the garage within this setback area would have to be constructed with Fire-rated materials and have no openings like windows.

Zoning and Land Use of Surrounding Property:

North: R-1 – Single Family Residential District (Single family or vacant)
East: R-1 – Single Family Residential District (Single family or vacant)
West: R-1 – Single Family Residential District (Single family or vacant)
South: R-1 – Single Family Residential District (Single family or vacant)

Appeals Process:

The Board shall have the power to authorize upon appeal in specific cases such variance from the terms of this Ordinance where a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, not solely for financial gain, including the following:

7.4.3.1

Permit a variance in the setback requirements of any district where there are unusual and practical difficulties or unnecessary hardships on the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.

7.4.3.2

Authorize upon appeal, whenever property owner can show that a strict application of the terms of this Ordinance relating to the use, construction, or alterations of buildings or structures or the use of the land will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of the terms of this Ordinance as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty.

Neighborhood 200' mailing:

Staff has not received any responses to the mailing.

Variance Criteria:

The Variance application poses seven (7) questions for consideration of the request.

Because the City is acting as the Applicant for this Variance request, there are no Applicant responses nor Staff position/analysis, as that would be an inherent conflict of interest.

The Zoning Board of Adjustment members should consider these questions in their decision making.

1. *What particular physical conditions or characteristics make the property unique compared to others in the same neighborhood or zoning district?*
2. *Were the conditions or characteristics listed in Question #1 caused by the property owner/applicant?*
3. *If the conditions or characteristics were caused by the owner or applicant, could the use of the property be enjoyed in the current zoning district without the requested Variance?*
4. *What difficulty or unnecessary hardship would result (not just an inconvenience) if the Variance were not granted?*
5. *Is the amount of the Variance requested the minimum necessary to meet the needs of the applicant or property owner?*
6. *To what extent is the request for a Variance based upon a desire of the owner, occupant, or applicant for increased financial gain from the property, or to reduce an existing financial hardship?*
7. *What affect, if any, would the Variance have on the rights of owners or occupants of surrounding property, on the supply of light or air to adjacent property, on traffic or parking congestion in the public streets, on public safety, and on property values within the neighborhood?*

Summary:

If the Variance is granted, a New Residential Building Permit will be submitted to develop a single-family dwelling per Exhibit B, which measures approximately 39'4" in width. The new home will add new and improved value to the neighborhood and provide a qualified family an improved quality of life.

ATTACHMENTS:

1. Exhibit A – Subdivision Plat and WCAD property exhibit – 405 Bland
2. Exhibit B – Proposed Dwelling

EXHIBIT A

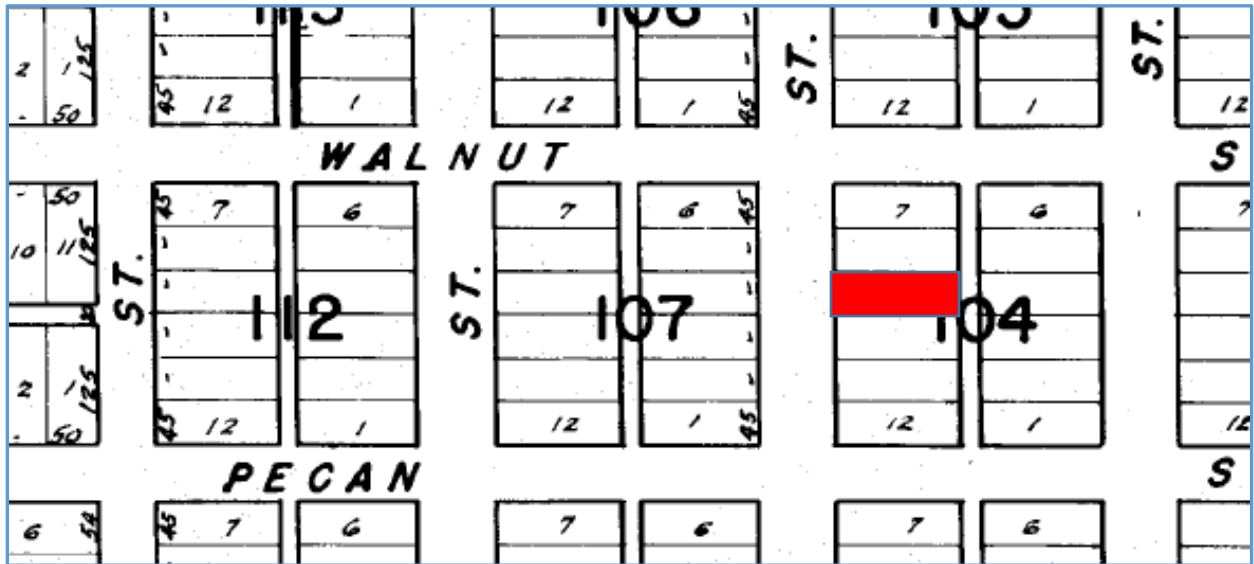
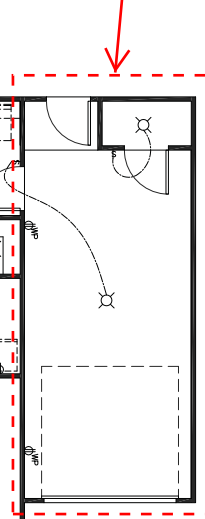


EXHIBIT B



ELECTRICAL / FLOOR PLAN LEGEND

	CABLE OUTLET		INCANDESCENT LIGHT
	PHONE JACK		(PC INDICATES PULL CHAIN)
	110V PLUG		LIGHT / VENT (VENT THRU ROOF)



MEMORANDUM

TO: City of Taylor Zoning Board of Adjustment (ZBA)
FROM: Michael Elabarger, Senior Planner
RE: Variance Request PZ-2018-1106
DATE: November 2, 2018

Hearing Date: November 6, 2018
Property Owner: Concepcion Moreno
Applicant: City of Taylor / HOME Program
Location/Address: 721 Sturgis Street
Size of the Site: The lot is 0.12 acre (5,228 SF).
Current Land Use: Residential
Legal Description: Washingto Heights, Block 1, Lot 12
Current Zoning: B-1, Local Business District
Future Land Use Map designation: Single Family
Right of Way Issues: None; one driveway can be attained

Development Objective and Code Section Request:

The subject property seeks to be redeveloped with a new Single-family detached dwelling through the HOME Investment Partnerships Program administered through the Texas Department of Housing and Community Affairs (TDHCA), which is funded by the U.S. Department of Housing and Urban Development (HUD). The City of Taylor and the Langford Community Management Services, Inc. (a qualified Community Housing Development Organization 501(c) non-profit) collaborate locally to work with individual property owners whose property are in need of renovation or redevelopment. Langford has created a standard housing product with three bedrooms, two bathrooms, and an attached single-car garage that meets all of the Zoning Ordinance requirements; it measures 39'4" wide.

Per the B-1 Local Business District Zoning Ordinance requirements, Section 2.12.3.3.c, an Interior Side Minimum Yard Setback of 5' applies for a 'Residential' use. The subject property is 45' wide, which cannot accommodate the house plan (39' 4" wide) without encroaching into the 5' side yard setbacks.

The Variance request is thus to allow one of the 5' side yard setbacks to be encroached upon by the attached garage (*the exact side yard, the north or the south, will be determined when the Building Permit plans are submitted, and is largely dictated by which side certain utilities are located*) by up to 4' 4". This would leave a side setback dimension of approximately 8". The wall of the garage within this setback area would have to be constructed with Fire-rated materials and have no openings such as windows.

Zoning and Land Use of Surrounding Property:

North: B-1 – Local Business District (Single family)
East: B-1 – Local Business District (Non-residential)
West: R-1 – Single Family Residential District (Single family or vacant)
South: B-1 – Local Business District (Single family)

Appeals Process:

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Summary:

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ATTACHMENTS:

1. Exhibit A – Subdivision Plat and WCAD property exhibit – 721 Sturgis
2. Exhibit B – Proposed Dwelling Plans
3. Exhibit C – Survey & House Footprint Exhibit

EXHIBIT A - PROPERTY

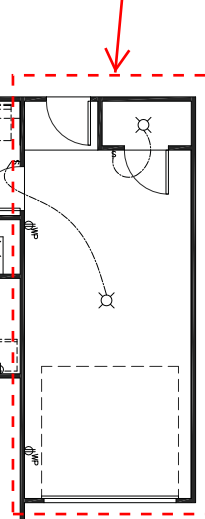


EXHIBIT B



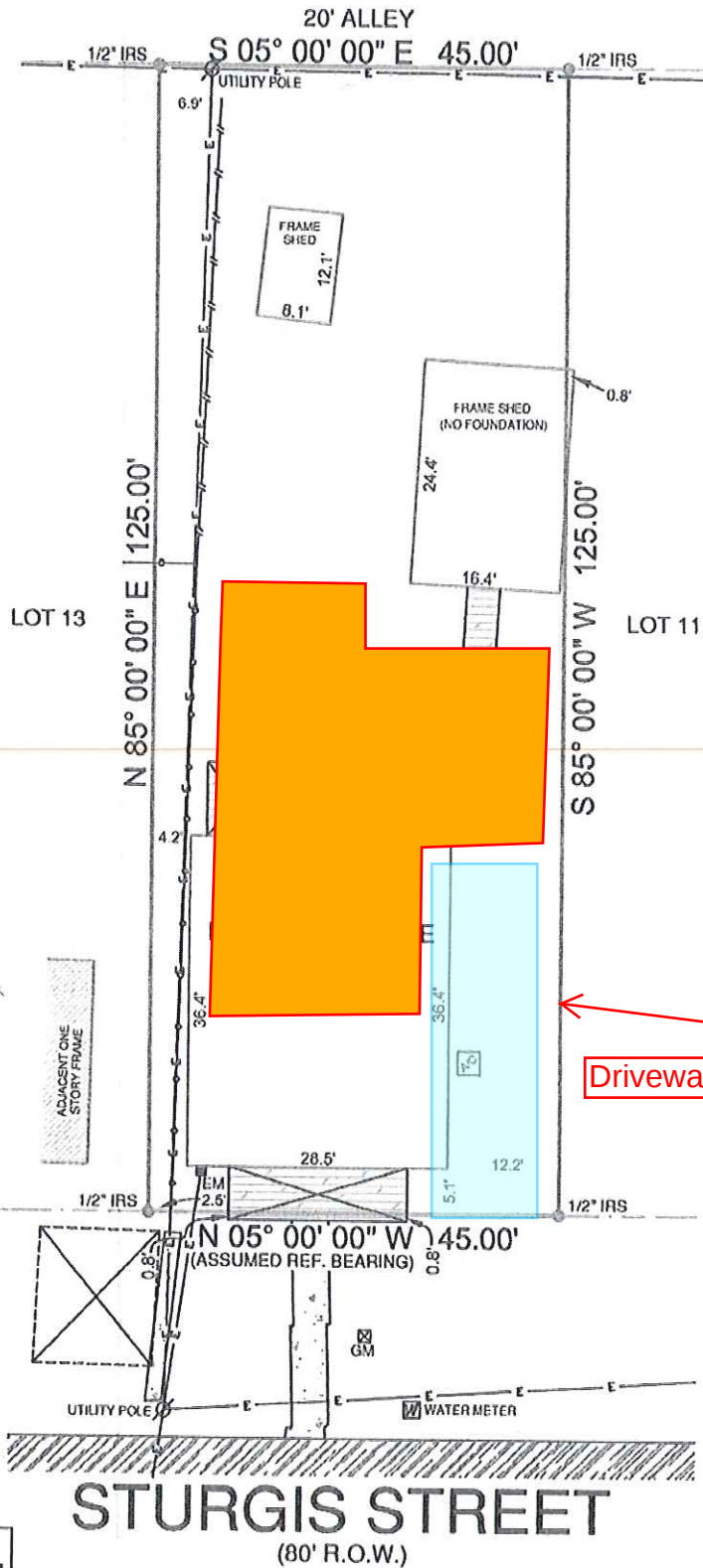
ELECTRICAL / FLOOR PLAN LEGEND

	CABLE OUTLET		INCANDESCENT LIGHT
	PHONE JACK		(PC INDICATES PULL CHAIN)
	110V PLUG		LIGHT / VENT (VENT THRU ROOF)



EXAMPLE:

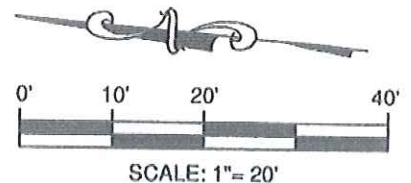
Approximate size and location of House Plans - Setback encroachment would be on the South side



LEGEND:

—X—X—	WIRE FENCE	ASPHALT =	[Pattern]
—O—O—	CHAINLINK FENCE	CONCRETE =	[Pattern]
—□—□—	WROUGHT IRON FENCE	GRAVEL =	[Pattern]
—//—//—	WOOD FENCE	TILE =	[Pattern]
—V—V—	VINYL FENCE	WOOD =	[Pattern]
—E—E—	ELECTRIC LINE	BRICK =	[Pattern]
GM	GAS METER	STONE =	[Pattern]
EM	ELECTRIC METER	(WOOD) RAILROAD TIE =	[Pattern]
IPF	IRON PIPE FOUND		
IRS	IRON ROD SET WITH "PREMIER" CAP		
IRF	IRON ROD FOUND		

NOTES:
BEARINGS ARE ASSUMED.



LEGAL DESCRIPTION:
BEING LOT 12, BLOCK 1, WASHINGTON HEIGHTS, AN ADDITION TO THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 112, PAGE 633, DEED OF RECORDS OF WILLIAMSON COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE

GF. NO.	17-316317-AM
BORROWER	RACHEL MORENO
TECH	AV
FIELD	RG
FLOOD INFORMATION:	