

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS

SPECIAL MEETING

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

June 23, 2015, 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 October 21, 2014 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

1. **ZBA 15-01 Conduct Hearing** on a request from David Downs, property owner and applicant, concerning a request for a variance from the R-1 minimum front and rear lot width requirement of 70 feet on the property located at 819 Kimbro Street, Taylor Zoning Ordinance Section 2.7.3 (3) and (4)
2. **ZBA 15-01 Take Action** on a request from David Downs, property owner and applicant, concerning a request for a variance from the R-1 minimum front and rear lot width requirement of 70 feet on the property located at 819 Kimbro Street, Taylor Zoning Ordinance Section 2.7.3 (3) and (4)
3. **Development Services Department Update**

ADJOURN

Next Meeting Date: Tuesday, July 7, 2015

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 June 19, 2015** 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, Administrative Assistant Development Services

Date:

6.18.15

**MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Reception Area
Taylor City Hall, 400 Porter Street
Tuesday, October 21, 2014
6:00 P.M.**

PRESENT:

Gayle Collins
Michael Aplin
John Sanford
Erwin Stauffer

ABSENT:

Bob van Til,
Director Planning & Development
Carrie Orts,
Admin Assistant Planning & Development
Nancy Talley

OTHERS PRESENT:

Laura Rouse-DeVore, Deputy Bldg. Official

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:00 p.m.

CITIZENS COMMUNICATION

None

Review and approve Minutes from August 5, 2014

Mr. Stauffer made a motion to approve the minutes as written for August 5, 2014. Second by Mr. Sanford. All voted aye.

ZBA 14-07 Conduct Hearing on a request from Mr. Raymond Hernandez, property owner and applicant, for a variance from the R-1 minimum rear yard setback requirement of 10 feet on the property located at 810 Old Coupland Road, Taylor Zoning Ordinance Section 2.7.3 (7) (b)

Hearing opened. Ms. Rouse-DeVore introduced the variance request and stated that staff's recommendation is denial of this application and that not granting the variance would not prevent the owner from any reasonable use of the property. Mr. Raymond Hernandez was present to answer questions. Mr. Stauffer asked what the shed was going to be used for. Mr. Hernandez indicated that the intention was to use the shed for personal vehicle storage. Hearing closed.

ZBA 14-07 Take Action on a request from Mr. Raymond Hernandez, property owner and applicant, for a variance from the R-1 minimum rear yard setback requirement of 10 feet on the property located at 810 Old Coupland Road, Taylor Zoning Ordinance Section 2.7.3 (7) (b)

Mr. Sanford made motion to approve the request for a Variance from the minimum rear yard setback of 10 feet to 6 feet as required by section 2.7.3 (7) (b) of the Taylor Zoning Ordinance, to build a shed. Second by Mr. Aplin. All voted Aye.

ZBA 14-08 Conduct Hearing on a request from Habitat for Humanity Williamson County, property owner and applicant, for a variance from the requirement for all residential structures to provide a minimum of one (1) covered parking space per dwelling unit on the property located at 508 S. Doak St., Taylor Zoning Ordinance Section 4.3.4 (1)

Hearing opened. Ms. Rouse-DeVore introduced the variance request and stated that staff's recommendation is denial of this application and that not granting the variance would not prevent the owner from any reasonable use of the property. Mr. Rick McIver, representing Williamson County Habitat for Humanity, was present to answer questions. Larry Caldwell, Property owner at 507-509 S. Doak Street asked how the variance, if granted, would affect his property. Chairman Collins clarified that that the variance, if granted, would not apply to his property, but only to the property at 508 S. Doak and that Mr. Caldwell was welcome to apply for a variance as well if he wished. Mr. Aplin clarified with Staff that the granting of the variance wouldn't prevent the property owner from building a carport or some other type of covered parking in the future. Hearing closed.

ZBA 14-08 Take Action on a request from Habitat for Humanity Williamson County, property owner and applicant, for a variance from the requirement for all residential structures to provide a minimum of one (1) covered parking space per dwelling unit on the property located at 508 S. Doak St., Taylor Zoning Ordinance Section 4.3.4 (1)

Mr. Sanford made motion to approve the request for a Variance **from the requirement for all residential structures to provide a minimum of one (1) covered parking space per dwelling unit** as required by section 4.3.4 (1) of the Taylor Zoning Ordinance, at the property located at 508 S. Doak Street.

Second by Mr. Aplin. All voted Aye.

Adjourn

Mr. Stauffer made motion to adjourn meeting. Second by Mr. Sanford. Meeting adjourned at 6:36 PM

Laura Rouse-DeVore
Deputy Building Official

Gayle Collins
Chairman of the Board

MEMORANDUM

TO: Taylor Zoning Board of Adjustment
FROM: Laura Rouse-DeVore, Deputy Building Official
RE: Variance Request 15-01: 819 Kimbro Street
DATE: June 18, 2015

Hearing Date

June 23, 2015 SPECIAL MEETING

Applicant

David Downs, property owner

Property Owner

David Downs, property owner

Location/Address

819 Kimbro Street

Development Objective

Construct eight (8) single-family residential home lots

Size of the Site

Approximately 1.85 acres

Variance Request

Allow relief from minimum front and rear lot width requirements of residential lots in the R-1 (Single-Family Residential) zoning district.

Code Section

Zoning Ordinance Chapter 2, Section 2.7.3 (3) and (4) requires residential lots to have a minimum front and rear lot width of seventy (70) feet.

Reason for Variance

Construction of eight (8) single-family residential home lots

Current Zoning

R-1 – Single-Family Residential

Zoning of Surrounding Property

North: R-1, Single-family

East: R-1, Single-family

South: R-1, Single-family

West: R-1, Single-family

Current Land Use

Unimproved property

Land Use of Surrounding Property

North: Single-family residential

East: Single-family residential

South: Single-family residential

West: Single-family residential

Physical conditions or characteristics that make this property unique compared to others in the same neighborhood or in the same zoning.

None

Future Land Use Map Shows

Single-family Residential

Platting Information

Currently platted: Kimbro, Block 1, Lot 12

Right of Way Issues

None

Other Information



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 favorable and/or unfavorable responses to the mailing.

Recommendation:

Staff's technical recommendation is denial of this application since it does not meet the intent of the ordinance, nor are there any demonstrable hardships, difficulties, or extenuating circumstances for the variance.

Please let me know if you have any questions by calling me at (512) 365-3863 ext. 24 or contact me via email at laura.rouse-devore@taylor.tx.gov

City of Taylor PD - CK# 1059

ZONING ORDINANCE VARIANCE APPLICATIONDate 4-17-15

Zoning Variance Application Fee of \$150.00 is non- refundable

APPLICANT**PROPERTY OWNER**

Name

JASON HARTDAVID DOWNS

Mailing Address

PO Box 23833755 Castle Rock Dr.CEDAR PARK TX 78613Round Rock TX 78681

Email

JHARTTEXAS@gmail.com

Daytime Phone

512-845-9466**PROPERTY DESCRIPTION:**Street Kimbro Street Address No. 819Legal Description (if platted) Kimbro, Block 1, Lot 12Acres 1.85 Zoning Classification R-1 Single Family

Existing use and improvements on subject property, including type of buildings, floor area, number of off-street parking spaces, etc., as applicable.

No improvements on property

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

REQUESTED ZONING VARIANCE:

Variance to Chapter 2, Section 2.7.3(4) of the Zoning Ordinance which requires.....

Minimum Front Lot Width: Seventy feet (70)

Minimum Rear Lot Width: Seventy feet (70)

Description of proposed use, building and site improvements, seating capacity, and number of off-street parking spaces, etc., as applicable to the proposed dimension quantity, or other feature for which the variance is requested.

Proposed use is for single family detached homes. Lot being subdivided into 8-9 lots each still meeting the 7000 sq. ft lot size just in a different configuration than 70 foot widths.

SUBMITTAL REQUIREMENTS:

Answer the 7 questions on the following pages, as evidence that this request complies with the conditions required for approval of a zoning variance (extra pages and supplemental illustrations or photographs may be used if needed or desired).

Site Plan or Drawing, preferably submitted on paper no larger than 11" X 17", showing dimensions of property, location of site with respect to streets and adjacent properties, and location and dimensions of buildings, parking areas, and other features of the site which are applicable to the requested variance.

I hereby affirm that if I am the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the proceeding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Further, I understand that in accordance with Texas Local Government Code, Section 211.011, a person aggrieved by a decision of the Zoning Board of Adjustment may present to a district or county court, within ten (10) days after the date the decision is filed in the Board's office, a verified petition stating that the decision of the Board is illegal in whole or in part, and specifying the grounds of the illegality.

Signature:

David Downs

Date

4/21/2015

Printed Name:

David Downs

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

1. What particular physical conditions or characteristics make the property unique compared to others in the same neighborhood or zoning district?

The lot has not been subdivided to keep the continuity with the surrounding lots, homes and their property values.

2. Were the conditions or characteristics listed in Question #1 caused by the property owner or applicant?

No

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?

No

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

4. What difficulty or unnecessary hardship would result (not just an inconvenience) if the variance were not granted?

The lot would not be conducive to the surrounding lots and homes and being able to bring a viable product and price point in home sales and continuity in the growth of the neighborhood.

5. Is the amount of variance requested the minimum necessary to meet the needs of the applicant or property owner?

Yes

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?

None

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?

It will have no negative effects on the above mentioned items.

It will have a positive effect on the aesthetics and maintaining the property values of surrounding homes and bringing growth to the neighborhood and community.

To be completed by Staff:

Meeting Date: May 5, 2015

Application Deadline: _____

Accepted By: _____

Date

April 21, 2015

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, 93 ADJUSTMENT

2. THIS SURVEY HAS BEEN PREPARED UTILIZING A COMMITMENT FOR TITLE INSURANCE PREPARED BY **GEORGETOWN TITLE COMPANY, C.F. NO. 150070265, EFFECTIVE DATE: MARCH 03, 2015.** PARTIES TO THIS TRANSACTION ARE RESPONSIBLE FOR VERIFICATION OF ALL EASEMENTS, COVENANTS AND CONDITIONS WHICH MAY AFFECT THIS TRACT BUT ARE NOT SHOWN HEREON.

3. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F.I.R.M. PANEL NO. 48491C0535E, EFFECTIVE DATE SEPTEMBER 26, 2008, LOCATED IN ZONE "X" (UNSHADED).

4. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

5. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES"

6. THERE IS A METES AND BOUNDS DESCRIPTION WHICH ACCOMPANIES THIS SURVEY.

SCHEDULE B ITEMS

- 10d. 207/236. DRWC. UNABLE TO DETERMINE DUE TO VAGUE DESCRIPTION.

1.855 ACRE TRACT OUT OF THE
WILLIAM R. WILLIAMS SURVEY
ABSTRACT NO. 665 IN THE CITY
OF TAYLOR,
WILLIAMSON COUNTY, TEXAS

BRYANT TECHNICAL SERVICES, INC.



911 NORTH MAIN
AVI OR TX 76574
PHONE: (512) 352-9090
FAX: (512) 352-9091

FIRM No. 10128500

PHONE NO. 10125500
surveying@austin.rr.com
www.bryanttechnicalservices.com

[illegible]

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY AND THE CURRENT MINIMUM REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYING ACT.

DATE 3-11-2015



AUTOCAD\PROJECT DRAWINGS\2015 DRAWINGS\15-118.dwg

3/24/2015 11:35 AM

June 8, 2015

**NOTICE OF HEARING FOR
ZBA CASE #15-01 ON
June 23, 2015
6 P.M.**

Dear Property Owner:

You received this notice because you own property within 200 feet of 819 Kimbro Street, a property otherwise known as Kimbro, Block 1, Lot 12. The owner of this property, David Downs, requested a variance from the Chapter 2, Section 2.7.3 (3) and (4) of the Taylor Zoning Ordinance. This section of the Zoning Ordinance requires all residential lots in the R-1 (Single-Family Residential) Zoning District to have a minimum front and rear lot width of seventy (70) feet.

The City of Taylor is required to notify property owners within a 200 foot radius of 819 Kimbro Street a minimum of ten calendar days prior to the hearing date. This notice serves as formal notice that the Taylor Zoning Board of Adjustment will hold a hearing on this request on:

**June 23, 2015
6 p.m.
400 Porter Street
Taylor Texas 76574**

For more information, please contact the City of Taylor at 512-365-3863 or email Laura Rouse-DeVore, Deputy Building Official, at laura.rouse-devore@taylortx.gov