

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS

MEETING

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

June 5, 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 May 1, 2018 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

1. **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.
2. **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.
3. **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.
4. **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.
5. **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.

6. **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.
7. **Discuss date for possible July Board meeting.**

ADJOURN

Next Meeting Date: Tuesday, July 3, 2018 - TBD

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 1, 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, Administrative Assistant Development Services

Date:

5.31.18

MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, May 1, 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
Carrie Orts, Administrative Assistant, Development Services

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:05 p.m.

CITIZENS COMMUNICATION

None

Review and approve Minutes from May 1, 2018

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

PZ-2018-1085 - Conduct Hearing on a request from Juventino Posada, at Lot 3, Block 8, Washington Heights, City of Taylor, located at 804 Maple Street, for the following Variances to the noted sections of the City of Taylor Zoning Ordinance: 2.7.3.7.a, to encroach 5' 10" into the front 25' yard setback; 2.7.3.7.8, to reduce by 200 square feet the minimum dwelling size (1,400 SF); 2.7.3.10, to provide zero masonry veneer facades on the structure (3 sides of the first story are required); 6.4.4, to utilize gravel road base as a driveway & parking surface (paved surface, free from dust and loose particles is required); 4.3.4.4, to omit the required covered front porch.

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 lot is developable under the requirements. Mr. Posada was present to answer questions. There was discussion between and the Board. Hearing closed.

PZ-2018-1085 – Take Action on a request from Juventino Posada, at Lot 3, Block 8, Washington Heights, City of Taylor, , located at 804 Maple Street, for the following Variances to the noted sections of the City of Taylor Zoning Ordinance: 2.7.3.7.a, to encroach 5' 10" into the front 25' yard setback; 2.7.3.7.8, to reduce by 200 square feet the minimum dwelling size (1,400 SF); 2.7.3.10, to provide zero masonry facades on the structure (3 sides of the first story are required); 6.4.4, to utilize gravel road base as a driveway & parking surface (paved surface, free from dust and loose particles is required); 4.3.4.4, to omit the required covered front porch.

- **Section 2.7.3.7.a – Front Yard Setback: 25'**
 - **to allow the structure to encroach 5' 10" into setback**

Mrs. Bice made motion to allow the structure to encroach into setback including the existing development as stated in the variance request.

Second by Mr. Paul. 2 in favor, 3 against (Gayle Collins, Nancy Talley, & Craig Eulenfeld)

Motion failed.

- **Section 2.7.3.7.8 – Minimum Dwelling size: 1,400 SF**

- **to reduce minimum dwelling size by 200 SF (ie, to 1,200 SF)**

Mrs. Talley made motion to allow Mr. Posada to reduce his total square footage by 200 sq. ft. Second by Mrs. Bice. 4 in favor, 1 against (Gayle Collins). Motion carried.

- **Section 2.7.3.10 – Minimum 3 sides of first floor must have a masonry veneer (front façade required)**

- **to provide no masonry veneer facades on the structure**

Mr. Eulenfeld made motion to deny the variance for zero masonry veneer. Second by Mrs. Talley. 4 in favor, 1 against (David Paul). Motion passed.

- **Section 6.4.4 – Off-Street Parking/driveway surfacing ‘shall be paved’, ‘free from dust or loose particles’**

- **to utilize gravel road base as surface material**

Mr. Paul made motion to approve variance to allow gravel road. Second by Mr. Eulenfeld. All voted aye. Motion passed.

- **Section 4.3.4.4 – Covered Front Porch**

- **to NOT provide the covered front porch.**

Mrs. Bice made motion to deny request to leave front porch uncovered. Second by Mrs. Talley. All voted aye. Motion passed.

Adjourn

Mr. Eulenfeld made motion to adjourn meeting. Second by Mrs. Talley. Meeting adjourned at 7:43 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-2017-1087
DATE: June 1, 2018

Hearing Date: June 5, 2018
Property Owner Murphy Oil USA, Inc.
Applicant: CEI Engineering, Inc.
Location/Address: 105 Northwest Carlos G. Parker Blvd.
Size of the Site: The lot is 0.777 acre.
Current Land Use: Fuel Sales station
Legal Description: Lot 1A, Replat, Wal-mart Supercenter Addition
Current Zoning: B-1 – Local Business District
Future Land Use Map designation: Commercial
Right of Way Issues: None; driveways exist

Development Objective and Code Section Request:

The subject property is developed with a Murphy Gas fuel sales station on an ‘outlot’ in the Wal-mart Shopping Center, having developed in approximately 2004. The property owner is contemplating renovating the property, and would lose the existing amount of Fuel Price signage, which is considered a non-conforming use/development aspect at this time.

Per Section 3.Q of the City’s Sign Ordinance (Chapter 24 of the Municipal Code), such a use would be permitted to have one (1) Fuel Price Sign that could not exceed 16 square feet maximum sign area. The applicant seeks four (4) separate signs and a maximum of 140 square feet across those four signs.

Zoning and Land Use of Surrounding Property:

North: B-1 – Local Business District (Developed - HEB based shopping center)
East: B-1 – Local Business District (Developed – restaurant and bank)
West: B-1 – Local Business District (Developed – shopping center)
South: B-1 – Local Business District (Developed – shopping center)

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.

Background:

The Wal-mart shopping center was developed approximately during the 2003-2004 period; the utility account for the subject property began in 2004. The shopping center was conceived as a total development, with future out-buildings and out-lots for future development, several of which are still undeveloped today. The subject regulations, currently categorized as Section 3.q, are found verbatim in what is understood to be the original adoption of Sign regulations in 2001 (Ordinance 2001-15) as Section 3.17, Fuel Price Signs, thus indicating that Fuel Price signage has remained the same since before the Wal-mart development occurred.

A Variance application (ZBA-03-07) was applied for by Wal-mart in the fall of 2003, requesting a wide range of Variances to the Sign Ordinance for the entire shopping center, including the 'Total Lube Express' auto-service use, and a 'future gas retailer'. The Variance requested 150 total square feet for "Canopy Signage" for the gas use. On a 3-2 vote, the ZBA denied the Variance request at their December 2, 2003 meeting.

It is unknown as to how the current signage on the Fuel Sales canopy came to be.

Variance Criteria:

The Variance application poses seven (7) questions for consideration of the request. Below are the questions, with the applicants' response (verbatim from their submitted application), followed by the staff position.

1. *What particular physical conditions or characteristics make the property unique compared to others in the same neighborhood or zoning district?*
 - a. Applicant: The existing Murphy station has four (4) fuel price signs on the canopy. This application is a request that the new station have the same canopy price sign.
 - b. Staff: There are no unique physical conditions or characteristics of the property that necessitates the Variance request.
2. *Were the conditions or characteristics listed in Question #1 caused by the property owner/applicant?*
 - a. Applicant: The existing station has previously approved signage.
 - b. Staff: Concur with applicant that the property currently has the same amount of signage as is being requested.
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?*
 - a. Applicant: Without the variance the new station would have less signage than the current station. Furthermore, customers from Wal-mart and Main Street would not be able to see the fuel pricing which is the number one determining factor for a customer to shop this station.
 - b. Staff: There are no unique physical conditions or characteristics of the property that necessitates the Variance request, and the property can be used/enjoyed without this Variance.
4. *What difficulty or unnecessary hardship would result (not just an inconvenience) if the Variance were not granted?*
 - a. Applicant: The newly updated station would have less visibility to customers than the existing station. The cost of the fuel is one of the driving forces on whether a customer will choose to use the facility or not. If they cannot easily see the price they will be more likely to move on.
 - b. Staff: The request is a desire for more signage than Chapter 24 permits.
5. *Is the amount of the Variance requested the minimum necessary to meet the needs of the applicant or property owner?*
 - a. Applicant: Yes.
 - b. Staff: The request is a desire for more signage than Chapter 24 permits.

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?*
 - a. Applicant: The variance is a request that the canopy fuel price signs be similar in count as the existing store.
 - b. Staff: The request is a desire for more signage than Chapter 24 permits, motivated by financial gain.
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?*
 - a. Applicant: The variance would give the property the ability to maintain its financial stability already being experienced by the existing use. Approving the variance will not harm the public or adjacent properties.
 - b. Staff: Concur with applicant's statement. If granted, other fuel sales stations will want the same amount of signage for the same reasons as this applicant.

Analysis:

This request is driven by the existing conditions of the current development, and the desire to maintain the four fuel price signs, which is a critical financial aspect of fuel sales.

Recommendation:

Staff's technical recommendation is denial of this request, as the request is to far exceed the allowed amount (number and square footage) of permitted signage for this specific use.

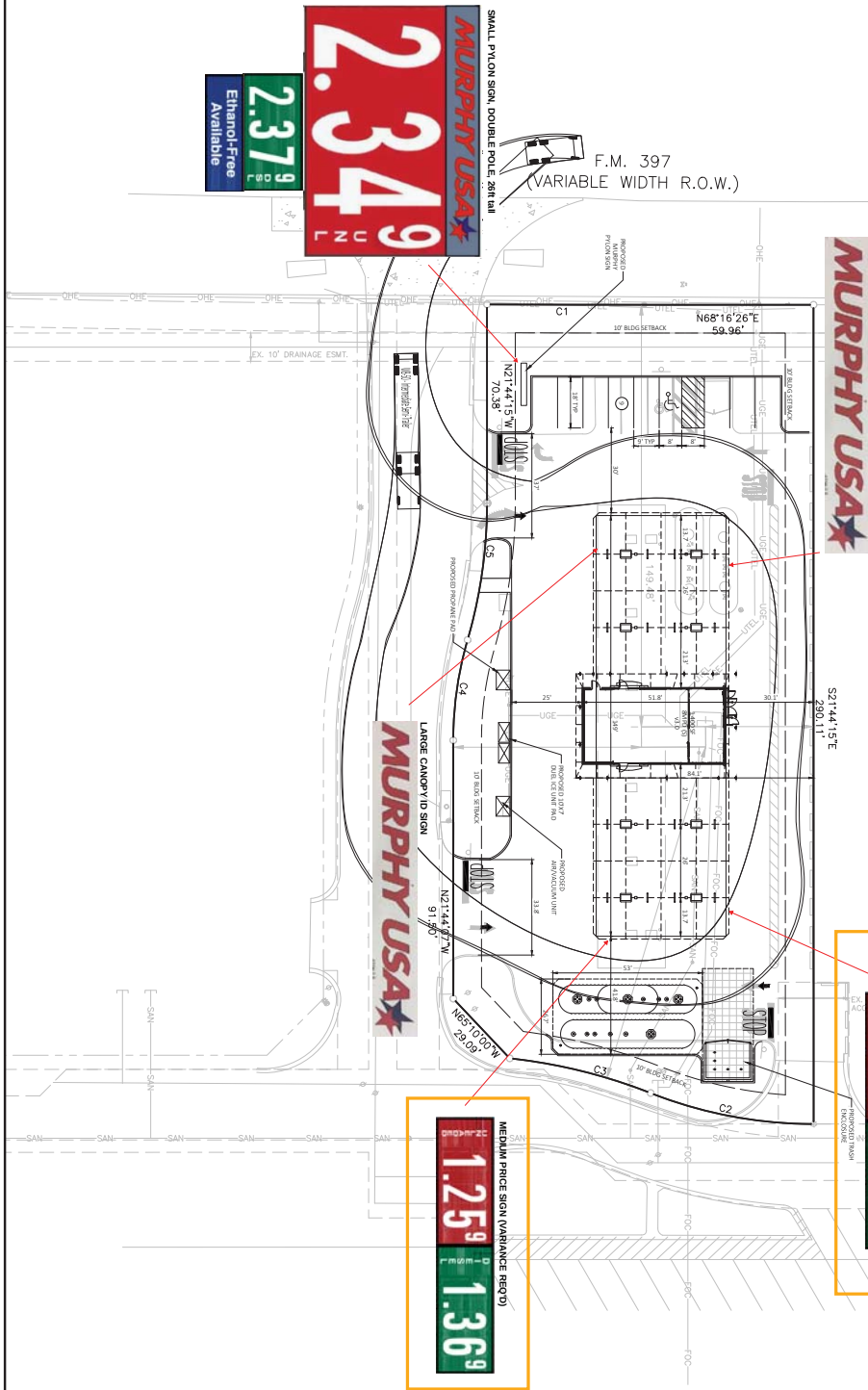
If the Variance is granted, it is expected that the applicant will then submit a Sign Permit exercising the Variance, for all the new signage for renovated project.

ATTACHMENTS:

1. Exhibit A – Site Layout - Signage
2. Exhibit B – Sign Rendering
3. Exhibit C – Canopy Sign

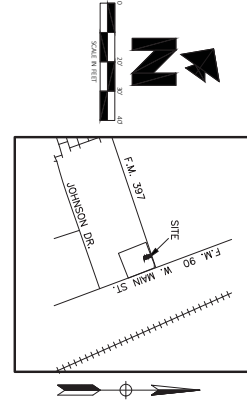
EXHIBIT A

Sign Type	Height (ft)	Width (ft)	Height (ft)	Width (ft)	Area (sq ft)	Qty	Provided Total SF	Allowed SF
Building								
Total Building Signage								
Express Canopy Logo								N/A
Option 1 Murphy USA Canopy Logo Sign	238.00	29.02	19.83	2.42	47.96	2	95.93	N/A
Option 2 Murphy USA Canopy Logo Sign	201.25	24.00	16.77	2.00	33.54	0	0.00	
Option 3 Murphy USA Canopy Logo Sign	171.00	21.00	14.25	1.75	24.94	0	0.00	
Total								
Canopy Price	43.13	193.50	3.59	16.13	57.95	0	0.00	N/A
Option 1 Large Canopy Price Sign	34.13	147.00	2.84	12.25	34.84	4	139.34	Variance Req'd
Option 2 Medium Canopy Price Sign	28.25	121.50	2.35	10.13	23.84	0	0.00	
Option 3 Small Canopy Price Sign								
Total								
Total Canopy Signage							239.27	423.24
Island Signage								
Price Sign	76	101	6.4	8.5	53.13	1	87.14	No Max
44" Single Product	43.13	88.27	7.7	25.46	1	25.46		109.57
Double 32" Single Product	43.13	88.27	7.7	25.46	1	25.46		
Double Face Logo Island Freestanding	15.5	88.13	7.7	9.15	1	9.15		
Total Sign Area								
							323.911	423.24



MEDIUM PRICE SIGN (VARIANCE REQ'D)
1.259 1.369

MEDIUM PRICE SIGN (VARIANCE REQ'D)
1.259 1.369



1. PROVIDED PARKING SPACES (9) DOES NOT MEET THE REQUIRED 11 PARKING SPACES (VARIANCE MAY BE REQUIRED)

UNUSUAL CONDITIONS

SETBACKS

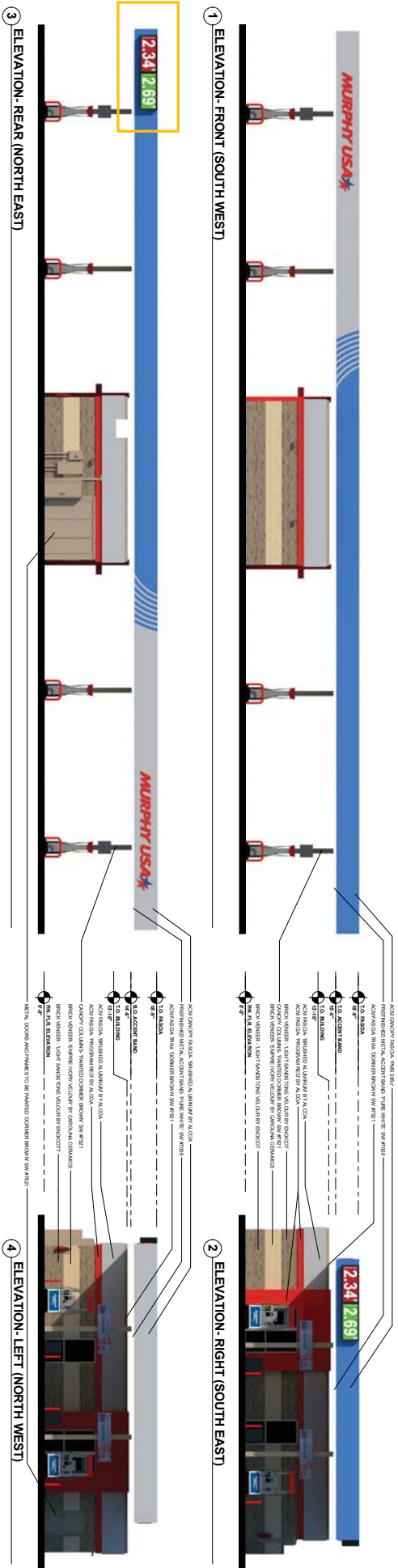
	REQUIRED	PROVIDED
FRONT (STREET S):	10'	10'
SIDE:	10'	10'
REAR:	10'	10'
PARKING:	10' (FRONT)	10'

PARKING

	REQUIRED	PROVIDED
RECD/RATIO:	1/200 SF + 0.5 PLUMP	
PARKING SPACES:	11 SPACES	9 SPACES
ADA SPACES:	1 SPACES	1 SPACES
STALL DIMENSIONS:	9' x 18'	9' x 18'

SITE DATA

LOT AREA:	33.863 sq.(0.777 acres)
CURRENT ZONING:	B-1 (LOCAL BUSINESS)
DETENTION RECD:	N/A (EXISTING)
DETENTION LOCATION:	DEVELOPER POND
OPEN SPACE RECD:	TBD
BUILDING PROTO:	1,400 S.F.



SIGN		QTY	REMARK	AREA	TOTAL SQ.
MURPHY USA CANOPY LOGO SIGN		2	GRANITE AREA	47.01 SF	94.02 SF
MURPHY USA CANOPY PHOTO SIGN		4	21.36 SF	85.44 SF	337.92 SF
TOTAL					431.94 SF
PYLON SIGN		QTY	REMARK	AREA	TOTAL SQ.
MURPHY USA PYLON SIGN		1	17.00 SF	17.00 SF	17.00 SF
TOTAL					17.00 SF
TOTAL					448.94 SF

"SIGN SPECIFICATION & CUT-SHEET"

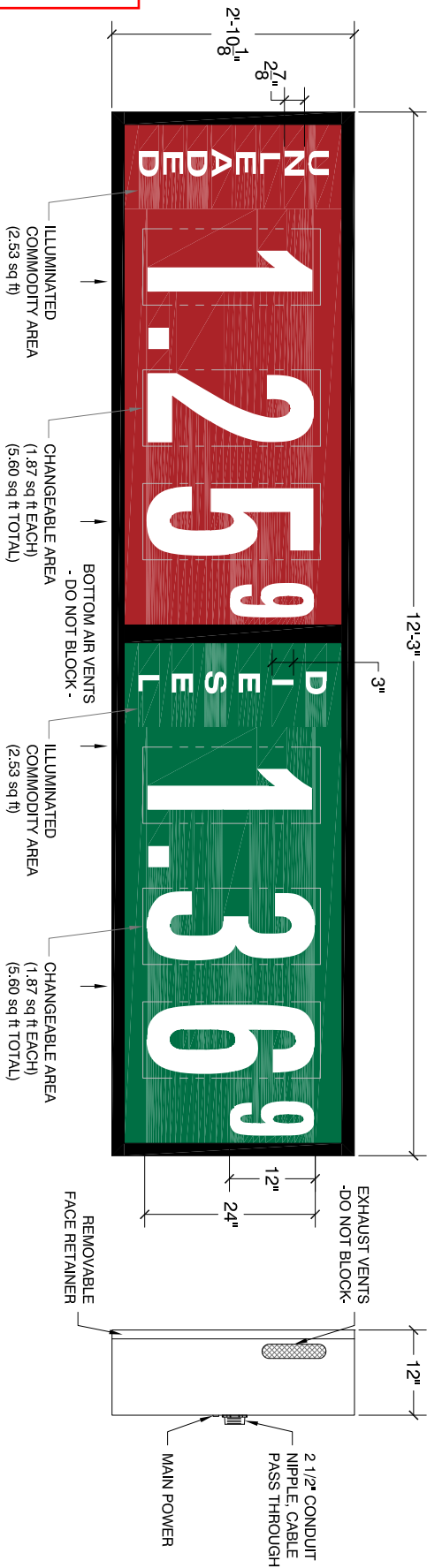


EXHIBIT C

- NOTES:**
1. CONFORMS TO UL STD 48
 2. FONT: HELVETICA BOLD
 3. CABINET PAINTED BLACK
 4. PLEASE SPECIFY ANY SPECIAL MOUNTING REQUIREMENTS
 5. FACE VINYL TO BE APPLIED ON OUTSIDE SURFACE (1st SURFACE)
 6. ALL PANELS TO BE 3/8" CLEAR OR WHITE ACRYLIC
 7. COMMODITY BACKGROUND TO BE TRANSLUCENT AND PRICE AREA TO BE OPAQUE
 8. INTERIOR ILLUMINATION: 12 VDC LED BACKLIGHTING
 9. ELECTRICAL REQUIREMENTS: Input Voltage: 120 VAC Control 24/7: 2 Amps Lighting: 4.2 Amps TOTAL = 6.2 Amps

COLORS	REVISIONS	CUSTOMER REVIEW STATUS	THE INTENT OF THE DRAWING IS TO SHOW A CONCEPTUAL REPRESENTATION OF THE PROPOSED SIGNAGE. THE FINISHED SIGN MAY DIFFER SLIGHTLY FROM DRAWING.
● RED: 3M 3632-73 ● GREEN: 3M 3632-26 ● DIGIT, RED/WHITE ● DIGIT, GREEN/WHITE	1: 1: 2: 2: 3: 3: 4: 4: 5: 5:	SKYLINE PRODUCTS, INC. REQUIRES THAT ANY *APPROVED* DRAWING BE OBTAINED FROM THE CUSTOMER PRIOR TO ANY PRODUCTION RELEASE OR PRODUCTION RELEASE REVISION. ☐ APPROVED ☐ APPROVED AS NOTED ☐ REUSE AND RESUBMIT	DRAWING NUMBER: MURP0091-031717-02 MODEL NUMBER: PCS-24DPSFISC SIGN TOLERANCES: +1/8 -1/2"

All Installation details are suggested only. All Signs must be installed in accordance with NATIONAL, STATE ELECTRICAL, AND BUILDING CODES. Unless specifically contracted for Skyline Products, Inc. shall have no responsibility for wind loads, installations, or electrical circuits. These are the sole responsibility of the buyer/user.

SKYLINE PRODUCTS		
TITLE:	MODEL 24" DOUBLE PRODUCT SINGLE FACE FUEL PRICE DISPLAY	
REV.	SPT #:	

2803 DELTA DRIVE
COLORADO SPRINGS,
CO 80910-1012
719-592-9046
800-758-9046

CUSTOMER: MURPHY OIL COMPANY		STORE #:
ADDRESS:		
SALESPERSON: COMPANY	SALES ORDER#:	
DATE: 3/17/17	DRAWN BY: JAY	SIGN AREA: 34.84 sq ft

MEMORANDUM

TO: City of Taylor Zoning Board of Adjustment (ZBA)
FROM: Michael Elabarger, Senior Planner
RE: Variance Request PZ-2018-1088
DATE: June 1, 2018

Hearing Date: June 5, 2018
Property Owner: Mary Miller
Applicant: City of Taylor / HOME Program
Location/Address: 508 Barker Street
Size of the Site: The lot is 0.1641 acre (7,150 SF).
Current Land Use: Residential
Legal Description: Southeasterly portion of Lot 1, Block 89, City of Taylor
Current Zoning: R-1, Single Family Residential District
Future Land Use Map designation: Manufactured Home
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 or 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.

Per Section 2.7.3.7.d, a Street Side Minimum Yard Setback of 10' applies. The HOME Program house plan measures 39' 4" wide and when placed on the lot within the required setbacks, an encroachment of approximately 5' would exist on the northeast corner, with the exact dimension being determined at the time of Building Permit submittal. This Variance thus seeks to permit the encroachment, which will still allow for a minimum setback of 5', which is the normal setback dimension for an interior side.

Zoning and Land Use of Surrounding Property:

North: R-1 – Single Family Residential District (Developed w single family)
East: M-1 – Light Industrial District (industrial use)
West: R-1 – Single Family Residential District (Developed w single family)
South: MF-2 – High Density Multifamily District (multifamily)

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.

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 the single-family dwelling per Exhibit B. The new home would replace an existing older, non-conforming home that fails to meet several Zoning Ordinance requirements as well as many modern Building and Fire Code elements. The new home will add new and improved value to the neighborhood and provide a qualified family an improved quality of life.

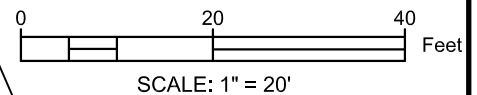
ATTACHMENTS:

1. Exhibit A – Lot Survey – 508 Barker
2. Exhibit B – Proposed Dwelling

ALTA/NSPS LAND TITLE SURVEY

BEING 0.1641 ACRE (7,150 SQ. FT.) OF LAND OUT OF THE JAMES C. EAVES SURVEY, ABSTRACT 214, WILLIAMSON COUNTY, TEXAS AND BEING THE SOUTHEASTERLY PART OF LOT 1 (1), BLOCK EIGHTY-NINE (89), OF THE "MAP OF THE TOWN OF TAYLOR", RECORDED IN VOLUME 49, PAGES 66-67 OF THE DEED RECORDS OF WILLIAMSON COUNTY, AND TRANSCRIBED IN CABINET A, SLIDE 187, PLAT RECORDS OF WILLIAMSON COUNTY.

DEED REFERENCE:
DAN MOODY
PART OF LOT 1, BLOCK 89,
TOWN OF TAYLOR,
(VOL. 183, PG. 344, W.C.D.R.)



DEED REFERENCE:
ISAAC EDWARD REESE
PART OF LOT 1, BLOCK 89,
TOWN OF TAYLOR,
DOC. NO. 2008052846, O.P.R.W.C.

LEGEND

- CONCRETE FENCE POST
- △ MAG NAIL W/ WASHER SET
- IRON PIPE FOUND
- 1/2" CAPPED IRON ROD SET
- IRON ROD FOUND
- () RECORD INFORMATION
- GUY WIRE
- ⊗ POWER POLE
- ⊙ WATER METER

O.P.R.W.C. OFFICIAL PUBLIC RECORDS
WILLIAMSON COUNTY
P.R.W.C. PLAT RECORDS
WILLIAMSON COUNTY
W.C.D.R. WILLIAMSON COUNTY
DEED RECORDS
B.O.C. BACK OF CURB
E.O.A. EDGE OF ASPHALT

- ADJOINING PROPERTY LINE
- CHAIN LINK FENCE
- OHE OVERHEAD ELECTRIC LINE
- TEL OVERHEAD TELEPHONE LINE

POINT OF BEGINNING

APPROXIMATE SURVEY LINE

J.C. EAVES SURVEY

P. COURSEY SURVEY
ABSTRACT NO. 131

1.5" IRON PIPE FOUND LEANING
BEARS N 76° E, 3.2' FROM CORNER

NOTES:

SPEED LIMIT SIGN

1. BEARINGS OF LINES REFER TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (CENTRAL ZONE) AS COMPUTED FROM GPS VECTORS.

2. THIS ALTA/NSPS LAND TITLE SURVEY IS ACCOMPANIED BY AND MADE A PART OF A NARRATIVE METES AND BOUNDS DESCRIPTION.

This property does not include an identified special flood hazard area according to the US FEMA FIRM map panel 48491C0545E (2008). A flood hazard study has not been performed to identify additional special flood hazard areas which may exist.

SHEET TAB: SHEET 1
PLOTTED BY: pyglesias
PLOT TIME: Feb 02, 2018 - 11:54am
DRAWING: X:\796 City of Taylor\796-18-04 Miller\Drawings\796-18-04 Miller.dwg



**HAYNIE
CONSULTING, INC.**

Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78664-3276
Ph: 512-837-2446 Fax: 512-837-9463
TBPE FIRM # F-002411, TBPLS FIRM # 100250-00

SHEET NO.

1 OF 2

DRAWN BY: DD & PJY
CHECKED BY: BJ
PROJ. #: 796-18-04

OWNER:

Mary Miller
508 Barker Street
Taylor, TX 76574
Doc. No. 9846380 O.P.R.W.C.

**SOUTHEASTERLY
PART OF LOT 1**
0.1641 ACRE
(7,150 Sq. Ft.)

DEED REFERENCE:
THOMAS G. PARKER
PART OF LOT 1, BLOCK 89,
TOWN OF TAYLOR,
VOL. 1002, PG. 284, W.C.D.R.

EAST RIO GRANDE STREET
(R.O.W. VARIES)

BARKER STREET
(R.O.W. VARIES)

ALTANSPPS LAND TITLE SURVEY

BEING 0.1641 ACRE (7,150 SQ. FT.) OF LAND OUT OF THE JAMES C. EAVES SURVEY, ABSTRACT 214, WILLIAMSON COUNTY, TEXAS AND BEING THE SOUTHEASTERLY PART OF LOT 1 (1), BLOCK EIGHTY-NINE (89), OF THE "MAP OF THE TOWN OF TAYLOR", RECORDED IN VOLUME 49, PAGES 66-67 OF THE DEED RECORDS OF WILLIAMSON COUNTY, AND TRANSCRIBED IN CABINET A, SLIDE 187, PLAT RECORDS OF WILLIAMSON COUNTY.

TITLE COMMITMENT: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY INC., GF NO. 17055149 EFFECTIVE DATE OCTOBER 5, 2017, ISSUED OCTOBER 12, 2017:

THE FOLLOWING MATTERS OF RECORD ARE LISTED IN THE TITLE COMMITMENT PERTAINING TO THE PROPERTY DESCRIBED ABOVE:

1). SUBJECT TO RESTRICTIVE COVENANTS IN CABINET A, SLIDES 176 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.).

10a). ANY EASEMENTS PRESENTLY IN USE BY THE CITY OF TAYLOR AND ANY PIPES OR PIPELINES IN PLACE UNDER THE TRACT DESCRIBED HEREIN, DOES AFFECT THE SUBJECT PROPERTY.

10b). ANY PORTION OF THE HEREIN DESCRIBED PROPERTY WHICH FALLS WITHIN THE BOUNDARIES OF A STREET OR ALLEY, DOES AFFECT THE SUBJECT PROPERTY.

10c). ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS, OR OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERALS THAT ARE NOT LISTED, DOES AFFECT THE SUBJECT PROPERTY.

METES AND BOUNDS DESCRIPTION

Being 0.1641 acre (7,150 sq. ft.) of land out of the James C. Eaves Survey, Abstract No. 214, and being the Southeasterly part of Lot 1, Block 89 of the "Map of the Town of Taylor" in Williamson County, Texas, as recorded in Volume 49, Pages 66-67 of the Williamson County Deed Records, (W.C.D.R.), and transcribed in Cabinet A, Slide 187 of the Plat Records of Williamson County, (P.R.W.C.). Said Southeasterly part of Lot 1 being more particularly located and described as follows; (Bearings of lines refer to Grid North of the Texas Coordinate System of 1983 (Central Zone) as computed from GPS vectors; distances expressed in U.S. Survey Feet; Parenthetical bearings and distances refer to record information; This description is accompanied by and made a part of a ALTA/NSPPS Land Title Survey);

BEGINNING at a MAG nail with washer set in the concrete footing of a steel corner post of a chainlink fence, in the Northerly right-of-way line of East Rio Grande Street (r.o.w. varies) for the common corner of said Southeasterly part of Lot 1 and a Southwesterly part of said Lot 1 as described in a Warranty Deed to Isaac Edward Reese and recorded in Document No. 2008052846 of the Official Public Records of Williamson County (O.P.R.W.C.), for the Southwest corner of this tract;

THENCE, North 16 degrees 34 minutes 10 seconds West, (North 14° 15' 30" West), along said chainlink fence, a distance of 103.61 feet, (103.35 feet), to an iron rod found in the southerly boundary line of the Northerly part of Lot 1 as described in a Deed to Dan Moody and recorded in Volume 183, Page 344 of the W.C.D.R., at the common northerly corner of said Southeasterly part of Lot 1 and said Southwesterly part of Lot 1 for the Northwest corner of this tract;

THENCE, North 67 degrees 54 minutes 40 seconds East, (North 71° 00' East) with the common boundary line of said Southeasterly part of Lot 1 and said Northerly part of Lot 1, a distance of 43.51 feet, (45.18 feet), to a 1/2" iron rod with a plastic cap stamped "HAYNIE CONSULTING" set in the westerly right-of-way line of Barker Street (r.o.w. varies) and the easterly boundary line of said Lot 1 for the Northeast corner of this tract;

THENCE, South 44 degrees 05 minutes 20 seconds East, (South 37° 00' 30" East), with the easterly boundary line of said Lot 1, at 3.1 feet pass a 3/4-inch mushroom top iron rod found, in all a total distance of 111.23 feet, (108.30 feet), to a MAG nail with washer set in the asphalt paving of said Barker Street and in an approximate common boundary line of said James C. Eaves Survey and the Parthinia Coursey Survey, Abstract No. 131, at the Southeast corner of said Lot 1 for the Southeast corner of this tract;

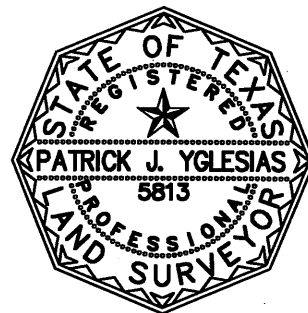
THENCE, South 67 degrees 54 minutes 40 seconds West, (South 71° 00' West), with the Southerly boundary line of said Lot 1 and an approximate common boundary line of said James C. Eaves Survey and said Parthinia Coursey Survey, a distance of 95.14 feet, (87.22 feet), to the POINT OF BEGINNING and containing a computed area of 0.1641 acre (7,150 sq. ft.) of land.

TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND MARY L. MILLER:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANSPPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPPS, AND INCLUDES ITEMS 1-4, 7(a) and 7(b1), OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 02, 2018.

DATE OF PLAT OR MAP: FEBRUARY 02, 2018

Patrick J. Yglesias 02/02/18
PATRICK J. YGLESIAS, R.P.L.S. NO. 5813
STATE OF TEXAS



**HAYNIE
CONSULTING, INC.**

Civil Engineers and Land Surveyors
1010 Provident Lane
Round Rock, Texas 78664-3276
Ph: 512-837-2446 Fax: 512-837-9463
TBPE FIRM # F-002411, TBPLS FIRM # 100250-00

SHEET NO.

2 OF 2

DRAWN BY: DD & PJY
CHECKED BY: BJ
PROJ. #: 796-18-04

SHEET TAB: SHEET 2
PLOTTED BY: pyglesias
PLOT TIME: Feb 02, 2018 - 11:36am
DRAWING: X:\796 City of Taylor\796-18-04 Miller\Drawings\796-18-04 Miller.dwg



MEMORANDUM

TO: City of Taylor Zoning Board of Adjustment (ZBA)
FROM: Michael Elabarger, Senior Planner
RE: Variance Request PZ-2018-1089
DATE: June 1, 2018

Hearing Date: June 5, 2018
Property Owner: Lillie Zachary
Applicant: City of Taylor / HOME Program
Location/Address: 118 Royal Street
Size of the Site: The lot is 0.142 acre (6,210 SF).
Current Land Use: Residential
Legal Description: Baker Addition, Block 10, Lot 5
Current Zoning: MH – Manufactured Housing District
Future Land Use Map designation: Manufactured Home
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 or 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.

Per Zoning Ordinance Section 2.7.3.7.c, an Interior Side Minimum Yard Setback of 5' applies. The HOME Program house plan measures 39' 4" wide and when placed on the lot within the required setbacks, an encroachment of approximately 4' 6" would be required within one of the side setbacks. To best accommodate such an encroachment, the house plan would utilize a 'right side' garage, whereby the garage would be the portion to encroach into the North side setback, with the walls of this non-living space

area being fire-rated construction. This Variance thus seeks to permit the encroachment, and allow for a setback of 0.5' on the North side.

Zoning and Land Use of Surrounding Property:

North: MH – Manufactured Housing District (Developed w Manufactured Home)
East: MH – Manufactured Housing District (Vacant Lot)
West: MH – Manufactured Housing District (Tennessee Street)
South: MH – Manufactured Housing District (Single family)

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.

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 the single-family dwelling per Exhibit B. The new home would replace an existing older, non-conforming home that fails to meet several Zoning Ordinance requirements as well as many modern Building and Fire Code elements. 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 – Lot Survey – 118 Royal
2. Exhibit B – Proposed Dwelling

ALTA/NSPS LAND TITLE SURVEY

LOT TEN (10), BLOCK FIVE (5) OF "BAKER ADDITION TO CITY OF TAYLOR", P. COURSEY SURVEY, ABSTRACT 131, WILLIAMSON COUNTY, RECORDED IN CABINET A, SLIDE 176, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS

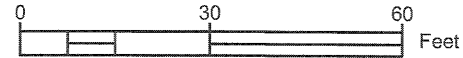
TENNESSEE STREET

(60' R.O.W.)

Edge of Asphalt

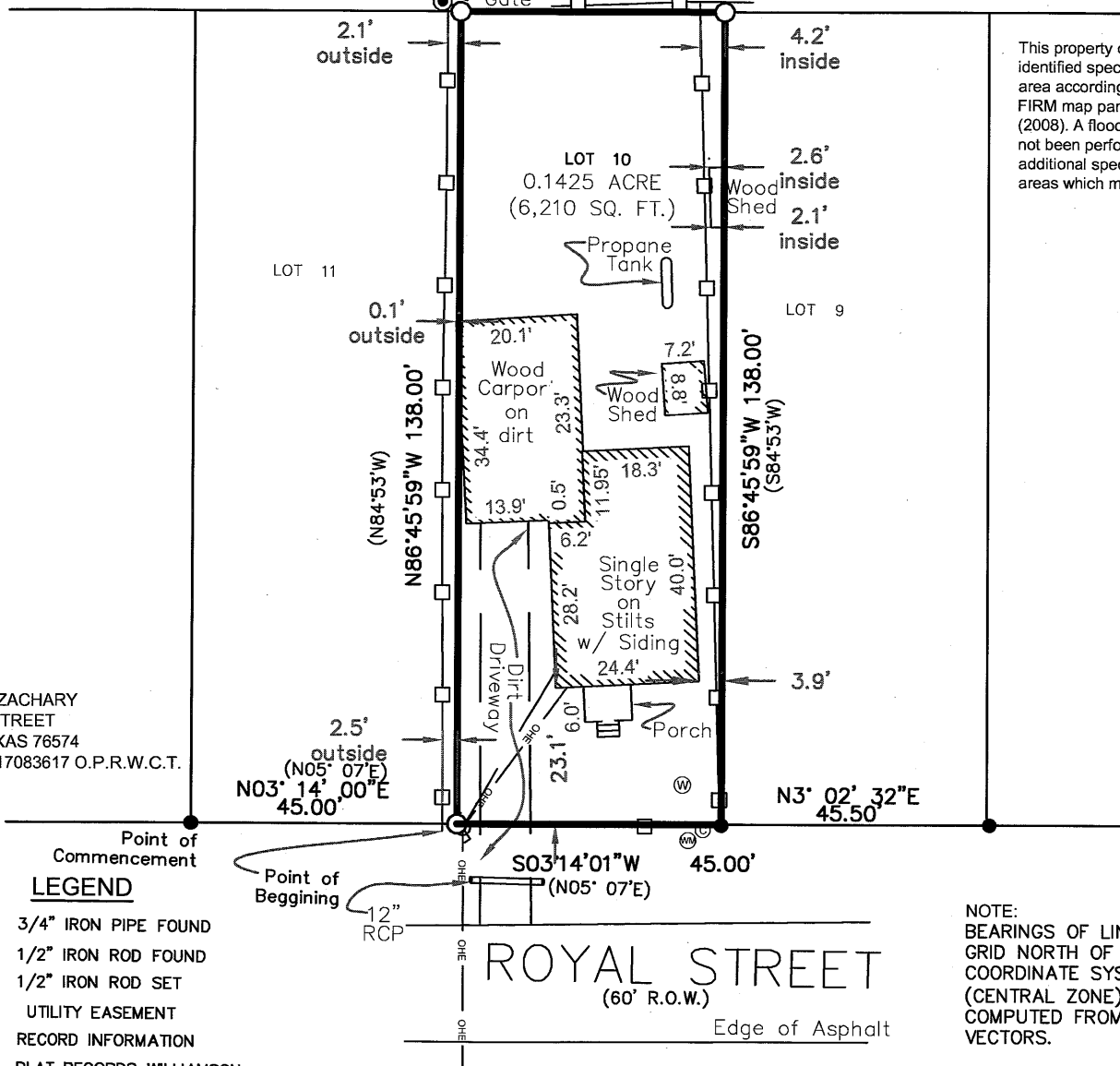


SCALE: 1"=30'



(N05° 07'E)

S57° 25' 24.32"W 1.30'
N03°14'01"E 45.00'



This property does not include an identified special flood hazard area according to the US FEMA FIRM map panel 48491C0535E (2008). A flood hazard study has not been performed to identify additional special flood hazard areas which may exist.

OWNER:
LILLIE FAYE ZACHARY
118 ROYAL STREET
TAYLOR, TEXAS 76574
DOC. NO. 2017083617 O.P.R.W.C.T.

LEGEND

- 3/4" IRON PIPE FOUND
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- U.E. UTILITY EASEMENT
- () RECORD INFORMATION
- P.R.W.C. PLAT RECORDS WILLIAMSON COUNTY
- O.P.R.W.C. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
- ⚡ POWER POLE
- ⊙ WATER METER
- ⊙ CLEANOUT
- ⊙ WATER VALVE
- OHE — OVERHEAD ELECTRIC LINE
- W — WOOD FRAME W/ STEEL GRID FENCE
- — ADJOINING PROPERTY LINE
- RCP REINFORCED CONCRETE PIPE

NOTE:
BEARINGS OF LINES REFER TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (CENTRAL ZONE) AS COMPUTED FROM GPS VECTORS.



HAYNIE CONSULTING, INC.

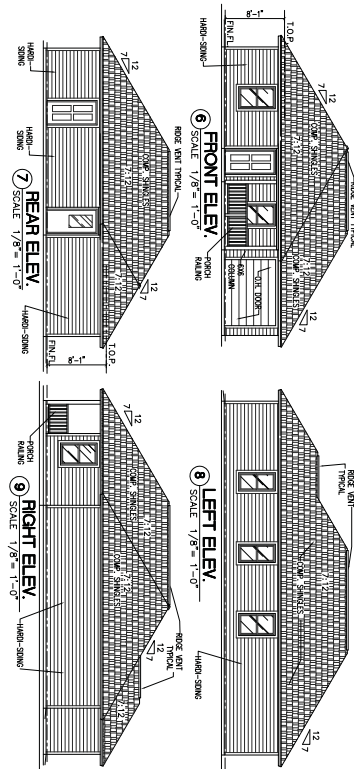
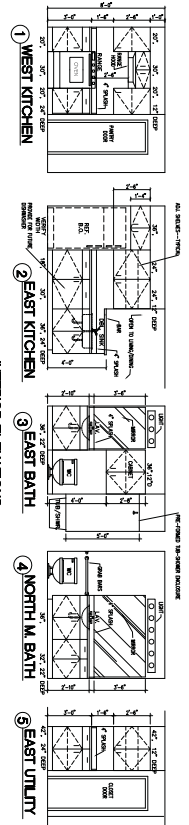
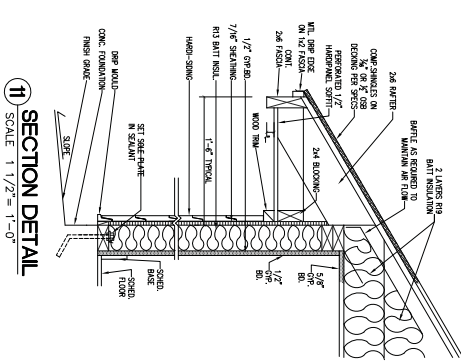
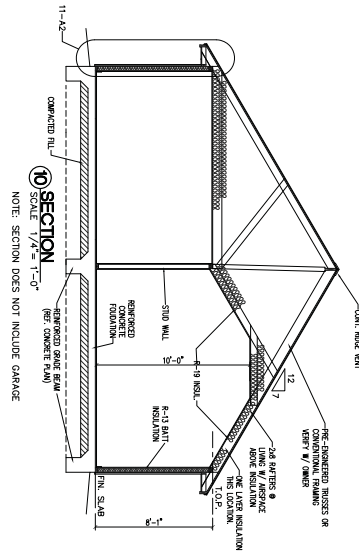
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SHEET NO.

1 OF 2

DRAWN BY: DD
CHECKED BY: BJ
PROJ. #: 796-18-01

SHEET TAB: SHEET 1
PLOTTED BY: ddimas
PLOT TIME: Jan 29, 2018 — 3:41pm
DRAWING: X:\796 City of Taylor\796-18-01 Zachary\Drawings\796-18-01 Zachary.dwg



ELECTRICAL / FLOOR PLAN LEGEND

 CABLE OUTLET
 PHONE JACK
 110V PLUG
 220V PLUG
 SWITCH
 WALL LIGHT
 SMOKE DETECTOR
 HOSE BIB
 JUNCTION BOX

 NON-GLASS LIGHT
 LIGHT / VENT (VENT THRU ROOF)
 WOOD SHED WALL
 WOOD SHED DOOR

 SIZE WINDOW
 FLOOR LIGHT
 VENT W/ LIGHT

12 ELECT. PLAN
SCALE 1/4" = 1'-0"

