

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

June 4, 2019 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 November 6, 2018 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **PZ-2019-1131 - Conduct Hearing** on request for an appeal to reverse an order, requirement, decision or determination made by an administrative official. The subject property is located at 801 E. Martin Luther King Junior Blvd., more particularly described by Williamson Central Appraisal District Parcel R321512; Lot 16, Block 82, Addition to the City of Taylor, Taylor, Williamson County, Texas.
3. **PZ-2019-1131 – Take Action** on request for an appeal to reverse an order, requirement, decision or determination made by an administrative official. The subject property is located at 801 E. Martin Luther King Junior Blvd., more particularly described by Williamson Central Appraisal District Parcel R321512; Lot 16, Block 82, Addition to the City of Taylor, Taylor, Williamson County, Texas.

ADJOURN

Next Meeting Date: Tuesday, July 2, 2019

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 May 31, 2019 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
Carrie Orts, Administrative Assistant Development Services

Date: 5.31.19

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

PRESENT:

Suzanne Bice
Nancy Talley
Craig Eulenfeld
David Paul

ABSENT:

Gayle Collins
Michael Prillaman

OTHERS PRESENT:

Tom Yantis, Director Development Services
Michael Elabarger, Senior Planner
Carrie Orts, Assistant to Development Services

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 June 5, 2018

Mr. Eulenfeld made a motion to approve the minutes as written. Second by Mr. Paul. All voted Aye.

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

Hearing opened. Mr. Elabarger made a presentation on the request, stating that there are 7 variance criteria that were not answered by the Applicant so it is left to the Zoning Board to decide. The Variance would 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. No one was present to answer questions. Hearing closed.

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.

Mr. Paul made a motion to approve variance with the following conditions:

1. Guttering must be installed on encroaching side;
2. The garage may not be used as habitable space or converted to habitable space in the future;
3. The south exterior wall encroaching into the setback shall be constructed with a fire wall to meet the current code; and
4. No overhang may be permitted that would encroach across the adjacent property line.

Second by Mrs. Bice. All voted aye. Variance granted.

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

Hearing opened. Mr. Elabarger made a presentation on the request, stating that there are 7 variance criteria that were not answered by the Applicant so it is left to the Zoning Board to decide. The Variance would 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. No one was present to answer questions. Hearing closed.

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.

Mr. Eulenfeld made a motion to approve variance with the following conditions:

1. Guttering must be installed on encroaching side;
2. The garage may not be used as habitable space or converted to habitable space in the future;
3. The south exterior wall encroaching into the setback shall be constructed with a fire wall to meet the current code; and
4. No overhang may be permitted that would encroach across the adjacent property line.

Second by Mr. Paul. All voted aye. Variance granted.

Discuss date for possible January 2019 Board meeting (First Tuesday is January 1st).

Board and Staff discussed new meeting date. It was decided that the Tuesday, January 1, 2019 Board meeting would be rescheduled to Tuesday, January 15, 2019.

Adjourn

Mr. Eulenfeld made motion to adjourn meeting. Second by Mrs. Bice. Meeting adjourned at 6:54 PM

Carrie Orts
Administrative Assistant, Development Services

Nancy Talley
Vice Chair

Staff Report to the Board of Adjustment
Meeting of June 4, 2019
PZ-2019-1131

Requested Action: An appeal to reverse an order, requirement, decision or determination made by an administrative official.

Applicant/Owner: Harlow Russell/Dickeman Properties

Subject Property: 801 E. Martin Luther King, Jr. Blvd., Lot 16, Block 82, Addition to the City Taylor

Parcel Information: Zoning: Local Commercial (B-1)
Use: Proposed duplex

**Surrounding Properties
Information:**

North: Residential
West: South Robinson St. right-of-way
East: Residential
South: East Martin Luther King, Jr. right-way

Background

On January 2, 2019, the subject property owners attended a Pre-Application meeting with City of Taylor, TX. The first topic of conversation was the land use. Residential development is permitted by-right in the B-1 Zoning District. Development standards for infill development were discussed as the requirements are different from those for newly created subdivisions. One of the regulations discussed was *"no minimum percentage of masonry for residential infill development is required for the facades."* On February 8, 2019, a building permit for duplex was submitted. The building permit application was denied. Because the proposed exterior cladding material of corrugated metal is not in compliance with Section 5.4.1 of the Zoning Ordinance. The property owners asked Mr. Tom Yantis, the Assistant City Manager, Director of Development Services for a determination with regard to the denial of the permit application. Mr. Yantis agreed that the duplex could not be approved as proposed with corrugated metal siding.

Appeal

Any person of the opinion that a decision of the administrative agency is an improper application of the regulations has the right to appeal.

Board of Adjustment

The Board may reverse or affirm, in whole or in part, or modify the administrative agency's order, requirement decision or determination.

Determination Being Appealed

The denial of the submitted building permit for a duplex was due to the proposed use of corrugated metal as cladding for the exterior elevations. The metal cladding was proposed for 100% of the exterior facades except for windows, doors, other non-supporting structural elements, etc. The denial was based on the following code excerpt from the code: *Appendix B. Zoning Ordinance. Chapter 5. - Performance Standards, 5.4 – Standards, 5.4.1 Adaptability All uses shall be constructed to be harmonious and architecturally integrated within the existing neighborhood. Indigenous architecture materials shall be primarily used; all secondary materials utilized should have City approval.*

The first part of the regulation being cited is in the Performance Standards in the Zoning Ordinance. The intent of the Performance Standards is to mitigate for nuisances such as dust, vibration, noise, etc. In addition, the Performance Standards are to ensure compatibility; hence the mention of harmonious uses and architectural integration. The staff interpretation of the code is that proposed uses and architectural styles must be the same as or similar to the existing uses and styles. In other words, infill development must fit in with existing development in the neighborhood. Traditionally, the siding material used for houses constructed in the surrounding neighborhood was horizontal wood lap siding and vertically installed board and batten siding. These siding materials were consistent with the vernacular architectural style of the houses and those materials were “indigenous” to the area. Recently constructed houses in the neighborhood and those that have been remodeled have used horizontal, cementitious fiber, lap siding that resembles traditional wood siding. There are also a few examples of houses that have used brick cladding and those houses are well integrated into the character of the neighborhood.

The applicant's proposal to use metal siding is inconsistent with the character of residential structures in the neighborhood and is not harmonious or architecturally integrated.

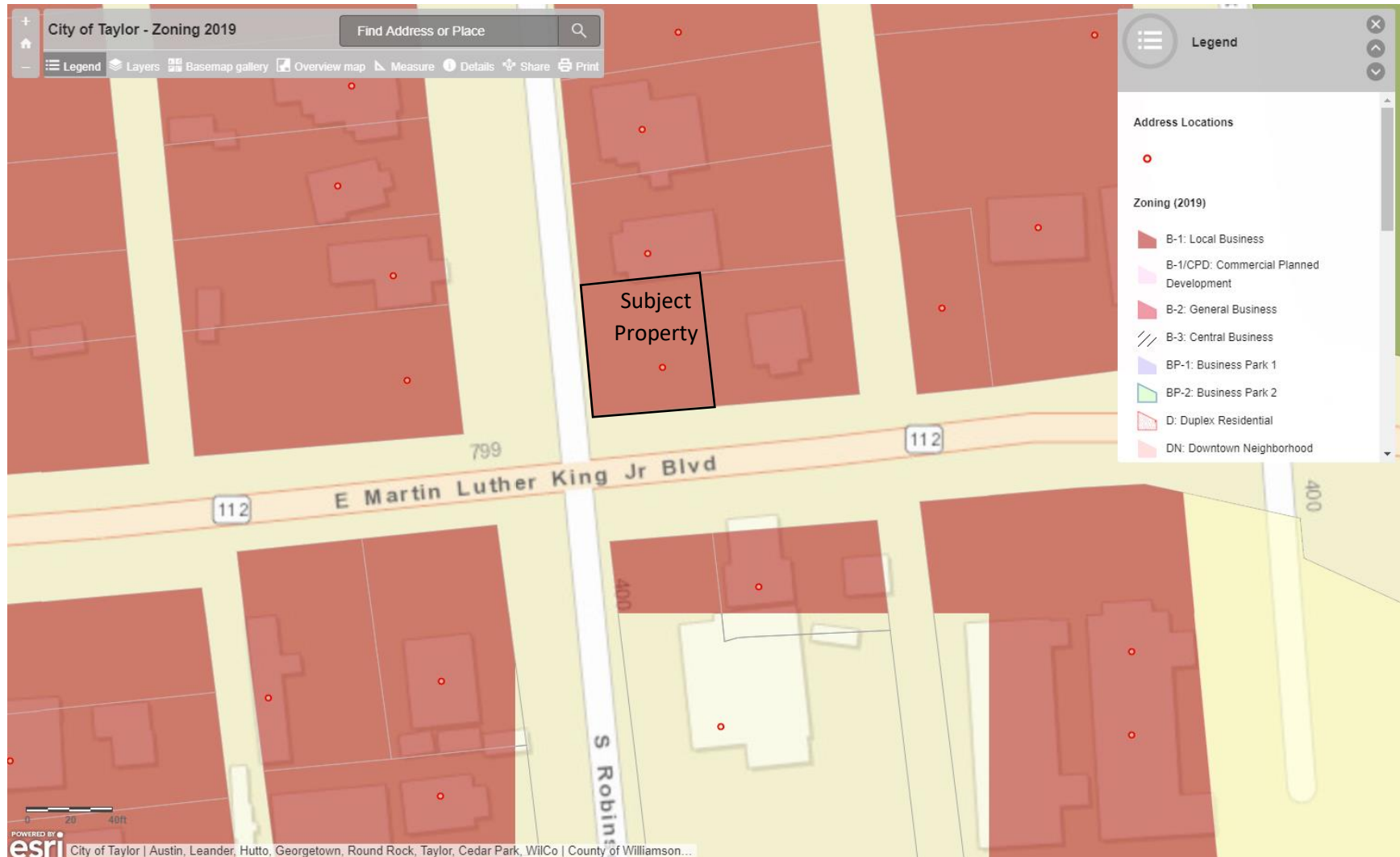
The applicant's position is that the neighborhood includes the commercial buildings as well as the residential buildings and that there are commercial buildings with metal siding. While staff agrees that there are commercial buildings with metal siding, it is staff's interpretation that infill building types should be compatible with buildings of the same type in the neighborhood.

After the denial of the building permit application, the property owners asked for clarification from Mr. Yantis. Mr. Yantis determined that the proposed duplex must be contextually consistent with the neighborhood, which means the houses in the surrounding area. Additionally, the primary building material being proposed for cladding could not be corrugated metal but he could consider it for a secondary cladding material. No revision to the proposed

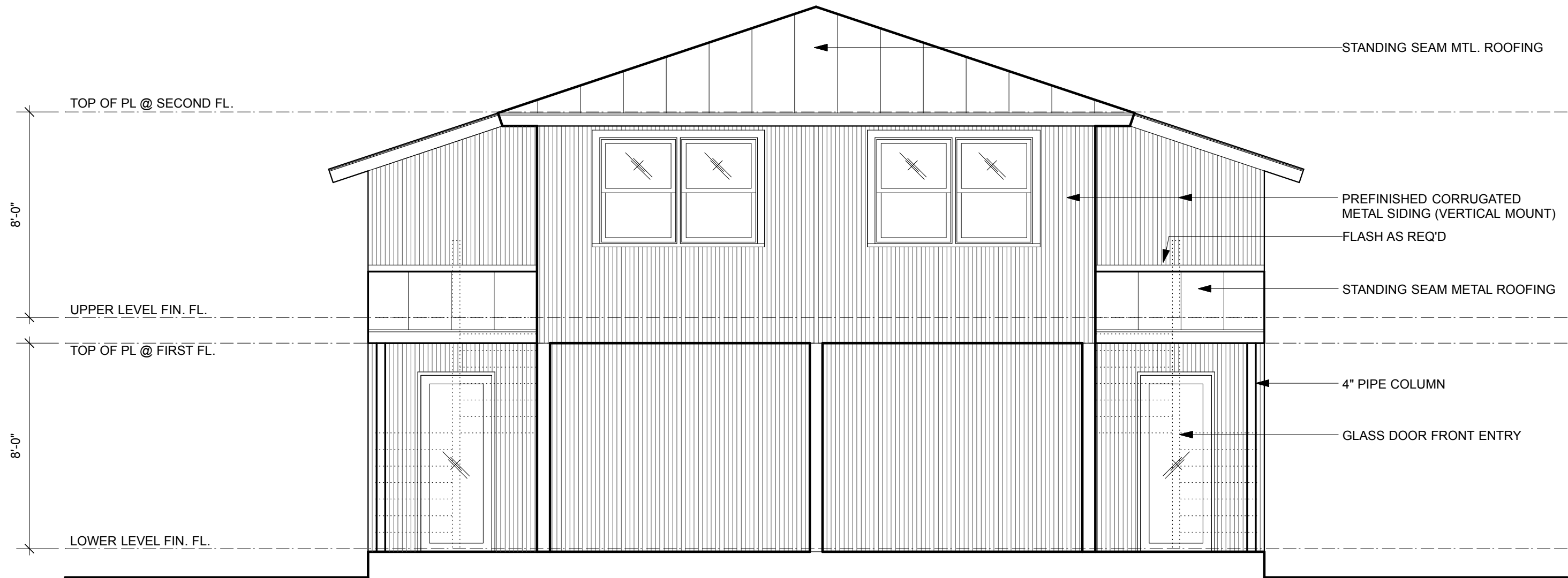
exterior cladding was proposed. The property owners decided to make an appeal of the determination.

To overturn the determination of the City staff, the Board would have to find that the cladding does not have to be the same as or similar to that of other houses in the neighborhood and that the architectural compatibility required by the ordinance is not specific to building type within the neighborhood.

801 E Martin Luther King Jr
Appeal to the Zoning Board of Adjustment



NOTE: CONTRACTOR TO VERIFY THAT ALL BEDROOM WINDOWS MEET EGRESS REQUIREMENTS PER CODE



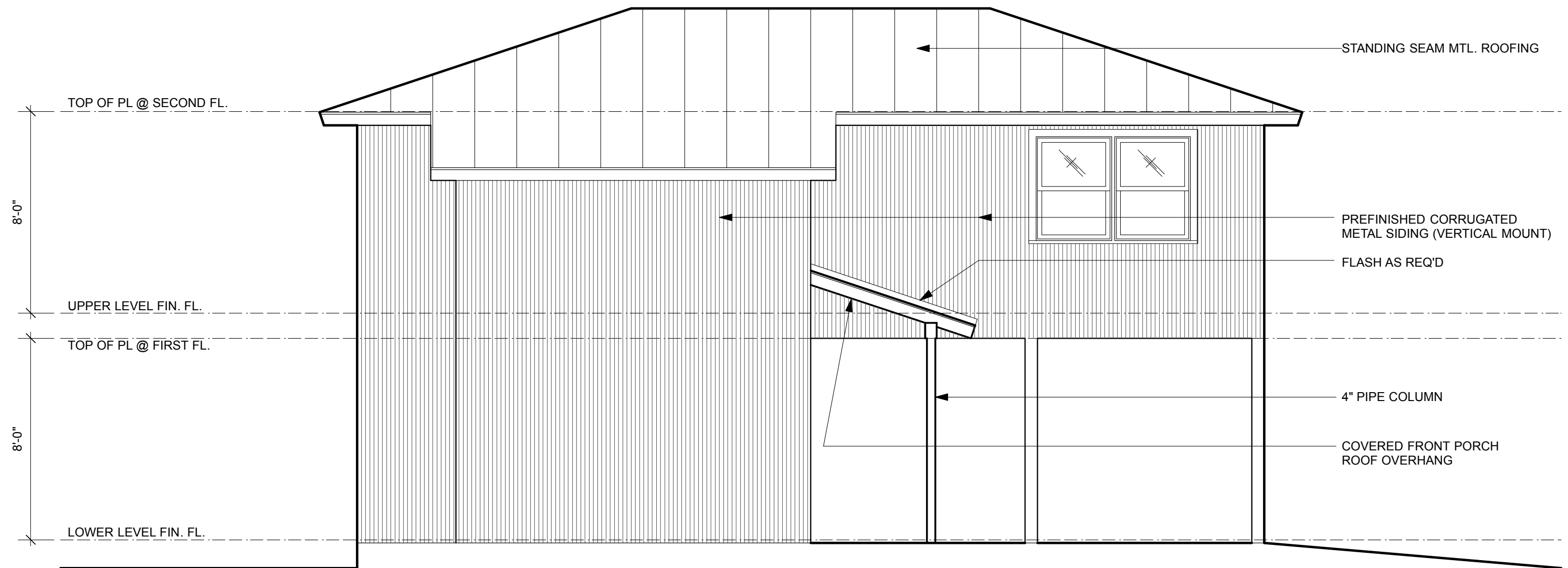
1 WEST ELEVATION
Scale: 1/4" = 1'-0"

03.11.2019

ELEVATIONS

A2.1

NOTE: CONTRACTOR TO VERIFY THAT
ALL BEDROOM WINDOWS MEET EGRESS
REQUIREMENTS PER CODE



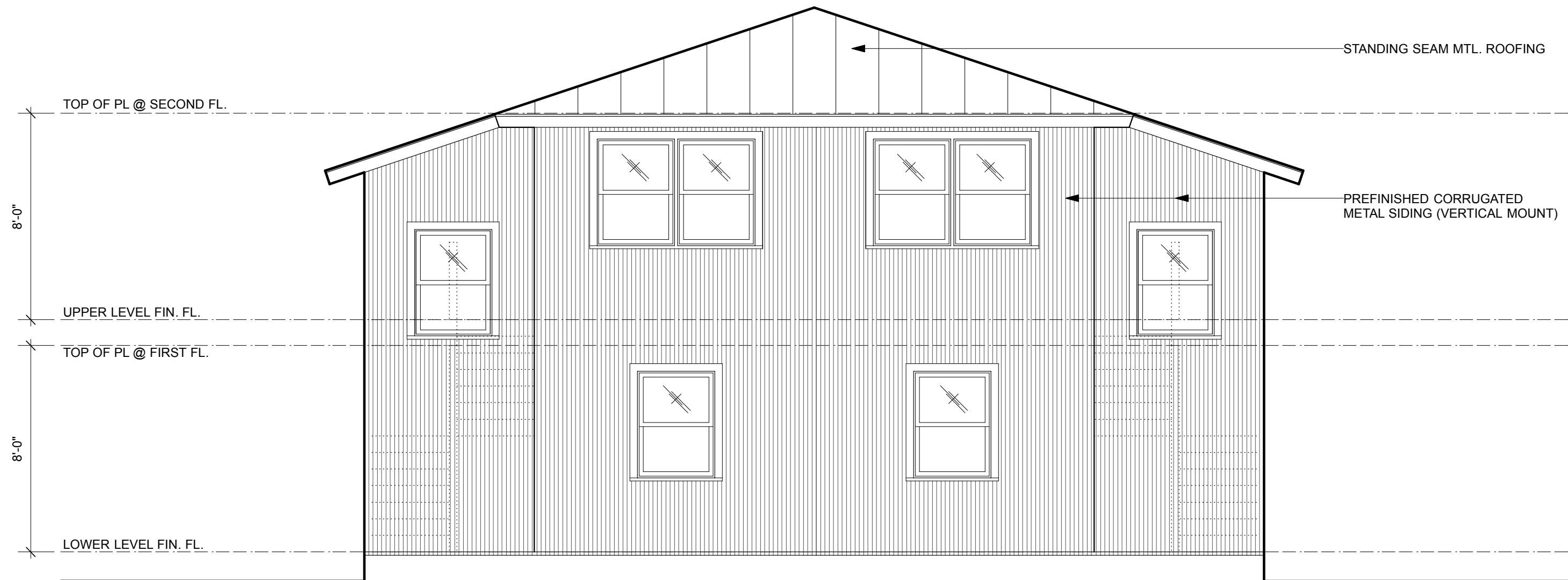
1 NORTH ELEVATION
Scale: 1/4" = 1'-0"

03.11.2019

ELEVATION

A2.3

NOTE: CONTRACTOR TO VERIFY THAT
ALL BEDROOM WINDOWS MEET EGRESS
REQUIREMENTS PER CODE

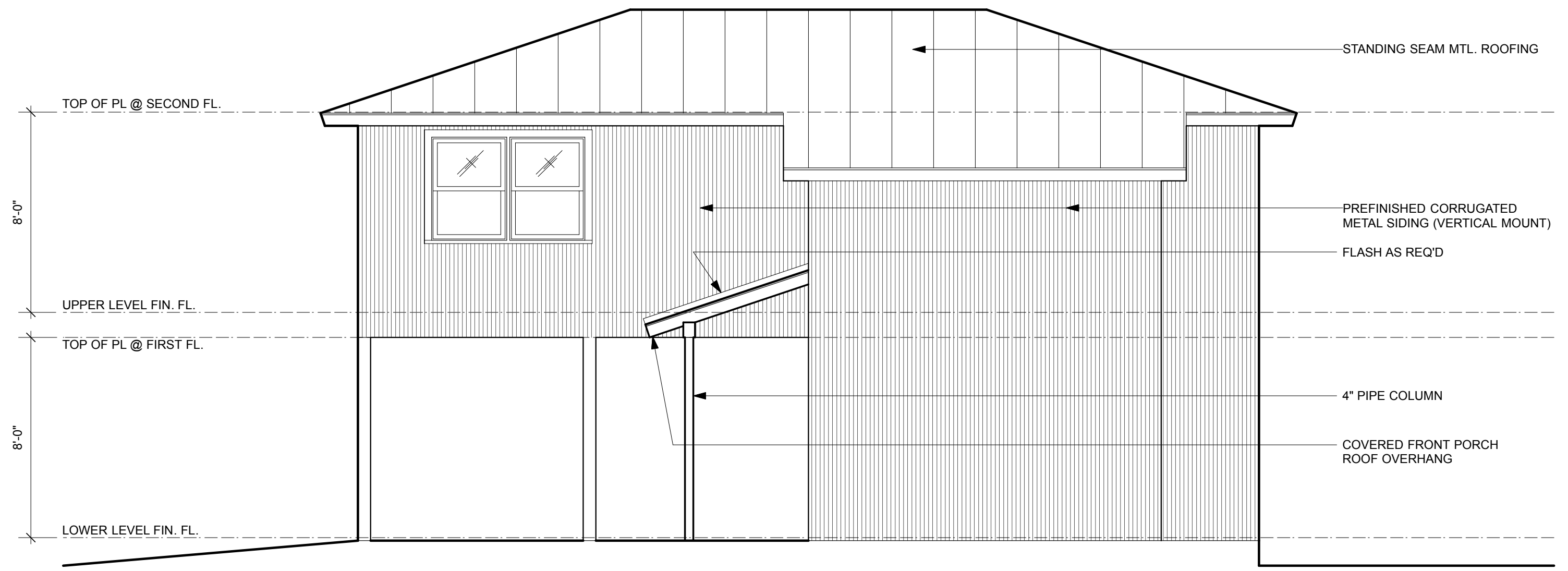


1 EAST ELEVATION
Scale: 1/4" = 1'-0"

03.11.2019
ELEVATION

A2.4

NOTE: CONTRACTOR TO VERIFY THAT ALL BEDROOM WINDOWS MEET EGRESS REQUIREMENTS PER CODE



2 SOUTH ELEVATION
Scale: 1/4" = 1'-0"

03.11.2019

ELEVATION

A2.2



Versatile and economical, DMC Corrugated exposed fastener panel can be used for almost any exterior or interior use, including architectural, industrial, commercial, residential, and agricultural wall, roof, liner or soffit.

Panels can be run either horizontally or vertically. Perforations in some substrates are available for acoustical applications.

Features:

- Coverage: 32" or 37-3/8"
- Rib spacing: 2.67"
- Rib height: 7/8"
- Standard anti-siphon groove
- Lengths: Up to 45' standard (Longer lengths available)
- Attachment: Through fastened, exposed fasteners
- Slope requirement: 3:12

Gauges and Coatings:

- Gauges: 22ga, 24ga, 26ga and 29ga
- Coatings: Galvalume, Kynar500, Silicone-modified Polyester, Paint Grip/Bonderized













