

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS

Taylor City Hall, 400 Porter Street

City Hall Reception Area

April 1, 2014, 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 March 4, 2014 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **Elect Chair and Vice-Chair for 2014**
3. **ZBA 14-02 Conduct Hearing** on a request from Milton Medina, property owner, who has requested a variance from the Zoning Ordinance, Section 2.12.5 relating to front and rear yard setback requirements for property located in the vicinity of 2003 W 3rd Street, Taylor TX.
4. **ZBA 14-02 Take Action** on a request from Milton Medina, property owner, who has requested a variance from the Zoning Ordinance, Section 2.12.5 relating to front and rear yard setback requirements for property located in the vicinity of 2003 W 3rd Street, Taylor TX.
5. **ZBA 14-03 Conduct Hearing** on a request from Albert Janecka, property owner, who has requested a variance from the Zoning Ordinance Chapter 6 relating to the requirement for off-street parking, and has requested that the parking be located within the street for property located in the vicinity of 404 and 406 East Second Street, Taylor TX.
6. **ZBA 14-03 Take Action** on a request from Albert Janecka, property owner, who has requested a variance from the Zoning Ordinance Chapter 6 relating to the requirement for off-street parking, and has requested that the parking be located within the street for property located in the vicinity of 404 and 406 East Second Street, Taylor TX.

ADJOURN

Next Meeting Date: Tuesday May 6, 2014

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 March 27, 2014 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, Planning and Development
Administrative Assistant

Date: March 27, 2014

MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, March 4, 2014
6:00 P.M.

PRESENT

John Sanford
Michael Aplin
Erwin Stauffer
Nancy Talley

ABSENT

Gayle Collins

OTHERS PRESENT

Bob van Til, Planning and Development Director
John Elsdon, City Planner
Carrie Orts, Admin Assistant

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 November 5, 2013

Mr. Aplin made a motion to approve the minutes as written for November 5, 2013. Second by Mr. Stauffer. All voted aye.

Elect Chair and Vice-Chair for 2014

Tabled until next meeting.

ZBA 14-01 Conduct Hearing on a request from Victor and Veronica Jimenez, property owners, for a variance from the side and rear yard setback requirements to place an accessory use (carport) at 514 N Doak Street, Taylor Zoning Ordinance Section 2.10.

Hearing opened. Mr. Elsdon introduced a request for a variance from the side yard setback of 10 ft. to 2 ft. and rear yard setback from 20 ft. to 10 ft. for a carport and stated Staff's technical recommendation is denial of this application since it does not meet the intent of the ordinance, nor are there any extenuating circumstances for the variance. Mr. & Mrs. Jimenez were present to answer questions. Mr. and Mrs. Davis and Mr. Casarez were present to ask questions about variance. Hearing closed.

ZBA 14-01 Take Action on a request from Victor and Veronica Jimenez, property owners, for a variance from the side and rear yard setback requirements to place an accessory use (carport) at 514 N Doak Street, Taylor Zoning Ordinance Section 2.10.

Motion made by Mr. Aplin to approve variance from the side yard setback of 10 ft. to 2 ft. and rear yard setback from 20 ft. to 10 ft. for a carport. Second by Mrs. Talley. All voted Aye.

Adjourn

Mr. Aplin made motion to adjourn meeting. Second by Mr. Stauffer. Meeting adjourned at 6:35 P.M.

Bob van Til
Planning and Development Director

John Sanford
Vice Chairman of the Board

MEMORANDUM

TO: Taylor Zoning Board of Adjustment

FROM: Bob van Til
Planning and Development Department

RE: Request for a Variance from the front and rear yard setback requirements to construct a new single family home at 2003 West Third Street.

DATE: March 26, 2014

Hearing Date
April 1, 2014

Applicant/Property Owner
Milton Medina

Location/Address
2003 W 2nd Street

Development Objective
Variances for new single family home

Subdivision & Size of the Lot
W. A. Rinderkecht Addition, 0.175 acres

Variance Request:
Request for a Variance from the front yard setback of 25 ft. to 10 ft. and rear yard setback from 10 ft. to 5'10" to construct a new single family home.

Code Sections
Zoning Ordinance, Section 2.12.5

Reason for Variance
See Application

Current Zoning
B-1, Local Business

Zoning of Surrounding Property:
North: MF-1
East: B-1
South: B-1
West: B-1

Current Land use
Vacant

Land Use of Surrounding Property
North: Single Family
ZBA 14-02 Medina Variance

East: Single Family
South: Single Family/Vacant
West: Single Family

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

Lot depth is 50', similar to lots on same side of street east and west of subject lot.

Lots across the street are approx. 110' in depth.

Lot size in the B-1 district varies greatly.

Future Land Use Map Shows

Single Family

Platting Information

Platted

Right of Way Issues

None

Other Information

Photo of Site:



Site Plan:



2003 WEST 3RD STREET
TAYLOR, TEXAS 78621

Appeal 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 in 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 a 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 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: Responses to Mailing:

None

Recommendation

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

Please let me know if you have any questions by calling 512-365-3863 or email at john.elsden@taylortx.gov



400 Porter Street Taylor, TX 76574

March 21, 2014

**Notice of Hearing for:
ZBA-14-02 on
April 1, 2014**

Dear Property Owner:

You have received this notice because you own property within a 200-foot radius of property in the vicinity of 2003 W 3rd Street, also known as Lot 14 W.A Rinderknecht Addition, Taylor, Texas. This property is owned by Milton Medina, who has requested a variance from the Zoning Ordinance, Section 2.12.5 for relief from the front and rear yard setback requirements.

The City of Taylor is required to notify property owners within a 200-foot radius of the property for this application. This serves as formal notice that the Taylor Zoning Board of Adjustment will hold a Hearing for this request on:

**April 1, 2014
6:00 p.m.
City of Taylor
400 Porter Street, Taylor, TX 76574**

For more information, please contact John Elsdén, City Planner, 512-365-3863, or email john.elsden@taylortx.gov

Attachment: Location Map

LUNA TELESFORO &
CARMEN
2010 W 3RD
TAYLOR TX 76574

MILTON MEDINA
1055 DEERWOOD DR
ELGIN, TX 78621

MCLAUGHLIN CYNTHIA
797 CASTLE HILL ROAD
REDWOOD CITY CA 94061

KARKOSKA LOUREN & EST.
OF TED KARKOSKA
2 SANDY LANE
TAYLOR TX 76574

RGRG FAM INV LP
3112 WINDSOR RD
STE A-245
AUSTIN TX 78703

KEYES RENTALS INC
705 FAIRVIEW RD
GEORGETOWN TX 78628

KELPAC ALBINA EST OF
JOHN KELPAC SR
2002 W 3RD
TAYLOR TX 76574

LUNA MARIO & JUANITA
1908 W 3RD ST
TAYLOR TX 76574

LOPEZ JESUS & LETICIA
1904 W 3RD
TAYLOR TX 76574

TOVAR ABLE & MARIA
GUADALUPE
1902 W 3RD
TAYLOR TX 76574

PEREZ AZUSENA
1903 W 3RD ST
TAYLOR TX 76574

RCNT LP
1912 N MAIN
TAYLOR TX 76574

SCHMIDT IRENE
1906 W 2ND
TAYLOR TX 76574

MCMASTER STEVEN
2503 CREEK BEND CIR
ROUND ROCK TX 78681

CANTU ROLANDO
1114 W 3RD ST
TAYLOR TX 76574

DOMINGUEZ ROSA
1909 W 3RD
TAYLOR TX 76574

GARDENS OF TAYLOR
LP
2909 SW PLATT CT
TOPEKA KS 66611

City of Taylor

ZONING ORDINANCE VARIANCE APPLICATION

Date 3/18/14

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

APPLICANT

PROPERTY OWNER

Name Milton Medina

Same

Mailing Address 1055 Deerwood Dr.

Elgin, TX 78621

Email medina85ms@ymail.com

Daytime Phone 512-716-9298

PROPERTY DESCRIPTION:

Street West 3rd Street, Williamson County, Texas Address No. 2003

Legal Description (if platted) Lot 14, W.A. Rinderknecht Addition, a subdivision of Williamson County, Texas.

Acres 0.175

Zoning Classification _____

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

N/A

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

REQUESTED ZONING VARIANCE:

Variance to Chapter _____, Section _____ of the Zoning Ordinance which requires.....

A 25' front setback from property line. We are requesting a variance to a 10' front setback from property line.

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.

Single story residence with attached side carport and covered front porch.

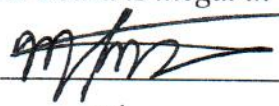
SUBMITTAL REQUIREMENTS:

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:  Date 03-16-2014

Printed Name: Milton Medina

To be completed by Staff:

Meeting Date: 04-01-2014 Application Deadline: 3-19-2014

Accepted By: Cassidy Date 3-18-11

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?

Lot 14 is approximately 50'

deep.

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?

N/A

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?

Owner could not build primary residence.

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?

To the extend of being able to build a single story house as a primary residence for the owner.

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?

The variance would have no affect on the rights of owners of surrounding property. Because of its location on site there would be no affect on the supply of light or air to the adjacent property, no affect on traffic, parking congestion, public streets or public safety. There will be a positive affect on the property values within the neighborhood.

MEMORANDUM

TO: Taylor Zoning Board of Adjustment

FROM: Bob van Til
Planning and Development Department

RE: Request for a Variance from the parking requirements for a parcel of property located at 404 and 406 East Second Street, Taylor, TX

DATE: March 26, 2014

Hearing Date

April 1, 2014

Applicant/Property Owner

Albert Janecka

Location/Address

404 and 406 E 2nd Street

Development Objective

Build new warehouses

Subdivision

Janecka Commercial Subdivision Lots 3 and 4

Size of the Lot

4,900 SF each

Variance Request:

Construct parking spaces off-site

Code Sections

6.1, Off Street Parking; requires all parking to be off-street in this zoning district.

6.2, Computing Off-Street Parking,

Reason for Variance

Please see application

Current Zoning

M-1, Light Industrial

Zoning of Surrounding Property:

North: M-1

East: M-1

South: M-1

West: B-1

Current Land use

Vacant

Land Use of Surrounding Property

North: Commercial/Residential

East: Rail road

South: Vacant

West: Vacant

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

DN, Downtown Neighborhood

Platting Information

Platted in 2001

Right of Way Issues

Right of way is about 100 feet in width

Other Information

Photo of Site:

See attached

Site Plan:

See attached

Aerial Photo:

See Attached

Appeal 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 in 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 a 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 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: Responses to Mailing:

None

Recommendation

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

Please let me know if you have any questions.



400 Porter Street Taylor, TX 76574

March 21, 2014

**Notice of Hearing for:
ZBA-14-03 on
April 1, 2014**

Dear Property Owner:

You have received this notice because you own property within a 200-foot radius of property in the vicinity of 404 and 406 E 2nd Street, also known as Janecka Commercial Subdivision Lots 3 and 4, Taylor, Texas. This property is owned by Albert Janecka, who has requested a variance from the Zoning Ordinance, Section 2.15.5 for relief from the off-street parking requirement, and to allow parking on the street in front of 404 and 406 E 2nd Street.

The City of Taylor is required to notify property owners within a 200-foot radius of the property for this application. This serves as formal notice that the Taylor Zoning Board of Adjustment will hold a Hearing for this request on:

**April 1, 2014
6:00 p.m.
City of Taylor
400 Porter Street, Taylor, TX 76574**

For more information, please contact John Elsdon, City Planner, 512-365-3863, or email john.elsden@taylortx.gov

Attachment: Location Map

ALBERT JANECKA
301 CR 404
TAYLOR TX 76574

ZYCHA, MICHAEL C
2206 MEADOW LANE
TAYLOR TX 76574

MAUPIN ROGER & REBECCA
3229 WINDING RIVER TRAIL
ROUND ROCK TX 78681

ALBERT WM & CHARLOTTE
FAMILY LTD PRTERSHP
756 CR 478
THRALL, TX 76578

PINA EST./ENRIQUE MORENO
503 E 2ND ST
TAYLOR TX 76574



© 2013 Google

Imagery Date: 10/31/2013 30°34'07.10" N 97°24'19.22" W elev









City of Taylor

ZONING ORDINANCE VARIANCE APPLICATION

Date March 18, 2014

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

APPLICANTPROPERTY OWNERName ALBERT JANECKAALBERT JANECKAMailing Address 301 CR 404TAYLOR, TX 76574Email starman@eccwireless.netDaytime Phone 512-940-4426

PROPERTY DESCRIPTION:

Street E. SECOND STREET Address No. 404 & 406Legal Description (if platted) JANECKA COMMERCIAL SUBDIVISION, LOTS 3 & 4Acres _____ Zoning Classification M1

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

No IMPROVEMENTS

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

REQUESTED ZONING VARIANCE:

Variance to Chapter 6, Section 6.1 of the Zoning Ordinance which requires.....

OFF-STREET PARKING AND LOADING SHALL BE PROVIDED IN ACCORDANCE WITH
THE REGULATIONS OF THIS CHAPTER FOR ALL NEW DEVELOPMENTS AND FOR
ANY EXISTING DEVELOPMENT THAT IS ALTERED IN ANYWAY

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.

3,000 S.F. SHOP/WAREHOUSE. 3 PARKING SPACES REQUIRED

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: Albert Janicka Date 3-19-2014

Printed Name: ALBERT JANECKA

To be completed by Staff:

Meeting Date: April 1 2014 Application Deadline: _____

Accepted By:  Date March 20 2014

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?

PROPERTY IS ZONED LIGHT INDUSTRIAL. THE LOT SIZES ARE TOO SMALL TO COMPLY WITH THE OFF-STREET PARKING REQUIREMENT AND STILL MEET THE NEEDS OF M1 TYPE BUSINESSES FOR A LARGE ENOUGH BUILDING AND THE ROOM FOR PARKING EQUIPMENT, SERVICE VEHICLES, MATERIAL STORAGE, ETC.

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

NO. CONDITIONS WERE CAUSED BY THE ADOPTION OF THE OFF-STREET PARKING REQUIREMENT WHICH DID NOT TAKE INTO ACCOUNT HOW IT WOULD AFFECT EXISTING LOTS WHICH WERE PLATTED BEFORE THE ADOPTION OF THE ORDINANCE

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?

N/A

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?

I WOULD BE FORCED TO SCALE BACK THE SIZE OF THE BUILDING IN ORDER TO HAVE THE NECESSARY ROOM NEEDED FOR PARKING OF EQUIPMENT, STORAGE OF MATERIALS, ETC. SCALING BACK THE SIZE OF THE BUILDING WOULD RENDER THE BUILDING USELESS FOR MY NEED OF A LARGER FACILITY THAN MY CURRENT BUILDING.

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

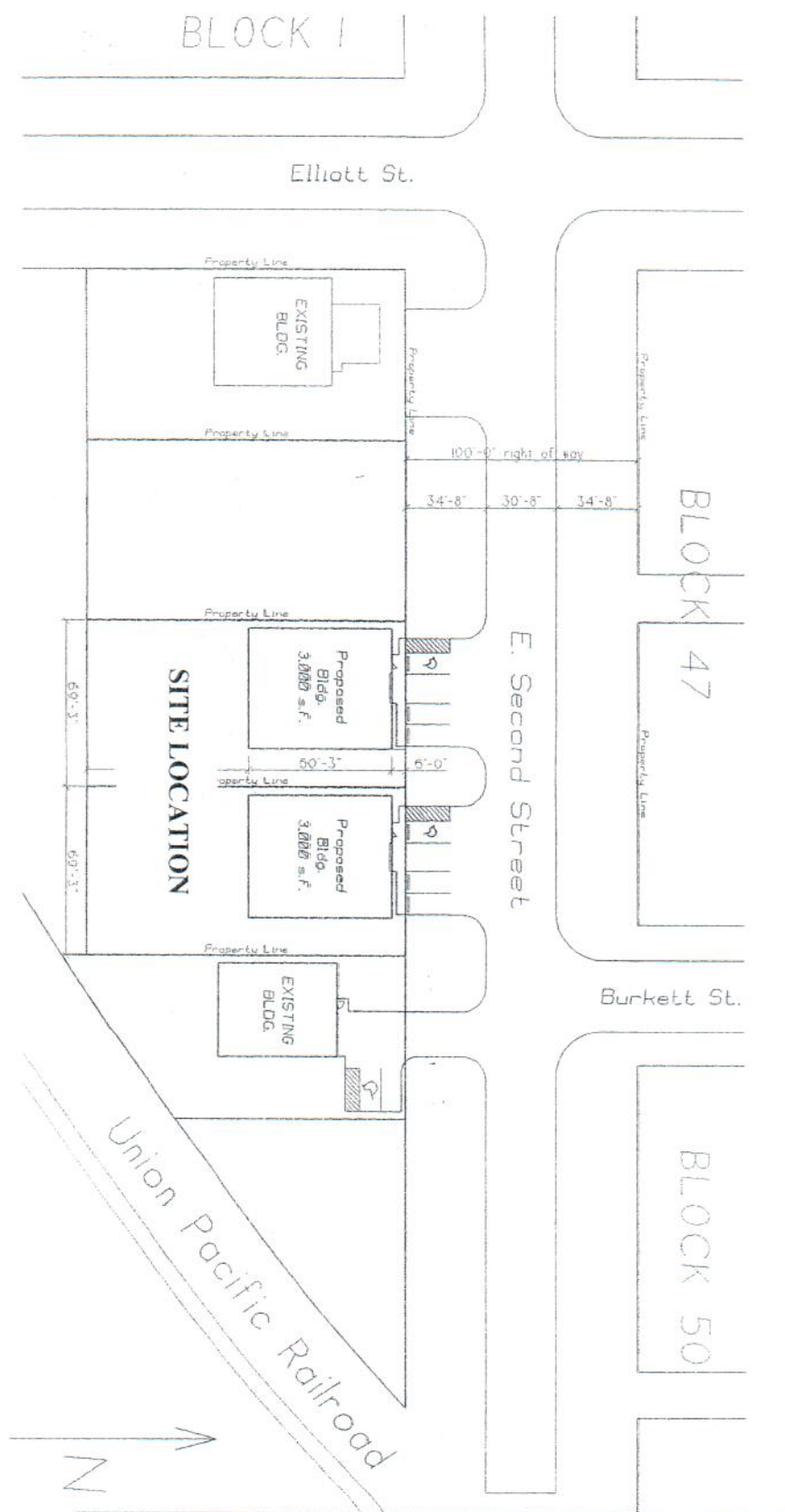
YES

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?

THE REQUEST FOR A VARIANCE IS BASED UPON THE DESIRE TO MAKE THE PROPERTY SUITABLE FOR CONSTRUCTION TO FIT THE NEEDS OF MI TYPE OCCUPANTS IT IS ZONED FOR.

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?

VARIANCE WOULD HAVE NO EFFECT ON TRAFFIC OR PARKING CONGESTION. AREA TRAFFIC IS MINIMAL. HEAD-IN PARKING ALREADY EXISTS FOR ALL OF THE BUSINESSES LOCATED ON E. SECOND STREET. RIGHT OF WAY IS 100' WIDE, LEAVING AMPLE ROOM FOR ENTERING & EXITING HEAD-IN PARKING SAFELY. PROPERTY VALUES SHOULD INCREASE AS IT WOULD BE A POSITIVE ADDITION TO AN AREA THAT IS NOW MOSTLY VACANT LOTS



Site plan with variance
from off-street parking