

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS

Taylor City Hall, 400 Porter Street

City Hall Reception Area

March 4, 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 November 5, 2013 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **Elect Chair and Vice-Chair for 2014**
3. **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.
4. **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.

ADJOURN

Next Meeting Date: April 1, 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 pm on **February 28, 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, Planning and Development
Administrative Assistant

Date:

2.28.14

MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, November 5, 2013
6:00 P.M.

PRESENT:

Gayle Collins Nancy Talley
Michael Aplin Erwin Stauffe
John Sanford

OTHERS PRESENT:

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

CALL TO ORDER AND DECLARE A QUORUM

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

CITIZENS COMMUNICATION

None

Review and approve Minutes from September 3, 2013

Mr. Aplin made a motion to approve the minutes as written for September 3, 2013. Second by Mr. Sanford. All voted aye.

Administer Oath of Office and Welcome new Board Member, Nancy Talley

Administered Oath of Office to new Board Member, Nancy Talley.

Board Member, Nancy Talley recused herself from meeting for ZBA 13-06 at 6:03 pm.

ZBA 13-06 Conduct Hearing on a request from Rick Northcutt and Candy Buzan, property owners, applicant Nanco Homes, for a variance from the requirement for three covered parking spaces for a four-plex to be located in the vicinity of 2604 Davis Street, Taylor Zoning Ordinance Section 4.3.4.1.

Hearing opened. Mr. Elsdén introduced and stated Staff's recommends denial of this variance since it does not meet the intent of the Ordinance, nor are there any extenuating circumstances. Mr. Northcutt was present to answer questions. Hearing closed.

ZBA 13-06 Take Action on a request from Rick Northcutt and Candy Buzan, property owners, applicant Nanco Homes, for a variance from the requirement for three covered parking spaces for a four-plex to be located in the vicinity of 2604 Davis Street, Taylor Zoning Ordinance Section 4.3.4.1.

Mr. Sanford made motion to approve the variance request from the requirement for three covered parking spaces for a four-plex to be located in the vicinity of 2604 Davis Street, Taylor Zoning Ordinance Section 4.3.4.1. Second by Mr. Aplin. All voted Aye.

Board Member, Nancy Talley returned to meeting at 6:09 pm

Adjourn

Mr. Stauffer made motion to adjourn meeting. Second by Mr. Aplin. Meeting adjourned at 6:11 PM

John Elsdén
City Planner

Gayle Collins
Chairman of the Board

BOARD	TERM (Yrs)	MEMBER	APPOINTED	EXPIRES
Zoning Board of Adjustment	2	Gayle Collins, Chairman 1114 Speegle (H) 352-7115 (C) 413-0256 kcollins5@austin.rr.com	1-2014	1-2016
	2	Nancy Talley 1622 Tammi Lane (H) 512-365-5091 (C) 512-848-6258 netalley@sbcglobal.net	10-2013	1-2016
	2	John Sanford, Vice Chairman 800 Davis (H) 365-1000 pjsanford@earthlink.net	2-2013	1-2015
	2	Michael Aplin 4308 J.M. Cuba Dr. (H) 352-8885 (O) 239-1792 (C) 924-1138 mike.aplin@tceq.texas.gov	2-2013	1-2015
	2	Erwin Stauffer 804 Kirk (H) 512-365-6453 (C) 512-818-6297 estauffer@austin.rr.com	1-2014	1-2016
Alternate	2	vacant		1-2013
Alternate	2	vacant		1-2013
Alternate	2	vacant		1-2012

MEMORANDUM

TO: Taylor Zoning Board of Adjustment

FROM: John Elsdon, AICP
City Planner
Planning and Development Department

RE: Request for a Variance from the side and rear yard setback requirements to place a carport at 514 North Doak Street.

DATE: February 28, 2014

Hearing Date
March 4, 2014

Applicant/Property Owner
Victor and Veronica Jimenez

Location/Address
514 N Doak Street

Development Objective
Variances for new Carport

Subdivision & Size of the Lot
City of Taylor Block 65, Lot SW Part of 3, N Part of 8

Variance Request:
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.

Code Sections
Zoning Ordinance, Section 2.10

Reason for Variance
See Application

Current Zoning
MF-2, Multi-Family 2

Zoning of Surrounding Property:
All sides: MF-2, Multi-Family 2

Current Land use
Single Family

Land Use of Surrounding Property

All sides: Single Family

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

N/A

Future Land Use Map Shows

Single Family

Platting Information

Platted

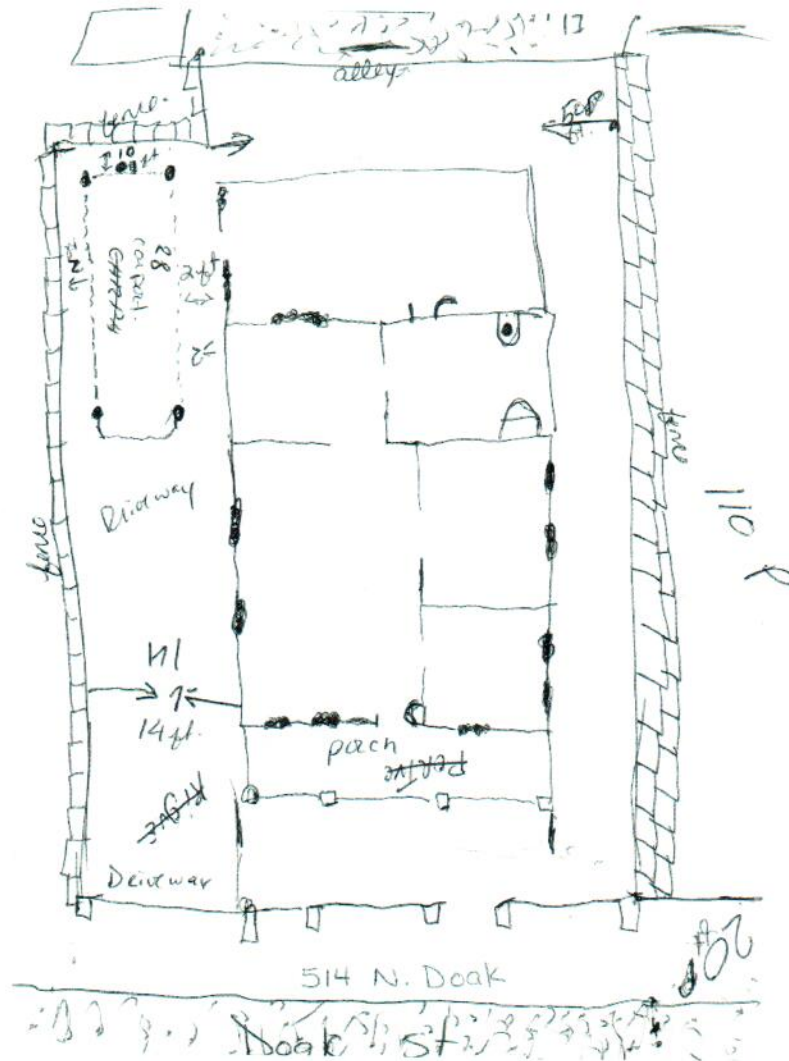
Right of Way Issues

None

Other Information**Photos of Site:**



Site Plan:



Aerial Photo:



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.

Neighbor Responses to Mailing:

The neighbor adjacent to the north is not in favor of the variance, and the neighbor adjacent to the south is in favor of the variance.

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

City of Taylor

ZONING ORDINANCE VARIANCE APPLICATION

Date 2/21/14

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

APPLICANTPROPERTY OWNER

Name _____

Victor Jimenez

Mailing Address _____

514. N. Doak

Email _____

Daytime Phone _____

512-660-2317512 595-9150**PROPERTY DESCRIPTION:**Street Doak Address No. 514Legal Description (if platted) R015344 City Bldgs, Lot smp to f3 Npt of 8Acres @ 1/2 acre Zoning Classification _____

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

2 car parking/metal frame portable building will be installed

APPLICATION FOR CITY OF TAYLOR ZONING VARIANCE

REQUESTED ZONING VARIANCE:

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

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.

a portable car port that will 28x10 ft. NO walls. metal frame. The width of the drive way is only 74 ft. so there is only 2 ft left to the sides.

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

2/21/14

Printed Name: _____

Victor Jimenez

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 property is not a full square

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

By previous owners I think

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, we want enjoy the car port in the front.
B/c ~~we~~ we have 4 cars, 2 cars have to be
covered b/c we don't use them much except for
church or outings. So we can't keep moving cars
to get our every day car out.

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 park my car on St. B/c of shade, but really need it to be in the drive way, b/c I've had 2 cars stolen, kitchen things all over, car broken into a stolen lock box.

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

No B/c the drive way has only 14 ft. band car port is 10 ft. wide

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?

No gain, I just want my cars from being messed with, I've made 2 reports from cars being vandalized.

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 would block air B/c the car port has no walls
It would block the sun B/c my home blocks the sun when it goes down on the west

Elm St

alley

50 ft

10 ft

car port
CH 12124

28

24 ft

22

Roadway

11

14 ft

porch
relative

Driveway

514 N. Doak

Doak St

110 ft

8

50 ft



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[Site Map](#)

514 N. Doak



400 Porter Street, Taylor, TX 76574

February 21, 2014

**Notice of Hearing for:
ZBA-13-07 on
March 4, 2014**

Dear Property Owner:

You have received this notice because you own property within a 200-foot radius of property in the vicinity of 514 N Doak Street, Taylor, Texas. This property is owned by Victor and Veronica Jimenez, who have requested a variance from the Zoning Ordinance, Section 2.10 for relief from the rear and interior side yard setback requirements to place an accessory use (carport).

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:

**March 4, 2014
6:00 p.m.
City of Taylor
Council Chambers
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

PIN	OwnerName	NAME 2	Address	City	State	Zip
R015390	BS BARNETT INC.		9493 HWY 290 E	AUSTIN	TX	78724
R015398	SCHOENROCK, THOMAS S & JOYCE Y		402 DAVIS ST	TAYLOR	TX	76574
R015409	ELBERS, MELVIN & JUDY		4511 CERVINA DR	ROUND ROCK	TX	78665
R015346	HAVALDA, JAMES T		616 W 5TH ST	TAYLOR	TX	76574-2747
R015340	TURNER, DARLENE ELEASE		503 BRANCH ST	TAYLOR	TX	76574-2760
R015400	BROWN, JENNIFER NEIRA		515 N DOAK ST	TAYLOR	TX	76574
R015402	AYERS, ELLA MARIE & DALE ELLIS		1044 W CLARK ST	BARTLET	TX	76511-4073
R015401	SANDOVAL, PRESCILIANO & ISABELL		519 N DOAK ST	TAYLOR	TX	76574-2764
R015345	DAVIS, NICOLE S		609 W 6TH ST	TAYLOR	TX	76574-2754
R014716	POKORNY, PAUL, Jr		PO BOX 471	TAYLOR	TX	76574-0471
R014714	MORAN, JOHN L, III		11911 ALOE VERA TRL	AUSTIN	TX	78750
R096172	HOLMSTROM, T W, Jr		PO BOX 1125	TAYLOR	TX	76574-1125
R015351	FOYT, THOMAS & JOAN A CORPORA		617 W 5TH ST	TAYLOR	TX	76574-2748
R015350	FEDERAL HOME LOAN MORTGAGE CO # X7801-014		3476 STATEVIEW BLVD	FORT MILL	SC	29715
R015399	ONYEJIKA, SYLVESTER UZOMA		1412 JOFFA CT	ROUND ROCK	TX	78664
R015339	BERNSEN, JAMES A		501 BRANCH ST	TAYLOR	TX	76574
R015344	JIMENEZ, VICTOR & VERONICA		514 N DOAK	TAYLOR	TX	76574
R015343	CASAREZ, RAFAEL		611 W 6TH ST	TAYLOR	TX	76574-2754
R015342	FAITH BAPTIST CHURCH	ATTN: STEVE GIBSON	809 FM 397	TAYLOR	TX	76574
R015341	SHAY, DOUGLAS E		601 W 6TH ST	TAYLOR	TX	76574-2754
R014721	CLARK, CHARLES & WANDA JEAN CLARK		700 W 6TH ST	TAYLOR	TX	76574
R014719	BLAHUTA, DWIGHT S & JANET G		618 W 6TH ST	TAYLOR	TX	76574-2753
R015337	CRISP, LILLIAN		512 BRANCH ST	TAYLOR	TX	76574-2759

DAVIS

W 5TH

BRANCH

6TH

5TH

DOAK

This map is created by the City of Taylor, Texas, Planning and Development Department.
"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative location of property boundaries."
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