

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENTS AND APPEALS

MEETING

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

January 03, 2017 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 15, 2016 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

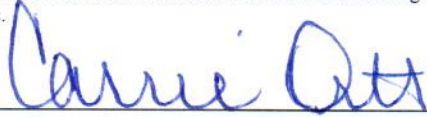
1. **PZ-20161025 - Conduct Hearing** on a request from the City of Taylor for a variance and special exception request on behalf of the property owner to provide relief from the Taylor Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards. The variance requested is to reduce the required setbacks to provide adequate room to build a single-family home with an enclosed garage located at 115 Franklin Street, Taylor, TX.
2. **PZ-20161025 Take Action** on a request from the City of Taylor for a variance and special exception request on behalf of the property owner to provide relief from the Taylor Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards. The variance requested is to reduce the required setbacks to provide adequate room to build a single-family home with an enclosed garage located at 115 Franklin Street, Taylor, TX.
3. **PZ-20161026– Conduct Hearing** on a request from The City of Taylor for a variance on behalf of the property owner to provide relief from the Taylor Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards. The variance requested is to reduce the required setbacks to provide adequate room to build a single-family home with an enclosed garage located at 112 Tennessee Street, Taylor, TX.
4. **PZ-20161026 – Take Action** on a request from The City of Taylor for a variance on behalf of the property owner to provide relief from the Taylor Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards. The variance requested is to reduce the required setbacks to provide adequate room to build a single-family home with an enclosed garage located at 112 Tennessee Street, Taylor, TX.

ADJOURN

Next Meeting Date: Tuesday, February 7, 2016 - 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 December 30, 2016** 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:



Date:

12.30.16

Carrie Orts, Administrative Assistant Development Services

**MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, November 15, 2016
6:30 P.M.**

PRESENT:

Gayle Collins
Michael Aplin
Nancy Talley

ABSENT:

OTHERS PRESENT:

Ashley Lumpkin, Director, Development Services
Carrie Orts, Admin Assistant, Development Services
Michael Elabarger, Senior Planner, Development Services

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:57 p.m.

CITIZENS COMMUNICATION

None

Review and approve Minutes from September 27, 2016

Mr. Aplin made a motion to approve the minutes as written for September 27, 2016. Second by Mrs. Talley. All voted Aye.

PZ-20161014 - Conduct Hearing on a request from Edward and Sandra Lewis for a Variance from the City of Taylor Zoning Ordinance Section 4.3.2, Measurements and Special Circumstances/Yard Setbacks, to allow an Accessory Structure (freestanding carport) wholly within the front building setback area, for 2600 Cherrylawn Drive, also known as Northlawn Section One, Block J, Lot 4.

Hearing opened. Staff made a presentation on the request, including the technical recommendation of denial. Four persons spoke in support of the variance. There was discussion between staff and several Board members. Hearing closed.

PZ-20161014 Take Action on a request from Edward and Sandra Lewis for a Variance from the City of Taylor Zoning Ordinance Section 4.3.2, Measurements and Special Circumstances/Yard Setbacks, to allow an Accessory Structure (freestanding carport) wholly within the front building setback area, for 2600 Cherrylawn Drive, also known as Northlawn Section One, Block J, Lot 4.

Mr. Aplin made a motion to approve the request from Edward and Sandra Lewis for a Variance from the City of Taylor Zoning Ordinance Section 4.3.2, Measurements and Special Circumstances/Yard Setbacks, to allow an Accessory Structure (freestanding carport) wholly within the front building setback area, for 2600 Cherrylawn Drive, also known as Northlawn Section One, Block J, Lot 4. Second by Mrs. Talley. All voted Aye.

PZ-20161016 – Conduct Hearing on a request from Jose Orta for a Variance from the City of Taylor Zoning Ordinance Chapter 4.3.4.1 to exempt the existing developed property from maintaining one (1) covered parking space behind the front building setback line, for 418 Otis Street, also known as Bel-Air Addition, Block 1, Lot 1 (E/PT) and 2(SE/PT).

Hearing opened. Mr. Elabargar introduced the variance and noted Staff's technical recommendation is denial of this application, as it does not meet the intent of the Ordinance, specifically that there are no demonstrable hardships, difficulties, or extenuating circumstances related to the property that warrant a Variance. If the Variance is granted, the applicant will follow-up with a building permit submittal to convert the garage space to livable space. Mr. Jose Orta was present for questions. Hearing closed.

PZ-20161016 – Take Action on a request from Jose Orta for a Variance from the City of Taylor Zoning Ordinance Section 4.3.4.1, to exempt the existing developed property from maintaining one (1) covered parking space behind the front building setback line, for 418 Otis Street, also known as Bel-Air Addition, Block 1, Lot 1 (E/PT) and 2(SE/PT).

Mr. Aplin made motion to approve request from Jose Orta for a Variance to close the garage and the option to add a single car carport built in the setback line, for 418 Otis Street, also known as Bel-Air Addition, Block 1, Lot 1 (E/PT) and 2(SE/PT). Second by Mrs. Talley. All voted Aye.

PZ-20161017 – Conduct Hearing on a request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 817 West 6th Street, also known as Doak Addition, Block 13, Lot 3 (PT, aka 3C).

Hearing opened. Mr. Elabargar introduced the variance and noted Staff's recommendation is support of this application, as the structure was damaged to the point of being uninhabitable by no fault of the owner, and construction of a new structure to the same level of site nonconformities is an improvement over the current situation. Four persons spoke against the variance. The applicants were present to answer questions. Hearing closed.

PZ-20161017 – Take Action on a request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 817 West 6th Street, also known as Doak Addition, Block 13, Lot 3 (PT, aka 3C).

Mrs. Talley made a motion to deny a request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 817 West 6th Street, also known as Doak Addition, Block 13, Lot 3 (PT, aka 3C). Second by Mr. Aplin. All voted Aye.

PZ-20161018 – Conduct Hearing on a request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 403 East 8th Street, also known as Vance Addition, Block 12 (PT).

Hearing opened. Mr. Elabargar introduced the variance and noted Staff's recommendation is support of this application, as the structure was damaged to the point of being uninhabitable by no fault of the owner, and construction of a new structure to the same level of site nonconformities is an improvement over the current situation. One person spoke against the Special exception. The applicants were present to answer questions. Hearing Closed.

PZ-20161018 – Take Action on a request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 403 East 8th Street, also known as Vance Addition, Block 12 (PT).

Mr. Aplin made motion to approve request from Round Rock Area Serving Center for Special Exceptions from the City of Taylor Zoning Ordinance Section 6.4.4 to allow an unpaved driveway and Section 4.3.4.1 to be exempt from providing one covered parking space, for 403 East 8th Street, also known as Vance Addition, Block 12 (PT). Second by Mrs. Talley. All voted Aye.

Adjourn

Mrs. Aplin made motion to adjourn meeting. Second by Mrs. Talley Meeting adjourned at 8:21 PM

MEMORANDUM

TO: Taylor Zoning Board of Adjustment

FROM: Ashley Lumpkin, AICP, Development Services Director

RE: Variance and Special Exception Request 2016101725

DATE: December 29, 2016

Hearing Date:

January 3, 2017

Property Owner:

Richard Alderete

Applicant:

City of Taylor on behalf of Richard Alderete and the HOME Program

Location/Address:

115 Franklin – south of the southwest corner of West 2nd Street and Franklin Street

Development Objective and Code Section Request:

Zoning Ordinance Section 2.7.3 Property Development Standards for the R-1, Single Family Residential District requires residential lots to have a minimum front setback of twenty-five (25) feet, side setbacks of five (5) feet, and rear setbacks of ten (10) feet. Zoning Ordinances Section 7.4.2.5 Special Exceptions to provide for the reconstruction of a nonconforming building which has been damaged by explosion, fire, or an act of God by more than fifty (50) percent of its fair market value and there is a compelling necessity requiring a continuance of the nonconforming use.

Size of the Site:

Approximately 0.08 acre

Current Zoning:

M-1 District – Light Industrial although the area has been developed as single-family for decades

Zoning and Land Use of Surrounding Property:

North:	M-1 – Light Industrial (Developed/Commercial Auto Sales)
East:	M-1 – Light Industrial (Developed/Existing Single-family Residential)
South:	M-1 – Light Industrial (Developed/Existing Single-family Residential)
South:	M-1 – Light Industrial (Developed/Existing Single-family Residential)

Current Land Use:

Single-family residence (recently demolished after a fire for new construction)

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 designation:

Commercial

Platting Information:

Carlow Addition, Block 2, Lot 13

Right of Way Issues:

None

Appeals Process – Zoning Ordinance Section 7.4.1:

The Board shall have the power to hear and decide appeals where it is alleged there is error of law in any order, requirements, decision or determination made by the City Manager in the enforcement of this Ordinance.

Neighborhood 200' mailing:

Staff has not received any unfavorable responses to the mailing at the time this was written.

Background:

The lot was created as part of the Carlow Addition recorded in 1952. A home/residence was built at an undetermined time following platting, and it was heavily damaged by a fire in 2016, rendering it uninhabitable. The prior structure was approximately 706 square feet and had no covered parking.

The owner of the lot has been recently selected as a recipient of a HOME Program grant, allowing for a newly constructed home to be built on site. The City received HOME Program funds through a contract with the Texas Department of Housing and Community Affairs (TDHCA) permitting the City to participate in a competitive award program. The City retained Langford Community Management Services, Inc. to administer these contracts. The grants provide brand new construction, complying with energy efficient rules, current adopted construction codes along with modifications for accessibility. City Council awarded the home construction contract to Randy Malouf with each home being provided a single, enclosed garage. The City has a match commitment of 15% of the hard cost of construction for the award.

In lieu of trying to lessen the requirements, staff proposed to allow the new home and garage to be constructed on the lot. Staff is of the opinion that providing a garage will improve the area overall as well as the quality of life for the owner, which outweighs the added cost for construction and the need for a variance.

Zoning Ordinance Section 7.4.2.5 (Special Exceptions) allows the ZBA to *'permit the construction of a nonconforming building which has been damaged by explosion, fire, or an act of God by more than fifty (50) percent of its fair market value, where the Board*

finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use.'

Analysis:

The request will allow a new, safer and more energy-efficient residence to replace the destroyed structure. The new home and garage, as proposed, will encroach into the side setbacks by 1 foot, 2 inches on either side as well as approximately 2.5 feet in the rear yard.

Recommendation:

Staff's recommendation is support of this application, as the structure was damaged to the point of being uninhabitable by no fault of the owner, and construction of a new structure that meets all adopted construction codes and provides for covered parking, is an improvement over the current situation. Further to that, City Council award the bid for the home with the enclosed garage at the December 8th City Council meeting, thus supporting staff's recommendation and proposed construction plans for this home.

If the Special Exception and setback variance is granted, Staff and the builder will follow-up with a building permit for the new construction.

Attachments:

1. Awarded Home Plan
2. Proposed Setback Schematic



December 22, 2016

NOTICE OF HEARING FOR
ZBA CASE # 20161025
January 3, 2017
6:00 PM

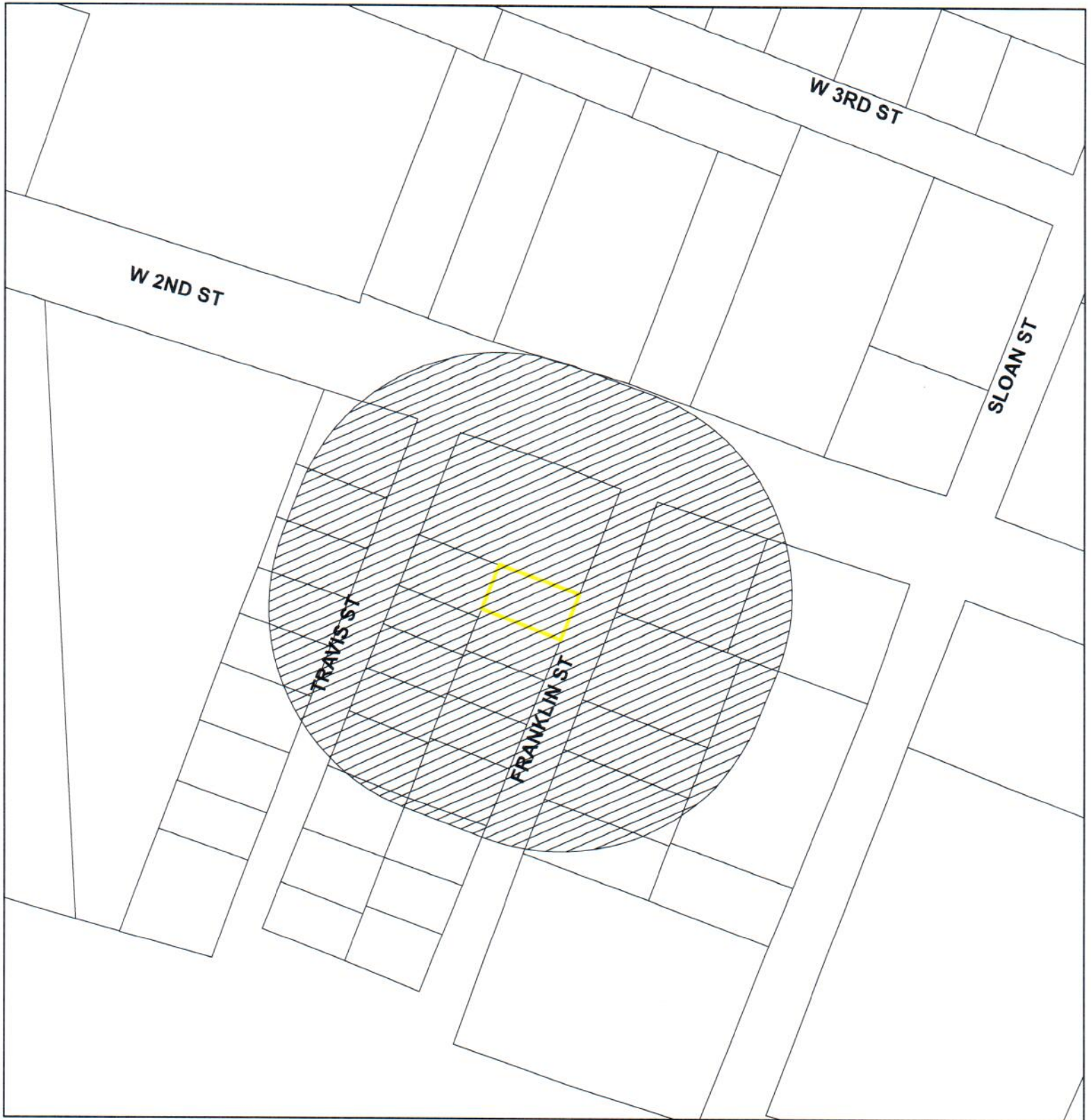
Dear Property Owner:

You have received this notice because you own property within a 200-foot radius of 115 Franklin Street located at the approximate southwest corner of Franklin Street and 2nd Street. The City of Taylor is requesting the variance on behalf of the property owner to provide relief from the Taylor Zoning Ordinance Chapter 2.7.3 – Single-Family Residential Property Development Standards. The variance requested is to reduce the required setbacks to provide adequate room to build a single-family home with an enclosed garage.

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

January 3, 2017
6:00 PM
400 Porter Street, Council Chambers
Taylor, Texas 76574

For more information, please contact Ashley Lumpkin, Director of Development Services, at 512-365-3863. Map is on the reverse side.



PZ20161025
FRANKLIN STREET VARIANCE
115 FRANKLIN STREET



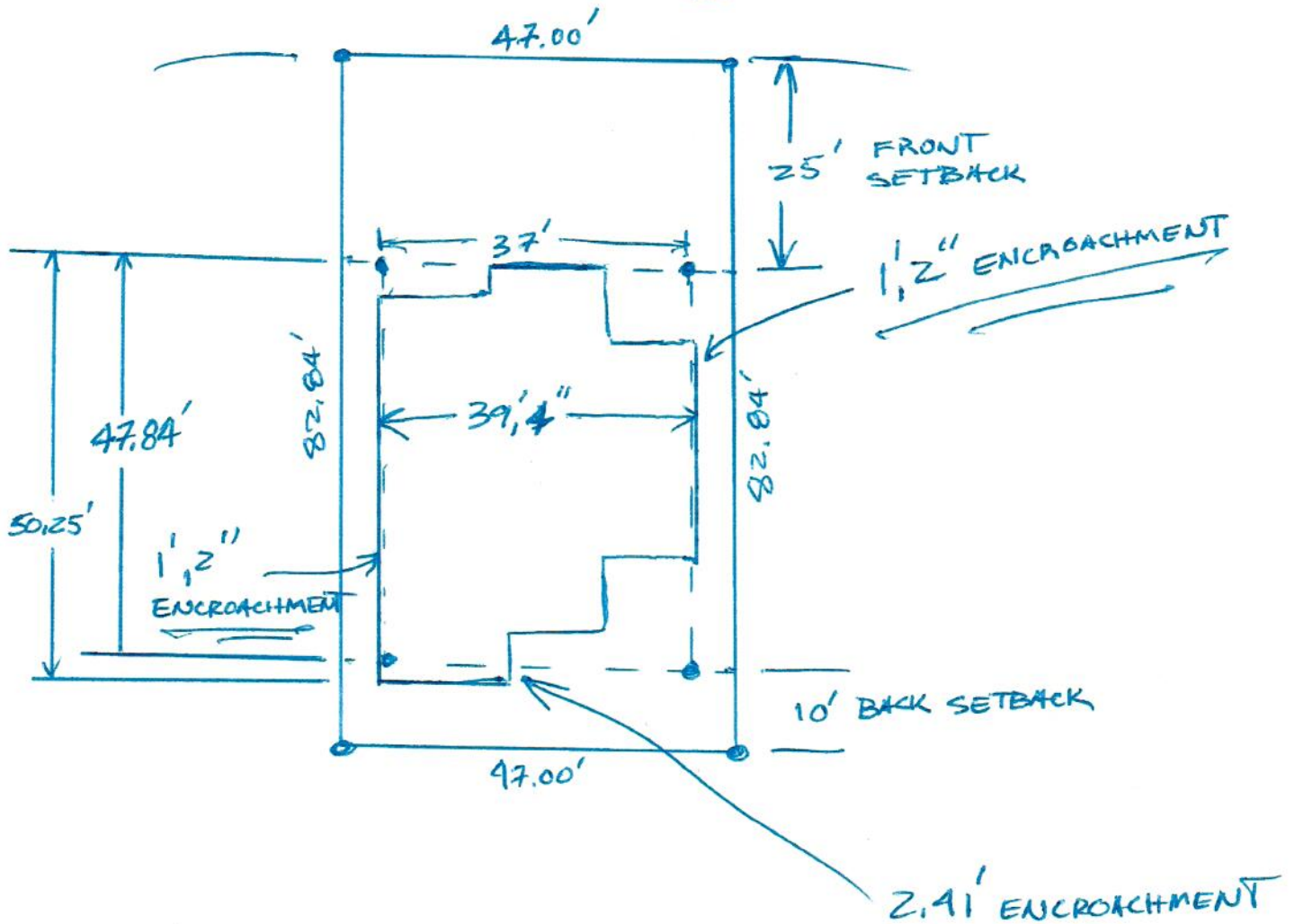
0 175 350 Feet

Legend

-  200-ft Notification Buffer
-  115 Franklin
-  Parcels

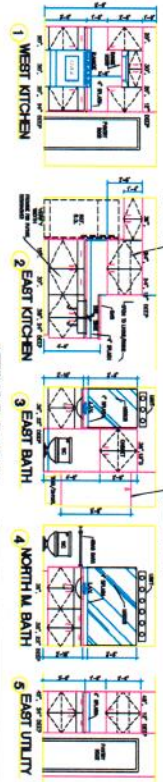
VARIANCE TO SETBACKS REQ.

RICHARD ALDERETE
115 FRANKLIN ST

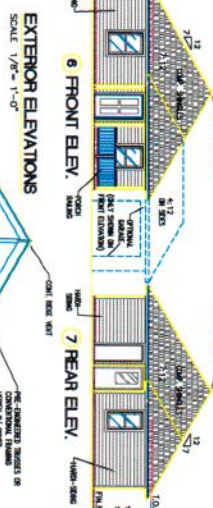


① 1 1/2" VARIANCE TO SIDE
SETBACKS REQUIRED - BOTH SIDES

② 2'5" VARIANCE TO BACK
SETBACK REQUIRED

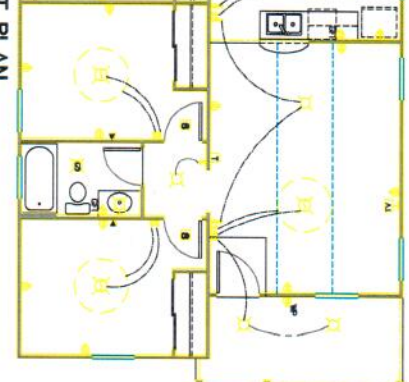
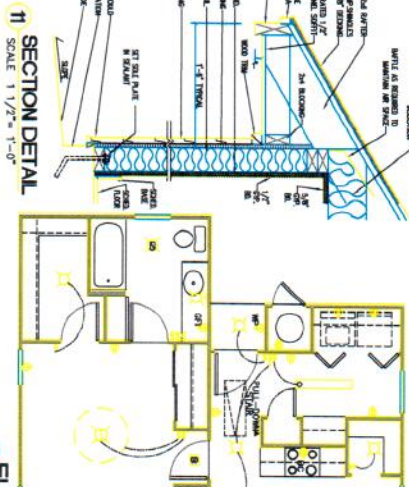
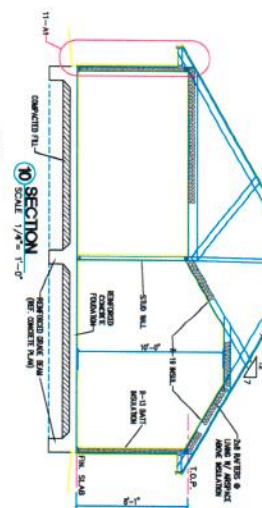


INTERIOR ELEVATIONS
SCALE 1/8" = 1'-0"

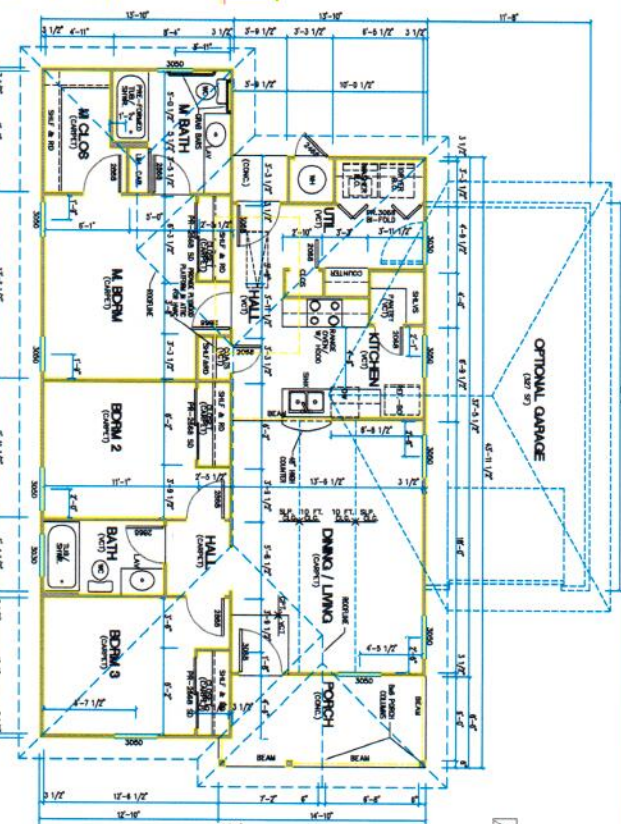


EXTERIOR ELEVATIONS
SCALE 1/8" = 1'-0"

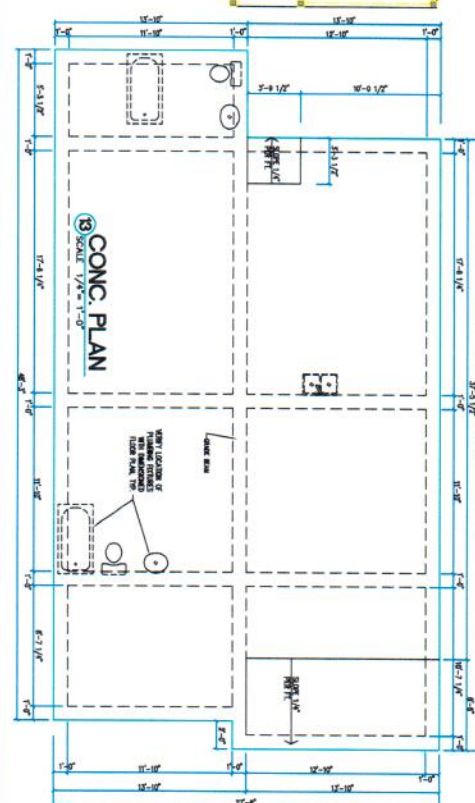
**DRAWING NOT TO SCALE
DRAWING NOT TO SCALE
DRAWING NOT TO SCALE**



12. ELECT. PLAN
SCALE 1/8" = 1'-0"



14. FLOOR PLAN
SCALE 1/8" = 1'-0"



13. CONC. PLAN
SCALE 1/8" = 1'-0"

MEMORANDUM

TO: Taylor Zoning Board of Adjustment
FROM: Ashley Lumpkin, AICP, Development Services Director
RE: Variance Request 2016101726
DATE: December 29, 2016

Hearing Date:

January 3, 2017

Property Owner:

Eva Clark

Applicant:

City of Taylor on behalf of Eva Clark and the HOME Program

Location/Address:

112 Tennessee – south of the southwest corner of West 2nd Street and Franklin Street

Development Objective and Code Section Request:

Zoning Ordinance Section 2.7.3 Property Development Standards for the R-1, Single Family Residential District requires residential lots to have a minimum front setback of twenty-five (25) feet, side setbacks of five (5) feet, and rear setbacks of ten (10) feet.

Size of the Site:

Approximately 0.10 acre

Current Zoning:

M-1 District – Light Industrial although the area has been developed as single-family for decades

Zoning and Land Use of Surrounding Property:

North: M-H – Manufactured Home District (Developed/Existing Residential)
East: M-H – Manufactured Home District (Developed/Existing Residential)
South: M-H – Manufactured Home District (Developed/Existing Residential)
West: M-1 – Light Industrial (Existing ONCOR Sub-Station)

Current Land Use:

Single-family residence (recently demolished for new construction)

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 designation:

Commercial

Platting Information:

Baker Addition, part of Lots 6 and 7, Block 6

Right of Way Issues:

None

Appeals Process – Zoning Ordinance Section 7.4.1:

The Board shall have the power to hear and decide appeals where it is alleged there is error of law in any order, requirements, decision or determination made by the City Manager in the enforcement of this Ordinance.

Neighborhood 200' mailing:

Staff has not received any unfavorable responses to the mailing at the time this was written.

Background:

The lot was created as part of the Baker Addition recorded in 1950. A home/residence was built at an undetermined time following platting. The structure was approximately 912 square feet and had no covered parking.

The homeowner applied for the Amy Young Barrier Removal program several years ago, but the improvements needed put the home over the funding cap and the application was essentially cancelled in May 2014. Subsequently, the owner applied for the HOME program in an effort to receive a new home.

The owner of the lot has been recently selected as a recipient of a HOME Program grant, allowing for a newly constructed home to be built on site. The City received HOME Program funds through a contract with the Texas Department of Housing and Community Affairs (TDHCA) permitting the City to participate in a competitive award program. The City retained Langford Community Management Services, Inc. to administer these contracts. The grants provide brand new construction, complying with energy efficient rules, current adopted construction codes along with modifications for accessibility. City Council awarded the home construction contract to Randy Malouf with each home being provided a single, enclosed garage. The City has a match commitment of 15% of the hard cost of construction for the award.

In lieu of trying to lessen the requirements, staff proposed to allow the new home and garage to be constructed on the lot. Staff is of the opinion that providing a garage will improve the area overall as well as the quality of life for the owner, which outweighs the added cost for construction and the need for a variance.

Analysis:

The request will allow a new, safer and more energy-efficient residence to replace the older structure. The new home and garage, as proposed, will encroach into the side setbacks by approximately 2 feet, 2 inches on either side setback area.

Recommendation:

Staff's recommendation is support of this application, as the structure was deemed uninhabitable by no fault of the owner, and construction of a new structure that meets all adopted construction codes and provides for covered parking, is an improvement over the current situation. Further to that, City Council awarded the bid for the home with the enclosed garage at the December 8th City Council meeting, supporting staff's recommendation and proposed construction plans for this home.

If the setback variance is granted, Staff and the builder will follow-up with a building permit for the new construction.

Attachments:

1. Awarded Home Plan
2. Proposed Setback Schematic



December 22, 2016

NOTICE OF HEARING FOR
ZBA CASE # 20161026
January 3, 2017
6:00 PM

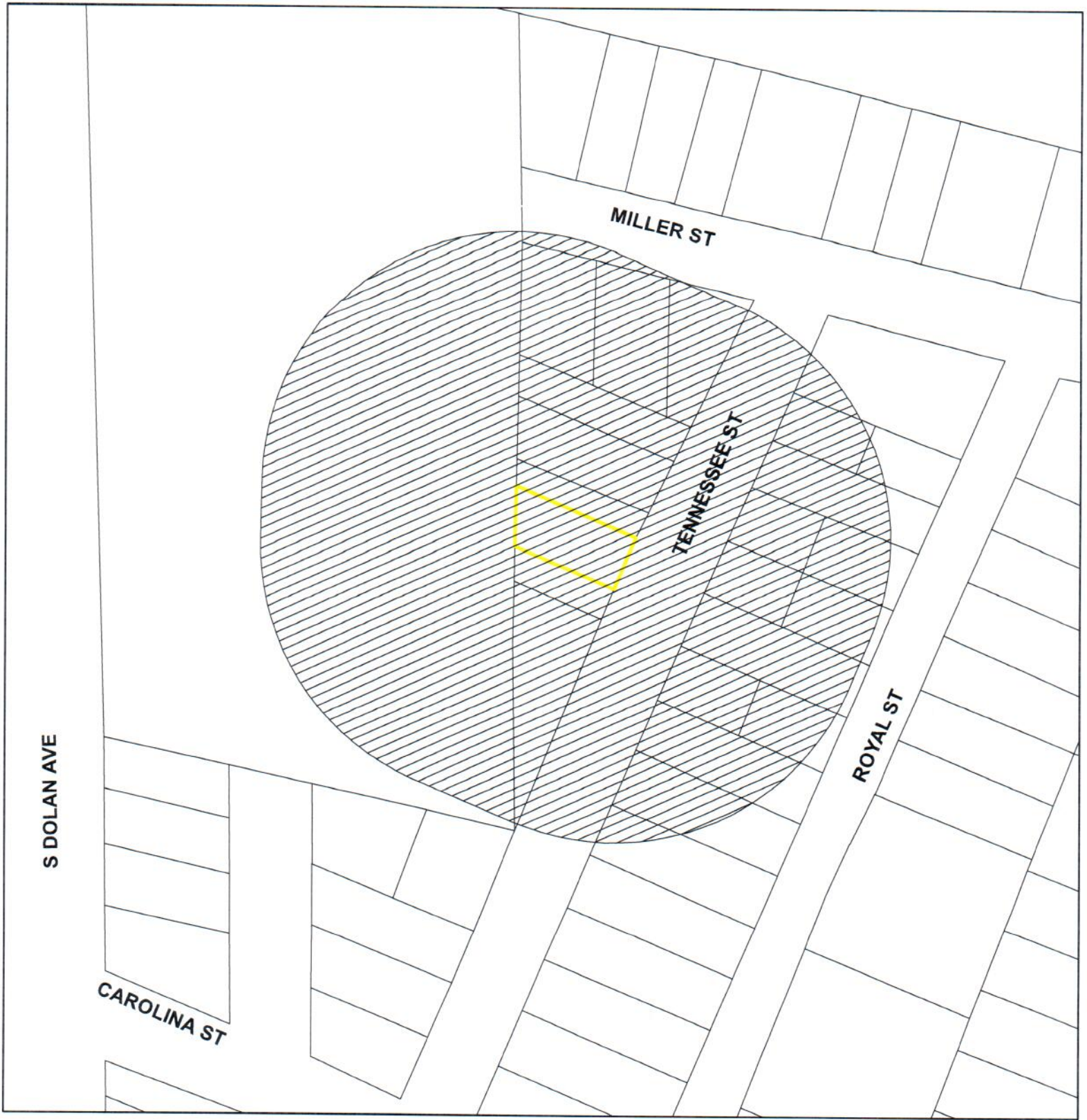
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The City of Taylor is required to notify property owners within a 200 foot radius of the subject tract. This note serves as formal notice that the Taylor Zoning Board of Adjustment will hold a hearing for this request on:

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6:00 PM
400 Porter Street, Council Chambers
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For more information, please contact Ashley Lumpkin, Director of Development Services, at 512-365-3863. Map is on the reverse side.



PZ20161026
TENNESSEE STREET VARIANCE
112 TENNESSEE STREET



Legend

-  200-ft Notification Buffer
-  112 Tennessee
-  Parcels

VARIANCE TO SETBACKS R.O.D.

EVA ALDRIDGE
112 TENNESSEE ST.

① 2' 2"
SIDE SETBACK
ENCROACHMENT -
VARIANCE REQUIRED
BOTH SIDES

