NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT WILL MEET IN A REGULAR SESSION IN THE SENATOR FLORENCE SHAPIRO COUNCIL CHAMBERS LOCATED AT, 1520 AVENUE K, PLANO, TEXAS AT 3:00 P.M. TUESDAY, FEBRUARY 09, 2016.

The Board of Adjustment may convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with its attorney regarding posted items in the regular meeting.

PUBLIC COMMENTS:

1. The Board of Adjustment will hear comments of public interest. Time restraints may be directed by the Chair of the Board of Adjustment. Specific factual information, explanation of current policy, or clarification of Board of Adjustment authority may be made in response to an inquiry. Any other discussion or decision must be limited to a proposal to place the item on a future agenda.

APPROVAL OF MINUTES:

2. January 12, 2016 meeting

ZONING APPEAL REQUEST:

3. **APPEAL # 16-04Z 1001 Southwestern Avenue:** A request to vary from Subsection 9.1200 (.3) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow a reduction of the required 90 foot lot depth to 76.82 feet. This appeal is requested by property owner Christ United Methodist Church, to be represented by Larry Rex, Chair of Board of Trustees with CUMC.

OTHER:

4. **Items for future Agenda.**

THE CITY OF PLANO TEXAS JUNE 2 1873

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 1520 Avenue K, Plano, Texas on the 29th day of January 2016, at 5:00 o'clock. pm

Lisa C Henderson

City Secretary

Council Liaisons: Deputy Mayor Pro Tem Ben Harris and Council Member Rick Grady

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Ave., with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the Building Inspection Department at 972-941-7140

Board of Adjustment
January 12, 2016

Board Members Present
Carolyn Kalchthaler, Chairperson
Robert Miller
Peter Krause
Enghlab Eftekhari
Phillip Pierceall, Alternate
Phil Head, Alternate

Absent
William Gibson
Jim Norton
Ban Alali

Staff
Victoria Huynh, Deputy City Attorney
Selso Mata, Building Official
Laura Wigglesworth, Code Compliance Rep
Diana Casady, Sr. Administrative Assistant

Chair Carolyn Kalchthaler called the meeting to order at 3:00 p.m., Tuesday, January 12, 2016 in the Senator Florence Shapiro Council Chambers of the Municipal Center. A quorum was present and notice of the meeting had been posted for the time and manner required by law. The following matters were discussed.

Chairperson Kalchthaler admitted all documents and testimony given into the official Board of Adjustment record.

1. Public comments: There was no public comment.

2. Approval of Minutes from November 10, 2015

Board Member Phil Head made the motion to approve the minutes from November 10, 2015, Enghlab Eftekhari seconded the motion. The Board voted 6/0 in favor of approving the minutes from November 10, 2015.

Then Chairperson Kalchthaler advised the applicant that there were only six (6) members present at the meeting and asked the applicant if they would like to wait until eight (8) members were in attendance to present their case. The applicant stated they wished to move forward with their request.

At this time Laura Wigglesworth, Code compliance Representative, presented all three (3) cases in her presentation to the Board.

3. APPEAL # 16-01S 2601 Cross Bend Road: A request to vary from Subsection 22.300 (.2) (E) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow an illuminated, free-standing sign to be over the allowed 32 square feet by 39.9 square feet for a total size of 71.9 square feet.

Laura Wigglesworth, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Doug Guynes, Construction Manager for PISD, testified that these signs are being replaced as the rest of the signs in the Plano School district. The lighting in the new signs is more energy efficient. The signs are controlled by a computer allowing the general announcements and instructions during emergencies to be more timely and relevant. Mr. Guynes answered questions from the Board and discussed the four points for granting a variance. Warren Casteel testified on the light dimming capability of the new sign will make it much less intrusive for the neighbors.

Chairperson Kalchthaler closed the floor to public comment, and discussion was confined to the Board.

After discussion, Board Member Phil Head made the motion to approve Appeal #16-01S. Phillip Pierceall seconded the motion. The Board voted 6/0 in favor of the motion,

4. **APPEAL # 16-02S 3427 Mission Ridge Road: A request to vary from Subsection 22.300 (.2) (E) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow an illuminated, free-standing sign to be over the allowed 32 square feet by 7.53 square feet for a total size of 39.53 square feet.**

Laura Wigglesworth, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Doug Guynes, Construction Manager, testified that this sign is the smallest of the three (3) presented.

Chairperson Kalchthaler closed the floor to public comment, and discussion was confined to the Board.

After discussion, Board Member Peter Krause made the motion to approve Appeal #16-02S. Phil Head seconded the motion. The Board voted 6/0 in favor of the motion,

5. . **APPEAL # 16-03S 3801 Rainier Road: A request to vary from Subsection 22.300 (.2) (E) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow an illuminated, free-standing sign to be over the allowed 32 square feet by 41.49 square feet for a total size of 73.49 square feet.**

Laura Wigglesworth, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Doug Guynes, Construction Manager, testified that this sign is similar in size to the one on Cross Bend (16-01S).

Warren Casteel of Casteel and Associates, testified that they have an automated dimming system that dims at night.

Chairperson Kalchthaler closed the floor to public comment, and discussion was confined to the Board.

After discussion, Board Member Robert Miller made the motion to approve Appeal #16-03S. Enghlab Eftekhari seconded the motion. The Board voted 6/0 in favor of the motion,

6. **Items for future Agenda.**

There are no items for the January 26th meeting

Meeting adjourned at 3:40 p.m.

_____

Carolyn Kalchthaler, Chairperson

Plano
City of Excellence

ZONING APPEAL TO THE BOARD OF ADJUSTMENT

APPEAL #: 16-042

$ 75-RESIDENTIAL (HOMESTEAD ENCROACHMENTS ON HOMES BUILT PRIOR TO MAY 1987)
$150-RESIDENTIAL (HOMESTEAD)
$265-RESIDENTIAL/COMMERCIAL

PLEASE TYPE OR PRINT USING BLACK INK

APPEAL LOCATION:

Street Address: 1001 SOUTHWESTERN AVENUE Zoning District: GR

Lot Number: 15R Block: 3 Addition: L. A. DAVIS

TO THE HONORABLE BOARD OF ADJUSTMENT:

CHRIST UNITED METHODIST CHURCH (Applicant) 972-672-5338 (LARRY REX) (Applicant's Phone Number)

3101 COIT ROAD (Applicant's Street Address) PLANO (City) TX (State) 75075 (Zip)

In accordance with the provisions of Section 6-204, et seq. of the City of Plano Zoning Ordinance, appeal is now made to the Honorable Board of Adjustment to grant the following variance request. (Please be specific in request):

TO ALLOW A LOT DEPTH UNDER GR CODE 90 FT MINIMUM - 76.82 FT AT WESTERN BUILD LINE. PLANNING AND ZONING CONDITIONALLY APPROVED THE REPLAT OF THIS PROPERTY ON 01/19/16. REPLAT DRAWINGS ARE ATTACHED, ONE SHOWING TWO HOUSES ON THE PROPERTY. BEING ABLE TO PLACE TWO HOUSES ON THIS PROPERTY ALLOWS US TO PROVIDE ADDITIONAL AFFORDABLE HOUSING IN THE DOUGLASS COMMUNITY FOR THOSE IN NEED.

In order to make a finding of hardship and to grant a variance, the Board of Adjustment must determine that all of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial nor self-induced.

a. The requested variance does not violate the intent of the ordinance or its amendments:

WE BELEIVE THE REQUESTED VARIANCE DOES NOT VIOLATE THE INTENT OF THE ORDINANCE AND WILL ALLOW US TO BETTER SERVE THE DOUGLASS COMMUNITY.

b. Special conditions of restricted area, shape, topography or physical features exist that are peculiar to the subject parcel of land and are not applicable to other parcels of land in the same zoning district:

THIS PROPERTY IS LARGE (11,346 SQ FT) IN RELATION TO OTHER DOUGLASS COMMUNITY LOTS BUT IS TRIANGULAR. THE PROPOSED SECOND HOUSE ON LOT 15R PRESENTS A LOT DEPTH AT THE BUILD LINE UNDER THE STANDARD 90 FEET (76.82 FT). WE BELIEVE THERE WILL BE NO VISUAL DETRIMENT TO THE COMMUNITY AND THERE WILL BE ADEQUATE SPACE FOR INGRESS AND EGRESS WITH A LOT DEPTH LESS THAN 90 FEET ON THIS PARTICULAR PROPERTY.

c. The hardship is in no way the result of the applicant's own actions:

THE HARDSHIP IS NOT THE RESULT OF ANY ACTIONS ON OUR PART. IT SOLELY RELATES TO THE SHAPE AND SIZE OF THE PROPERTY.

d. The interpretation of the provisions of this ordinance or its amendments would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions:

WE BELIEVE THIS PROPERTY IS LARGE ENOUGH AND SUITABLE FOR TWO HOUSES IN THE UNIQUE DOUGLASS COMMUNITY AREA. THE REQUESTED VARIANCE IS IN KEEPING WITH THE UNIQUE CHARACTER OF THE DOUGLASS COMMUNITY AND WILL BE CONSISTENT WITH THE SIZE, DIMENSIONS, AND CONFIGURATION OF EXISTING PROPERTIES / HOUSES.

e. How is the property going to be used?

WE INTEND TO USE THIS PROPERETY FOR OUR NEXT TWO "HOUSE ON THE CORNER" HOUSES. BEING ABLE TO BUILD TWO HOUSES, INSTEAD OF JUST ONE, ALLOWS US TO PROVIDE ADDITIONAL AFFORDABLE HOUSING FOR THOSE IN NEED.

Plano
City of Excellence

ZONING APPEAL TO THE BOARD OF ADJUSTMENT

f. Is the denial of the variance going to cause a substantial burden on religious activities of the property owner/user? Circle one: Yes / No (If Yes, see question (g) below)

g. If yes, please explain how the denial of the variance will cause a burden on religious activities of the property owner/user?

_____

_____

_____

****

The undersigned officer(s) and/or agent(s) of the property owner(s) are the properly authorized officials and by signing below have the necessary authority to execute this application on behalf of applicant hereto.

Name	Address	City	State	Zip	Date
LARRY REX	3533 GARY DRIVE	PLANO	TX	75023	JANUARY 22, 2016

PLEASE CHECK ONE:

X I will represent this variance request at the Board meeting

_____ I will not be able to represent this variance at the Board meeting. My authorized representative who will represent this variance before the Board of Adjustment is:

_____

Name Street Address City State Zip

****

NOTE TO APPLICANT:

A notice of meeting will be sent only to the applicant, or to the authorized representative, if one is designated. If the variance is denied, it may be two years before the variance can be reheard. The decision of the Board of Adjustment shall be final on all sign cases. Refer to The City of Plano Zoning Ordinance: Article 6, Section 6-209(3) to appeal the decision of the Board regarding a zoning case. LR (initial)

I hereby certify that the above statements are true and correct to the best of my knowledge. I acknowledge that I may withdraw my application prior to it being presented to the Board. To resubmit the application I understand I will need to submit another application fee. LR (initial)

Applicant's Signature

LARRY REX

Please Print Name

STATE OF TEXAS
COUNTY OF COLLIN

Subscribed and sworn to before me this 22nd day of January, 2016

Marylin A Smith
Notary Public

MARYLIN A. SMITH
Notary Public, State of Texas
My Commission Expires
July 09, 2016

(Seal)

My commission expires: July 9, 2016

WHAT IS HOUSE ON THE CORNER ??

For eleven years - each year from 2004 to 2014 - Christ United Methodist Church has built one house a year – each house for a deserving, low income family. We work nearly every Saturday from April to August on our church parking at the corner of Coit and Parker Roads – thus the name House on the Corner – building the house. The house is then moved to a permanent location in the Douglass Community in east Plano where construction is completed, usually in late October.

For reference, the enclosed pictures show some of our recent houses and their addresses.

HOTC # 7 (2010) 1113 F Avenue
HOTC # 8 (2011) 1106 F Avenue
HOTC # 9 (2012) 1011 G Avenue

We did not build a house in 2015 due to significant difficulties encountered in obtaining an affordable, useable property where we could place a house. In June of 2015, we were able to acquire the large property at 1001 Southwestern Avenue. To effectively utilize this property and make the cost affordable to the chosen low income families, we hope to place two houses on this property. The attached Zoning Appeal pertains to the placement of the two houses.

1011

1106

APPEAL SUMMARY
#16-04Z

APPLICANT: Property owner Christ United Methodist Church, to be represented by Larry Rex, Chair of Board of Trustees with CUMC

ADDRESS: 1001 Southwestern Avenue
Lot 15R, Block 3, L.A. Davis Addn.

ZONING: General Residential (GR)

APPLICANT REQUEST: The applicant is requesting to vary from Subsection 9.1200 (.3) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow a reduction of the required 90 foot lot depth to 76.82 feet.

ORDINANCE REQUIREMENTS:

Subsection 9.1200 (3) states the minimum lot depth for a residential lot within the GR district shall be 90 feet.

STAFF FINDINGS:

This property is located east of Central Expressway and south of 10th Street, situated within a residential zoning district.

This property is a re-plat of Lot 14 to subdivide into two separate lots which will be into 14R & 15R. One of the lots complies with the GR zoning district, however lot 15R does not meet the minimum lot depth of 90 feet. Per the attached paperwork from Planning & Zoning, both lots exceed the minimum lot area of the GR zoning district.

The applicant appeared before the Planning and Zoning Commission on January 19, 2016. The Planning and Zoning Commission recommended approval of a re-plat subject to Board of Adjustment granting a variance.

CITY OF PLANO

PLANNING & ZONING COMMISSION

January 19, 2016

Agenda Item No. 1

Public Hearing - Replat: L.A. Davis Addition, Block 3, Lots 14R & 15R

Applicant: Christ United Methodist Church

DESCRIPTION:

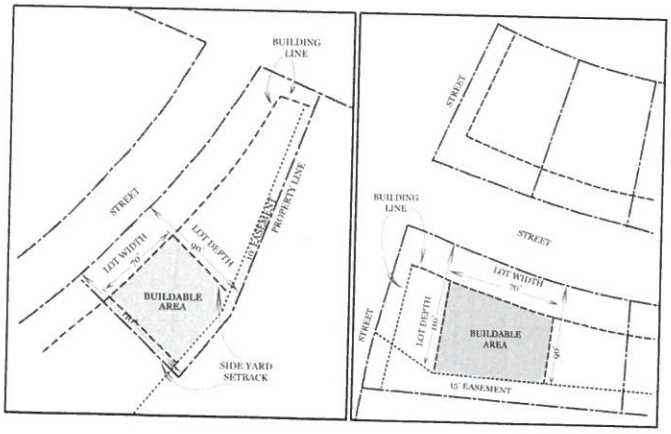
Two General Residential lots on 0.3± acre located at the northwest corner of G Avenue and Southwestern Avenue. Zoned General Residential. Neighborhood #67.

REMARKS:

The purpose for this replat is to subdivide the property in order to develop two new single-family residences. The General Residential (GR) zoning district requires lots to have a minimum depth of 90 feet. Due to the unique configuration of the subject property, the applicant is requesting a variance from the Board of Adjustment (BOA) to the minimum lot depth of 80 feet for Lot 15R. Lot 14R does not require a variance and meets the required lot depth.

The Zoning Ordinance defines lot depth as the horizontal distance measured perpendicularly between two points on the front lot line and two points on the rear lot line which creates an area that meets the zoning district's minimum width and depth requirements. Lot depth also excludes easements which impair the use of the lot surface as a yard.

Below is *Figure 8.2: Lot Depth* as shown within Article 8 (Definitions) of the Zoning Ordinance.



Section 5.200 (Appeals) of Article 5 (Variances and Appeals of Administrative Decisions) of the Zoning Ordinance requires the Planning & Zoning Commission to take action on a plat prior to the BOA considering a request for a variance. The subject properties meet all other area, yard, and bulk requirements of the GR zoning district. Although the narrow shape of Lot 15R reduces the buildable area, the total area is greater than 7,000 square feet, over twice the minimum lot requirement of the GR zoning district (3,000 square feet). Both the applicant and staff believe the lot can be successfully developed as a single-family residence. For these reasons, staff is in support of the applicant's request.

RECOMMENDATIONS:

Recommended for approval subject to the Board of Adjustment granting a variance to the minimum lot depth requirement.

9.1200 GR, General Residential District

(ZC 2002-47; Ord. No. 2002-10-26)

.1 Purpose

The GR district is intended to provide for infill residential development that is consistent with the unique character of the Douglass Community near downtown Plano. It includes standards that are consistent with the size, dimensions, and configuration of existing lots, and contains special design and material requirements that are compatible with existing structures in the neighborhoods.

.2 Permitted Uses

See the residential districts use table in Sec. 14.100 for a complete listing.

.3 Area, Yard, and Bulk Requirements

The following area, yard, and bulk requirements apply to all development in the GR district unless otherwise expressly stated:

Description	Single-Family Residence Requirement	Two-Family Requirement
Minimum Lot Area	3,000 square feet	6,000 square feet
Minimum Lot Width		
Interior Lot	30 feet	55 feet
Corner Lot	30 feet	55 feet
Minimum Lot Depth	90 feet	90 feet
Minimum Front Yard		
Garages Facing Street	20 feet, except as provided in Sec. 13.500.2	20 feet, except as provided in Sec. 13.500.2
All other	10 feet	10 feet
Maximum Front Yard (does not apply to garages facing street or nonresidential uses)	15 feet	15 feet
Minimum Side Yard		
Corner Lot (street side)	5 feet (See also Sec. 13.500.3)	5 feet (See also Sec. 13.500.3)
Garages Facing Street	20 feet	20 feet
Garages Facing Alley	20 feet	20 feet
All other	5 feet	5 feet
Minimum Rear Yard	5 feet (See also Sec. 13.500.4)	10 feet (See also Sec. 13.500.4)
Minimum Floor Area per Dwelling Unit	800 square feet	800 square feet
Maximum Lot Coverage [includes percentage permitted for main structure and 10% additional coverage permitted for accessory buildings. (See Sec. 13.500.4A)]	50% total	50% total
Maximum Height		
Residential Uses	1 story, 30 feet (up to 50% of attic floor area may be used as 2nd floor living space. See also Sec. 13.600)	1 story, 30 feet (up to 50% of attic floor area may be used as 2nd floor living space. See also Sec. 13.600)
Nonresidential Uses	2 story, 35 feet	
Minimum Open Space	N/A	N/A
Parking Requirements	1 space per dwelling unit (See also Article 16	1 space per dwelling unit (See also Article 16

.4 Special District Requirements

The Douglass Community has special elements that should be maintained to perpetuate the long-term character and viability of the community. The following provisions are required for that purpose:

A. Front Porches

Covered porches shall be located along the front of any housing structure and shall be a minimum 40 square feet per unit. Each porch shall have a minimum dimension of 4 feet.

B. Siding Materials

Homes and garages shall be constructed of overlapping, horizontal wood siding; overlapping, horizontal cementitious siding; overlapping, horizontal aluminum or vinyl siding; and brick. Exterior plasters and stone are not permitted.

C. Roofs

Roofs for residential structures and garages shall be "gabled" or "hipped" design with a minimum slope of 6:12 (for every horizontal foot, the roof must rise vertically 6 inches). The point at which a roof attaches to the residential structure (including attached garages) shall be no less than 7 feet above the top of the foundation.

D. Fences

Fences greater than 40 inches in height shall be set back a minimum of 10 feet from the front of a structure and shall be no taller than 6 feet.

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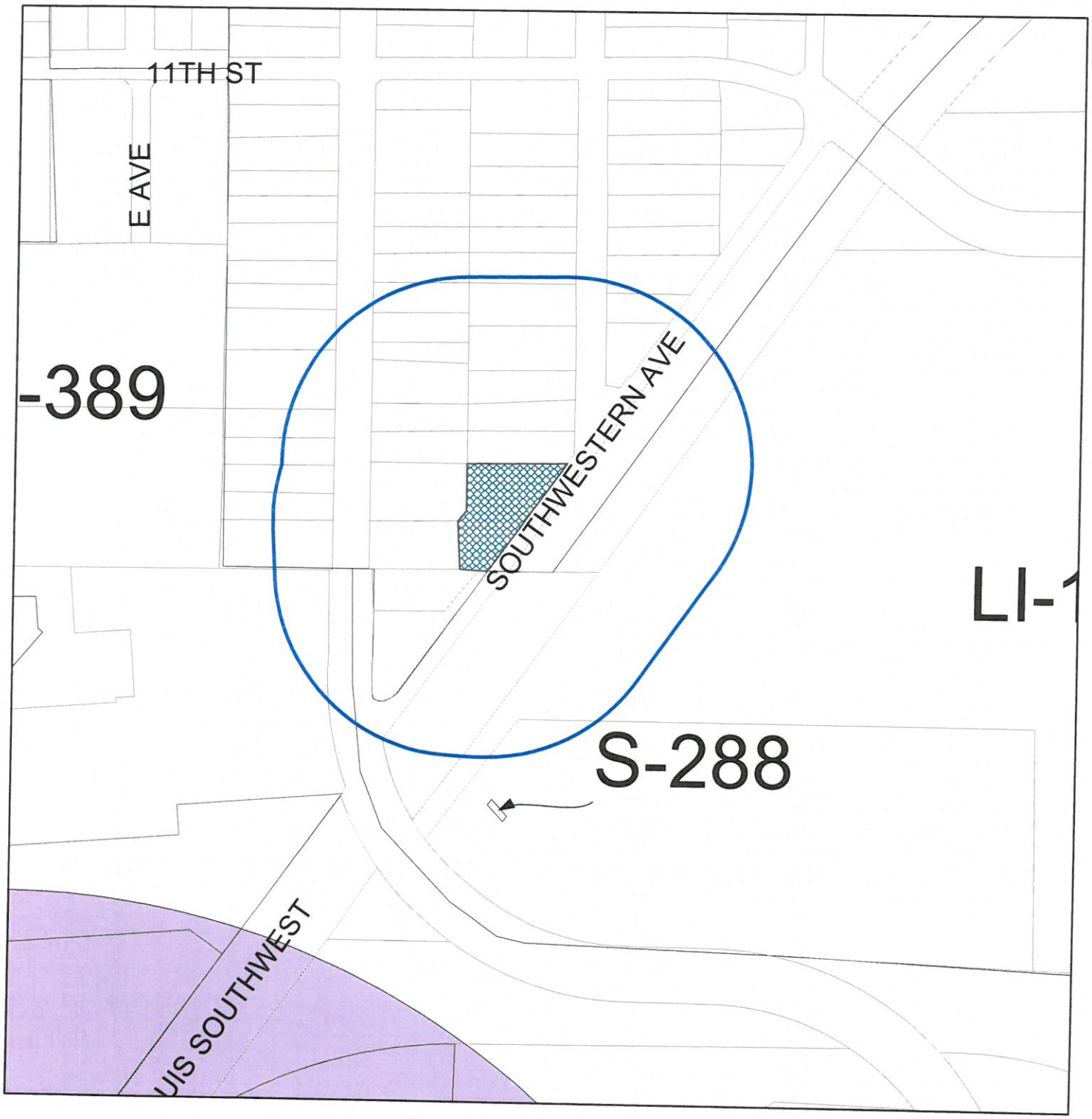
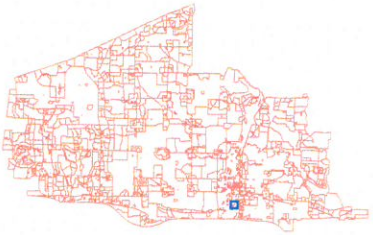


Board of Adjustment

Appeal #: #16-04Z

Address: 1001 SOUTHWESTERN AVENUE

Zoning: GENERAL RESIDENTIAL (GR)



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(16-042)

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PLANO, TX 75086

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1015 F AVE
PLANO, TX 75074-6711

PEARSON DEANZA CHARMAINE
908 F AVE
PLANO, TX 75074-6721

GLAPION LISA
1005 G AVE
PLANO, TX 75074-6815

AVENUE F CHURCH OF CHRIST
1026 F AVE
PLANO, TX 75074-6712

SMITH VERNA
PAUL SMITH
1017 G AVE
PLANO, TX 75074-6846

ALVAREZ BENITO & MARIA
1008 G AVE
PLANO, TX 75074-6816

DALLAS AREA RAPID TRANSIT
PO BOX 660163
DALLAS, TX 75266-0163

AVENUE F CHURCH OF CHRIST
1026 F AVE
PLANO, TX 75074-6712

JOHNSON GALYNN
905 F AVE
PLANO, TX 75074-6722

AVENUE F CHURCH OF CHRIST
1026 AVENUE F
PLANO, TX 75074-6712

PIER MARY RUTH FINLEY
1009 G AVE
PLANO, TX 75074-6815

LEVY PARKWAY CROSSING ASSOCIATES LLC
51 UNIVERSITY AVE STE G
LOS GATOS, CA 95030-6037

AVENUE F CHURCH OF CHRIST
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PLANO, TX 75074-6712

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COUNTY INC
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PLANO, TX 75074-8178

ICON 820-860 AVENUE F OWNER POOL 2 LLC
C/O INDCOR PROPERTIES
2 N RIVERSIDE PLZ STE 2350
CHICAGO, IL 60606-2617

CHRIST UNITED METHODIST CHURCH PLANO
3101 COIT RD
PLANO, TX 75075-3725

HOWARD ALANA EVETTE
1004 G AVE
PLANO, TX 75074-6816

THOMAS ATHREA
518 SW 16TH ST
GRAND PRAIRIE, TX 75051-1423

HILL RENZO & LINDA
308 AME LN
ROYSE CITY, TX 75189-9128

SASKAWAY EIGHT LP
C/O JOEL M EASTMAN PLLC
5485 BELT LINE RD STE 125
DALLAS, TX 75254-7655

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1026 F AVE
PLANO, TX 75074-6712

ONTIERI FESTUS N &
ROSELINE B NYARANGI
1007 G AVE
PLANO, TX 75074-6815

CAPELO ALICIA ZAMORA
1006 G AVE
PLANO, TX 75074-6816

ALEXANDER LATASHA L
1001 F AVE
PLANO, TX 75074-6711

AVENUE F CHURCH OF CHRIST
1026 F AVE
PLANO, TX 75074-6712

REVELY LORETTA
901 F AVE
PLANO, TX 75074-6722

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