



AGENDA
ZONING BOARD OF ADJUSTMENTS MEETING
TUESDAY, SEPTEMBER 23, 2025 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES)

Comments about any of the agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the ZBA on any subject but must first complete a Request to Speak Form so that the Chairman may call your name to speak at the appropriate time on the agenda. Comments must be directed to the ZBA as a whole. **When addressing the ZBA, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and ZBA.**

CONSENT AGENDA

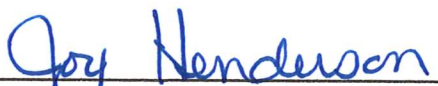
1. Consider and take appropriate action on the Zoning Board of Adjustments minutes from the June 24, 2025 Regular Meeting.

PUBLIC HEARING

2. Conduct a public hearing and consider a request from Richard Dunn, for a variance to Chapter 9a, "Zoning" of the Code of Ordinances, specifically Section 26.4.B. Front Yard Setback requirement. The property is zoned Commercial (C). The subject property is located at 400 Terrell Highway aka 400 Highway 34 (Property ID 59775), Lot 16R, Block 16, of the Kaufman Heads Over Heels Addition, City of Kaufman, Kaufman County, Texas. (Case No. V-03-25)
 - a. Open Public Hearing
 - b. Close Public Hearing
 - c. Board Discussion
 - d. Take Action on Request

ADJOURNMENT

I, JOY HENDERSON, PLANNER, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON WEDNESDAY, SEPTEMBER 17, 2025 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.



Joy Henderson, Planner

THE ZONING BOARD OF ADJUSTMENTS RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY).

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



MINUTES
ZONING BOARD OF ADJUSTMENTS MEETING
TUESDAY, JUNE 24, 2025 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.

Vice-Chairman Chairman Reed called the meeting to order at 6:02 p.m. on Tuesday, February 10, 2025. Board Members present were Vice-Chairman Jimmy Reed, Board Member Kathy Burt, Board Member Clayton Kelly, and Board Member Patrick Thorpe. Staff members present were Director of Development Services Johnny Bray, Senior Planner Martin Mares, and Planner Joy Henderson. Present in the audience were Jason Raburn and William Mathis.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES)

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CONSENT AGENDA

1. Consider and take appropriate action on the Zoning Board of Adjustments' minutes from the February 10, 2025 Regular Meeting.

Board Member Burt made a motion to approve the Zoning Board of Adjustments' Minutes for the February 10, 2025 Regular Meeting. The motion was seconded by Board Member Thorpe. The motion carried by a vote of 4-0.

PUBLIC HEARING

2. Conduct a public hearing and take action on a request from Burke William Mathes for a variance to Section 15.4.B.2, to reduce the required side yard setback from 12 feet to 6 feet on the north side of the property, and from 12 feet to 1 foot on the south side. The property is zoned Single-Family Residential (SF-10) and is located at 501 S. Houston Street (Property ID 27649), being part of Block 2 of the J.G. Moore Addition, in the City of Kaufman, Kaufman County, Texas. (Case No. V-02-25)

- a. The Public Hearing opened at 6:02 p.m.
- b. Senior Planner Martin Mares presented a report on the variance requests for 501 S. Houston Street (Property ID 27649). Details of the case can be found in report V-02-25 dated 06-24-2025.
- c. Mr. Jason Raburn stated they will remove a portion of the house and make a two-story addition with a garage. A garage was previously located in the same spot as where they wanted to build but it was removed since it was dilapidated. He presented the Board Member's with his hand drawings of the proposed project.

Burt Mathis stated they live in a small house and when the grandkids visit, there is not enough room. The building that was supposed to be a garage was always too small and was never used to park vehicles in it. There is a concern about their vehicles, and they would like to secure them in a garage.

- d. The Public Hearing closed at 6:27 p.m.
- e. Board Discussion – No discussion.
- f. Board Member Thorpe made a motion to approve the hardship. The motion was seconded by Board Member Burt. The motion carried by a vote of 4-0.
- g. Board Member Thorpe made a motion to approve the variance to Section 15.4.B.2, to reduce the required side yard setback from 12 feet to 6 feet on the north side of the property. The motion was seconded by Board Member Burt. The motion carried by a vote of 4-0.
- h. Board Member Thorpe made a motion to approve the variance to Section 15.4.B.2, to reduce the required side yard setback from 12 feet to 1 foot on the south side. The motion was seconded by Board Member Burt. The motion carried by a vote of 4-0.

ADJOURNMENT

The Board of Adjustments adjourned at 6:31 p.m.

JIMMY REED
VICE-CHAIRMAN

JOY HENDERSON
PLANNER



Public Hearing Item #1
Case V-03-25

Zoning Board of Adjustments Public Hearing:

September 23, 2025

Applicant/Owner:

Richard Dunn

Location:

400 Terrell Highway

Lot 16R, Block 16, of the Kaufman Heads Over Heels Addition
City of Kaufman, Kaufman County, Texas (Property ID 59775)

BACKGROUND:

The subject property, located at 400 Terrell Highway, was platted as the Kaufman Heads Over Heels Addition on January 7, 2003, with a 30-foot street dedication included at that time. It is zoned Commercial (C) and currently operates as the Christian Help Center, also known as The Center, which provides essential community resources, support, education, and care. This use is classified as an "Institution of a charitable or philanthropic nature" and is permitted by right in the Commercial zoning district. The applicant is proposing an addition to the existing development, which requires a site plan submittal because the project increases the gross floor area by approximately 28%, exceeding the 10% threshold in Section 39.

When the plat was approved in 2003, the required 30-foot street dedication caused the existing structure to become nonconforming with respect to the front setback

REQUESTED VARIANCES:

The requested variance pertains to Chapter 9A of the Zoning Ordinance in the Code of Ordinances for the property located at 400 Terrell Highway (Property ID 59775).

1. Section 26.4.B – Minimum Front Yard

- a. Required – Twenty five (25') foot front yard setback.
- b. Requested – Fifteen point sixty-four (15.64') foot front yard setback.
- c. If approved - it would reduce the front yard setback by 9.36 feet from the required 25'.

UNDUE HARDSHIP FOR VARIANCES:

The Zoning Board of Adjustment (ZBA) may approve a variance when strict enforcement of zoning regulations would cause an undue hardship. Any approved variance must serve the public interest and be supported by specific findings. In reviewing a request, the Board must consider the proposed use, surrounding land uses, potential impacts on traffic, and overall public welfare.

Findings of Undue Hardship - In order to grant a variance, the Board must make written findings that an undue hardship exists, using the following criteria:

1. That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and
2. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
3. That the relief sought will not injure the permitted use of adjacent conforming property; and
4. That the granting of a variance will be in harmony with the spirit and purpose of these regulations.

A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based upon economic gain or loss, nor shall it permit any person the privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship upon another parcel of land.

Staff found undue hardships exist for the requested variance due to the following circumstances existing on the property:

1. The thirty-foot (30') right-of-way dedication for Terrell Highway resulted in the existing building becoming non-conforming.

Staff therefore offers the following recommendations related to Case #V-03-25:

1. Staff recommends approval of the variance request to allow a fifteen point sixty-four (15.64') foot front yard setback. Strict enforcement of the code would create a hardship by preventing a minor addition that would otherwise be permitted.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 31 property owners within 200' of 400 Highway 34. The results are as follows:

- Property owners returned letters in opposition of the request: 0
- Property owners returned the letter in agreement of the request: 0
- Property owners who have not responded: 31

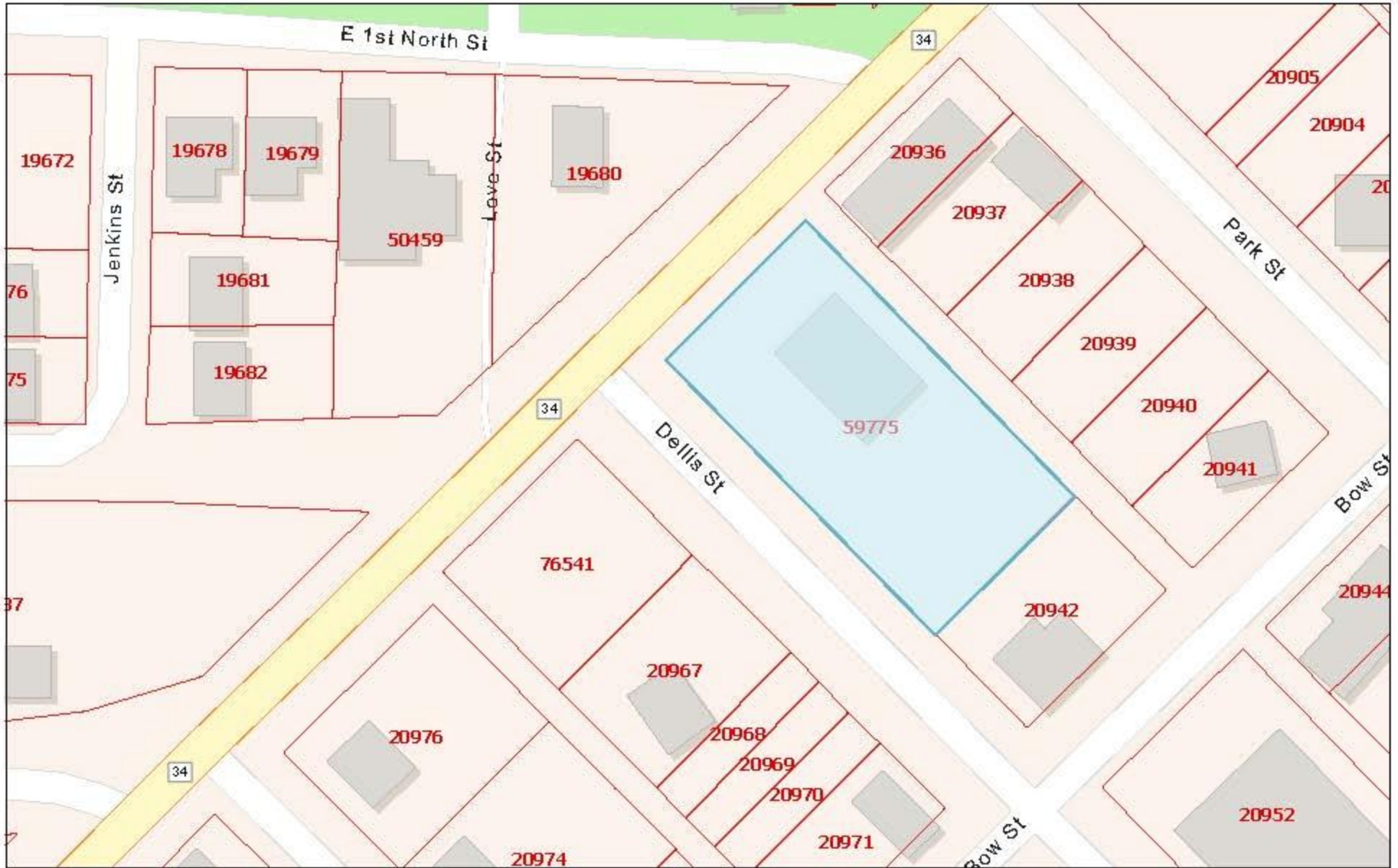
Attachments:

Location Map

Survey

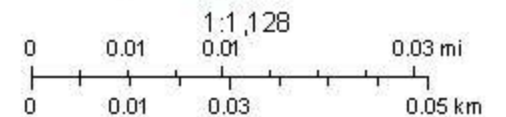
Property Pictures

400 Terrell Highway



1/24/2025, 3:44:40 PM

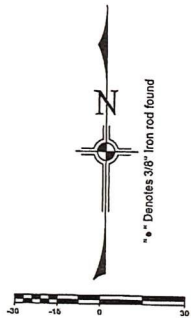
 Parcels



Esri Community Maps Contributors, Baylor University, Kerrin County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri,

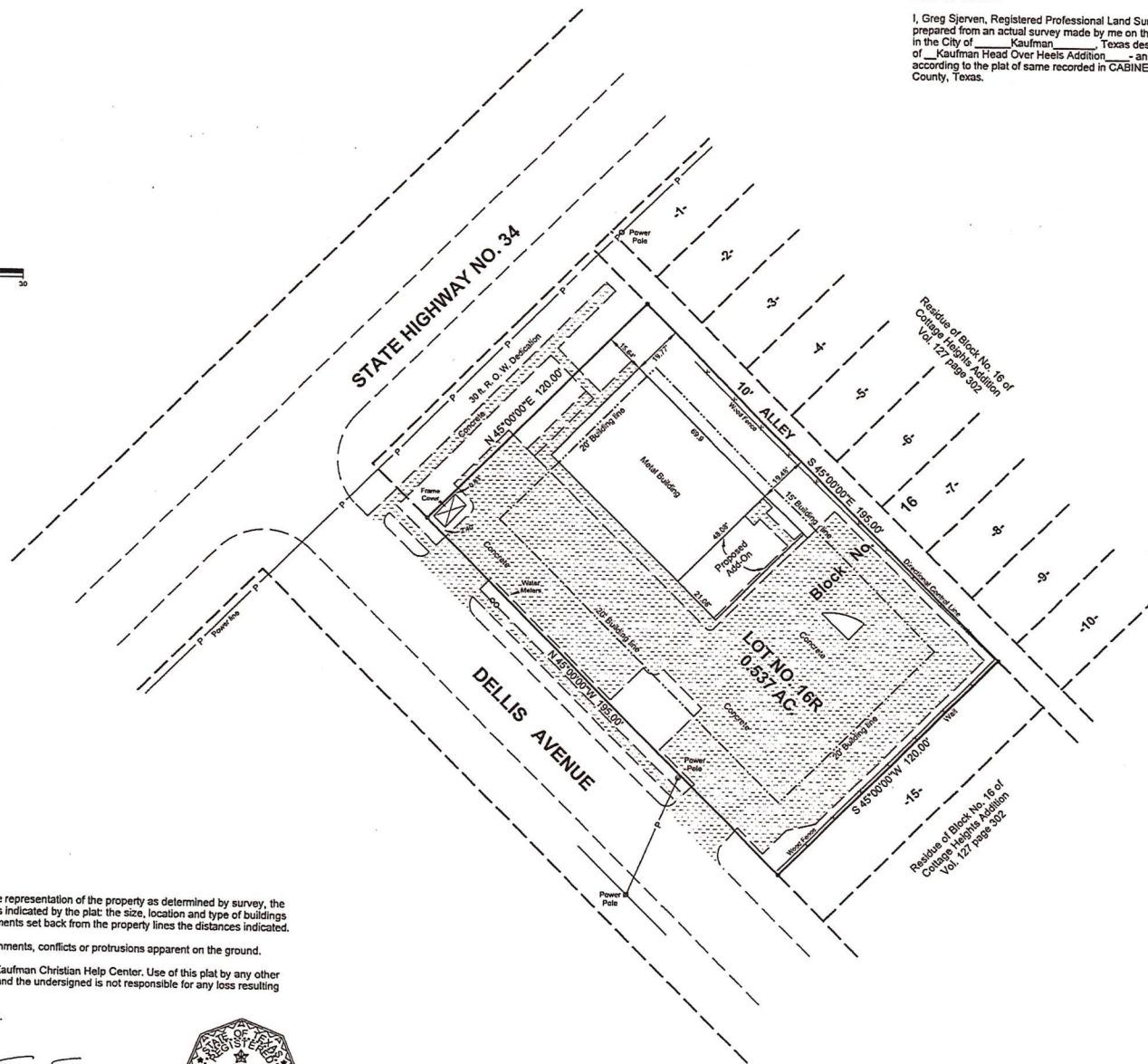
Kerrin County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared to be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



PLAT OF SURVEY

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the plat hereon was prepared from an actual survey made by me on the ground of property located at 400 N SH 34 in the City of Kaufman, Texas described as follows: LOT NO. 16R BLOCK NO. 16 of Kaufman Head Over Heels Addition - an addition to the City of Kaufman in Kaufman County, Texas, according to the plat of same recorded in CABINET NO. 7 PAGE 496 of the Plat Records of Kaufman County, Texas.



The plat hereon is a true, correct and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of buildings and improvements are as shown, all improvements set back from the property lines the distances indicated.

Except as shown there are no visible encroachments, conflicts or protrusions apparent on the ground.

This survey was performed for the benefit of Kaufman Christian Help Center. Use of this plat by any other person or for any other purpose is prohibited and the undersigned is not responsible for any loss resulting therefrom.

NOTE: PLAT VOID IF NOT SIGNED IN BLUE.

SCALE: 1" = 30'

DATE: Nov. 27, 2023

BOOK 591 PG. 79
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Statewide Surveying Service

GREG SJERVEN, R. P. L. S. NO. 5244



Statewide Surveying Service

208 N. Washington St.
Kaufman, Tx. 75142
972-962-6481
Firm No. 10009100



East



North



West

South

