



AGENDA
ZONING BOARD OF ADJUSTMENT MEETING
THURSDAY, DECEMBER 9, 2021 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

**This meeting will be held using
videoconferencing/teleconferencing
technology with public access via:
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR
(888)788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 976 451 4623
PASSWORD: 764322**

PLEDGE OF ALLEGIANCE US FLAG TEXAS FLAG "HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE".

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 BOA 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 BOA as a whole. When addressing the BOA, please step forward to the speaker's podium, state your name and address, and direct your comments to the BOA Chairman.

PUBLIC HEARING Conduct a public hearing and consider a request from Cedric Tatum, representing Gary Dipprey, for a variance to Chapter 118, "Zoning" of the Code of Ordinances, Section 17.4.A.1 for the lot square footage, 17.4.A.2 for the lot width, and 17.4.A.3 for the lot depth. The owner is requesting a variance to allow a house to be built on the lot. The property is zoned Single Family Residential - 6 (SF-6). The subject property is located at 202 Wykagyl Street (PID 27892), being a portion of Block 8 of the Johnson Addition (V-04-21).

1. Conduct a public hearing and consider a request from Cedric Tatum, representing Gary Dipprey, for a variance to Chapter 118, "Zoning" of the Code of Ordinances, Section 17.4.A.1 for the lot square footage, 17.4.A.2 for the lot width, and 17.4.A.3 for the lot depth. The owner is requesting a variance to allow a house to be built on the lot. The property is zoned Single Family Residential - 6 (SF-6). The subject property is located at 202 Wykagyl Street (PID 27892), being a portion of Block 8 of the Johnson Addition (V-04-21).
2. Conduct a public hearing and consider a request from Daniel Carlos, for a variance to Chapter 118, "Zoning" of the Code of Ordinances, Section 15.4.B.2 for the side yard setback on a key lot. The owner is requesting a variance to allow a house to be built on the lot. The property is

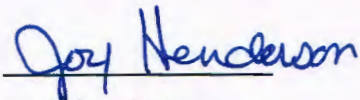
zoned Single Family Residential - 10 (SF-10). The subject property is located at 1006 South Jefferson Street (PID 24953), being a portion of Block 8 of the Grubb Addition and part of Block 37 of Snows 1st Addition (V-05-21).

CONSENT AGENDA CONSIDER AND ACT UPON APPROVAL OF THE ZONING BOARD OF ADJUSTMENT MINUTES FROM THE JULY 27, 2021 REGULAR MEETING.

3. Consider and act upon approval of the Zoning Board of Adjustment minutes from the July 27, 2021 Regular Meeting.

ADJOURNMENT

I, JOY HENDERSON, PLANNING TECHNICIAN, 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 DAY, MONTH DD, YYYY AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.



Joy Henderson
Planning Technician

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).

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE BOARDMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING [WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 976 451 4623 PASSWORD: 764322**

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.



Case V-04-21

Zoning Board of Adjustment Public Hearing:

December 9, 2021

Applicant/Owner:

Cedric Tatum representing Gary Dipprey

Location:

202 Wykagyl Street
Part of Block 8 of the Johnson Addition
City of Kaufman, Kaufman County, Texas (PID 27892)

BACKGROUND:

The property located in the Johnson Addition is zoned Single-Family Residential-6 ("SF-6") and is currently a non-conforming undeveloped lot. The previous residential structure was demolished in July 1999. The existing lot contains 5,215 square feet and is 59 feet wide and 88 feet deep. The minimum lot size in "SF-6" is 6,000 square feet. The minimum lot width in "SF-6" is 60 feet. The minimum lot depth in "SF-6" is 100 feet. There is not additional property available to increase the lot size, width, and depth. The surrounding lots are currently developed and occupied with single-family residences

Staff requested the applicant to pick a house plan that met the yard setbacks and the minimum 1,200 SF house size. The applicant found a two-story 1,207 SF house plan with the required 2 car garage that met all the required yard setbacks and the minimum house size. The minimum front yard setback is 25 feet, the interior minimum side yard setbacks are 6 feet for each side and the minimum rear yard setback is 25 feet. The proposed house layout meets all of the minimum requirements.

However, variances are necessary because the non-conforming lot does not meet the minimum lot size, lot width and lot depth. The approval of variances will make the lot a conforming lot, which will allow a building permit to be issued for the construction of a new house with the required two car garage.

To give you an idea of what a house would look like on a small lot, you can look at the smaller lots and houses in the Georgetown at Kings Fort Addition (along the Highway 34 Bypass). A good majority of those lots are between 5,000 and 6,000 SF and the house size averages 2,866 SF with an average cost of \$317,508.

REQUESTED VARIANCES:

The requested variance is to Chapter 118, Zoning" of the Code of Ordinances, City of Kaufman Zoning Ordinance, O-02-07 for property addressed as 202 Wykagyl Street (PID 27892).

1. Section 17.4.A.1 – Minimum lot size – 6,000 square feet

The request is for a 785 square foot variance to the minimum lot size.

If approved, it would allow a minimum lot size of 5,215 square feet.

2. Section 17.4.A.2 – Minimum lot width – 60 feet

The request is for a 1-foot variance to the minimum lot width.
If approved, it would allow a minimum lot width of 59 feet.

3. Section 17.4.A.3 – Minimum lot depth –100 feet

The request is for a 12-foot variance to the minimum lot depth.
If approved, it would allow a minimum lot width of 88 feet.

UNDUE HARDSHIP FOR VARIANCES:

Staff found an undue hardships exists for each. Staff recommends approval of Case #V-04-21 due to the following circumstance existing on the subject property:

1. The existing non-conforming undeveloped lot is limited to a maximum lot size of 5,215 square feet because the surrounding lots are currently developed and occupied with single-family residences, and there is no additional land available to increase the lot size.
2. The existing non-conforming undeveloped lot is limited to a maximum lot width of 59 feet because the surrounding lots are currently developed and occupied with single-family residences, and there is no additional land available to increase the lot size.
3. The existing non-conforming undeveloped lot is limited to a maximum lot depth of 88 feet because the surrounding lots are currently developed and occupied with single-family residences, and there is no additional land available to increase the lot size.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 19 property owners within 200' of 202 Wykagyl Street. The results are as follows:

- Property owners returned letters in opposition of the request: 1
- Property owners returned the letter in agreement of the request: 0
- Property owners who have not responded: 18

Attachments:

Location Map

Application

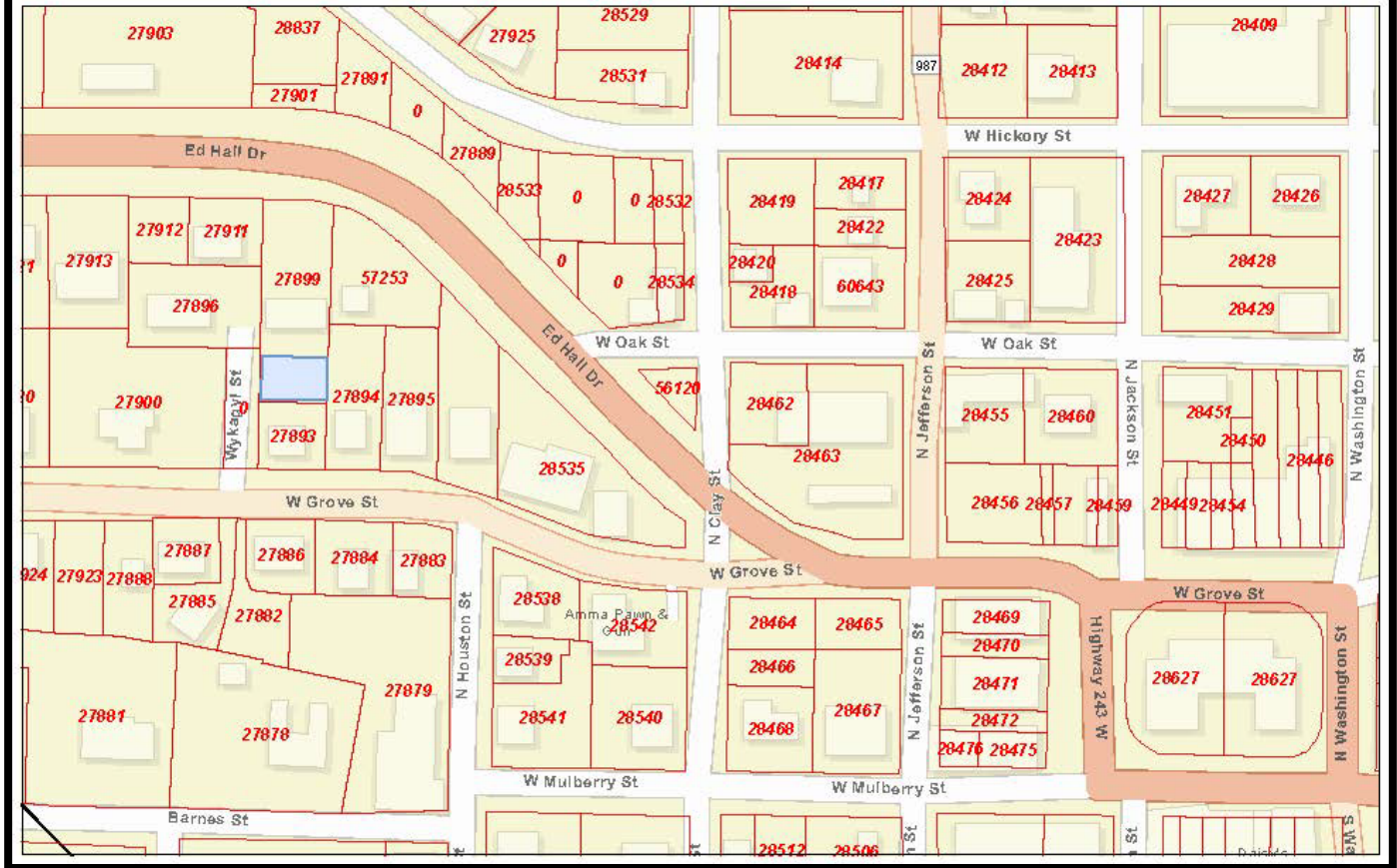
Survey

Site Plan with Foot Print

Property Picture

Property Owner Notification Responses

202 WYKAGYL STREET



Case Number: V- 04-21
Paid



BOARD OF ADJUSTMENT APPLICATION

1. **Site Location:**

Street Address: 202 Wykagyl St

Lot, Block, & Subdivision Name: _____

2. **Applicant:**

Name: Cedric Tatum

Address: 4940 Shorthorn Ct #539

City/State: Grand Prairie TX

Zip: 75052

Office #: 256-683-6585

Cell #: 469-657-7272

Fax #: _____

Email Address: Brookland66@yahoo.com

3. **Property Owner:**

Name: Larry Dipprey

Address: 22 Gregory Ln

City/State: New Waverly TX

Zip: 77358

Office #: _____

Cell #: 972-965-9055

Fax #: _____

Email Address: emily-mcmurray@yahoo.com

4. **List the requested variances. If necessary, use a separate sheet.**

Section	Required	Variance Amount Needed
Sect. <u>17.4.A</u>	<u>lot 50' x 6,000 sq' 60' x 100'</u>	<u>785 sqft, 1' width, 12' depth</u>
Sect. _____	_____	_____
Sect. <u>17.4.A.1</u>	<u>6,000 sq lot</u>	<u>785 sq for 5,215 sq.</u>
Sect. <u>17.4.A.2</u>	<u>60' width</u>	<u>1' for 59' width</u>
Sect. <u>17.4.A.3</u>	<u>100' depth</u>	<u>12' for 88 depth</u>
Sect. _____	_____	_____
Sect. _____	_____	_____

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5. List any hardships that exists for this property. If necessary, use a separate sheet.

~~AND~~ This property is only fifty nine feet wide and eighty eight feet deep which brings the total sqft of the land to be fifty two hundred and fifteen sqft. So with that being said this property is only missing one foot of the width and twelve feet of the dept of the lot.

A. **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.

B. 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.

C. The applicant bears the burden of proof in establishing the facts justifying a variance.

I UNDERSTAND THAT IT IS NECESSARY FOR ME OR MY AGENT TO BE PRESENT AT THE BOARD OF ADJUSTMENT MEETING

I hereby authorize the undersigned applicant to act as my agent for the representation and/or presentation of the request.

Applicant Name (print or type): Cedric Totum

Applicant signature: Cedric Totum

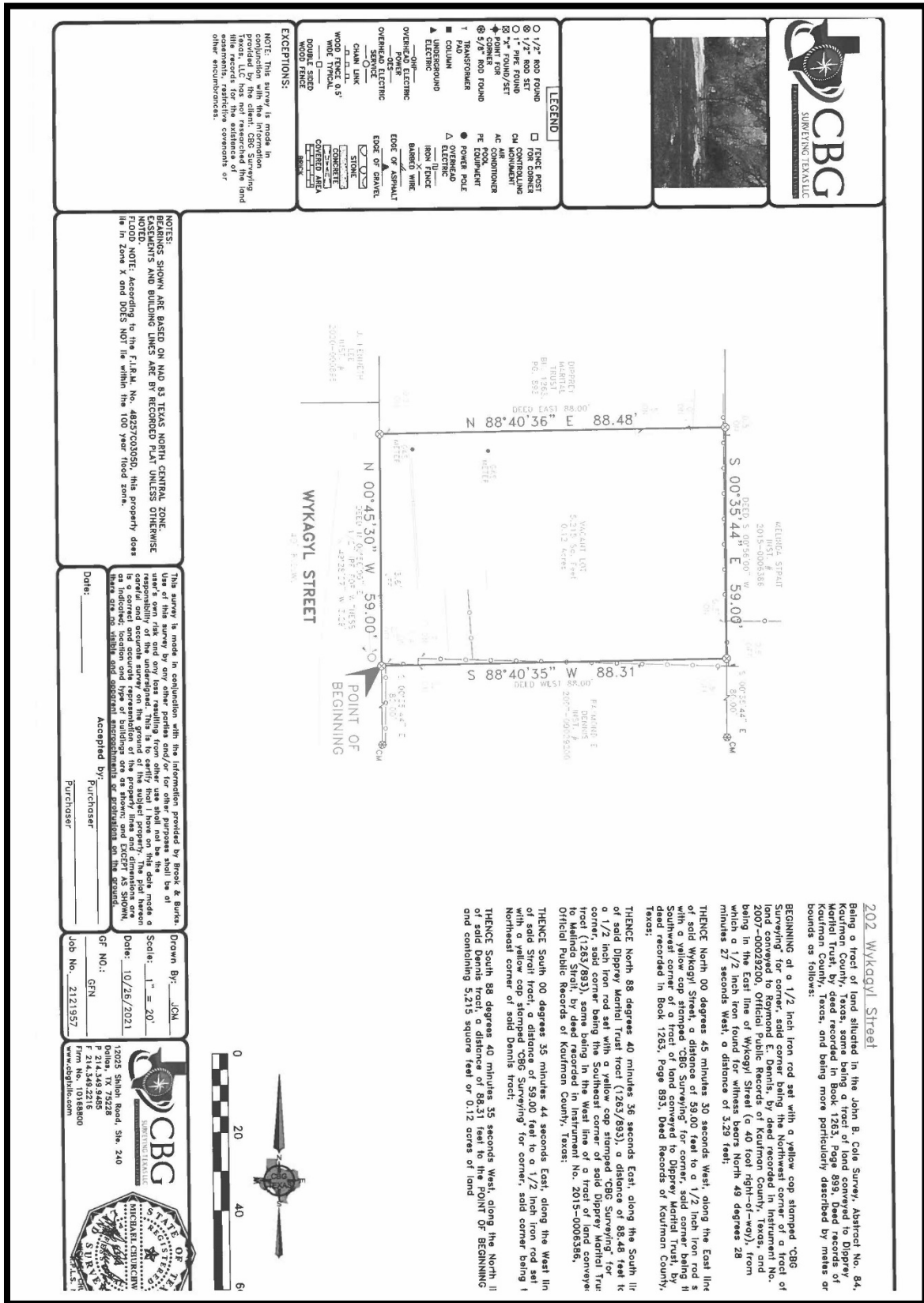
Owner Name (print or type): Gary Dipprey

Owner signature: Gary Dipprey

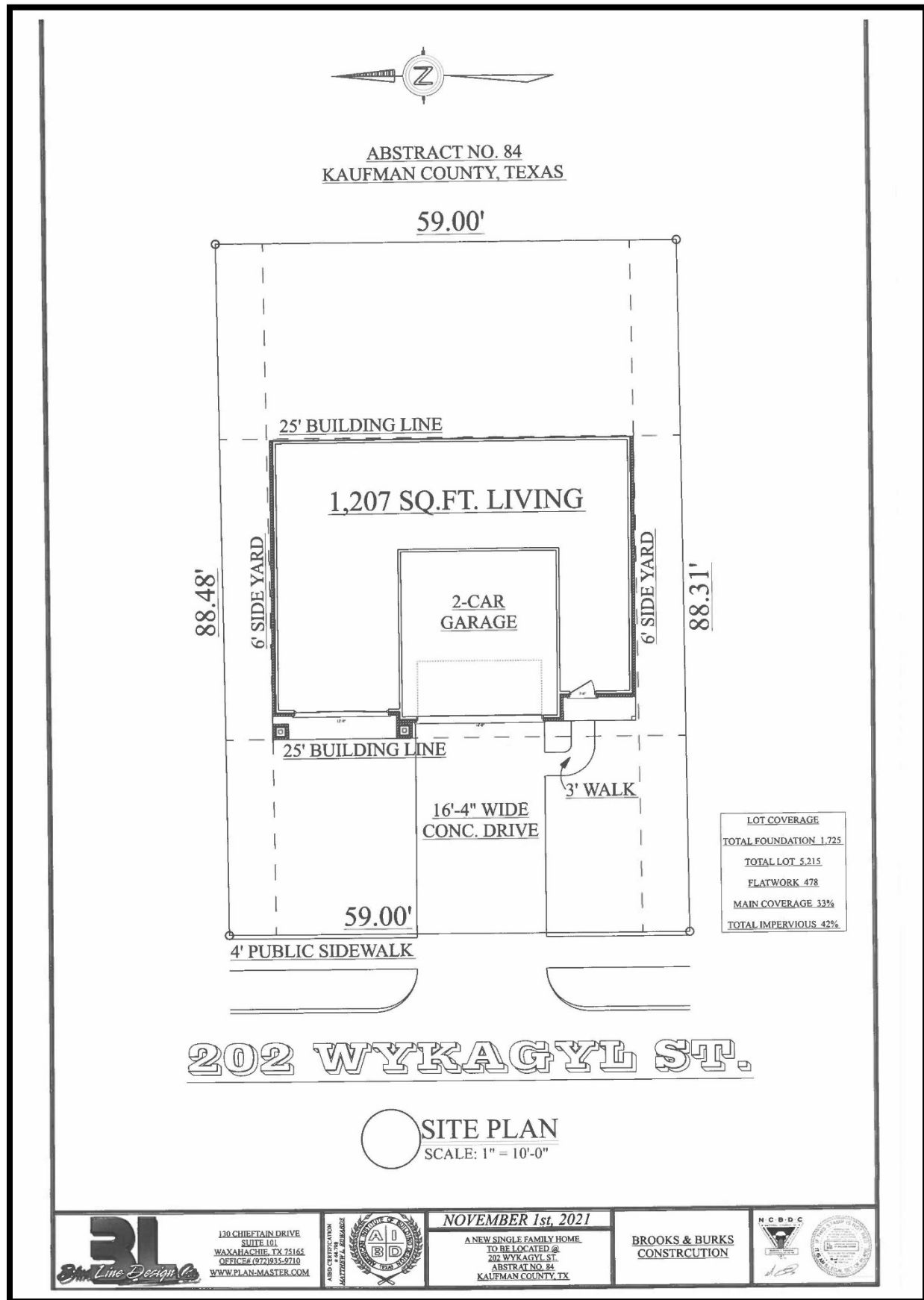
Date Received 11-17-21 Date Paid 11-17-21 Receipt Number 21-0009728

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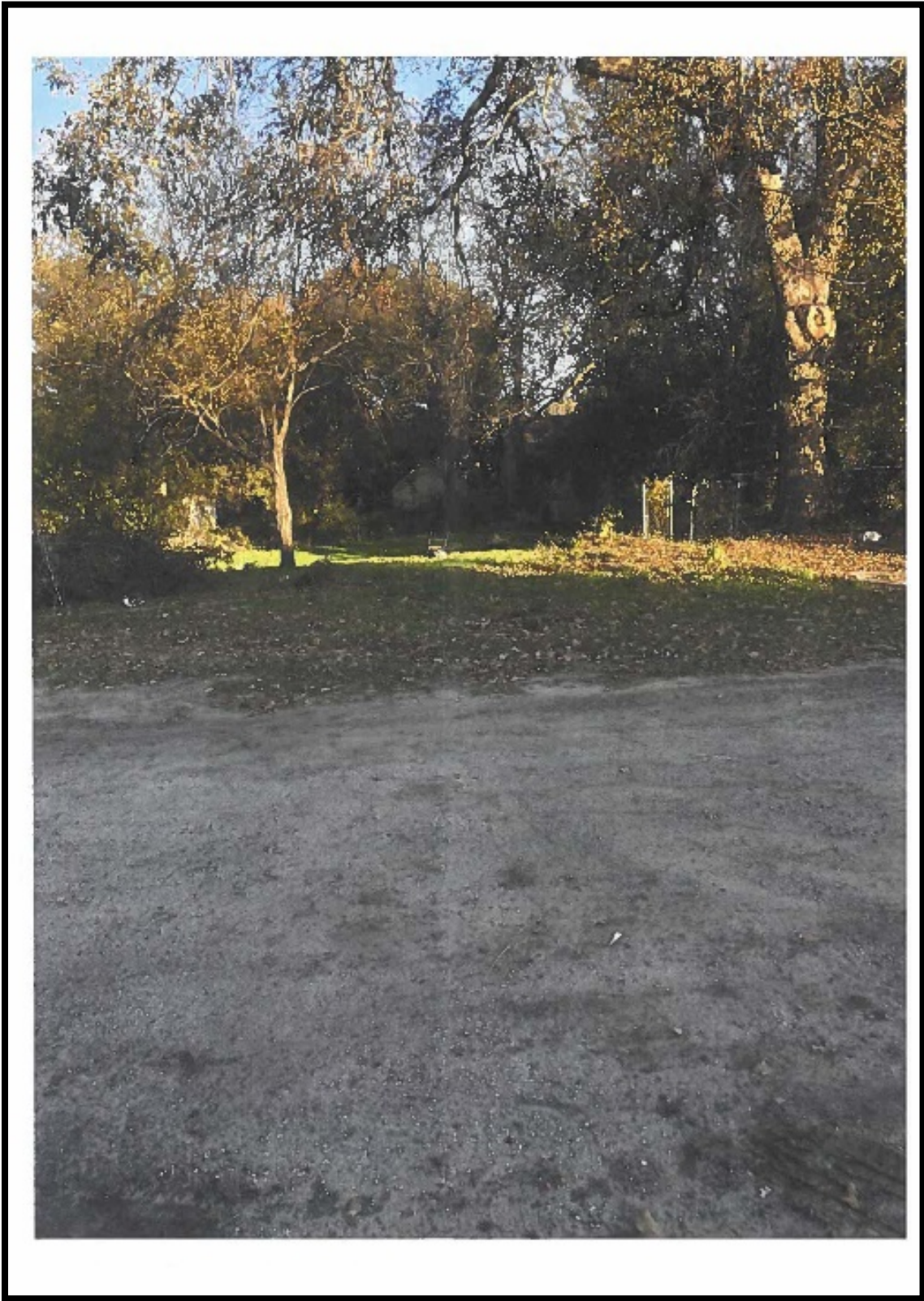
Survey



Site Plan with Foot Print of Proposed House



Picture of Property – 202 Wykagyl Street



Property Owner Notification Responses

Date: 11-22-21
Name: Linda Jennings
Address: 500 W GROVE

City & State:

Phone # Kaufman, Tx 75142
469-371 7838

RE Conduct a public hearing and consider a request from Cedric Tatum, representing Gary Dipprey, for a variance to Chapter 118, "Zoning" of the Code of Ordinances, Section 17.4.A.1 for the lot square footage, 17.4.A.2 for the lot width, and 17.4.A.3 for the lot depth. The owner is requesting a variance to allow a house to be built on the lot. The property is zoned Single Family Residential - 6 (SF-6). The subject property is located at 202 Wykagyl Street (PID 27892), being a portion of Block 8 of the Johnson Addition (V-04-21).

☐ I AM IN FAVOR

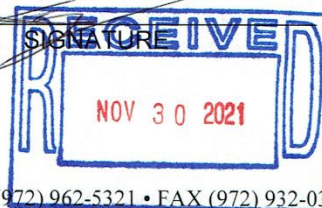
☒ I OBJECT

COMMENTS:

The lot is too small for a house. Bad location!

Linda Jennings
NAME PRINTED

59 X



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Case V-05-21

Zoning Board of Adjustment Public Hearing:

December 9, 2021

Applicant/Owner:

Daniel Carlos

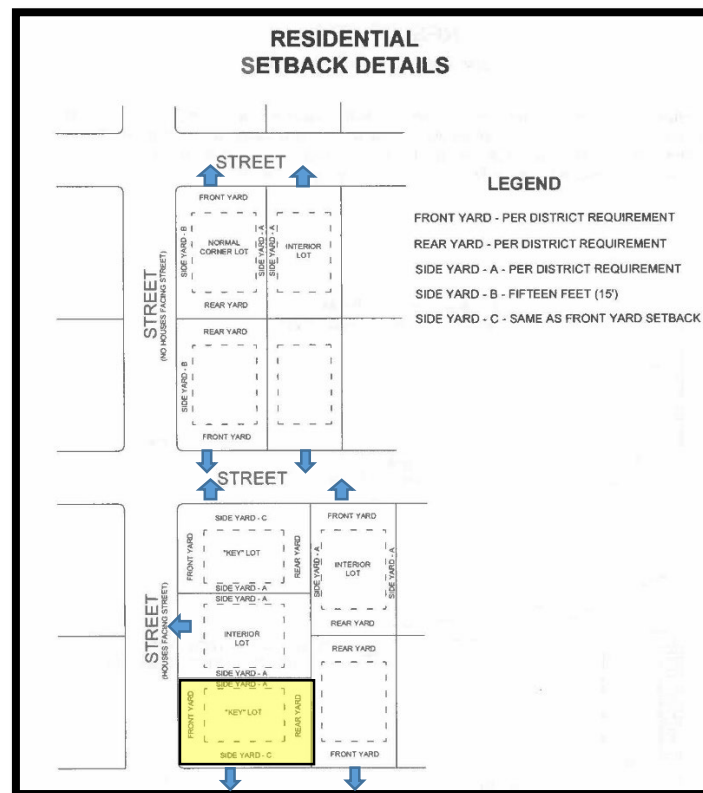
Location:

1006 South Jefferson Street
Part of Block 5 of the Grubbs Addition
City of Kaufman, Kaufman County, Texas (PID 24953)

BACKGROUND:

The property located in the Grubbs Addition is zoned Single-Family Residential-10 ("SF-10") and is currently a vacant undeveloped lot. There is no history of any structure being located on the property.

The existing lot contains 11,200 square feet and is 100 feet wide and 112 feet deep. The minimum lot size in "SF-10" is 10,000 square feet. The lot is a corner lot with double frontage, meaning a 35 foot front building setback is required on S. Jefferson Street and on W. Fourth Street. A lot that has a front yard setback on two sides is called a "key lot" (see the diagram below).



The buildable area of a “key lot” is reduced because of the larger setback area on the two street sides. The applicant proposes to meet the interior 12 foot side yard setback, but that still leaves a deficit of 14 feet on the W. Fourth Street side. Turning the house to face W. Fourth Street would require more variances.

Staff requested the applicant to pick a house plan that met one front yard setback, the side and rear yard setbacks and the minimum house size. A variance is necessary to the front yard setback on W. Fourth Street, because the existing 100 foot lot width limits the proposed house width to only 53 feet and reduces the buildable area to less than 2,000 square feet. The proposed house width is 64.58 feet.

Development of the lot will require either a variance to the front yard setback on W. Fourth Street or require a variance to the minimum 2,000 square foot house size. The proposed house size is 2,087 square feet. There is not additional property available to increase the lot width. The surrounding lots are currently developed and occupied with single-family residences. Staff supported the single variance request.

REQUESTED VARIANCES:

The requested variance is to Chapter 118, Zoning” of the Code of Ordinances, City of Kaufman Zoning Ordinance, O-02-07 for property addressed as 1006 South Jefferson Street (PID24953).

1. **Section 15.4.B.2 – Minimum side yard setback for a corner key lots – 35 feet**
The request is for a 14 foot variance to the minimum side yard setback for a corner key lot.
If approved, it would allow a minimum side yard setback of 21 feet for a corner key lot.

Undue Hardship for Variances:

Staff found an undue hardship exists. Staff recommends approval of Case #V-05-21 due to the following circumstance existing on the subject property.

1. The undeveloped “key lot” with two 35 foot front yard setbacks is limited by the existing lot width of 100 feet. Additional land area is not available to increase the lot width, because the surrounding lots are currently developed and occupied with single-family residences.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 20 property owners within 200’ of 1006 South Jefferson Street. 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: 1
- Property owners who have not responded: 19

Attachments:

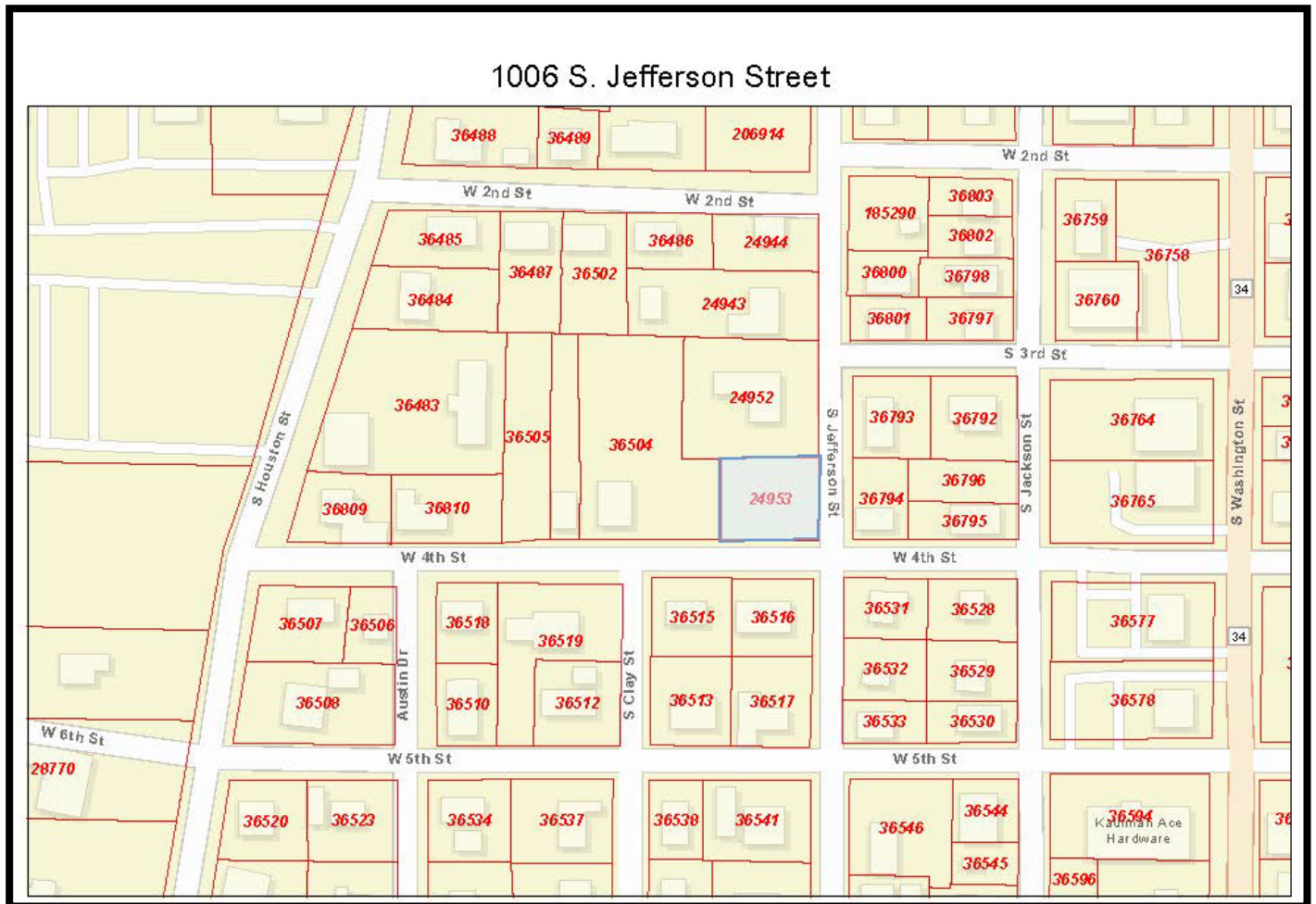
Location Map

Application

Site Plan with Foot Print

Property Picture

Property Owner Notification Responses



Case Number: V- 05-21

PID 24953



BOARD OF ADJUSTMENT APPLICATION

1. **Site Location:**
Street Address: 1006 S Jefferson
Lot, Block, & Subdivision Name: 5
2. **Applicant:**
Name: Daniel Carlos
Address: 1029 Villa Siete
City/State: Mesquite TX Zip: 75181
Office #: _____ Cell #: 469-834-5718 Fax #: _____
Email Address: daniel@daniel'srenovationsdfw.com
3. **Property Owner:**
Name: Daniel Carlos
Address: 1006 S Jefferson
City/State: Kaufman Zip: 75142
Office #: _____ Cell #: 469-834-5718 Fax #: _____
Email Address: daniel@daniel'srenovationsdfw.com
4. **List the requested variances. If necessary, use a separate sheet.**

Section	Required	Variance Amount Needed
Sect. <u>15.4.B.2</u>	<u>35 feet</u>	<u>14 feet</u>
Sect.		
Sect.		
Sect.		
Sect.		
Sect.		
Sect.		

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5. List any hardships that exists for this property. If necessary, use a separate sheet.

Can't fit the biggest house on existing lot

A. **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.

B. 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.

C. The applicant bears the burden of proof in establishing the facts justifying a variance.

I UNDERSTAND THAT IT IS NECESSARY FOR ME OR MY AGENT TO BE PRESENT AT THE BOARD OF ADJUSTMENT MEETING

I hereby authorize the undersigned applicant to act as my agent for the representation and/or presentation of the request.

Applicant Name (print or type): Daniel Carlos

Applicant signature: Daniel Carlos

Owner Name (print or type): Daniel Carlos

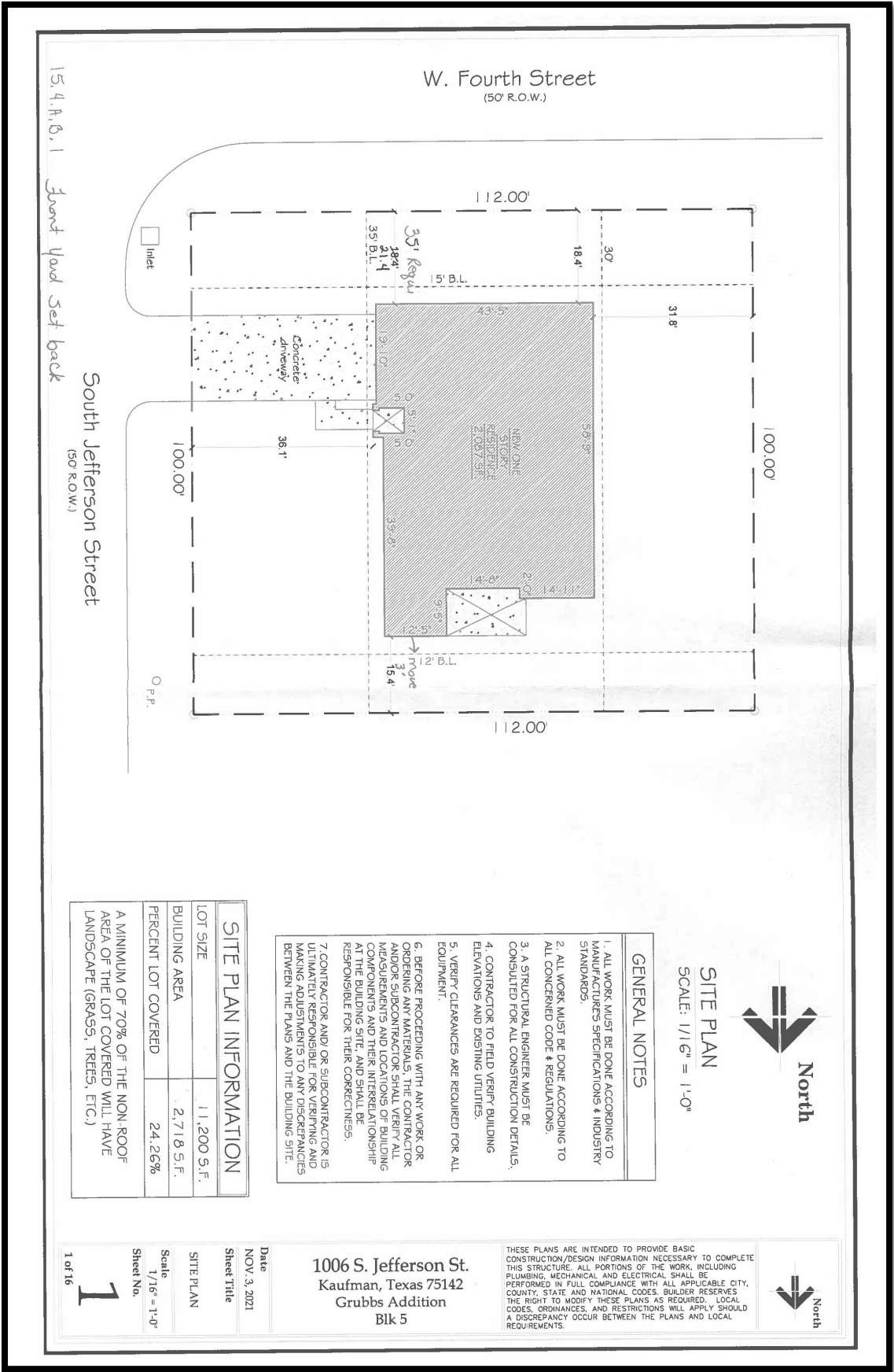
Owner signature: Daniel Carlos

Date Received 11-18-21 Date Paid 11-18-21 Receipt Number 21-000981

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Site Plan with Foot Print of Proposed House



Picture of Property – 1006 S. Jefferson



Property Owner Notification Responses

Date: 11/22/2021
Name: Jeff & Tonya Ford
Address: 1106 S. Jefferson

City & State: Kaufman, TX 75142

Phone # (972) 932-2755

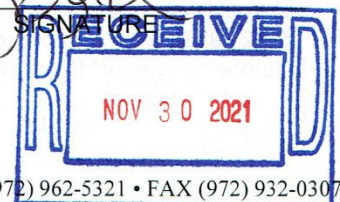
COMMENTS:

TONYA FORD
NAME PRINTED

RE Conduct a public hearing and consider a request from Daniel Carlos, for a variance to Chapter 118, "Zoning" of the Code of Ordinances, Section 15.4.B.2 for the side yard setback on a key lot. The owner is requesting a variance to allow a house to be built on the lot. The property is zoned Single Family Residential - 10 (SF-10). The subject property is located at 1006 South Jefferson Street (PID 24953), being a portion of Block 8 of the Grubb Addition and part of Block 37 of Snows 1st Addition (V-05-21).

☒ I AM IN FAVOR ☐ I OBJECT

Tonya L. Ford
SIGNATURE



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MINUTES
ZONING BOARD of ADJUSTMENT REGULAR MEETING
TUESDAY, JULY 27, 2021 – 6:30 P.M.
CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET, KAUFMAN, TEXAS 75142

This meeting will be held using
videoconferencing/teleconferencing
technology with public access via :
WWW.ZOOM.US/JOIN or
(888)-788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 976 451 4623
PASSWORD: 764322

CHAIRMAN	JOHN ELZNER
VICE CHAIRMAN	JIMMY REED
BOARD MEMBER	KATHY BURT
BOARD MEMBER	DAVID HUNT
BOARD MEMBER	CLAYTON KELLY
BOARD MEMBER	

PLEDGE OF ALLEGIANCE

US FLAG

TEXAS FLAG

“HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE”.

CALL THE MEETING TO ORDER: CHAIRMAN CALLS THE MEETING OR ORDER, STATES THE DATE AND TIME, STATES THE COMMISSIONERS PRESENT, AND DECLARES A QUORUM PRESENT.

Chairman Elzner called the meeting to order at 6:03 p.m. Tuesday, July 27, 2021. Board Members present were Chairman John Elzner, Vice-Chairman Jimmy Reed, Board Member Kathy Burt, Board Member David Hunt, and Board Member Clayton Kelly. Director of Development Services Marcy Ratcliff, Planning Technician Joy Henderson and Building Official Todd White were present. Present in the audience were Amber Nobles, Gary Nobles and Ms. Sylvia.

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

Comments about any of the Board of Adjustment 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 Board of Adjustment 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 Committee as a whole.

Zoning Board Of Adjustment
July 27, 2021
Page 1 of 3

When addressing the Board of Adjustment members, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and Committee.

PUBLIC HEARING ITEM:

- 1. CONDUCT A PUBLIC HEARING AND CONSIDER A REQUEST FROM AMBER AND GARY NOBLES FOR A VARIANCE TO CHAPTER 118, "ZONING" OF THE CODE OF ORDINANCES, SECTION 17.4.B.3 MINIMUM REAR YARD. THE OWNER IS REQUESTING A VARIANCE TO THE REAR YARD SETBACK TO ALLOW THE PROPERTY TO BE DIVIDED INTO 2 SEPARATE LOTS. THE PROPERTY IS ZONED SINGLE FAMILY RESIDENTIAL - 6 (SF-6). THE SUBJECT PROPERTY IS LOCATED AT 1304 EAST 1ST NORTH STREET (PID 19669), BEING A PORTION OF BLOCK 10 OF THE BROWN ADDITION (V-03-21).**

- a. The Public Hearing was opened at 6:06 pm.

Marcy Ratcliff, Director of Development Services, stated in 2018, a building permit was issued for 1304 East 1st North, for the construction of a new single family home. The lot, zoned Single Family-6 (minimum 6,000 SF lot size), contains 20,000 SF. The lot is 100 feet wide and 200 feet deep. Amber Nobles desires to replat the single lot into two lots to build a second home. The existing lot has enough area to create two lots meeting the minimum 6,000 SF lot size and minimum 100-foot lot depth and lot width. The replatted lots would contain 10,000 SF which is 4,000 SF more than the minimum lot size. The existing house is setback approximately 31 feet from the front property line, which is approximately 6 feet more than required. If the lot is replatted into two 10,000 SF lots, the new house will be able to meet all the required setbacks without requiring any variances. However, the proposed new lot 1R with the existing house has a rear yard setback encroachment issue. It is approximately 2 feet short of the required 25-foot rear yard setback. A variance request has been submitted prior to the replatting process because Council cannot create a lot with an existing building that meet the building setbacks.

Ms. Saylvia stated she lives across the street and she agrees with the variance request.

- b. The Public Hearing was closed at 6:18 p.m.
- c. There was no discussion from the Board Members.
- d. Board Member Hunt made a motion to approve the hardship due to:
 1. The existing lot containing 20,000 SF has the necessary area for a second lot and the new house on proposed Lot 2R shall be able to meet all of the required setbacks.
 2. It is not physically feasible to move the existing house on proposed Lot 1R 2 feet closer to the front property line along East 1st North Street.

The motion was seconded by Board Member Burt. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5-0.

- e. Board Member Hunt made a motion to approve the variance to Section 17.4.B.3 – Minimum rear yard setback – twenty-five feet (25') for a 2 foot variance to the minimum rear yard setback. The motion was seconded by Board Member Burt. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5-0.

CONSENT AGENDA

2. CONSIDER AND ACT UPON APPROVAL OF THE ZONING BOARD OF ADJUSTMENT MINUTES FROM THE MAY 18, 2021 REGULAR MEETING.

Board Member Kelly made a motion to approve the Zoning Board of Adjustment Minutes from the May 18, 2021 Regular Meeting. The motion was seconded by Board Member Burt. Chairman Elzner called for a vote with all voting AYE. The motion carried by a vote of 5 -0.

ADJOURNMENT

Board Member Kelly made a motion to adjourn at 6:25 p.m., seconded by Board Member Burt. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5 -0.

JOHN ELZNER
CHAIRMAN

JOY HENDERSON
PLANNING TECHNICIAN