

# ZONING BOARD OF ADJUSTMENT

## MEETING AGENDA

OCTOBER 09, 2023, 7:00 PM



ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS

### CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

### INVOCATION AND PLEDGE

### CITIZENS COMMENTS

*This is an opportunity for citizens to address the Board on any matter. Comments related to public hearings will be heard when the specific hearing begins. Citizens are allowed 3 minutes to speak. Each speaker must complete the Speaker's Form and include the topic(s) to be presented. Citizens who wish to address the Board with regard to matters on the agenda will be received at the time the item is considered. The Board is not allowed to converse, deliberate or take action on any matter presented during citizen input.*

### CONSENT AGENDA

*All items on the Consent Agenda will be acted upon by one vote without being discussed separately unless requested by a Board member to remove the item(s) for additional discussion. Any items removed from the Consent Agenda will be taken up for individual consideration.*

1. Consideration and possible action of the minutes from August 14, 2023, meeting.
2. Consideration and possible action of the minutes from September 11, 2023, meeting.

### PUBLIC HEARING ITEMS

3. Consideration and possible action on a request for a variance from Chapter 14, Section 25.3.1.a to allow a variance from the minimum front yard setback of 20 feet and to allow for a minimum front yard setback of 12 feet for a new awning that will be attached to the existing structure at 302 Acker Street.
4. Conduct a public hearing on a request for a variance from Chapter 14, Section 34.2 to allow a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and to allow for a toilet in each bathroom in two portable buildings that will be located at 1012 N 5th Street.

## **ACTION ITEMS**

5. Consideration and possible action on a request for a variance from Chapter 14, Section 25.3.1.a to allow a variance from the minimum front yard setback of 20 feet and to allow for a minimum front yard setback of 12 feet for a new awning that will be attached to the existing structure at 302 Acker Street.
6. Consideration and possible action on a request for a variance from Chapter 14, Section 34.2 to allow a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and to allow for a toilet in each bathroom in two portable buildings that will be located at 1012 N 5th Street.
7. Consideration and possible action on electing officers for the Zoning Board of Adjustment Board.

## **FUTURE AGENDA ITEMS**

*The purpose of this item is to allow the President and Board members to bring forward items they wish to discuss at a future meeting, A Board member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Board or at the call of the President.*

## **INFORMATIONAL ITEMS**

### **ADJOURN**

**NOTE:** The Board reserves the right to adjourn into Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.087 of the Texas Open Meetings Act.

### **CERTIFICATION**

I certify that a copy of this meeting notice was posted on the bulletin board at City Hall that is readily accessible to the general public at all times and was posted on the City of Sanger website on October 6, 2023, at 8:15 AM.

*Stefani Dodson*

Stefani Dodson, Secretary

The Historical Church is wheelchair accessible. Request for additional accommodations or sign interpretation or other special assistance for disabled attendees must be requested 48 hours prior to the meeting by contacting the City Secretary's Office at 940.458.7930.



# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Stefani Dodson, Secretary

**AGENDA ITEM:** Consideration and possible action of the minutes from August 14, 2023, meeting.

**SUMMARY:**  
N/A

**FISCAL INFORMATION:**  
Budgeted: N/A                      Amount: N/A                      GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**  
N/A

**ATTACHMENTS:**  
Minutes from August 14, 2023.

# ZONING BOARD OF ADJUSTMENT

## MEETING MINUTES

**AUGUST 14, 2023, 7:00 PM**



**ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS**

### **CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM**

There being a quorum Commissioner Miller called the Planning and Zoning meeting to order at 7:00 P.M.

### **BOARD MEMBERS PRESENT**

Commissioner, Place 1	Shane Stone
Commissioner, Place 2	Sally Amendola
Commissioner, Place 3	Jackie Turner
Commissioner, Place 4	Allen McAlister
Commissioner, Place 5	Jacob Gastelum
Commissioner, Place 6	Jason Miller
Commissioner, Place 7	Lisa Freeman

### **BOARD MEMBERS ABSENT**

### **STAFF MEMBERS PRESENT:**

Director of Development Services Ramie Hammonds, and Secretary Stefani Dodson

### **CITIZENS COMMENTS**

No citizens came forward.

### **CONSENT AGENDA**

1. Consideration and possible action of the minutes from June 12, 2023, meeting.

Commissioner Stone makes a motion to approve the consent agenda  
Commissioner McAlister seconded the motion.

Voting Yea: Commissioner Freeman, Commissioner Amendola, Commissioner Gastelum, Commissioner Miller, Commissioner Turner. The motion passes unanimously.

## PUBLIC HEARING ITEMS

Commissioner Miller Opens the Public Hearings at 7:05 P.M.

2. Conduct a Public Hearing on a request for a variance from Chapter 14, Section 23.3.1.b to allow a variance from the minimum side yard setback of 25 feet and to allow for a minimum side yard setback of 20 feet for a new commercial structure to be constructed at 902 N. Stemmons Frwy.

Director Hammonds goes over the project and explains why they are requesting a variance. She says they want to put in a drive-thru coffee shop. The lot is an odd shape and in order to fit the applicant needs the 20' (feet) side yard variance. Staff mailed out 8 public hearing notices and as of tonight has not received any responses.

Thomas Muir – property owner

He thanks the board for all they do. He states his sister and he own the property that was previously a gas station. He said the gas station sat closer than 20 feet to the street. He stated this is a uniquely shaped lot and they are just wanting to make it viable for a commercial.

3. Conduct a Public Hearing on a request for a variance from Chapter 14, Section 52.2.A.2 to allow a variance from the minimum side yard setback of 8 feet and to allow for a minimum side yard setback of 7 feet for a new residential structure to be constructed at 4825 Enclave Drive.

Director Hammonds goes over the project and explains why they are requesting a variance. The applicant wants to build a new residential home on the site. Staff mailed out 8 public hearing and as of tonight only received 2 (two) responses in favor and 1 (one) opposed.

Commissioner Miller Closes the Public Hearings at 7:11 P.M.

## ACTION ITEMS

4. Consideration and possible action on a request for a variance from Chapter 14, Section 23.3.1.b to allow a variance from the minimum side yard setback of 25 feet and to allow for a minimum side yard setback of 20 feet for a new commercial structure to be constructed at 902 N. Stemmons Frwy.

Commissioner McAlister makes a motion to approve the variance to allow a 20' (foot) side yard setback.

Commissioner Turner seconded the motion.

Voting Yea: Commissioner Gastelum, Commissioner Amendola, Commissioner Freeman, Commissioner Miller, Commissioner Stone. The motion passes unanimously.

5. Consideration and possible action on a request for a variance from Chapter 14, Section 52.2.A.2 to allow a variance from the minimum side yard setback of 8 feet and to allow for a minimum side yard setback of 7 feet for a new residential structure to be constructed at 4825 Enclave Drive.

Commissioner McAlister makes a motion to approve the variance to allow a 7' (foot) side yard setback.

Commissioner Freeman seconded the motion.

Voting Yea: Commissioner Gastelum, Commissioner Amendola, Commissioner Turner, Commissioner Miller, Commissioner Stone. The motion passes unanimously.

#### **FUTURE AGENDA ITEMS**

No items were discussed.

#### **INFORMATIONAL ITEMS**

No items were discussed.

#### **ADJOURN**

There being no further items Commissioner Miller adjourns the meeting at 7:14 P.M.



# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Stefani Dodson, Secretary

**AGENDA ITEM:** Consideration and possible action of the minutes from September 11, 2023, meeting.

**SUMMARY:**  
N/A

**FISCAL INFORMATION:**  
Budgeted: N/A                      Amount: N/A                      GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**  
N/A

**ATTACHMENTS:**  
Minutes from September 11, 2023.

# ZONING BOARD OF ADJUSTMENT

## MEETING MINUTES

SEPTEMBER 11, 2023, 7:00 PM



ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS

### CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

There being a quorum Commissioner Miller called the Planning and Zoning meeting to order at 7:00 P.M.

### BOARD MEMBERS PRESENT

Commissioner, Place 1	Shane Stone
Commissioner, Place 2	Sally Amendola
Commissioner, Place 3	Jackie Turner
Commissioner, Place 4	Allen McAlister
Commissioner, Place 5	Jacob Gastelum
Commissioner, Place 6	Jason Miller
Commissioner, Place 7	Lisa Freeman

### BOARD MEMBERS ABSENT

### STAFF MEMBERS PRESENT:

Director of Development Services Ramie Hammonds, and Secretary Stefani Dodson

### CITIZENS COMMENTS

No citizens came forward.

### PUBLIC HEARING ITEMS

1. Conduct a public hearing on a request for a variance from Chapter 14, Section 51.2.B.2 to allow a variance from the minimum lot width of 90 feet and to allow for a minimum lot width of 76 feet for 6 new residential lots being developed generally located on Holt Street approximately 789 feet east of the intersection of Keaton Rd and Holt Street.

Commissioner Miller Opens the Public Hearing at 7:01 P.M.

Director Hammonds goes over the project. She explains this area is zoned SF-9 (Single Family -9) and that requires a 90-foot lot width. The applicant is asking for a variance



to allow 76-foot lot width. She also lets the board know that after looking on GIS mapping it looks like the lot width would actually be closer to 71-foot after removing the road out of the lots. Staff mailed out 15 notices and received 1 in favor and 3 opposed. Staff does recommend denial.

Lisa Roberts-property owner

She said she lives next door to the property and says the proposed development does not match the neighborhood. She is opposed.

Allen Chick-property owner

He said he is opposed to the development as it is not consistent with the current neighborhood. He also explained about the traffic problems it will cause in the area.

Reed-property owner

He said his main concern will be water runoff and flooding.

Jonathan Whitworth-Developer

He says he hears everyone and their opposition and takes them to heart. He stated that the minimum lot square footage is 12,000 and their lots will exceed that square footage. He also said that in response to the drainage the City will require him to do a drainage study and comply.

Commissioner Miller Closes the Public Hearing at 7:12 P.M.

## **ACTION ITEMS**

2. Consideration and possible action on a request for a variance from Chapter 14, Section 51.2.B.2 to allow a variance from the minimum lot width of 90 feet and to allow for a minimum lot width of 76 feet for 6 new residential lots being developed generally located on Holt Street approximately 789 feet east of the intersection of Keaton Rd and Holt Street.

Commissioner Amendola makes a motion to deny the variance to allow a 76-foot lot width. Commissioner Turner seconded the motion.

Voting Yea: Commissioner Gastelum, Commissioner McAlister, Commissioner Freeman, Commissioner Miller, Commissioner Stone. The motion passed unanimously.

## **ADJOURN**

There being no further items Commissioner Miller adjourns the meeting at 7:17 P.M.



# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Ramie Hammonds, Director of Development Services

**AGENDA ITEM:** Consideration and possible action on a request for a variance from Chapter 14, Section 25.3.1.a to allow a variance from the minimum front yard setback of 20 feet and to allow for a minimum front yard setback of 12 feet for a new awning that will attached to the existing structure at 302 Acker Street.

**SUMMARY:**

- The property is zoned "I-1" Industrial 1.
- The applicant is seeking a variance from the required 20-foot front yard setback to a 12-foot setback.
- The property is located at 302 Acker Street.
- The applicant is proposing to add an awning/cover over parking to allow for covered service to the vehicles.
- Staff mailed out 8 public hearing notices to owners of properties within 200 feet of the subject property and at the time of this meeting has received no responses.

**FISCAL INFORMATION:**

Budgeted: N/A      Amount: N/A      GL Account: N/A

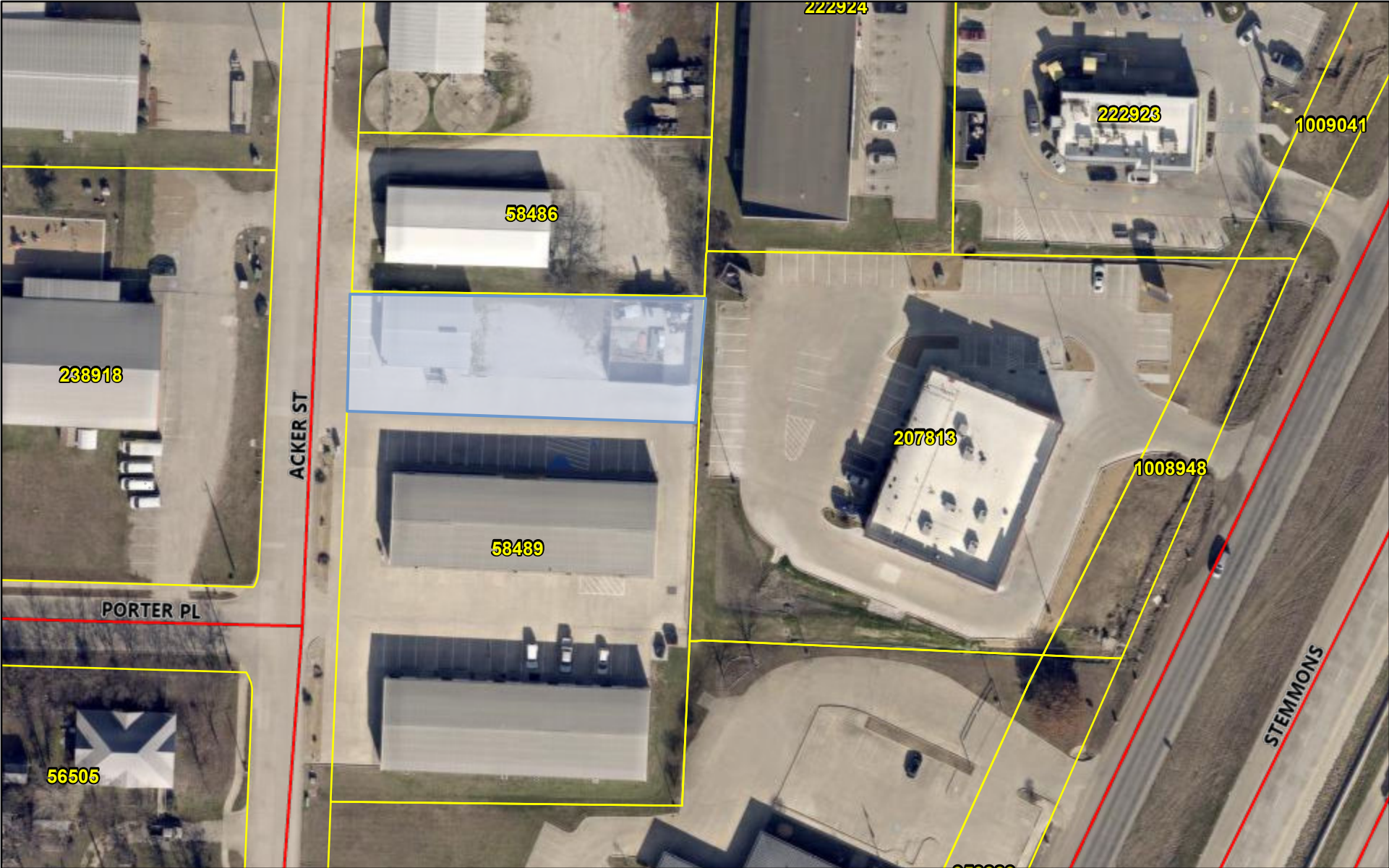
**RECOMMENDED MOTION OR ACTION:**

N/A

**ATTACHMENTS:**

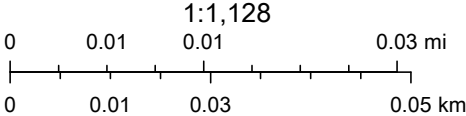
Location Map

# Denton CAD Web Map



9/14/2023, 2:13:06 PM

-  Parcels
-  Roads





# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Ramie Hammonds, Director of Development Services

**AGENDA ITEM:** Conduct a public hearing on a request for a variance from Chapter 14, Section 34.2 to allow a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and to allow for a toilet in each bathroom in two portable buildings that will be located at 1012 N 5th Street.

**SUMMARY:**

- The property is zoned "I-1" Industrial 1.
- The applicant is seeking a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and is requesting a variance to allow for a toilet in each bathroom.
- The property is a church located at 1012 N 5<sup>th</sup> Street.
- The applicant is proposing to add two portable buildings in addition to the brick building that currently exists.
- Staff mailed out 8 public hearing notices to owners of properties within 200 feet of the subject property and at the time of this meeting has received no responses.

**FISCAL INFORMATION:**

Budgeted: N/A      Amount: N/A      GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

N/A

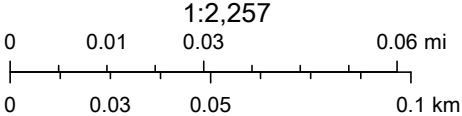
**ATTACHMENTS:**

Location Map



9/14/2023, 2:15:55 PM

- Parcels
- Roads





# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Ramie Hammonds, Director of Development Services

**AGENDA ITEM:** Consideration and possible action on a request for a variance from Chapter 14, Section 25.3.1.a to allow a variance from the minimum front yard setback of 20 feet and to allow for a minimum front yard setback of 12 feet for a new awning that will attached to the existing structure at 302 Acker Street.

**SUMMARY:**

- The property is zoned "I-1" Industrial 1.
- The applicant is seeking a variance from the required 20-foot front yard setback to a 12-foot setback.
- The property is located at 302 Acker Street.
- The applicant is proposing to add an awning/cover over parking to allow for covered service to the vehicles.
- Staff mailed out 8 public hearing notices to owners of properties within 200 feet of the subject property and at the time of this meeting has received no responses.

**FISCAL INFORMATION:**

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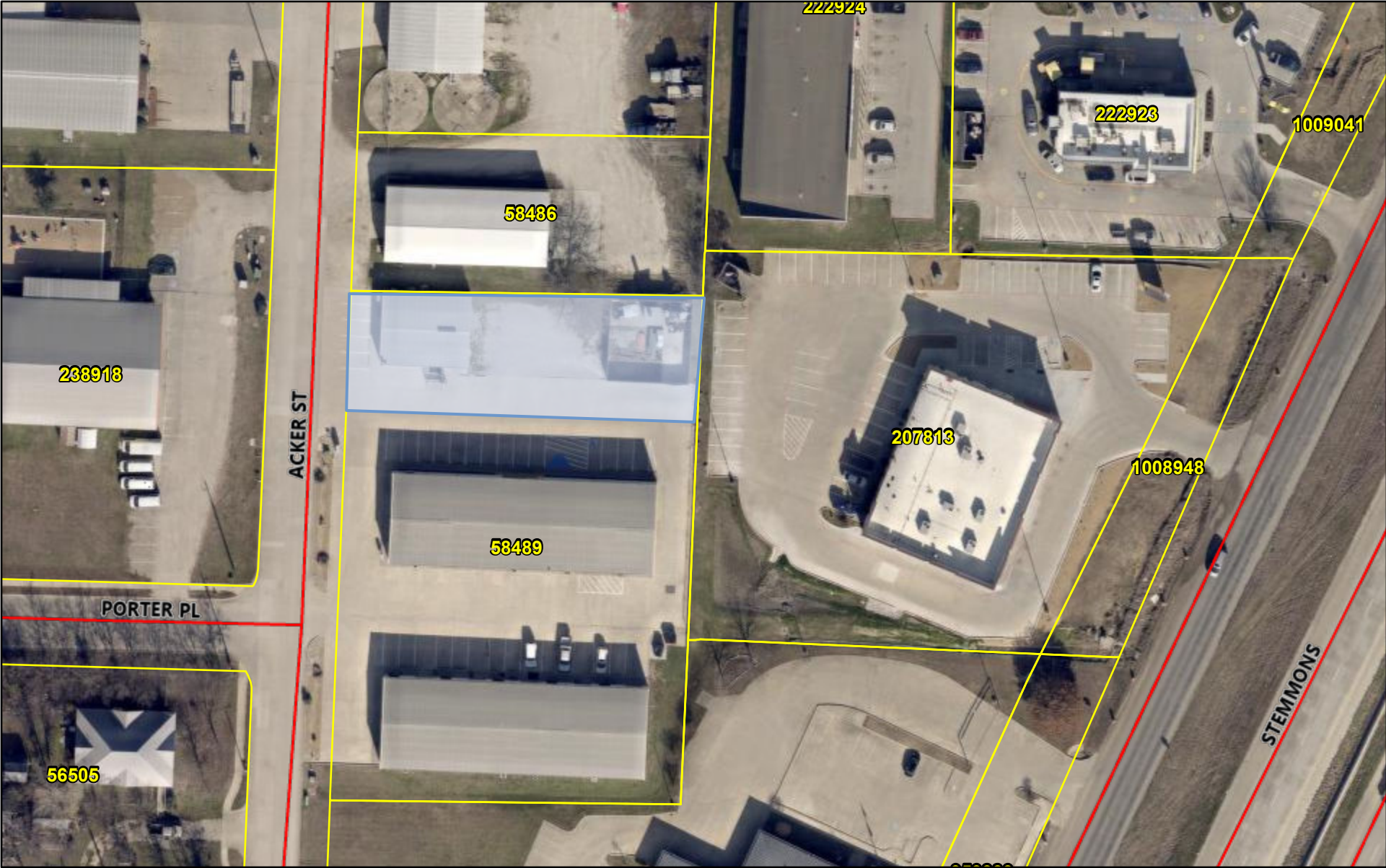
**RECOMMENDED MOTION OR ACTION:**

N/A

**ATTACHMENTS:**

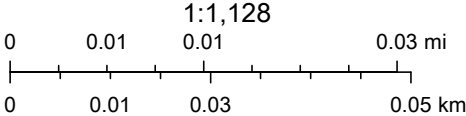
- Location Map
- Application
- Letter of Intent
- Site Plan
- I-1 Regulations

# Denton CAD Web Map



9/14/2023, 2:13:06 PM

-  Parcels
-  Roads





201 Bolivar Street/PO Box 1729 \* Sanger, TX 76266  
940-458-2059(office) www.sangertexas.org

### VARIANCE APPLICATION

#### Applicant

#### Owner (if different from applicant)

Name: Shellie Wallace DVM	Name: Mark Hergenrother
Company: Paws and Claws Veterinary Clinic PLLC	Company: Integrity Leasing, LLC
Address: 302 Acker St	Address: 302 Acker St, Ste 104
City, State, Zip: Sanger TX 76266	City, State, Zip: Sanger TX 76266
Phone: 940 458 2529	Phone: 940.458.3066
Fax: 940 458 2527	Fax:
Email: vet@sangerpawsandclaws.com	Email: mark@integrityFAE.com

#### Submittal Checklist

Site Plan
Letter of Intent
\$200.00 Application Fee (Check Payable to City of Sanger)

Describe the subject property (address, location, size, etc.):

302 Acker St, Sanger TX. The lot is 205.10' deep 40.3' wide LPT GR-2  
Sanger Industrial Park CAB P PG 348 PRCGT The building is 40x50

Describe the proposed variance (how much, where on the property, for what purpose):

I would like to vary from the 20' distance from the west property line  
and request an 8' variance from the west property line. An awning  
would be attached to the west side of the building and extend west  
over the parking lot 16'

Owner Signature

8/16/2023  
Date

#### Office Use

Fee
Date



PAWS AND CLAWS VETERINARY CLINIC PLLC

302 Acker St

Sanger, Tx 76266

940-458-2529/940-458-2527 fax

August 14, 2023

Sanger Development Services

201 Bolivar St

Sanger, TX 76266

Letter of Intent

Location 302 Acker St, Sanger, TX

205.10" deep and 40.3' wide

Lot GR-2 Sanger Industrial Park CAB. P, PG 348 PRDCT

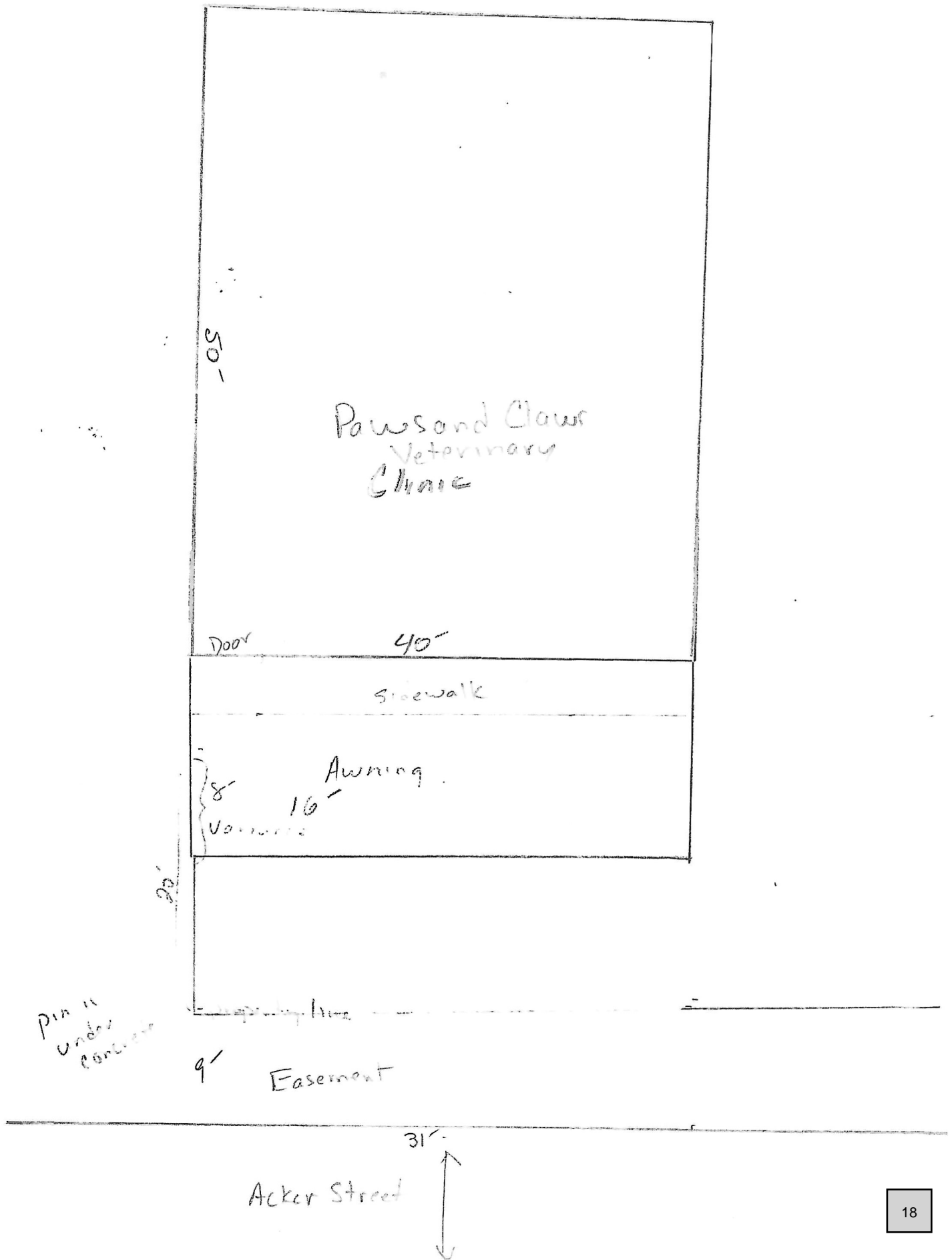
The location is at the northwest corner of Lot 2. It is across the street from the Carousel Academy, and Integrity is located to the south.

I would like to vary from the 20' distance from the west property line and request an 8' variance from the west property line. An awning is to be attached to the west side of the building and extend west over the parking lot 16 feet.

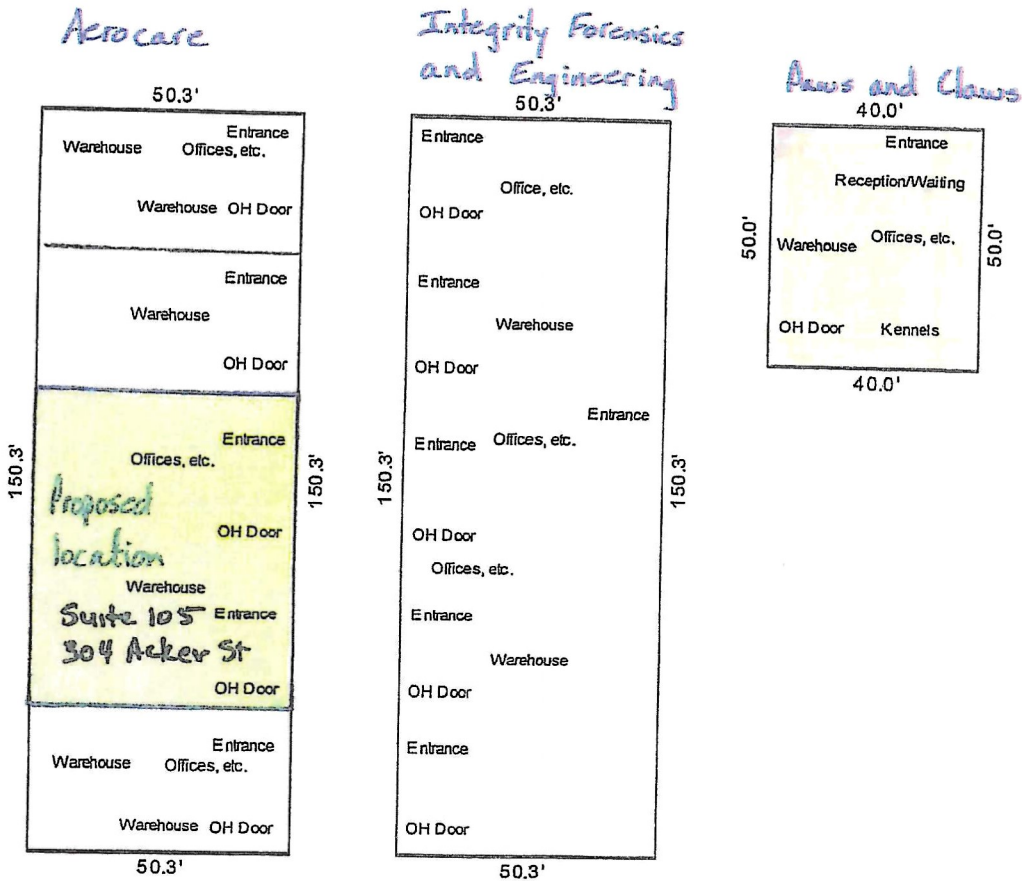
This awing will provide shade for my clients along with making the concrete cooler for the animals walking into the clinic. In addition, my employees and I will be safer in inclement weather when walking to, speaking with, taking paperwork, and picking up or returning pets to clients.

Sincerely,

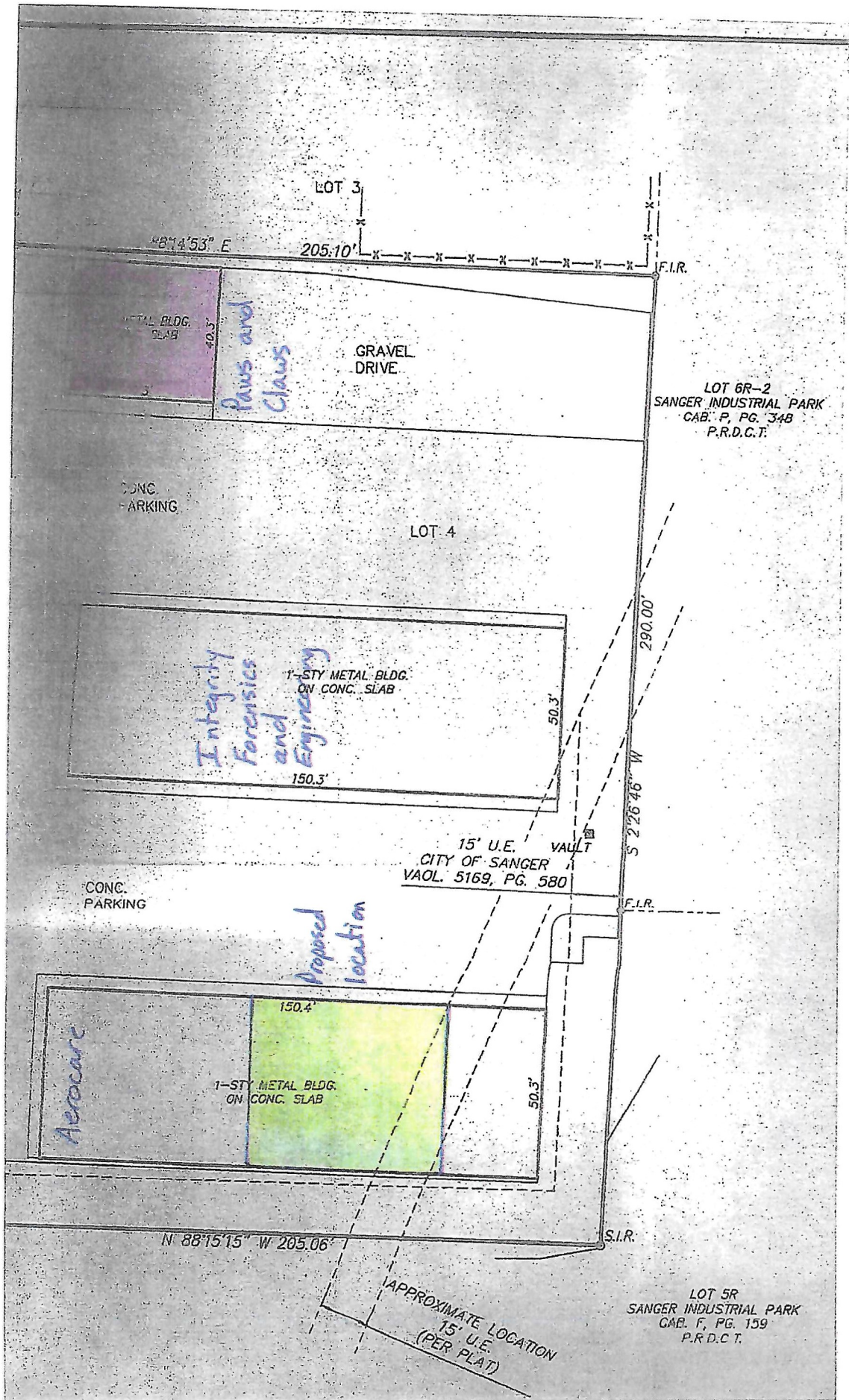
  
Shellie Wallace DVM



# BUILDING SKETCH

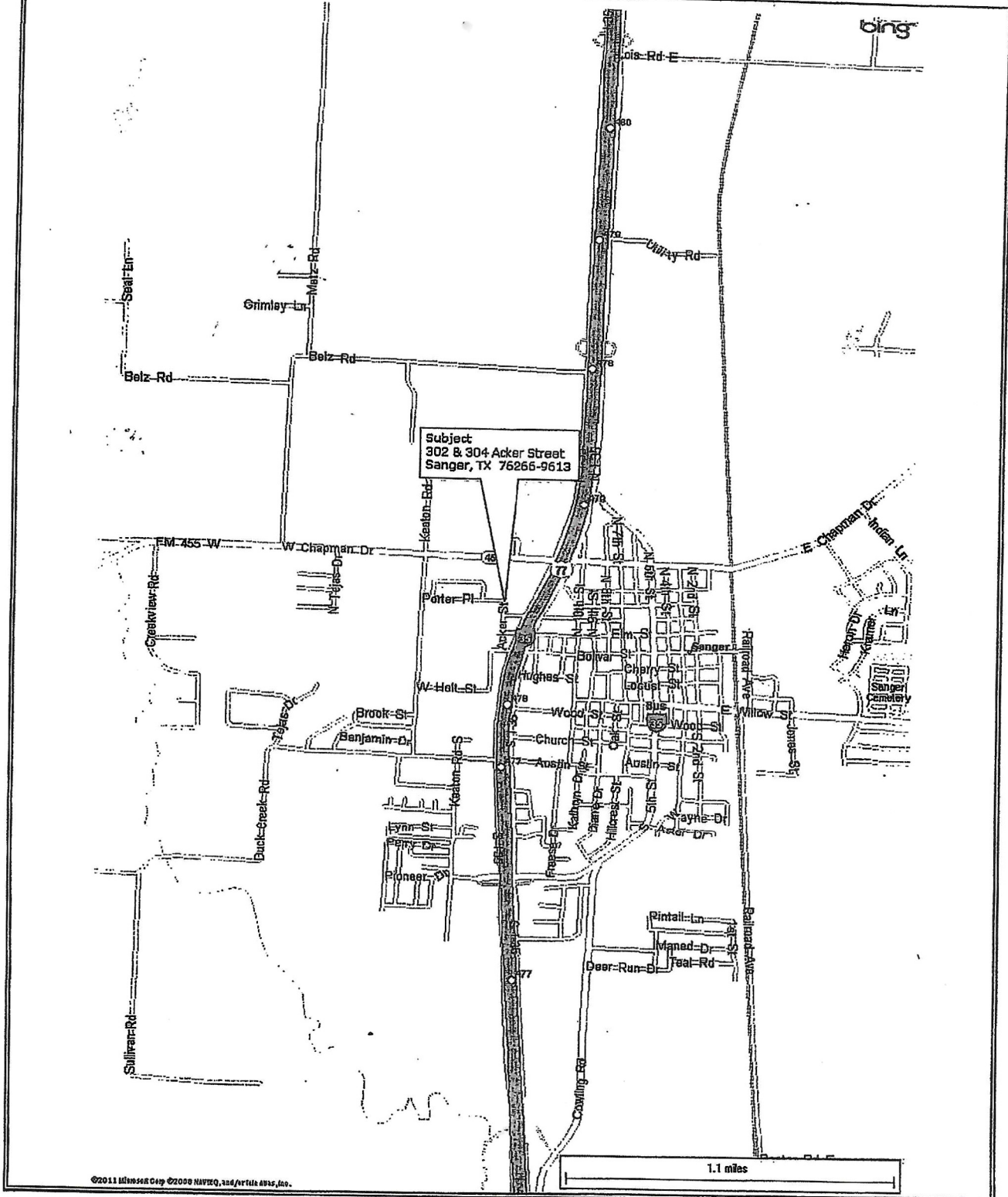


Sketch by Apex IV™





# NEIGHBORHOOD LOCATION



**SECTION 26**  
**"I-2" HEAVY INDUSTRIAL DISTRICT**

General Purpose and Description: The I-2 District is established to accommodate most industrial uses and protect such areas from the intrusion of certain incompatible uses which might impede the development and use of lands for industrial purposes.

**26.1 Use Regulations:** Uses permitted in the I-2 District are subject to the following conditions:

1. All business, servicing, or processing, except for off-street parking, off-street loading, display or merchandise for sale to the public, and establishments of the "drive-in" type, shall be conducted within completely enclosed buildings unless otherwise indicated.
2. All storage within one hundred feet (100) of a residential district, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively, screened with screening not less than six feet (6) nor more than eight feet (8) in height, provided no storage located within fifty feet (50) of such screening shall exceed the maximum height of such screening.

Uses Permitted:

The following uses shall be permitted:

1. Automobile, airplane and other similar assembling;
2. Boat-building of small craft and other similar assembling;
3. Bottling or distribution plants, milk or soft drinks;
4. Cartage establishments;
5. Concrete products casting, mixing and products manufacture;
6. Cosmetics and toiletries, drugs, perfumes, and perfumed soaps, and pharmaceutical products (manufacturing of);
7. Electrical appliances, such as lighting fixtures, irons, fans, and toasters (manufacturing of);
8. Electrical equipment assembly, such as home radio and television receivers and home-movie equipment, but not including electrical machinery;
9. Electrical supplies manufacturing and assembly, such as wire and cable assembly, switches, lamps, insulation and dry-cell batteries;
10. Electronic instruments (manufacturing of);
11. Feed mixing and grinding plants;
12. Foundry or metal fabrication;
13. Furniture refinishing using a manufacturing or chemical dipping process;
14. Insecticide and pesticide products, packaging only;
15. Meat product processing;

16. Medical, dental, and optical supplies (manufacturing of);
17. Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust proofing, and heat treatment;
18. Monument works;
19. Motor freight terminal;
20. Photo finishing associated with a manufacturing process;
21. Railroad freight terminals, railroad switching and classification yards, repair shops, and roundhouses;
22. Shell egg business, candling, cartonings and distributing;
23. Silverware, plate and sterling (manufacturing of);
24. Tire manufacture;
25. Gas regulator stations, mixing stations and gate stations;
26. All other facilities for the manufacturing, fabrication, processing or assembly of products, provided that such facilities are not detrimental to the public health, safety or general welfare, and further provided that the following performance standards and city ordinances are met:
  - a. Smoke: No operation shall be conducted unless it conforms to the standards established by any applicable state and federal health rules and regulations pertaining to smoke emission;
  - b. Particulate Matter: No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to emission of particulate matter;
  - c. Dust, Odor, Gas, Fumes, Glare or Vibration: No emission of these matters shall result in a concentration at or beyond the property line which is detrimental to the public health, safety or general welfare or which causes injury or damage to property; sand emissions shall in all cases conform to the standards established by applicable state and federal health rules and regulations pertaining to said emissions;
  - d. Radiation Hazards and Electrical Disturbances: No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to radiation control;
  - e. Noise: No operation shall be conducted in a manner so that any noise produced is objectionable due to intermittence, beat frequency or shrillness. Sound levels of noise at the property line shall not exceed 75 DB (A) permitted for a maximum of fifteen (15) minutes in any one (1) hour, said operation shall in all cases conform to the standards established by applicable state and federal health rules and regulations and to other city ordinances pertaining to noise; and
  - f. Water Pollution: No water pollution shall be emitted by the manufacturing or other processing.



case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the appropriate State and national health and environmental protection agencies prior to issuance of a certificate of occupancy.

The applicant shall have the burden of establishing that said safeguards are acceptable to said agency or agencies.

27. Other uses as listed in [Section 30](#) of this ordinance.

The following specific uses shall be permitted in the 1-2 District when granted in accordance with [Section 31](#):

- 1. Uses as listed in [Section 30](#) of this ordinance.
- 2. Other manufacturing and industrial uses which do not meet the general definition for manufacturing processes permitted by the City Council after public hearing and review of the particular operational characteristics of each such use, and other pertinent data affecting the community's general welfare. Approval of uses under this subsection shall be made in accordance with [Section 31](#).

**26.2** Height Maximum height one hundred (100) feet.

**26.3** Area Regulations:

- 1. Size of Yards:
  - a. Front Yard: There shall be a front yard having a required depth of twenty (20) feet.
  - b. Side Yard: There shall be a side yard on each side of the lot having a width of not less than ten (10) feet. The minimum side yard depth on a corner lot adjacent to a street shall be twenty (20) feet. When the industrial district is adjacent to any residential district, a minimum side yard of twenty (20) feet shall be observed and a six (6) foot solid masonry or wood wall shall be constructed adjacent to the residential district's property line.
  - c. Rear Yards: There shall be a rear yard having a required depth of not less than twenty (20) feet, unless adjacent to a residential district, in which case a fifty (50) foot rear setback shall be observed.
- 2. Size of Lot:
  - a. Minimum Lot Area: None.
  - b. Minimum Lot Width: None.
  - c. Minimum Lot Depth: None.
- 3. Lot Coverage: In no case shall more than fifty (50%) percent of the lot area be covered by the aggregate area of all buildings constructed on the lot.

**26.4** Parking Regulations: Required off-street parking shall be provided in accordance with the specific uses set forth in [Section 32](#).



# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Ramie Hammonds, Director of Development Services

**AGENDA ITEM:** Consideration and possible action on a request for a variance from Chapter 14, Section 34.2 to allow a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and to allow for a toilet in each bathroom in two portable buildings that will be located at 1012 N 5th Street.

**SUMMARY:**

- The property is zoned "I-1" Industrial 1.
- The applicant is seeking a variance from the ordinance that prohibits bathroom plumbing except for a hand sink and is requesting a variance to allow for a toilet in each bathroom.
- The property is a church located at 1012 N 5<sup>th</sup> Street.
- The applicant is proposing to add two portable buildings in addition to the brick building that currently exists.
- Staff mailed out 8 public hearing notices to owners of properties within 200 feet of the subject property and at the time of this meeting has received no responses.

**FISCAL INFORMATION:**

Budgeted: N/A      Amount: N/A      GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

Staff recommends DENAIL.

**ATTACHMENTS:**

- Location Map
- Application
- Letter of Intent



201 Bolivar Street/PO Box 1729 \* Sanger, TX 76266  
940-458-2059(office) www.sangertexas.org

### VARIANCE APPLICATION

Applicant	Owner (if different from applicant)
Name: <u>Lee Allison</u>	Name: <u>GRACE BIBLE CHURCH</u>
Company: <u>SELF</u>	Company: <u>GRACE BIBLE CHURCH</u>
Address: <u>1958 HULING ROAD</u>	Address: <u>1012 N. 5<sup>TH</sup> STREET</u>
City, State, Zip: <u>SANGER, TX 76266</u>	City, State, Zip: <u>SANGER, TX 76266</u>
Phone: <u>940-391-5456</u>	Phone: <u>940-597-1742</u>
Fax: <u>NA</u>	Fax: <u>NA</u>
Email: <u>kylerallison@msn.com</u>	Email: <u>tubsworth@gmail.com</u> <u>TOMMY BOSEWORTH, PASTOR</u>

Submittal Checklist

<input checked="" type="checkbox"/>	Site Plan <u>(WITHIN LETTER OF INTENT)</u>
<input checked="" type="checkbox"/>	Letter of Intent
<input checked="" type="checkbox"/>	\$200.00 Application Fee (Check Payable to City of Sanger)

Describe the subject property (address, location, size, etc.):

SANGER INDUSTRIAL PARK, BLOCK, LOT 1-A, 0.9390 ACRES  
1012 N. 5<sup>TH</sup> ST, SANGER

Describe the proposed variance (how much, where on the property, for what purpose):

ALLOW FOR THE CONSTRUCTION OF A TOILET IN THE RESTROOM,  
SECTION 34.2 ALLOWS FOR A HAND SINK BUT PROHIBITS  
A BATHROOM. GBC IS SEEKING THE INCLUSION OF A TOILET ALONG  
W/ THE HANDSINK. WE ARE NOT SEEKING A FULL BATHROOM WITH  
TUB AND/OR SHOWER.

Lee Allison (Member,  
Building Chair)  
Owner Signature

8/27/2023  
Date

Office Use

	Fee
	Date



*GBC exists to help people discover God and follow Jesus for God's glory and the good of his world.*

1012 N. 5<sup>th</sup> St.  
Sanger, TX 76266

September 13, 2023

City of Sanger  
Development Services  
201 Bolivar Street  
Sanger, TX 76266

Re: Letter of Intent  
Zoning Board of Adjustments  
Variance Request

Greetings:

Grace Bible Church (GBC) is requesting a variance to Section 34 ACCESSORY BUILDING REGULATIONS, paragraph 34.2. It reads as follows:

[§ 34.2](#)

*In other districts, an accessory building is a subordinate building, the use of which is incidental to and used only in conjunction with the main building and attached to or detached from the main building. Accessory buildings shall have no sleeping areas, bathroom plumbing (except for hand sinks) or kitchen facilities, shall not be accessible to the general public, and shall not be rented, leased or sublet. A permanent or portable carport is also considered an accessory building. The regulations detailed in Sections 34.4 and 34.6 below shall govern buildings and structures accessory to the main building, including both those attached to and those detached from the main building.*

GBC is requesting approval to include a toilet in each bathroom along with the hand sink. We are not requesting a bathtub, shower facility or any other improvements that would render the facility suitable for residential or overnight occupation (Air BnB, Hotel Room, etc.).

The buildings are for student education purposes (Sunday School) on Sunday mornings and sometime Sunday evenings. and perhaps. The primary use will be on Sundays with supplemental uses occasionally during the week for purposes such as youth events and adult study groups and other meeting purposes. The facilities in the main building will be in full use for any meeting before the accessory buildings are used.

The existing building is intended as a future Fellowship Hall. It currently includes about 3,488 square feet of assembly, men's, women's and children's restrooms, one nursery and two student classrooms.

A full restroom (not bathroom) in each accessory building will allow children to have restroom facilities readily available and not have to leave the facility, travel outdoors and then enter the existing building to access restrooms. Leaving the building exposes the children to weather conditions, stalking and requires additional volunteers/education workers to assure their safety during the trip to and from.

The master plan calls for a parking lot addition to be constructed prior to the construction of a classroom building.

The approximately 1,600 square foot Phase II classroom building will be constructed sometime after the parking lot. It is difficult to project at this time if the accessory buildings will be maintained for a while longer or disposed of.

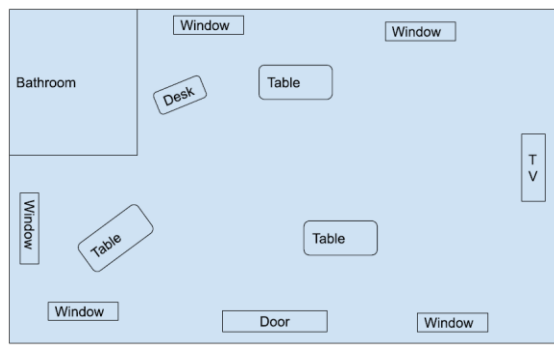
Phase III of the master plan is an approximately 6,275 square foot assembly room with foyer, adult classrooms, and men's and women's restrooms. The original building will be converted to a fellowship hall and the accessory buildings will definitely be disposed of at this time.

**SITE LOCATION MAP:**



**FLOOR PLAN:**

Approximately 16 feet by 40 feet.



**SITE PLAN:**

Each building is approximately 16 feet by 40 feet as measured along the roof line.



GBC greatly appreciates your consideration and looks forward to presenting our case and your determination.

Respectfully Submitted,

Lee Allison, P.E.  
Grace Bible Church  
Building Committee

Select Language ▼

City of Sanger, TX  
Wednesday, October 4, 2023

## Exhibit 14A. Zoning Ordinance

### SECTION 34. ACCESSORY BUILDING REGULATIONS

#### § 34.1.

In a residential or apartment district, an accessory building is a subordinate building exceeding one hundred twenty (120) square feet of floor area, attached to or detached from the main building. Accessory buildings shall have no sleeping areas, bathroom plumbing (except for hand sinks) or kitchen facilities, shall not be used for \*commercial purposes, shall not be rented and shall not be occupied. A permanent or portable carport is also considered an accessory building. The regulations detailed in Sections **34.4** through **34.6** below shall govern buildings and structures accessory to single-family, two-family and multi-family residential uses, including both those attached to and those detached from the main building. Where multiple accessory structures exist on the same site, the combined sum of all accessory structures shall be used to determine the regulations applicable to size.

\*Commercial purposes, in this section, shall be defined as the use or occupation of people for a public purpose or economic gain, which includes, but is not limited to retail sales, manufacturing, or service industry that otherwise impacts the normal volume of traffic in the residential area.

(Ordinance 04-11-08 adopted 4/21/08)

#### § 34.2.

In other districts, an accessory building is a subordinate building, the use of which is incidental to and used only in conjunction with the main building and attached to or detached from the main building. Accessory buildings shall have no sleeping areas, bathroom plumbing (except for hand sinks) or kitchen facilities, shall not be accessible to the general public, and shall not be rented, leased or sublet. A permanent or portable carport is also considered an accessory building. The regulations detailed in Sections **34.4** and **34.6** below shall govern buildings and structures accessory to the main building, including both those attached to and those detached from the main building.

(Ordinance 04-11-08 adopted 4/21/08)

#### § 34.3.

Accessory dwelling units in the Agriculture and Residential districts shall be allowed as an incidental residential use of a building on the same lot or tract as the main dwelling unit and used by the same person or persons of the immediate family when approved as a Specific Use Permit, and meet the following standards:

- A. The accessory dwelling unit must be constructed to the rear of the main dwelling. Each lot must have a minimum of one-half (1/2) acre upon which an accessory dwelling unit may be constructed.
- B. The accessory dwelling unit may be constructed only with the issuance of a Building Permit.

C. The accessory dwelling unit may not be sold separately from sale of the entire property, including the main dwelling unit, and shall not be sublet. Item 6.

D. Setback requirements shall be the same as for the main structure.

(Ordinance 04-11-08 adopted 4/21/08)

## § 34.4.

No accessory building shall exceed twenty-five (25) feet in height, nor shall it be greater in height than the main structure.

(Ordinance 04-11-08 adopted 4/21/08)

## § 34.5.

Area Regulation for Accessory Buildings In Residential and Apartment Districts:

A. Size of Yards:

1. Front Yard: Accessory buildings are not allowed within the required front yard, with the exception of a garage or carport as outlined in subsection 4 below.
2. Side Yard: There shall be a side yard not less than three (3) feet from any side lot line, alley line, or easement line; except that adjacent to a side street, the side yard shall never be less than fifteen (15) feet.
3. Rear Yard: There shall be a rear yard not less than three (3) feet from any lot line, alley line, or easement line. Carports, garages, or other accessory buildings, located within the rear portion of a lot as heretofore described shall not be located nearer than eight (8) feet to any side lot line.
4. Any garage or carport constructed in a residential or apartment district shall be set back not less than twenty (20) feet from any street or alley line on which it faces.

(Ordinance 04-11-08 adopted 4/21/08)

## § 34.6. Maximum number and size of accessory buildings.

- A. In agricultural districts accessory buildings shall not exceed 30% of the square footage of the lot.
- B. In residential districts the number of accessory buildings shall be limited to two and the total square footage of all accessory buildings combined shall be limited to 3,000 square feet. In no case shall the gross area of the lot covered exceed the limitations provided under the specific zoning districts.
- C. In industrial districts the total square footage of all accessory buildings shall not exceed 30% of the square footage of the lot. Warehouses in industrial districts are not considered accessory buildings.
- D. In districts other than agricultural, Industrial and residential the gross floor area of accessory buildings shall not exceed 30% of the square footage of the main building or 3,000 square feet whichever is more. In no case shall the total square footage of all accessory buildings exceed 6,000 square feet. In no case shall the area of the lot covered exceed the limitations provided under the specific zoning districts. The total square footage of all accessory buildings shall not exceed the square footage of the main building.
- E. Churches regardless of the zoning district may have no more than two accessory buildings. The total gross floor area of all accessory buildings shall not exceed 30% of the square footage of the



main building or 3000 square feet whichever is more. Accessory buildings utilized by churches may be exempted from the requirements of Chapter **3** (Building Regulations), Section 3.17 (Use of Metal Buildings Restricted) [Article **3.1700** (Exterior Construction of Buildings)] if approved by the planning and zoning commission and city council.

Item 6.

- F. Schools regardless of zoning district may utilize accessory buildings only as approved by the planning and zoning commission and city council. Accessory buildings utilized by may be exempted from the requirements of Chapter **3** (Building Regulations), Section 3.17 (Use of Metal Buildings Restricted) [Article **3.1700** (Exterior Construction of Buildings)] if approved by the planning and zoning commission and city council.

(Ordinance 04-11-08 adopted 4/21/08)



# ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** October 9, 2023

**FROM:** Ramie Hammonds, Development Services Director

**AGENDA ITEM:** Consideration and possible action on electing officers for the Zoning Board of Adjustment Board.

**SUMMARY:**

- President and Vice President of Planning and Zoning
- Terms are two (2) year
- Can serve no more than 3 consecutive years

**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

Appoint a President and Vice President

**ATTACHMENTS:**