

# **ZONING BOARD OF ADJUSTMENT**

## **MEETING AGENDA**

**APRIL 14, 2023, 6:00 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**

#### **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 March 13, 2023, meeting.

#### **PUBLIC HEARING ITEMS**

2. Conduct a public hearing regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum side yard setback of 20 feet and to allow for a minimum side yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

#### **ACTION ITEMS**

3. Consideration and possible action regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum side yard setback of 20 feet and to allow for a minimum side yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

#### **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 April 11, 2023 4:30 pm

*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:** April 14, 2023

**FROM:** Stefani Dodson, Secretary

**AGENDA ITEM:** Consideration and possible action of the minutes from March 13, 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 March 13, 2023

# **ZONING BOARD OF ADJUSTMENT**

## **MEETING MINUTES**

**MARCH 13, 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 Phillip Surles 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	Matt Fuller
Commissioner, Place 6	Jason Miller
Commissioner, Place 7	Phillip Surles

### **BOARD MEMBERS ABSENT**

### **STAFF MEMBERS PRESENT:**

Director of Development Services Ramie Hammonds, and Secretary Stefani Dodson

### **INVOCATION AND PLEDGE**

### **CITIZENS COMMENTS**

No citizens came forward.

### **CONSENT AGENDA**

1. Consideration and possible action of the minutes from October 10, 2022, meeting.

Commissioner Fuller makes a motion to approve the consent agenda  
Commissioner Amendola seconded the motion.

Voting Yea: Commissioner Turner, Commissioner Stone, Commissioner McAlister, Commissioner Miller, Commissioner Surles. The motion passes unanimously.

**PUBLIC HEARING ITEMS**

2. Conduct a public hearing regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum rear yard setback of 20 feet and to allow for a minimum rear yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

Commissioner Surles opens the public hearing at 7:03 P.M.

Director Hammonds explains about the lot and the setbacks set by the PD. She states the house the applicant is wanting to build will not fit properly with the current setbacks. She explains that staff sent out 9 letters and only received 1 back in favor. Staff does recommend approval.

Commissioner Surles closes the public hearing at 7:04 P.M.

**ACTION ITEMS**

3. Consideration and possible action regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum rear yard setback of 20 feet and to allow for a minimum rear yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

Commissioner Surles makes a motion to approve. Commissioner McAlister seconded the motion.

Voting Yea: Commissioner Stone, Commissioner Turner, Commissioner Miller, Commissioner Amendola.

Voting Nea: Commissioner Fuller

The motion passes with a 6-1 vote.

**FUTURE AGENDA ITEMS**

No items were discussed.

**ADJOURN**

There being no further items Commissioner Surles adjourns the meeting at 7:05 P.M.



## ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** April 14, 2023

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

**AGENDA ITEM:** Conduct a public hearing regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum side yard setback of 20 feet and to allow for a minimum side yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

**SUMMARY:**

- The property is zoned "PD" Planned Development.
- The applicant is seeking a variance to the required 20-foot side yard setback and seeking a 16-foot setback.
- This lot is in the Ranger Creek Subdivision.
- The applicant would like the plan shown on the site plan to be constructed on the lot and the side setback would not allow room for the house plan.
- Staff mailed out 9 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

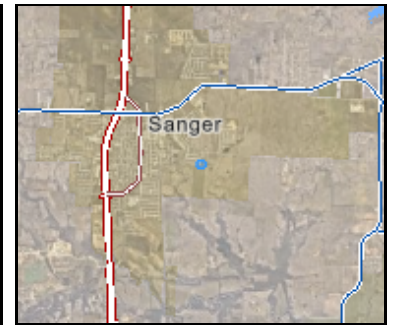
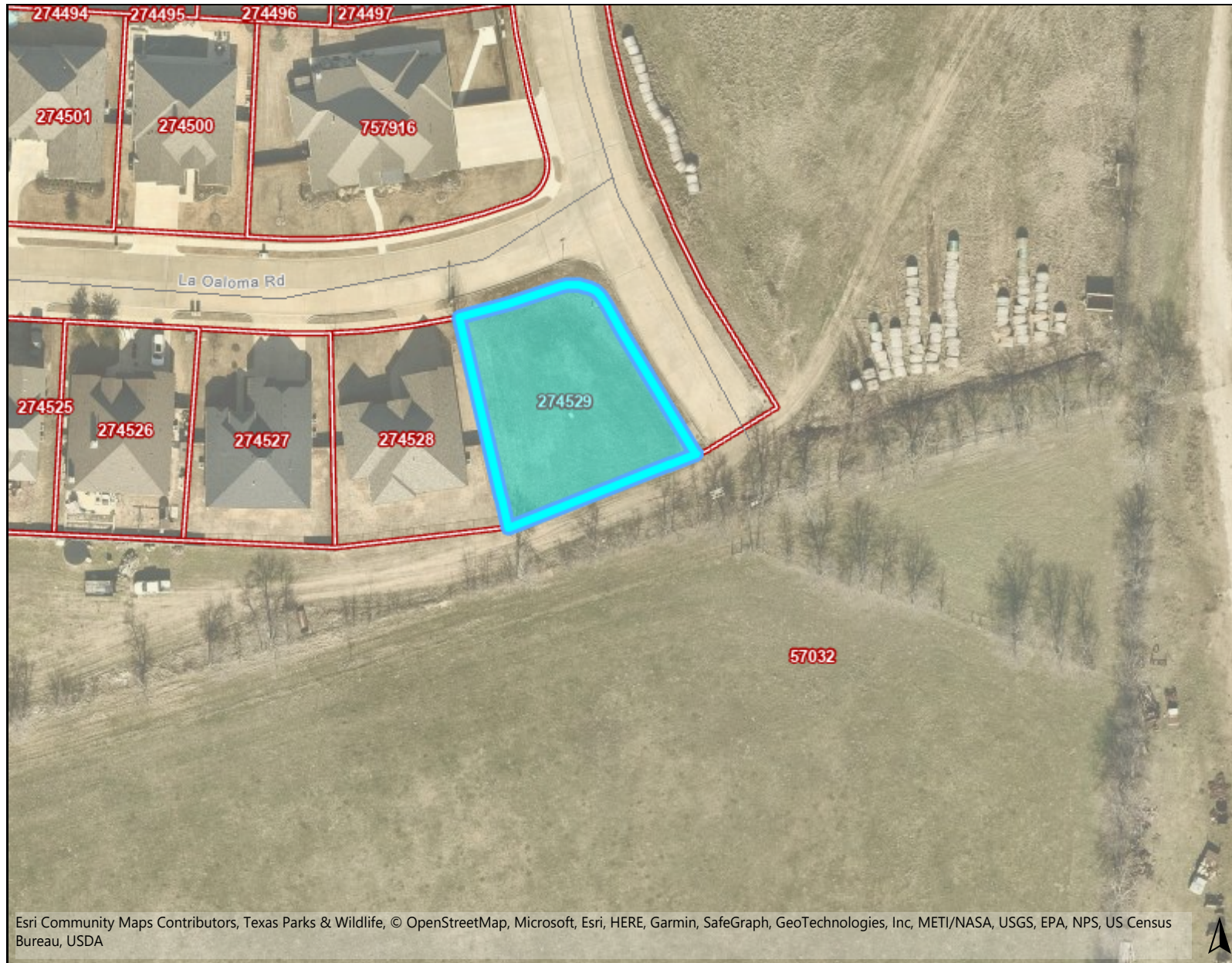
**ATTACHMENTS:**

Location Map



# Denton County Landmark Map

Item 2.



## Legend

- 911 Addresses
- Development Permits
- ▭ Parcels
- Floodplain**
  - Cross Section Location
  - Base Flood Elevation
  - ▭ FEMA Floodway
  - ▭ Flood Grid
  - ▭ FEMA 100yr Flood Zone A
  - ▭ FEMA 100yr Flood Zone AE
  - ▭ FEMA 500yr Flood Zone
  - Levee Protected

## Notes

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ft

<https://gis.dentoncounty.gov>

2/24/2023 3:12:18 PM

This product is for informational purposes and may not have been prepared for or 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 property boundaries.

Denton County does not guarantee the correctness or accuracy of any features on this product and assumes no responsibility in connection therewith. This product may be revised at any time with notification to any user.



## ZONING BOARD OF ADJUSTMENT COMMUNICATION

**DATE:** April 10, 2022

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

**AGENDA ITEM:** Consideration and possible action regarding a request for a variance from "PD" Planned Development Ordinance No. 09-38-07 to allow a variance from the minimum side yard setback of 20 feet and to allow for a minimum side yard setback of 16 feet for a new residential structure to be constructed at 731 LaPaloma Road.

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**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

**ATTACHMENTS:**

Location Map

Site Plan

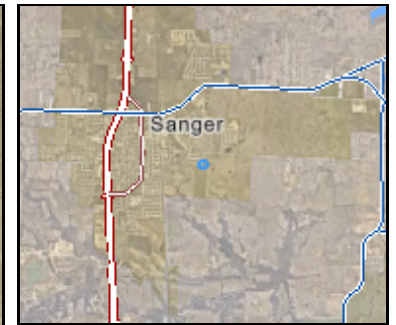
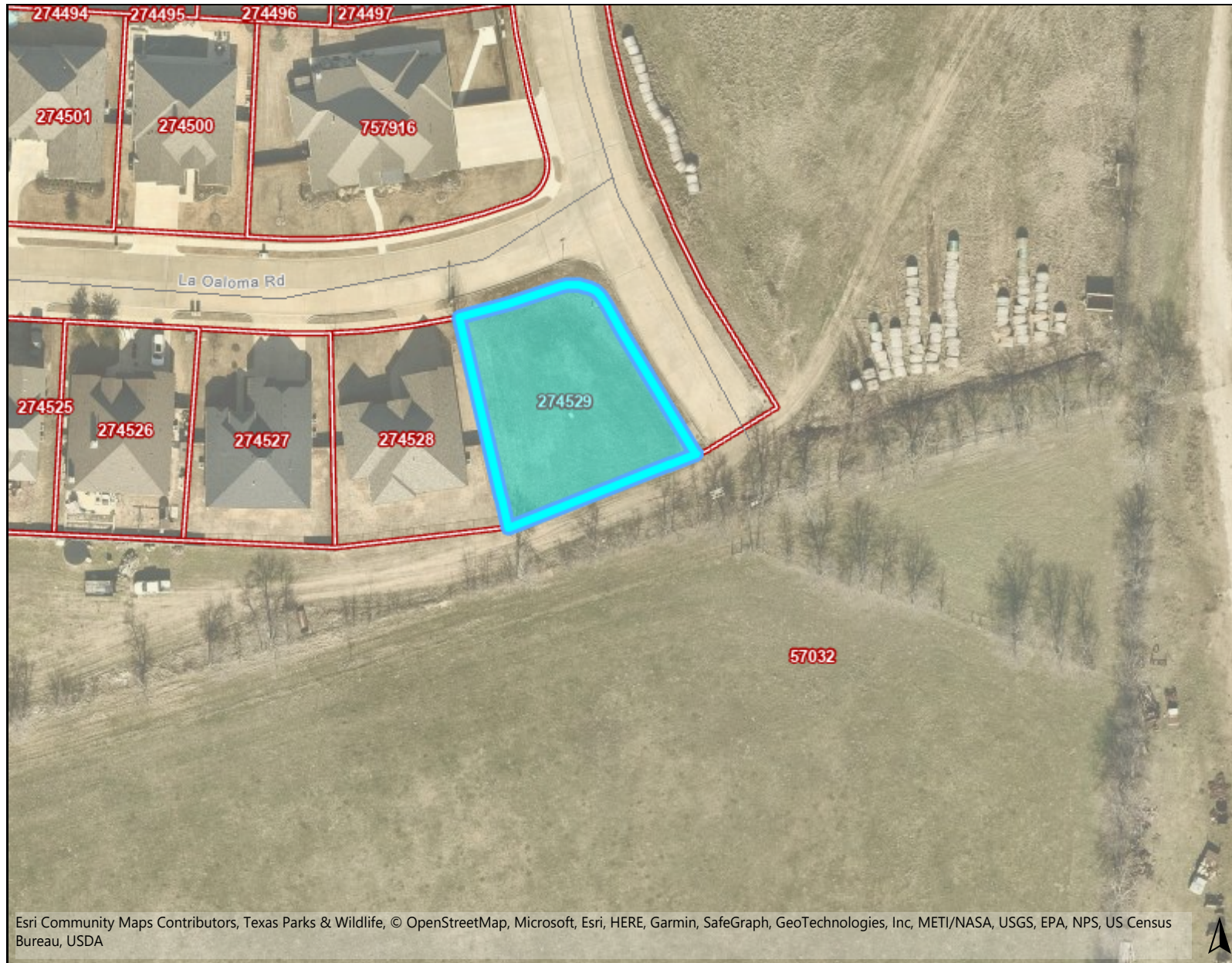
Application

Letter of Intent



# Denton County Landmark Map

Item 3.



## Legend

- 911 Addresses
- Development Permits
- ▭ Parcels
- Floodplain**
  - Cross Section Location
  - Base Flood Elevation
  - ▭ FEMA Floodway
  - ▭ Flood Grid
  - ▭ FEMA 100yr Flood Zone A
  - ▭ FEMA 100yr Flood Zone AE
  - ▭ FEMA 500yr Flood Zone
  - Levee Protected

## Notes

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SHEET  
A-3

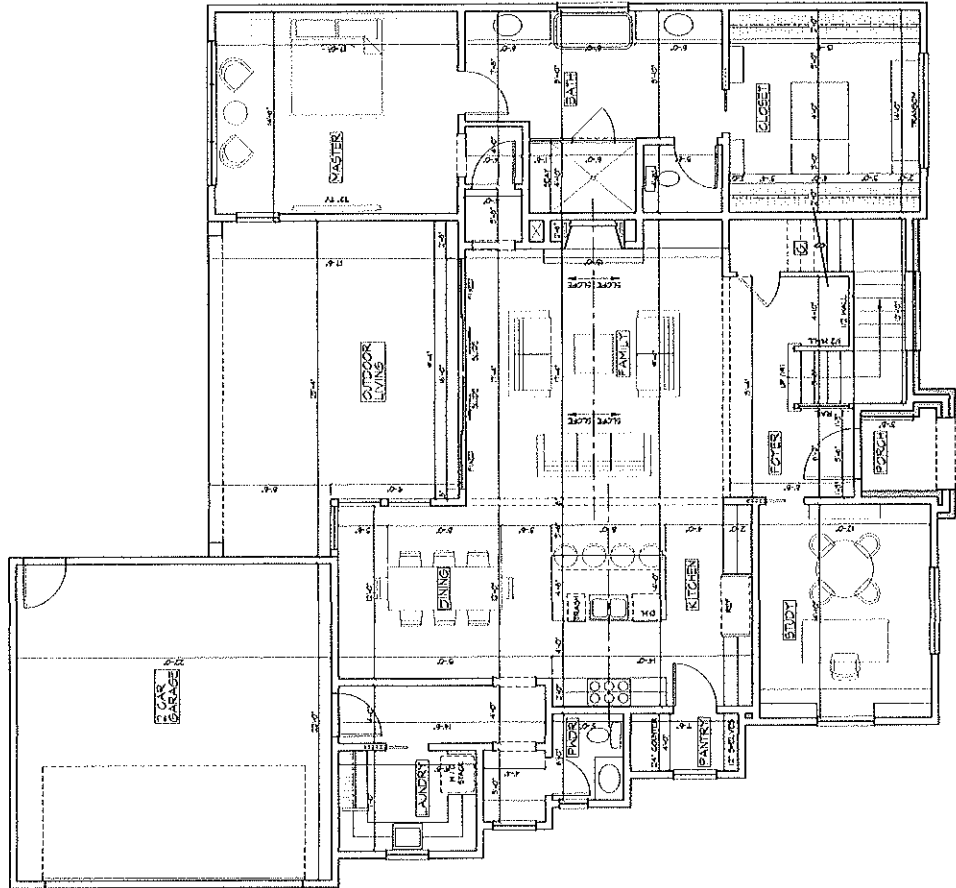
SCHERTZ RESIDENCE  
ADDRESS  
CITY, TEXAS

BLAKE ARCHITECTS  
1202 S. White Chapel Blvd.  
Suite A  
Southlake, Texas 76092  
817-468-9397

JOB 12505-

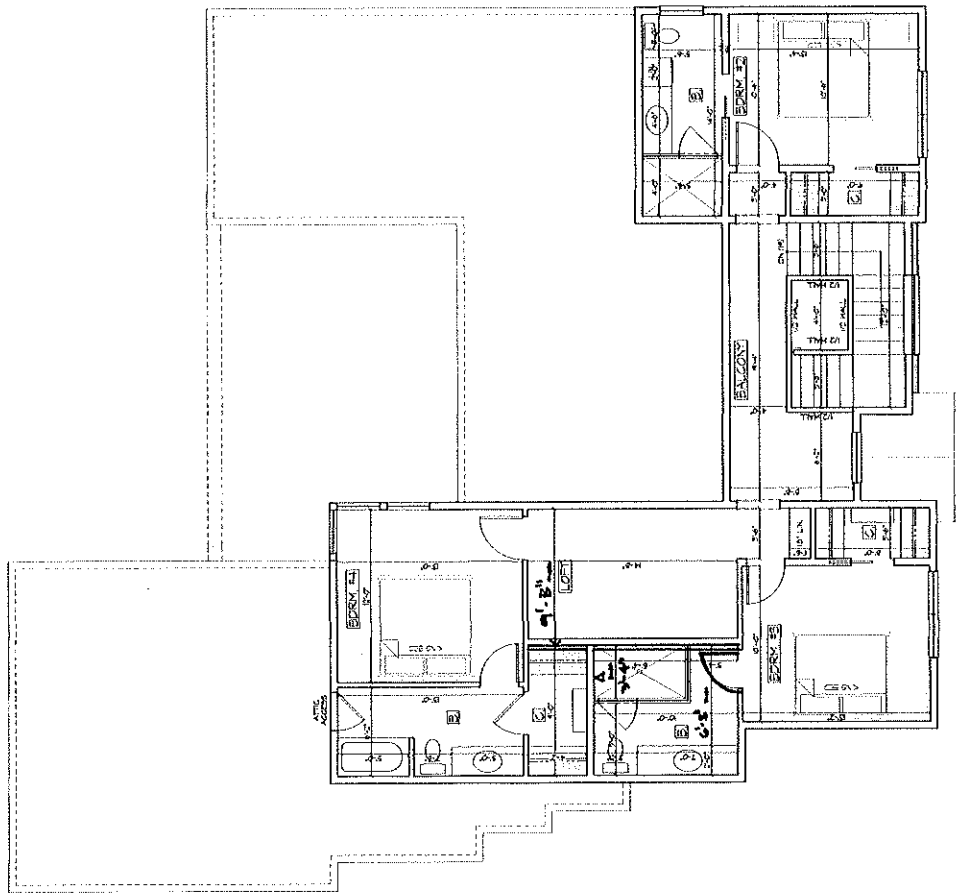
NOT FOR  
REPRODUCTION  
OR  
CONSTRUCTION

FIRST FLOOR PLAN  
SAS 1/10/03



AREAS	
FIRST FLOOR LIVING AREA	2,224 SQ. FT.
SECOND FLOOR LIVING AREA	1,271 SQ. FT.
TOTAL LIVING AREA	3,495 SQ. FT.
BEDROOM	814 SQ. FT.
KITCHEN & PANTRY	415 SQ. FT.
OUTDOOR LIVING	500 SQ. FT.
TOTAL UNDER ROOF AREA	4,575 SQ. FT.

SECOND FLOOR PLAN  
SHEET







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>Dustin Schertz</u>	Name: <u>Joe R Falls</u>
Company: <u>NA</u>	Company: <u>Falls Family Party</u>
Address: <u>806 N 7th</u>	Address: <u>4489 McReynolds</u>
City, State, Zip: <u>Sanger Tx 76266</u>	City, State, Zip: <u>Sanger TX</u>
Phone: <u>940 390 3323</u>	Phone: <u>940 458-7752</u>
Fax:	Fax: <u>HA</u>
Email: <u>schertz03@gmail.com</u>	Email: <u>laczsf@uphot.com</u>

### Submittal Checklist

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

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

731 LaPaloma Rd, Sanger Tx 76266  
Lot 16 . 224 A/C

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

We respectfully request a variance of the 25 FT setback requirement to 16 FT for the rear and east build lines of 731 LaPaloma Rd., Sanger Tx. The subject property is positioned on a corner lot that is oddly shaped and narrow. A 25 FT setback would create a tight build configuration for a quality custom home compared to neighboring homes.

Owner Signature

Joe R Falls

Date

2-10-23

Office Use

Fee	<u>\$200.00</u>
Date	<u>2/15/23</u>

*entered*

City of Sanger  
Zoning Board of Adjustment  
201 Bolivar St/PO Box 1729  
Sanger, TX 76266

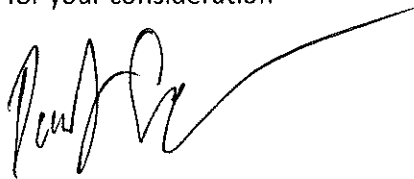
Letter of Intent for Zoning Variance/Special Exception Zoning:  
Residential PH2 BLK F LOT 16  
Parcel ID: 274529

Dear Zoning Board of Adjustment Members:

We respectfully request a variance of the 25 FT setback requirement to 16 FT for the rear and east build lines of 731 La Paloma Rd, Sanger, TX 76266. The following considerations support the proposed reduction:

1. The subject property is positioned on a corner lot that is oddly shaped and narrow. A 25 FT setback would create a tight build configuration for a quality custom home compared to neighboring homes. The requested 9 FT reduction for the rear and east build lines will allow for the home to be built symmetrical and more proportional to the homes in the neighborhood.
2. Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.
3. The granting of this variance would have no effect on any adjoining properties. The build line for non-street side homes is 10 FT on the east sides.
4. The requested build line will fall within the 16 FT utility line easement that is required for end of street buildings.
5. Home builder Kent Key believes the requested variance will provide the most opportunity to create a desirable home while adding to the strength of Ranger Creek Estates.

Thank you for your consideration

A handwritten signature in black ink, appearing to read 'Dustin Schertz', with a long, sweeping horizontal line extending to the right.

Sincerely, Dustin Schertz