Wylie Zoning Board of Adjustments Regular Meeting

December 18, 2023 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Board regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Board requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Board is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Meeting Minutes from November 20, 2023 Regular Meeting

REGULAR AGENDA

Hold a Public Hearing to consider and act upon a request by Kris Ramji for a variance to Section 443.1.f of Sign Ordinance 2014-44 to allow for two monument signs within a drainage and utility easement. Property located at 1804 & 1808 N State Highway 78. ZBA 2023-09

WORK SESSION

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on December 15, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary	Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Board should determine that a closed or executive meeting or session of the Board or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Board at the date, hour and place given in this notice as the Board may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section: § 551.071 – Private consultation with an attorney for the City.



Zoning Board of Adjustment

AGENDA REPORT

Department:	Planning	Item:	A			
Prepared By:	Lillian Baker					
Subject						
Consider, and act upon, Minutes from the November 20, 2023 Regular Meeting.						
Recommendation	1					
Motion to approve Item	A as presented.					
Discussion						
	ed for your consideration					

Wylie Zoning Board of Adjustments Regular Meeting

November 20, 2023 – 6:00 PM Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Vice-Chair Smith called the meeting to order at 6:00 p.m. In attendance were Vice-Chair Harold Smith, Board Member Faraz Hamza, Board Member Richard Covington, Board Member Byron Betler, Alternate Board Member Michael Innella, Director of Community Services Jasen Haskins, Senior Planner Kevin Molina, and Administrative Assistant Lillian Baker. Absent were Board Member Aaron Lovelace and Chair Jennifer Grieser.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Board regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Board requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Board is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

None approached the Board.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Meeting Minutes from September 18, 2023 Regular Meeting

A motion was made by Board Member Betler and seconded by Alternate Board Member Innella to approve the Consent Agenda as presented. A vote was taken and carried 5-0.

REGULAR AGENDA

1. Hold a Public Hearing to consider and act upon a request by Charles R. Taylor for a variance to Section 5.2.18 of Planned Development 2002-52 to allow for an accessory structure with a 1' proximity setback to the main structure in lieu of the required setback of 5'. Property located at 1302 Taren Trail. ZBA 2023-08.

Board Discussion on Regular Agenda Item 1

Sr. Planner Molina presented an overview and stated that a 5' setback was established by Bozman Farms in the original Planned Development (PD). The applicant requested and received approval from the HOA, which approved. The applicant is replacing an existing shed and using the existing pad for the new structure. Thirty-two notices were mailed to affected residents and three were returned in favor and one in opposition, which was outside the notification area and was a general comment not related to the application.

Vice-Chair Smith opened a public hearing at 6:06 p.m. None approached the Board. Vice-Chair Smith closed the public hearing at 6:06 p.m.

Board Action on Regular Agenda Item 1

A motion was made by Alternate Board Member Innella and seconded by Board Member Covington to approve as presented. A vote was taken and carried 5-0.

ADJOURNMENT

A motion was made by Board Member Covington and seconded by Alternate Board Member Innella to	adjourn the
meeting. A vote was taken and carried $5 - 0$. Vice Chair Smith adjourned the meeting at 6:09 pm.	

	Jennifer Grieser, Chair
ATTEST	
Lillian Baker, Secretary	



Wylie Zoning Board of Adjustments

APPLICANT: Kris Ramji

AGENDA REPORT

Department:	Planning	Item Number:	1
Prepared By:	Kevin Molina		
Subject			

Hold a Public Hearing to consider and act upon a request by Kris Ramji for a variance to Section 443.1.f of Sign Ordinance 2014-44 to allow for two monument signs within a drainage and utility easement. Property located at 1804 & 1808 N State Highway 78. **ZBA 2023-09**

Recommendation

Motion to approve, deny.

Discussion

OWNER: Kris Ramji

The applicant is requesting a variance to Section 443.1.f of Sign Ordinance 2014-44 to allow for two monument signs within a drainage and utility easement. Property located at 1804 & 1808 N State Highway 78. The proposed monument signs are

The purpose of the Ordinance is to keep drainage and utility easements clear. This allows storm water to move through the area or allows room for the repair and/or replacement of utility lines or pipes. However, plats do sometimes show easements that are outdated for various reasons, which seems to be the case here.

The applicant believes the variance request has merit for the following reasons:

- The applicant has identified that the monument signs do not interfere with any existing utilities.

for a Starbucks and for a multi-tenant commercial structure located within Planned Development 2022-08.

- The drainage swale located within the easement has been removed and drainage has been rerouted to a storm drainage system.
- The city engineering department has stated there is no interference with utilities in the placement of the monument signs on the easement.

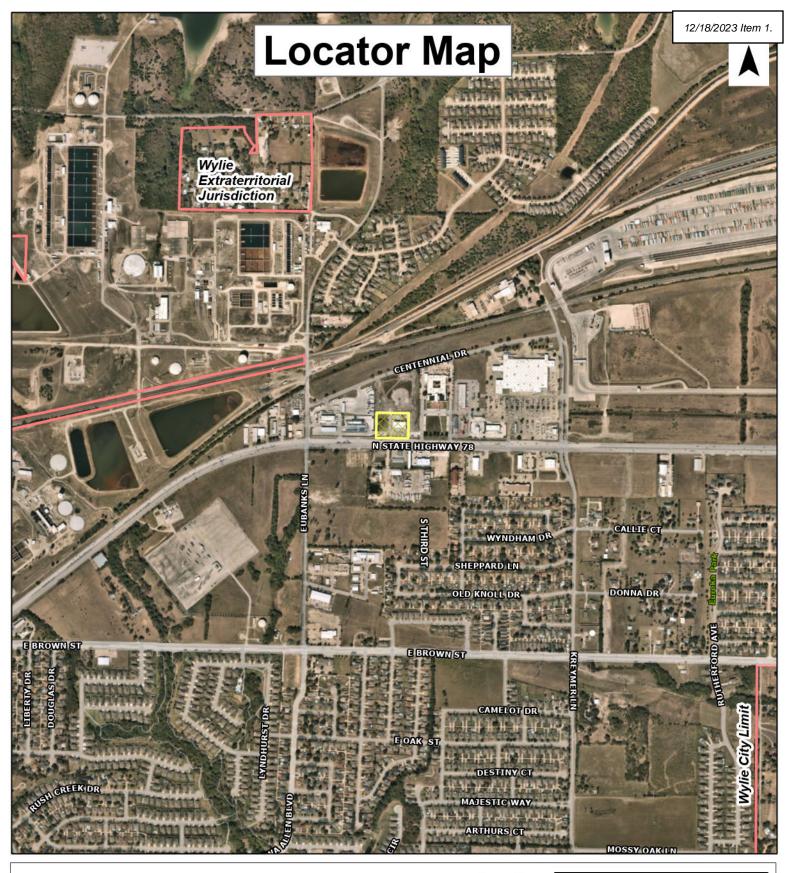
Public comment forms were mailed to eleven (11) property owners within 200 feet of this request, as required by State Law. At the time of posting one comment form was returned in favor and none in opposition of the request.

The Board shall not grant a variance to the development code which:

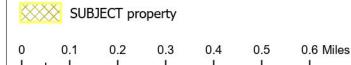
- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

In order to grant a variance to the development code the Board shall find that all the following have been satisfied:

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.



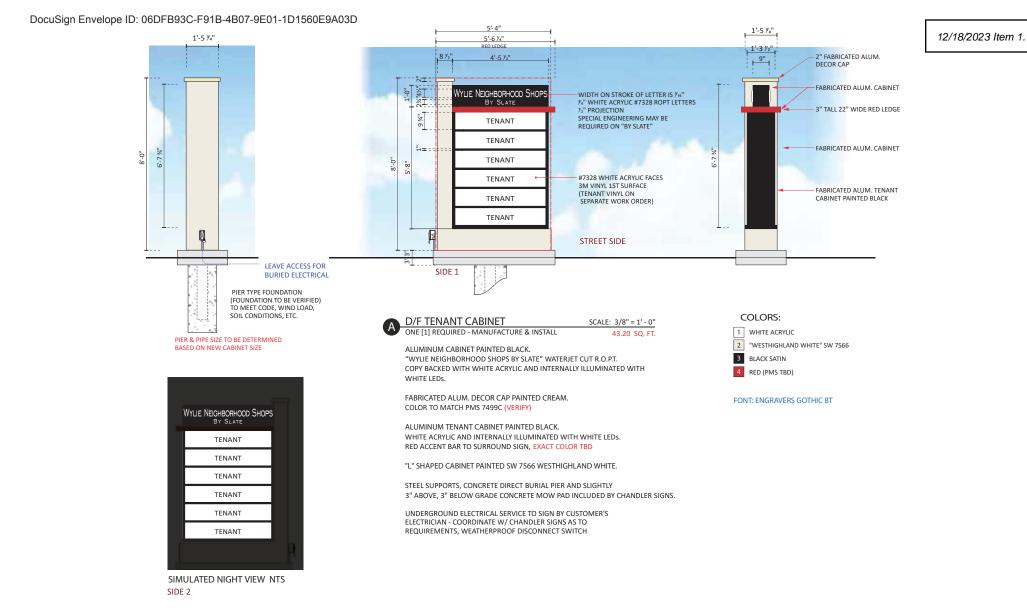




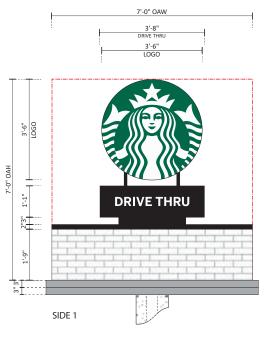




Date: 11/21/2023







SCALE: 1/2" = 1' - 0"

49 SQ. FT.

ONE [1] REQUIRED - MANUFACTURE & INSTALL

INSIDE PRE-FINISHED LIGHT ENHANCING WHITE

ALUMINUM CABINET PAINTED BLACK.

"STARBUCKS" WATERJET CUT R.O.S.T.

ILLUMINATED WITH WHITE LEDs.

COPY BACKED WITH WHITE ACRYLIC #7328 AND INTERNALLY STARBUCKS "GREEN" FACE PMS #3425 C (TO BE VERIFIED)

Date

CUSTOMER TO PROVIDE GRAPHICS OR APPROVE AS SHOWN ALUM, SUPPORTS & BASE CAP, PAINTED BLACK SATIN COLOR TO BE VERIFIED - 3"TALL X 28" WIDE REVEAL PTM

ALUMINUM "DRIVE THRU" CABINET PAINTED BLACK. WHITE ACRYLIC #7328 1/2' DEEP R.O.P.T. AND INTERNALLY ILLUMINATED WITH WHITE LEDs.

STEEL SUPPORTS, CONCRETE DIRECT BURIAL PIER 3" ABOVE, 3" BELOW GRADE, 3" SURROUND CONCRETE MOW PAD, INCLUDED BY CHANDLER SIGNS. BRICK BASE EXACT LOOK AND BRAND TBD.



DRIVE THRU

SIDE 2

SIMULATED NIGHT VIEW

PIER TYPE FOUNDATION (FOUNDATION TO BE VERIFIED) TO MEET CODE, WIND LOAD, SOIL CONDITIONS, ETC.

PIER & PIPE SIZE TO BE DETERMINED BASED ON NEW CABINET SIZE

UNDERGROUND ELECTRICAL SERVICE TO SIGN BY CUSTOMER'S ELECTRICIAN - COORDINATE W/ CHANDLER SIGNS AS TO REQUIREMENTS W/ WEATHERPROOF DISCONNECT SWITCH.

Date

COLORS:

1 WHITE ACRYLIC

2 BLACK SATIN

3 PMS 3425 C (VERIFY)

A LISTED SIGN COMPANY

972-961-3951

www.texassignsinc.com

11621 Reeder RD, STE 200 Dallas, TX 75229

LANDLORD APPROVAL

The undersigned consents to the installations and maintenance of this sign on my property in accordance with the agreement between Texas Signs Inc. and my tenant(s) and any extention, renewals or modification

DocuSigned by: tzns Kamhi 892FCDFF99AC4/D...ignature)

CLIENT APPROVAL

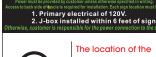
This drawing is the property of Texas Signs Inc and all rights to its use for reproduction are reserved by Texas Signs Inc.

(Client Signature)

Client: Wylie Shops by Slate

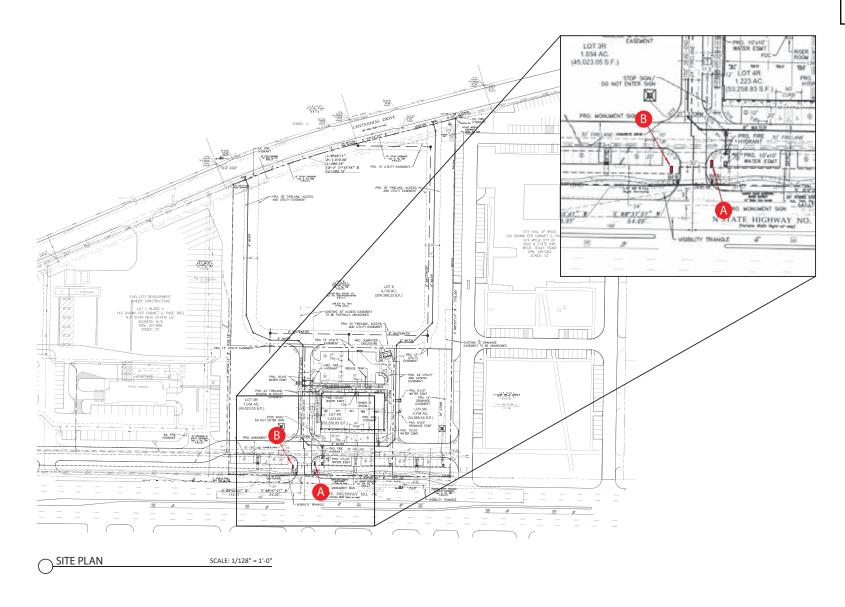
Address: 1808NStateHwy78 WYLIETX

Artist: Nick Ali Phone: 972-961-3951 Email: sales@texassignsinc.com





disconnect swith after installation shall comply Article 600.6 (A)(1) of the No **Electrical Code**





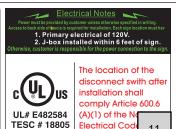
Dallas, TX 75229

LANDLORD APPROVAL The undersigned consents to the installations and maintenance of this sign on my property in accordance with the agreement between Texas Signs Inc. and my tenant(s) and any extention, renewals or modification DocuSigned by: teris Ramfi (Properly Owner/Aumonzed Agent Signature)

Date







CROSS ENGINEERING CONSULTANTS

1720 W. Virginia St. 972.562.4409

McKinney, Texas 75069

Fax 972.562.4471

November 13, 2023

City of Wylie Board of Adjustments Planning Department 300 Country Club Road, Building 100 Wylie, Texas 75098

Re: Request for Variance – Letter of Intent

Wylie Shops by Slate & Wylie Starbucks by Slate

1808 N State Highway No. 78 & 1804 N State Highway No. 78

Woodlake Village Addition, Lot 4R & 3R, Block A

Attached please find the variance request application and exhibits for Wylie Shops by Slate & Wylie Starbucks by Slate. The purpose of this variance request is to allow the construction of two monument signs within an existing drainage and utility easement. No existing utility lines are shown at the requested locations of the proposed monument signs. The previously existing drainage swell, within the drainage and utility easement, has since been removed and the drainage rerouted to a storm drainage system within the adjacent fire lane.

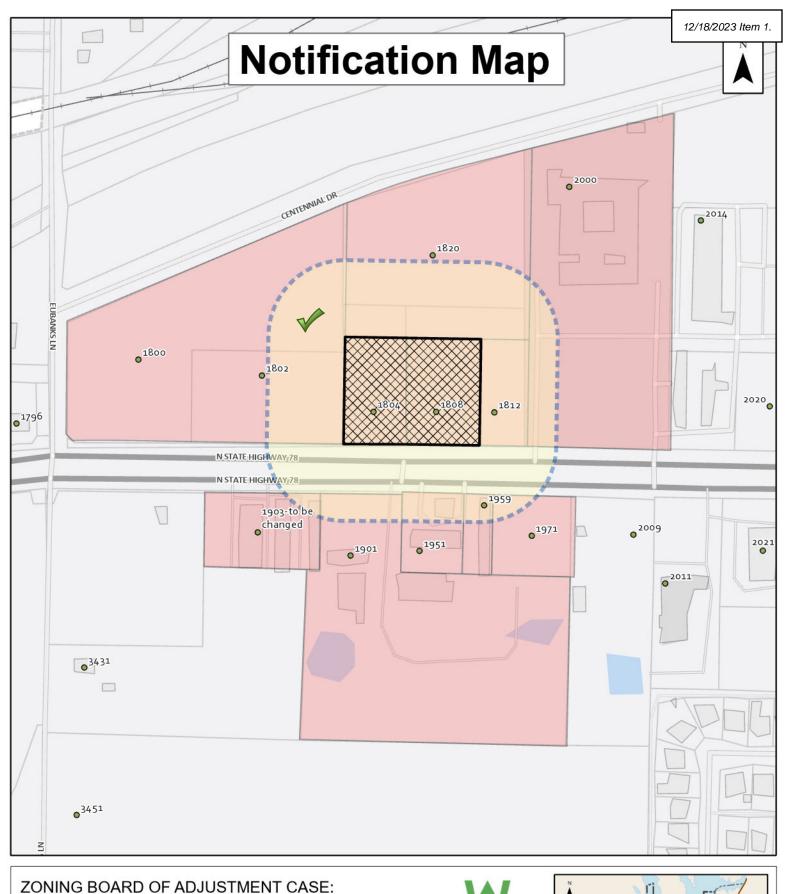
The owner understands a hold harmless agreement may still be required to construct these signs within the easement.

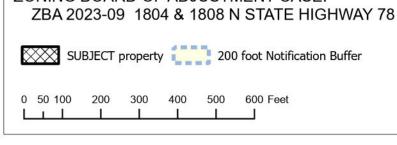
Thank you in advance for your consideration of this variance request. Please contact me if you have any questions or concerns.

Sincerely,

CROSS ENGINEERING CONSULTANTS, INC.

Mitchell Mulholland Project Manager











CITY OF WYLIE Public Comment Form

First Name * Middle Name Last Name *

Joseph Bickham

Address*

Street Address

1800 n state highway 78

Address Line 2

City State / Province / Region

Wylie TX

Postal / Zip Code

75098

Case #*

ZBA2023-09 1804 & 1808 N St Hwy 78

Response*

- I am FOR the requested zoning as explained on the public notice
- I am AGAINST the requested zoning as explained on the public

Comments

Good for the east side area

I agree and understand that by signing the electronic signature, that it is the equivalent to my manual/handwritten signature.

Signature *



Date of Signature

12/1/2023