

# Wylie Zoning Board of Adjustment

July 19, 2021 – 6:30 PM

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



---

## CALL TO ORDER

## ELECTION OF CHAIR AND VICE CHAIR

Nominate and motion for Chair

Nominate and motion for Vice Chair

## 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. Consider and act upon approval of the Minutes for March 22, 2021 Meeting.

## WORK SESSION

WS1. Hold a work session to discuss the Zoning Board of Adjustment rules, procedures, and responsibilities.

## RECONVENE INTO REGULAR SESSION

## REGULAR AGENDA

1. Hold a Public Hearing to consider and act upon a request by Shelly Tsai for a variance to Figure 4-3, Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required setbacks, landscaping and parking for a re-development located at 501C N State Highway 78. ZBA 2021-05
2. Hold a Public Hearing to consider and act upon a request by Jessica Schrader for a variance to Section V.II.14 and Section V.II.15 of Planned Development 2002-52 to allow for a reduction in the required side and rear setbacks of accessory structure. Property located at 1512 Canyon Creek Road. ZBA 2021-06
3. Hold a Public Hearing to consider and act upon a request by Kevin Foley for a variance to 5.2.J.8 of the Zoning Ordinance to allow for an independent self-contained dwelling unit as an accessory use within the structure of an office/showroom use. Property located at 25 Steel Road. ZBA 2021-07
4. Hold a Public Hearing to consider and act upon a request by Devin Runwicz for a variance to Section 2.5 of the Zoning Ordinance to allow for reduced rear setbacks, reduced roof slope, an increased maximum height,

and increased lot coverage of an accessory structure. Property located at 2924 Montague Trail. ZBA 2021-08

- [5.](#) Hold a Public Hearing to consider and act upon a request by Robert Diaz for a variance to Section 6.3.E.6 of the Zoning Ordinance to allow for an increased size of a monument size for the Downtown Historic District. Property located at 112 S. Ballard. ZBA 2021-09
- [6.](#) Hold a Public Hearing to consider and act upon a request by Marquis Ellis for a variance to Section 5.5.A of the Zoning Ordinance to allow for an extension to the time frame allowed for two temporary buildings. Property located at 1451 Park Blvd. ZBA 2021-10
- [7.](#) Hold a Public Hearing to consider and act upon a request by Wakass Abdrazak for a variance to Figure 4-5, Figure 4-7 and Section 4.3.D.4 of the Zoning Ordinance to allow for service and loading areas to face a public street. Property located at 100 Kristen Lane. ZBA 2021-11

## **ADJOURNMENT**

## **CERTIFICATION**

I certify that this Notice of Meeting was posted on July 16, 2021 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

**Minutes  
Special Called Meeting  
March 22, 2021 – 6:30 p.m.  
Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Bldg. 100  
Wylie, TX 75098**

## **CALL TO ORDER**

*Announce the presence of a Quorum.*

Chair Byron Betler called the meeting to order at 6:30PM. and announced a quorum was present. Board Members in attendance; Chair Betler, Vice Chair Robert Blair, Board Member Shaun Chronister, Board Member Richard Covington, and Board Member Andrew Wight. Board Member Lance Kiser was in the audience, but did not participate.

Staff present were Mr. Jasen Haskins, Planning Manager, Mr. Kevin Molina, Senior Planner and Ms. Mary Bradley, Administrative Assistant II.

## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

No one approached the Board Members.

## **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. Consider and act upon approval of the Minutes for the January 18, 2021 Meeting.**

## **Board Action**

A motion was made by Board Member Wight, and seconded by Vice Chair Blair, to approve the minutes as submitted. A vote was taken and carried 5 – 0.

## **REGULAR AGENDA**

### **Public Hearing**

- 1. Hold a Public Hearing to consider and act upon a request by Fidelmar Miralrio for a variance to Section 2.5.C.2.C(4) of the Zoning Ordinance to allow for a reduction in the required side setbacks for an accessory structure from 15' to 3' at 600 Gateway Bend. ZBA 2021-03.**

### **Staff Comments**

Mr. Molina addressed the Board Members stating that the property is located at 600 Gateway Bend. The applicant is requesting a variance to the side setbacks for an accessory structure that was started without a permit. The applicant is replacing an old accessory structure with a 16 feet x 22 feet structure.

In review of the variance case, Staff discovered a five foot utility easement is on the property. Staff is recommending the side setback be five feet, which will keep the structure outside of the utility easement. The applicant is in agreement. Staff is recommending if variance is approved, to amend the setbacks from 3 feet to 5 feet.

The property is located on a corner lot, however is not adjacent to a neighboring home and is not placed in an area blocking vehicular visibility.

Public comment forms were mailed to eighteen property owners. Two comment forms were received in favor and no comment forms were received in opposition of the request.

### **Public Comments**

Chair Betler opened the public hearing asking anyone present wishing to address Board Members to come forward. With no one coming forward, Chair Betler closed the public hearing.

### **Board Action**

A motion was made by Board Member Chronister, and seconded by Board Member Wight, to grant the variance to Section 2.5.C.2.C(4) of the Zoning Ordinance to allow for a reduction in the required side setbacks for an accessory structure from 15' to 5' at 600 Gateway Bend. **ZBA 2021-03**. A vote was taken and carried 5 - 0.

- 2. Hold a Public Hearing to consider and act upon a request by Cary Albert for a variance to Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required landscaping and parking for a new development located at 2588 W FM 544 ZBA 2021-04.**

### **Staff Comments**

Mr. Molina approached the Board Members stating that the property is located at 2588 W FM 544 and is currently zoned Planned Development Ordinance 2003-01.

The applicant is requesting three variances due to the Texas Department of Transportation acquiring an approximate 13 feet width of the street frontage for the widening of FM 544.

The variance to Section 4.3.E.1(a) will allow for a minimum width of 1.5 feet with a maximum width of 11.09 feet in lieu of the required 10 feet landscaped street buffer.

The variance to Section 4.3.E.4(a) will allow for a 15 percent in lieu of the required 20 percent landscape area.



The variance to Figure 5-3 of the Zoning Ordinance will allow 35 parking spaces in lieu of the 37 required parking spaces. The Woodbridge Centre shopping center has a reciprocal easement agreement that allows for the entire site to provide shared parking.

Public Comment forms were mailed to nine property owners. One comment form was received in favor and one comment form was received in opposition of the request.

### **Public Comments**

Chair Betler opened the public hearing asking anyone present wishing to address Board Members to come forward.

Mr. Cary Albert, 5622 Harbor Town, Dallas, applicant, stated that the Texas Department of Transportation acquired the property prior to development of the Woodbridge Centre shopping center, and was in place prior to him purchasing the land.

Drive access will be from adjacent properties on either side, allowing for traffic flow. The shared parking agreement allows parking within the entire shopping center.

Chair Betler closed the Public Hearing.

### **Board Action**

A motion was made by Board Member Wight, and seconded by Board Member Covington to grant the variances to Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required landscaping and parking for a new development located at 2588 W FM 544. **ZBA 2021-04**. A vote was taken and carried 5 – 0.

### **ADJOURNMENT**

A motion was made by Chair Betler and seconded by Vice Chair Blair, to adjourn the meeting at 6:40PM. A vote was taken and carried 5 – 0.

---

**Byron Betler, Chair**

**ATTEST:**

---

**Mary Bradley**



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	<u>July 19, 2021</u>	<b>Item Number:</b>	<u>WS</u>
<b>Department:</b>	<u>Planning</u>	<b>Case Number:</b>	<u>N/A</u>
<b>Prepared By:</b>	<u>Jasen Haskins</u>	<b>Project Location:</b>	<u>N/A</u>
<b>Date Prepared:</b>	<u>July 15, 2021</u>	<b>Subdivision Name:</b>	<u>N/A</u>
		<b>Exhibits:</b>	<u>Presentation and ZBA Rules and Procedures</u>

### Subject

Hold a work session to discuss the Zoning Board of Adjustments Rules, procedures, and responsibilities.

### Discussion

Staff will make a presentation to the Board members regarding the rules, procedures, and responsibilities of the Zoning Board of Adjustment.

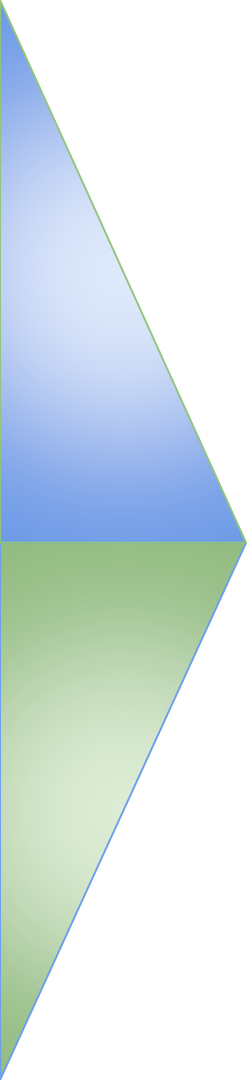
Board members can discuss the item and ask questions of staff.

### Approved By

<b>Department Director</b>	<i>Initial</i> <u>JH</u>	<i>Date</i> <u>July 15, 2021</u>
----------------------------	-----------------------------	-------------------------------------



So you are on the Zoning Board  
of Adjustments....



Everything you need to know  
about the role and responsibility of  
the ZBA member (almost).

# Municipal Planning Authority

- Overall Authority to protect the Health, Safety, and Welfare
- Zoning Authority (legislative) Chapter 211 LGC
- Subdivision Authority (ministerial) Chapter 212 LGC
- Land Use Authority (planning) Chapter 213 LGC



Zoning Board of Adjustment is allowed by  
**Sec 211.008** of the State of Texas Local  
Government Code

Created in Wylie by Ordinance in 1962 and  
included in 1985 Charter

# Generally responsible for deciding:

- Appeals to administrative decisions
- Variance requests from Zoning Ordinance
- Special Exceptions to the Zoning Ordinance
- Make recommendations to Zoning Ordinance based of variances

# Appeals to administrative decisions

- Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official
- The board may reverse or affirm, in whole or in part, or modify the administrative official's order
- The concurring vote of 75 percent of the members of the board is necessary





# Variance Requests

- a literal enforcement of the Zoning Ordinance would result in unnecessary hardship (not financial)
- spirit of the ordinance is observed
- not contrary to the public interest
- **MUST NOT BE SELF-IMPOSED**
- The concurring vote of 75 percent of the members of the board is necessary



# Special Exceptions

- Only when required by the Zoning Ordinance
- Wylie doesn't currently use this provision



# Ordinance Amendments

- Generally initiated by City Council or Zoning Board of Adjustments
- Covers only Zoning Ordinance
- Board gives direction to staff, usually as a result of favorable vote for applicant.
- P&Z makes recommendation to City Council

# ZBA operates by an adopted Rules and Procedures.

- Written by Board Members
- Approved by City Council
- Updated March 2020



# General meeting format

- Chairman calls meeting
- Citizen comments on non-agenda items
- Executive or Work session, as needed
- Consent Items (minutes)
- Public Hearings
- General business
- Adjournment



# General item format

- Chairman introduction
- Staff report
- Applicant remarks
- Public hearing
  - Citizen Comment
  - Applicant rebuttal
- Board discussion
- Motion (approve, approve with conditions, disapprove)

# Other considerations

- Packet delivery
- Attendance
- Quorums / Open meetings
- Pre-meeting questions
- Open records
- Conflict of Interest



# Planning Staff

## Planning Manager

- [jasen.haskins@wylietexas.gov](mailto:jasen.haskins@wylietexas.gov)
- 972-516-6324

## Senior Planner

- [kevin.molina@wylietexas.gov](mailto:kevin.molina@wylietexas.gov)
- 972-516-6323

## Administrative Assistant

- [mary.bradley@wylietexas.gov](mailto:mary.bradley@wylietexas.gov)
- 972-516-6320



**Our Mission...**  
...to be responsible stewards of the public trust,  
to strive for excellence in public service, and  
to enhance the quality of life for all.

## City of Wylie, Texas Zoning Board of Adjustment Rules of Procedure



### 1. Statement

- 1.1. It is hereby declared that appointment to the Zoning Board of Adjustments is a distinct honor and the trust imposed in the appointee involves the corresponding obligation of the appointee to serve the community by regular attendance and participation in the proceedings of the body.

### 2. Creation and Membership

- 2.1. The Board was created by Ordinance 1962-05 and amended in 1982 and the City Charter in 1985, and serves at the will of the City Council.
- 2.2. The Zoning Board of Adjustments shall consist of five (5) regular members and two (2) alternate members who will serve for terms of two (2) years. A Commissioner shall generally be limited to three two-year terms, per Ordinance 2020-07. The members will be resident citizens, taxpayers, and qualified voters of the City.
- 2.3. In accordance with State law, Board members are required to complete Open Meetings training and receive a Certificate of Completion within the first ninety (90) days of first year appointment. This may be taken online via the Office of Attorney General's website ([www.oag.state.tx.us](http://www.oag.state.tx.us)). The Office of the Attorney General offers free video training courses to ensure that all elected and appointed government officials have a good command of both open records and open meetings laws.

### 3. Officers

- 3.1. The Board shall, at the first meeting after July 1st (and at such other times as these offices may become vacant), select from among its members a Chairperson and Vice-Chairperson to serve for a period of one (1) year.
- 3.2. In the absence of both the Chairperson and Vice-Chairperson during a meeting, the remaining Commissioners shall elect an Acting Chairperson.

### 4. Officer's Duties

- 4.1. The Chairperson shall preside over all meetings and briefing sessions, and perform all duties as required by law.
- 4.2. The Vice-Chairperson shall assume all duties of the Chairperson in the absence of the Chairperson.

## **5. Powers and Duties of the Commission**

- 5.1. The Board shall initiate public hearings on appeals of building permit denials, appeals of City Development Code or Ordinance interpretation, variance requests to the City of Wylie Zoning Ordinance, or other issues within the Boards jurisdiction as allowed by State law.

5.1.A. Evaluation of all appeals and variance requests shall be completed under the appropriate standards as outlined in the City of Wylie Zoning Ordinance.

- 5.2. The Board shall recommend to City Staff amendments to the City's Development Code or Zoning Ordinance in relation to granted variances or appeals to interpretation which will facilitate the movement of people and goods, promote the health, recreation, safety, and general welfare of the citizens of Wylie.
- 5.3. The Commission shall perform all other duties as prescribed by State statutes and the City's Zoning Ordinance.

## **6. Rules of Order**

- 6.1. The Chairperson shall rule on all points of order.
- 6.2. The Board may overrule the Chairperson on points of order by a two-thirds (2/3) vote of members present.
- 6.3. Any provisions of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds (2/3) vote of all members of the Board, which vote shall be entered upon the minutes.

## **7. Quorum**

- 7.1. A quorum shall consist of four (4) members.
- 7.2. No matters may be handled without the presence of a quorum.
- 7.3. Whereas State Law requires a 75% vote of all members, not only members present, there is an expectation that appointed alternate members shall attend all called meetings, be familiar with the agenda, and be prepared to serve as needed.

## **8. Agendas**

- 8.1. An agenda shall be prepared by the City Planner or his/her designee for each meeting of the Zoning Board of Adjustment. A copy of the agenda shall be posted in the Municipal Complex as required by law, as well as on the website.

- 8.2. There shall be attached to each agenda item, a report of matters pending further action by the Board.
- 8.3. All regular and special meetings shall follow, as closely as possible, the printed agenda. The agenda should include, but is not limited to the following;
  - a. Ratification of Minutes;
  - b. Citizens' participation on items not on the agenda;
  - c. Executive Session, as needed;
  - d. Items for individual consideration;
  - e. Breaks at the discretion of the Chairperson;
  - f. Commissioners or Staff comments on general business;
  - g. Adjournment.
- 8.4. Agendas may be amended by the Chairperson as to the order of items, but not as to content, unless overruled by a majority of the members present.

## **9. Minutes of Meetings**

- 9.1. Minutes of all regular and special meetings shall be kept by the Secretary, designated by the City Planner, and are subject to amendment and ratification by the Board at the next regular meeting.
- 9.2. The minutes of the Board's proceeding shall show the overall vote, or if absent or failing to vote, shall reflect that fact.

## **10. Regular meetings**

- 10.1. The Board shall meet on the third Monday of each month at 6:30 pm in the Council Chambers of the Municipal Complex, unless noted otherwise. All meetings shall be open to the public, and the public is encouraged to attend.
- 10.2. Any Board member missing three (3) consecutive regularly scheduled meetings without prior notification to Staff and/or a valid reason, which may include family emergency, illness, or other reasonable cause, may be subject to dismissal from the Board by the City Council.
- 10.3. Under special circumstances the Board may reschedule regular meeting dates. The new dates should be announced at a regularly scheduled meeting, and agendas posted accordingly.

## **11. Special Meetings**

- 11.1. Special meetings may be called by the Chairperson, or at the request of two (2) or more members, or may be scheduled by a majority of the Board at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.
- 11.2. All members must be notified of any special meeting by giving written notice to all members by an email address of record at least seventy-two (72) hours before the meeting, and the notice must specify the purpose of the meeting.
- 11.3. Special meetings must be posted in accordance with the open meetings act.

## **12. Public Hearings**

- 12.1. Conduct of public hearings will follow the general guidelines listed below and as outlined in Section 13 Addressing the Board:
  - a. Introduction of agenda item by the Chairperson;
  - b. Report by the City Planner or designee;
  - c. A maximum of 15 minute presentation by the applicant;
  - d. Opening of public hearing by the Chairperson;
  - e. Comments from organized groups and individuals in opposition to the issue of the public hearing; group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed.;
  - f. Comments from organized groups and individuals in favor of the issue of the public hearing; group comments should not exceed 6 minutes, individual comments should not exceed 3 minute unless an interpreter is needed, in which case 6 minutes is allowed;
  - g. Questioning of witnesses
  - h. A maximum 15 minute rebuttal by the applicant;
  - i. Questioning by the Board of the applicant and audience members who addressed the Board.
  - j. Close public hearing;
  - k. Board query of Staff;
  - l. Board action pertaining to the issue of the public hearing.
- 12.2. All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these rules of procedure

## **13. Addressing the Board**

- 13.1. Persons desiring to address the Board shall complete a "Request to Speak" card and submit the card to the Secretary.
- 13.2. The Secretary will sort the speaker cards by agenda item and deliver them to the Chairperson.
- 13.3. The Chairperson will refer to the speaker cards for comments on items not on the printed agenda, individual agenda item comments, and public hearing comments.

- 13.4. Persons who note on a speaker card their desire to address the commission will be called to the podium by the Chairperson at the appropriate time and will follow the guidelines of Ordinance 2019-29 as outlined below when addressing the Board;
- a. Approach the podium, state their name and address and whether or not they are representing a person, group, or organization;
  - b. Speak so that all present in the room may hear clearly;
  - c. Address all statements and questions to the Chairperson;
  - d. Be courteous in language and deportment;
  - e. Be concise and focused in their Comments;
  - f. Group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed.
- 13.5. Persons addressing the Board during a public hearing will follow the public hearing guidelines noted in Section 12.
- 13.6. The Chairperson will read into the record the names of persons who filled out a speaker card in support of or in opposition to an agenda item but did not wish to address the Board.
- 13.7. The Chairperson may interrupt an individual to redirect or terminate remarks when they are not relevant to the matter before the Board, or when the Chairperson determines the remarks to be out of order.

#### **14. Evidence**

- 14.1. Only relevant evidence and testimony will be received.
- 14.2. Petitions and other physical evidence should be submitted to the Board Chairperson. Petitions may not be read in full into the record, but may be noted into the record.
- 14.3. Ex Parte Communications
- a. Any Board member having new factual information regarding regular meeting or work session agenda items shall make that information known to all Board members.
  - b. Board members shall not make voting commitments prior to hearing all submitted evidence regarding meeting agenda items.

#### **15. City Staff Responsibilities**

- 15.1. The City Planner or designee shall be responsible for providing the Board with the necessary professional, technical, and clerical services, including:
- a. Prepare and submit the agenda with staff reports and any special items as directed by the Chairperson;
  - b. Give and serve all notices required for public hearings;

- c. Introduce and factually explain each item on the agenda;
- d. Coordinate the services of all City Staff and other sources of public information for and on behalf of the Board;
- e. Maintain a true copy of all Board proceedings;
- f. Maintain all Board records;
- g. Attend all official correspondence and communications to and of the Board.

## **16. Written Request Required**

- 16.1. Every proposal submitted for Board action shall be made in accordance with approved application procedures from the appropriate Ordinance or Regulations. The proposal shall be complete in all respects before being accepted for filing and Board consideration.

## **17. Conflict of Interest Rules**

- 17.1. Conflict of Interest. Should any member of the Board feel they have a conflict of interest with an agenda item before the Board, they should openly declare so at the earliest possible time. Their seat will be filled by an alternate Board member for that meeting. They are thereby prohibited from discussing, participating in, or voting on the item in question. They shall also fill out a Conflict of Interest form and file it with the Secretary.
- 17.2. Abstention. Should any member of the Board choose to abstain from voting on any question before the Board where no declared conflict of interest exists, their vote shall be recorded as an affirmative vote in the official minutes.

## **18. Motions**

- 18.1. A motion may be made by any member. A second to the motion shall be required before an item is put to a vote.
- 18.2. Any item in which no motion is made shall be recorded as a denial of the variance request.
- 18.3. All votes shall be by 75% of all Board members (5), regardless of the number of members present, except as otherwise stated in these rules of procedure.

## **19. Repealing Clause**

- 19.1. All previously adopted Rules of Procedure of the Zoning Board of Adjustment are hereby expressly repealed

## **20. Suspension of Rules of Procedure**

- 20.1. Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law or home rule charter, and provided that not less than two-thirds Board members vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.

PASSED AND APPROVED BY THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF WYLIE THIS \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Jason Potts, Chairman

\_\_\_\_\_  
Byron Butler, Vice-Chairman

Filed in the Office of the City Secretary this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Stephanie Storm, City Secretary  
City of Wylie, Texas



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	July 19, 2021	<b>Item Number:</b>	1
<b>Department:</b>	Planning	<b>Case Number:</b>	2021-05
<b>Prepared By:</b>	Jasen Haskins, AICP	<b>Project Location:</b>	501C N State Highway 78
<b>Date Prepared:</b>	May 10, 2021	<b>Subdivision Name:</b>	Railroad Addition
		<b>Exhibits:</b>	Locator Map, Site Plans, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Shelly Tsai for a variance to Figure 4-3, Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required setbacks, landscaping and parking for a re-development located at 501C N State Highway 78. **ZBA 2021-05**

### Discussion

**Applicant: Shelly Tsai**

**Owner: Shelly Tsai**

The subject property is located at 501C N State Highway 78 and is currently zoned Commercial Corridor.

The applicant is requesting to remodel an existing car wash by enclosing it and creating two commercial suites.

Remodel improvements render the site non-conforming with the current Zoning Ordinance requirements and requires an approval of variances to setbacks, landscaping and parking for work to begin.

The applicant is proposing to add landscaping on the southwest corner of the subject property. The requested variance is for 5% landscape coverage instead of the required 20% for commercially zoned districts. There is additional landscaping at the entrances, however that is on TxDOT right-of-way (ROW) for SH78.

The applicant is proposing to provide 11 parking spaces, which should be adequate for most uses. However, there are some uses that may require two extra spaces. There is on street parking in City ROW to the south. Any use parked at 1 to 200 or more would be allowed if the variance is granted.

The applicant is requesting the rear and side setbacks of the building remain at 0'. The site was platted in the 1970's and developed in the 1980's so different development standards were in place at the time. Without a variance the structure and use could only remain a car wash.

A hardship may exist due to the shape and size of the lot. Due to the shape of the lot redevelopment would be limited to a structure smaller than what currently exists.

Site plan approval will be required by the Planning and Zoning Commission if this variance were to be approved.

Public comment forms were mailed to fourteen (14) property owners within 200 feet of this request, as required by State Law. At the time of posting no comment forms were returned in favor or 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.

#### Approved By

**Department Director**

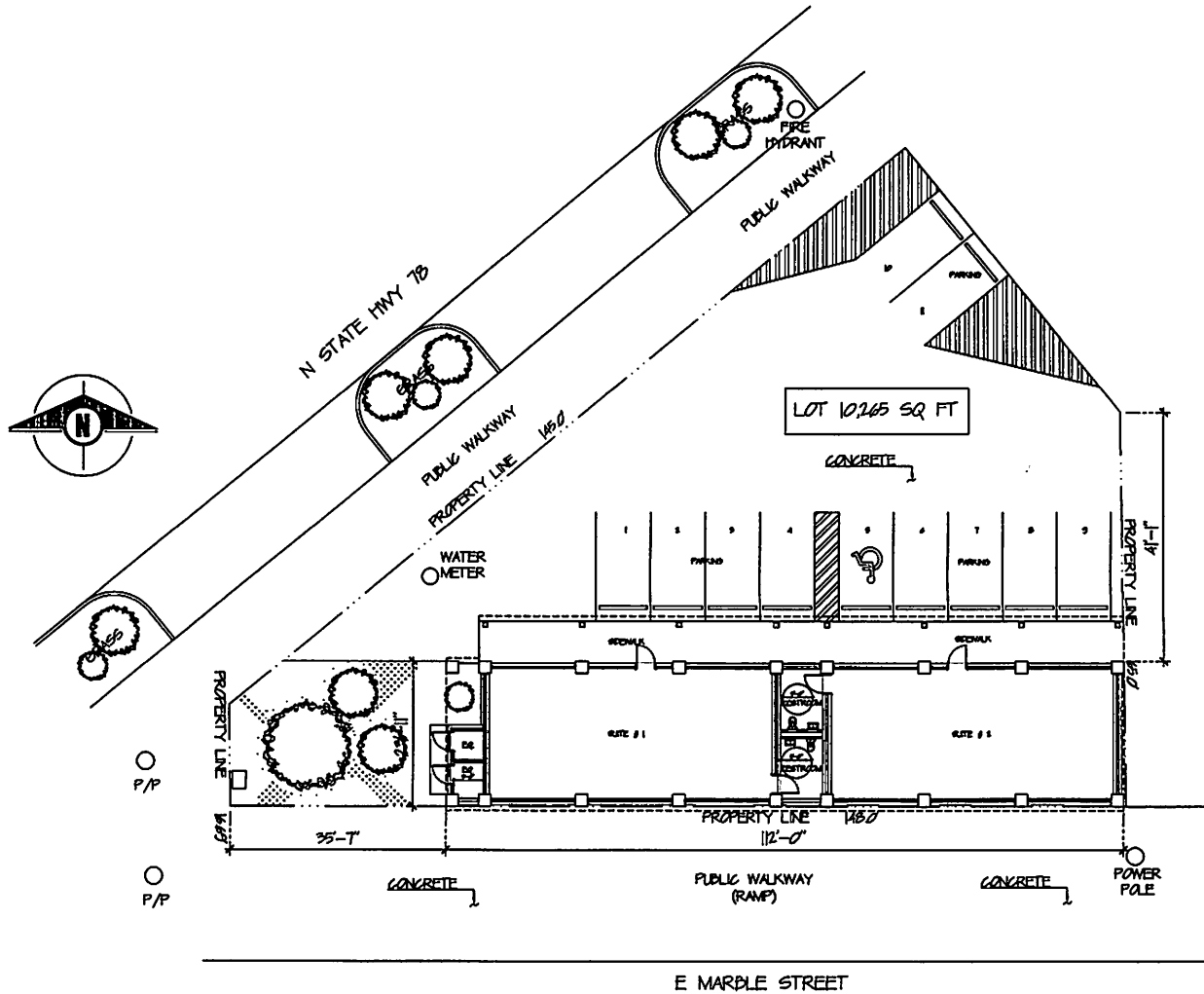
*Initial*  
JH

*Date*  
May 12, 2021

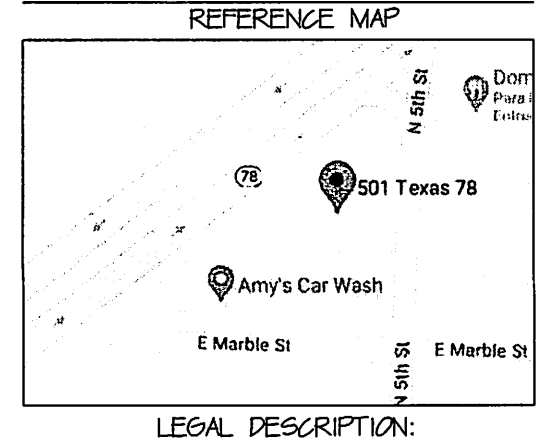








**SITE PLAN**  
SCALE: 1 TO 20



**LEGAL DESCRIPTION:**

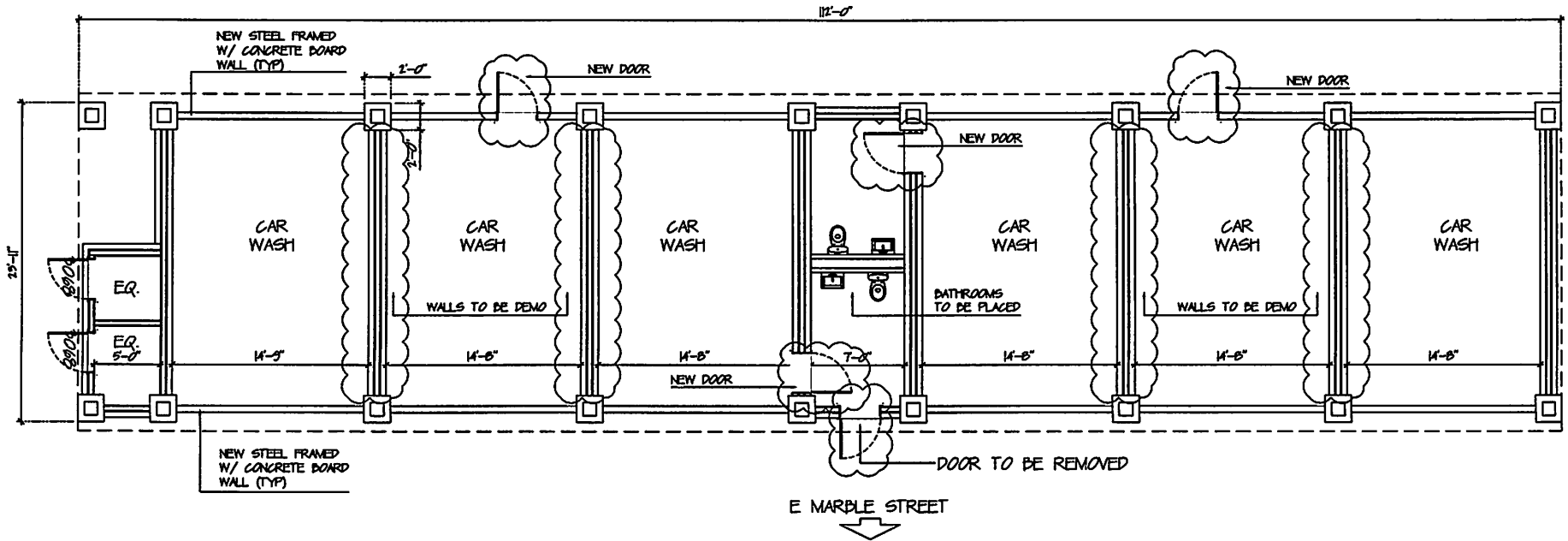
SQUARE FOOTAGE	
EXISTING CONSTRUCTION	2,671 SQ FT
LIVING AREA TO BE REMOD.	2,535 SQ FT
LOT SIZE	10,165 SQ FT
% COVERAGE = 26%	



SCALE: 1 TO 20  
DATE: 03/26/2021  
PAGE: 1

ADDRESS: 501 N TX-78 HWY  
Wylie, TX 75098  
SCOPE OF WORK: C.O.

DUE TO THE VARIANCE IN GEOGRAPHIC LOCATIONS, DESIGNER WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. OWNER IS ENTITLED TO REVOKE/REPLACE THE MAP DESIGN IF DESIGNED ANY COPYING, TRACING, OR ALTERING OF THE MAP DESIGN WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. COPYRIGHT 2020. PUNTO ERGATIVO IS A TRADEMARK OF PUNTO ERGATIVO, LLC. Copyright 2020.



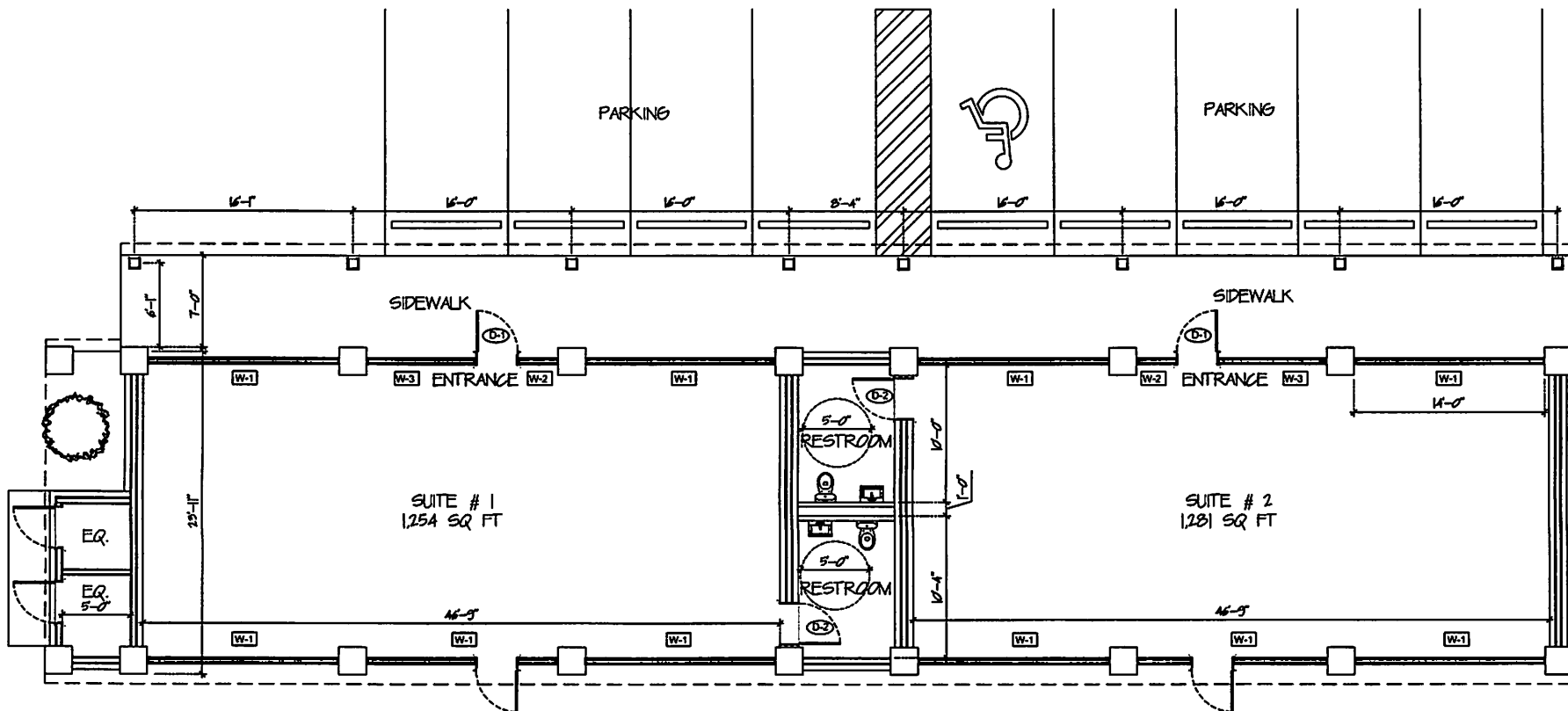
**PROPOSED DEMO PLAN**  
SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"
DATE: 03/28/2021
PAGE: 2

ADDRESS: 501 N TX-78 HWY Wylie, TX 75098
SCOPE OF WORK: C.O.

DUE TO THE VARIANCE IN GEOGRAPHIC LOCATIONS, DESIGNER WILL NOT ASSUME LIABILITY FOR ANY  
 DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST  
 COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. OWNER IS  
 ENTITLED TO RECONSTRUCT THE PROJECT DESIGN DESPITE ANY CARRYING, TRADING, OR ALIENING  
 OF THE PROJECT. THIS PLAN IS THE PROPERTY OF PUNTO CREATIVO, LLC. ALL RIGHTS ARE RESERVED.  
 COPYRIGHT 2021. PUNTO CREATIVO, LLC IS A TRADEMARK OF PUNTO CREATIVO, LLC. Copyright 2021



PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'-0"

DOOR SCHEDULE				
TAG	DIMENSIONS	CORE	FUNC.	DESC.
(D-1)	3'-0" x 7'-0"	SOLID WOOD	SWING	SINGLE SWING
(D-2)	3'-0" x 7'-0"	HOLLOW	SWING	SINGLE SWING

WINDOW SCHEDULE				
TAG	DIMENSIONS	U FACTOR	SHGC	FUNC.
(W-1)	14'-0" x 7'-6"	0.35	0.25	FIXED
(W-2)	3'-4" x 7'-6"	0.35	0.25	FIXED
(W-3)	7'-6" x 7'-6"	0.35	0.25	FIXED



FUTURE CREATIVE

SCALE: 1/8" = 1'-0"

DATE: 03/26/2021

PAGE: 3

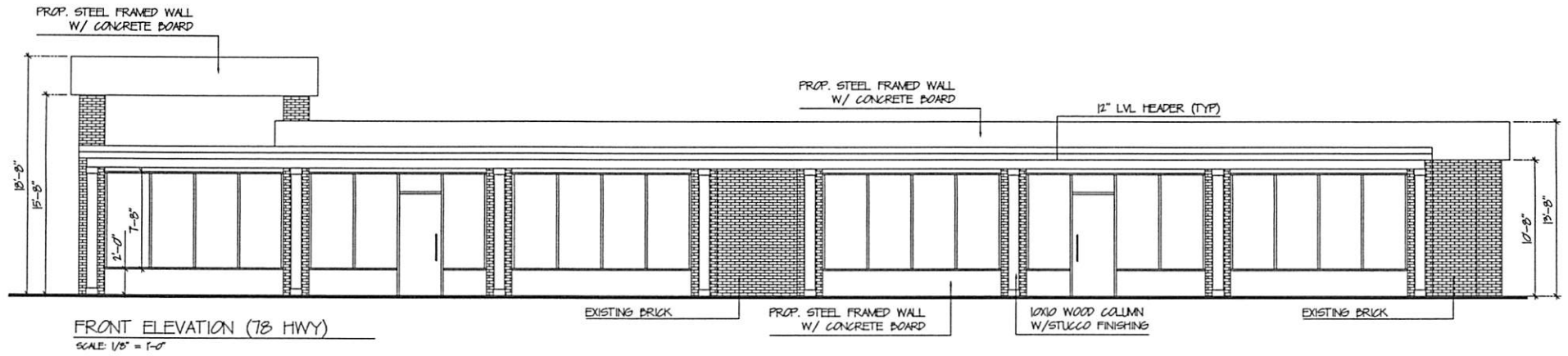
501 N TX-78 HWY

Wylie, TX 75098

ADDRESS:

SCOPE OF WORK: C.O.

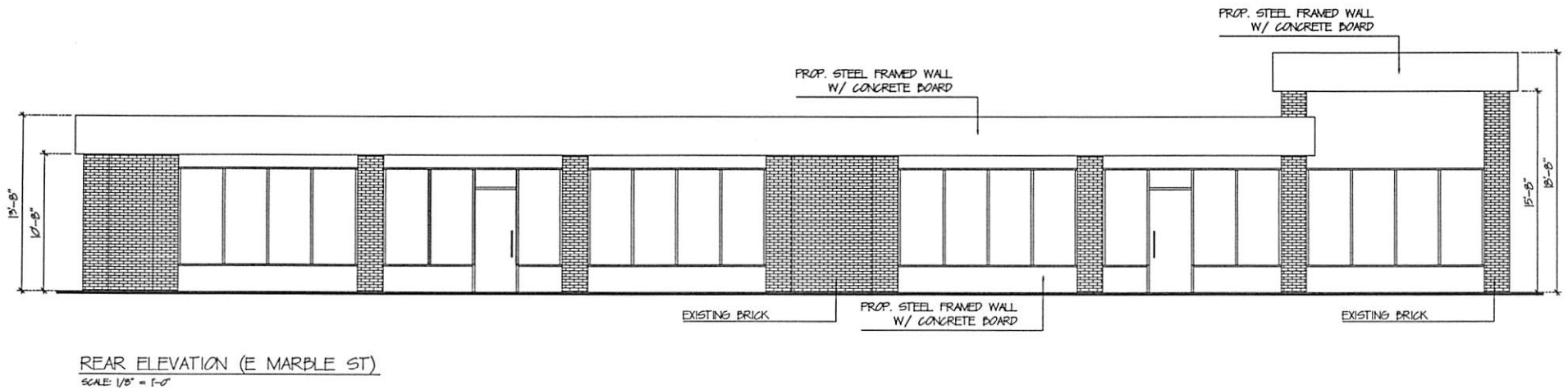
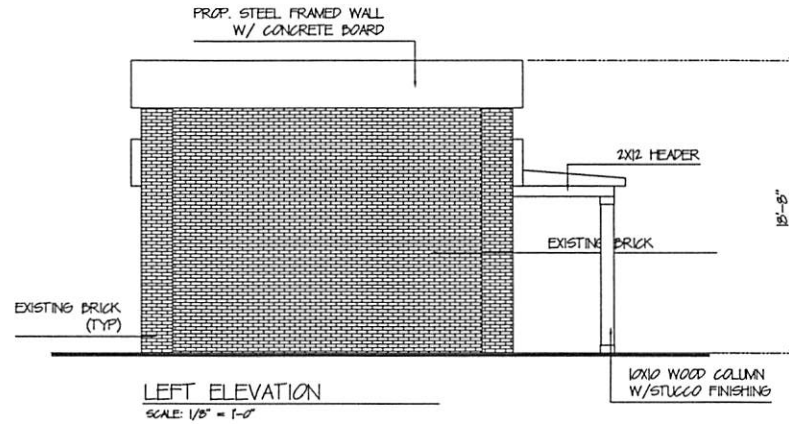
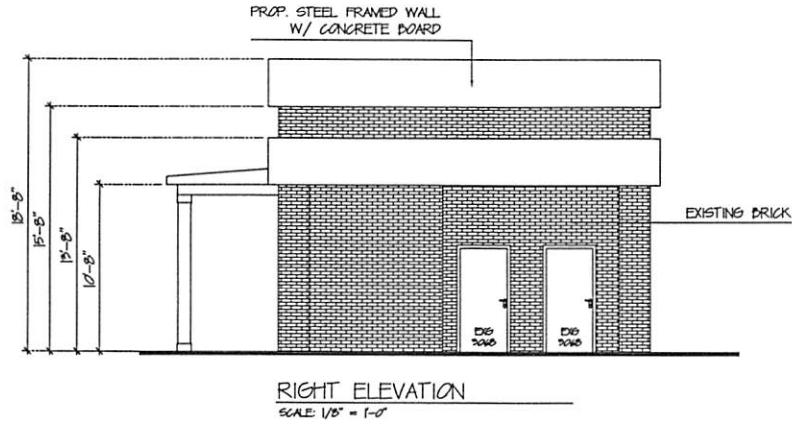
THIS PLAN IS THE PROPERTY OF FUTURE CREATIVE, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF FUTURE CREATIVE, INC. ANY VIOLATION OF THIS POLICY WILL BE SUBJECT TO PROSECUTION UNDER APPLICABLE LAWS. FUTURE CREATIVE, INC. IS A TRADING COMPANY OF LHOCH ENTERPRISES, LLC. Copyright 2020



SCALE: 1/8" = 1'-0"
DATE: 03/26/2021
PAGE: 4

ADDRESS: 501 N TX-78 HWY Wylie, TX 75098
SCOPE OF WORK: C.O.

DUE TO THE VARIANCE IN GEOGRAPHIC LOCATIONS, DESIGNER WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. BUYER IS ENTITLED TO RESCIND THE CONTRACT IF THE BUYER'S DESIGNER IS NOT A LICENSED ARCHITECT OR ENGINEER. PUNTO CREATIVO IS A TRADEMARK OF PUNTO CREATIVO, LLC. Copyright 2020



SCALE: 1/8" = 1'-0"  
DATE: 03/26/2021  
PAGE: 5

ADDRESS: 501 N TX-78 HWY  
Wylie, TX 75098  
SCOPE OF WORK: C.O.

DUE TO THE VARIANCE IN GEOSPATIAL LOCATIONS, DESIGNER WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR REFERENCES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. BUYER IS ENTITLED TO REVIEW/REUSE THE SET DESIGN AS DESCRIBED, ANY COPYING, TRACING, OR ALTERING OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF PUNTO CREATIVO IS PROHIBITED. COPYRIGHT 2020 PUNTO CREATIVO LLC. PUNTO CREATIVO IS A TRADEMARK OF LONGO ENTERPRISES, LLC. Copyright 2020

07/19/2021 Item 1.







# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	July 19, 2021	<b>Item Number:</b>	2
<b>Department:</b>	Planning	<b>Case Number:</b>	2021-06
<b>Prepared By:</b>	Kevin Molina	<b>Project Location:</b>	1512 Canyon Creek Road
<b>Date Prepared:</b>	May 10, 2021	<b>Subdivision Name:</b>	Bozman Farm Estates
		<b>Exhibits:</b>	Locator Map, Elevation, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Jessica Schrader for a variance to Section V.II.14 and Section V.II.15 of Planned Development 2002-52 to allow for a reduction in the required side and rear setbacks of accessories structures. Property located at 1512 Canyon Creek Road. **ZBA 2021-06**

### Discussion

**Applicant: Jessica Schrader**

**Owner: Jessica Schrader**

The subject property is located at 1512 Canyon Creek Road and is currently zoned within Planned Development 2021-06

The applicant is requesting to allow for a reduction in the allowed setbacks for accessory structures to 3' in the rear and 3' on the sides to allow for the placement of a 10'X12' pre-manufactured shed. The requested setbacks match the allowed setbacks of the Zoning Ordinance. However, a variance is requested because the Planned Development 2002-52 where the property is located has minimum accessory rear setbacks of 10% of the lot depth, being 12' for the subject property, and side setbacks of 5'.

The shed is proposed to match the shingle and siding colors of the primary structure.

Public comment forms were mailed to nineteen (19) 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.

**Approved By****Department Director***Initial*

JH

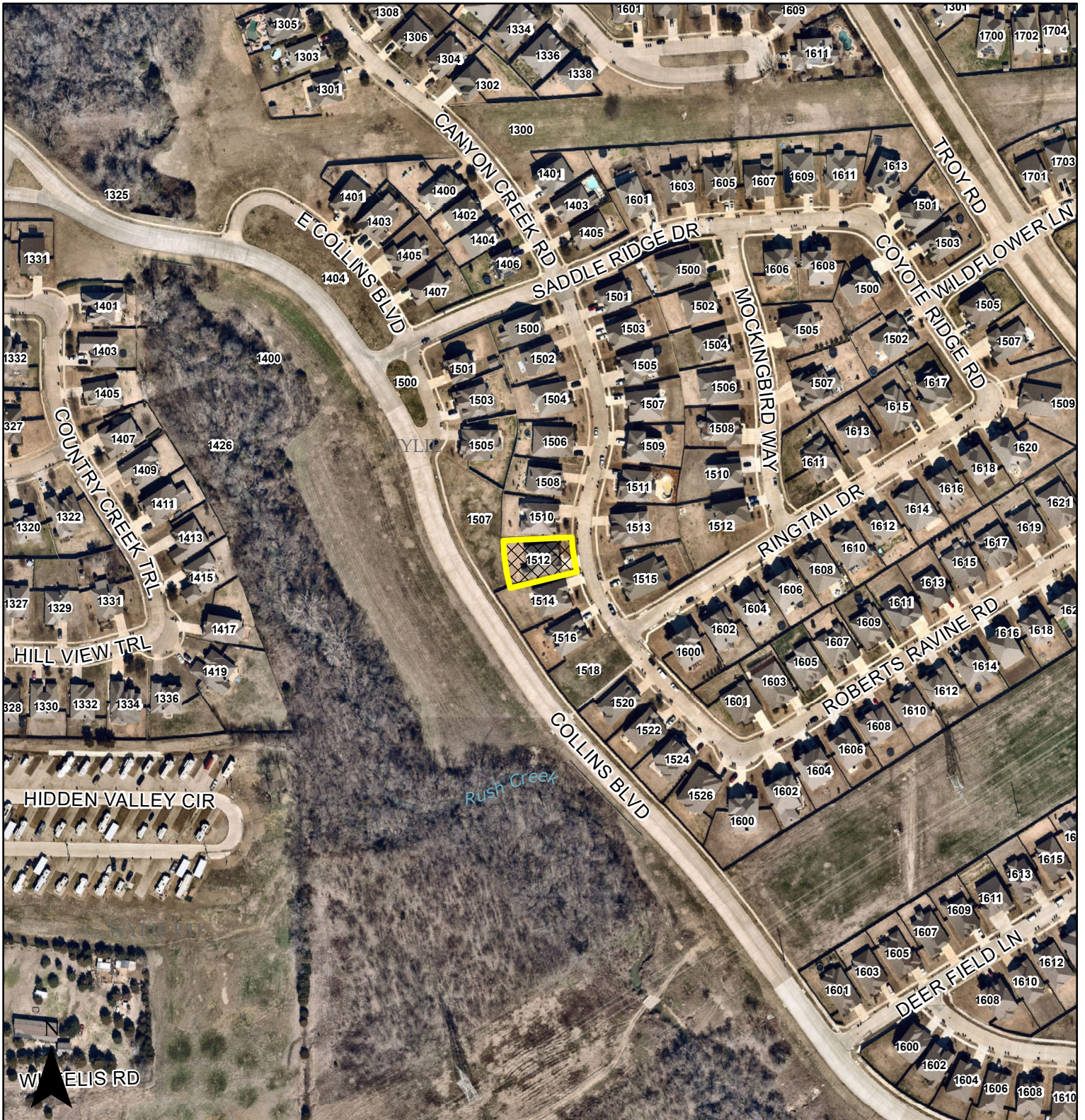
*Date*

May 12, 2021



# Locator Map

07/19/2021 Item 2.

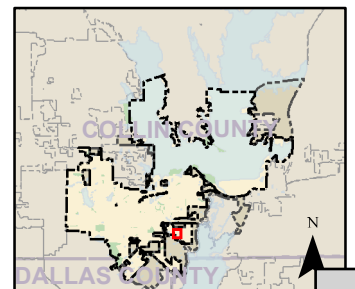


BOZMAN FARM ESTATES PHASE 3, BLK J, LOT 9

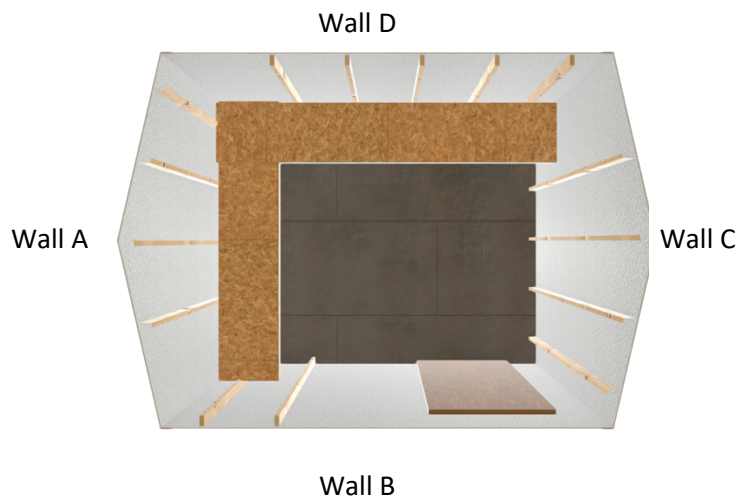
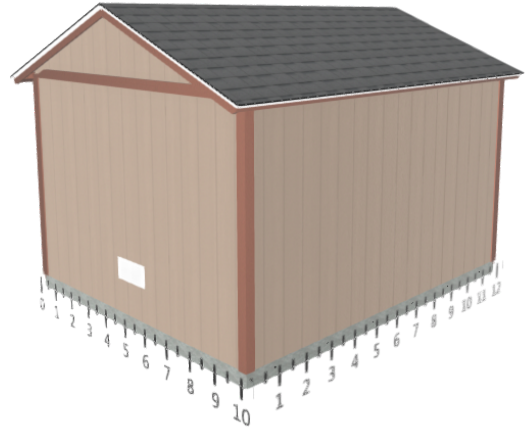
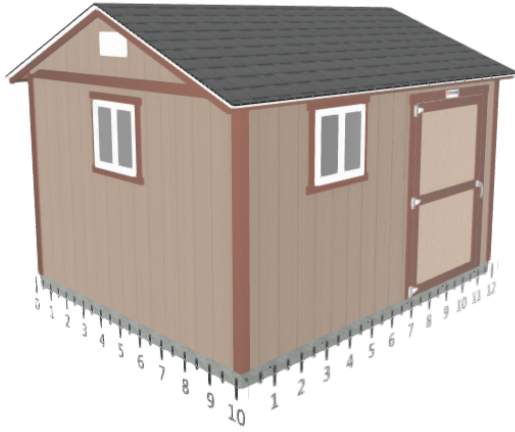


Subject Property

0 115 230 460 690 920 Feet







### Base Details

#### **Building Size & Style**

Premier Pro Ranch - 10' wide by 12' long

#### **Door**

4' x 6'2" Single Shed Door, Left Hinge Placement

#### **Paint Selection**

Base: Notorious, Trim: Warm Up

#### **Roof Selection**

Weathered Wood Dimensional Premium Shingle

#### **Drip Edge**

White

### Options Details

#### **Windows**

2 Ea 2'x2' Horizontal Sliding Window

#### **Floor and Foundation**

4 Ea Shed Anchor into Dirt - Dallas concrete & PA strap

#### **Interior**

22 Lin Ft 24" Workbench

#### **Vents**

2 Ea 16"x8" Wall Vent - White

#### **Workbench Locations**

Workbench on Side A, Side D at 39".

#### **Custom Services**

Permit

### Jobsite/Installer Details

**Do you plan to insulate this building after Tuff Shed installs it?**

No

**Is there a power outlet within 100 feet of installation location?**

Yes

**The building location must be level to properly install the building. How level is the install location?**

Within 4" of level

**Will there be 18" of unobstructed workspace around the perimeter of all four walls?**

Yes

**Can the installers park their pickup truck & trailer within approximately 200' of your installation site?**

Yes

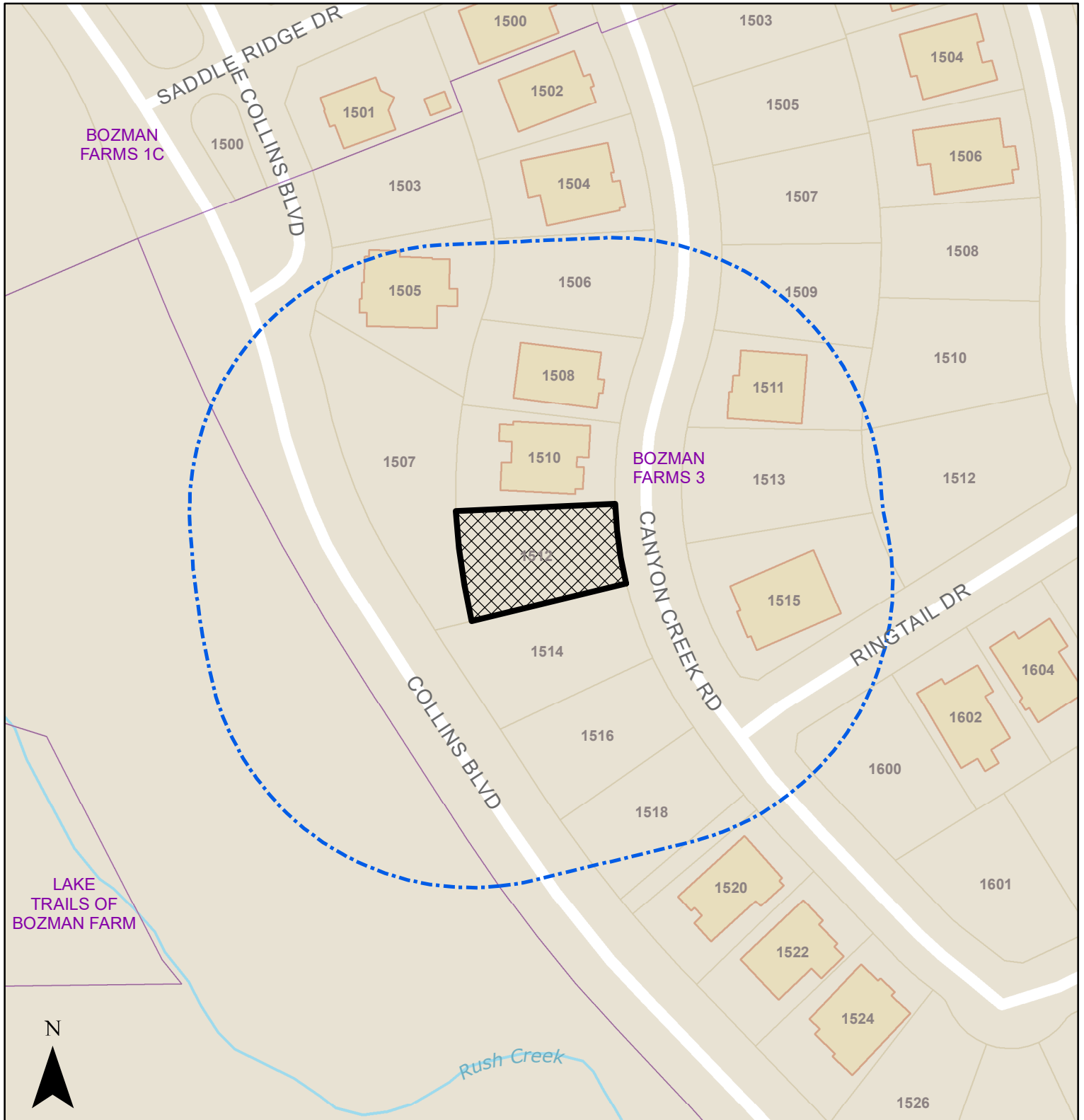
**Substrate Shed will be installed on?**

Grass



Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Notification Map

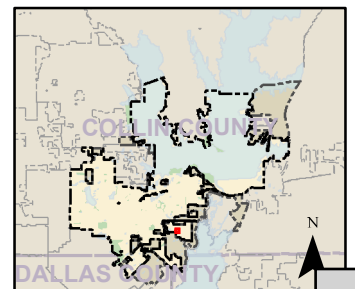
07/19/2021 Item 2.



## BOZMAN FARM ESTATES PHASE 3, BLK J, LOT 9

 200 Foot Notification Buffer  Subject Property

0 50 100 200 300 400 Feet



**PUBLIC COMMENT FORM***(Please type or use black ink)*

Planning Department  
300 Country Club Road  
Building 100  
Wylie, Texas 75098



I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-06.



I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-06.

Date, Location & Time of  
Planning & Zoning  
Commission meeting:

Monday, May 17, 2021 at 6:30 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Abdulla M. Casey & Asma S. Ali  
(please print)

Address: 1512 Mockingbird Way  
Wylie, TX 75098

Signature: A. Casey / Asma Ali

Date: 5/2/21

**COMMENTS:**

---

---

---

---

---

---

---

---



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	July 19, 2021	<b>Item Number:</b>	3
<b>Department:</b>	Planning	<b>Case Number:</b>	2021-07
<b>Prepared By:</b>	Kevin Molina	<b>Project Location:</b>	25 Steel Road
<b>Date Prepared:</b>	May 10, 2021	<b>Subdivision Name:</b>	Regency Business Park
		<b>Exhibits:</b>	Locator Map, Site Plans, Floor Plan, Elevations, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Kevin Foley for a variance to 5.2.J.8 of the Zoning Ordinance to allow for an independent self-contained dwelling unit as an accessory use within the structure of an office/showroom use. Property located at 25 Steel Road. **ZBA 2021-07**

### Discussion

**Applicant: Kevin Foley**

**Owner: Kevin Foley**

The subject property is located at 25 Steel Road and is currently zoned within the Light Industrial District.

The applicant is requesting for the allowance of an accessory use for a caretakers quarters/ domestic or security unit that is located within the structure of a general office/showroom use.

A variance is requested as the Zoning Ordinance defines Caretakers Quarters as, “an independent, self-contained dwelling unit located on the same lot as the principal use or structure and which provides residential accommodations for a property manager or security personnel.”

The applicant is asking for an interpretation on the meaning of “independent, self contained” and whether the proposal meets that definition.

The applicant has provided a floor plan which shows the proposed layout for the industrial and living spaces.

Public comment forms were mailed to nine (9) property owners within 200 feet of this request, as required by State Law. At the time of posting one comment form was returned in opposition and zero returned in favor 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.

**Approved By**

**Department Director**

*Initial*

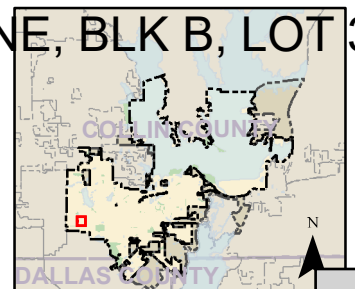
JH

*Date*

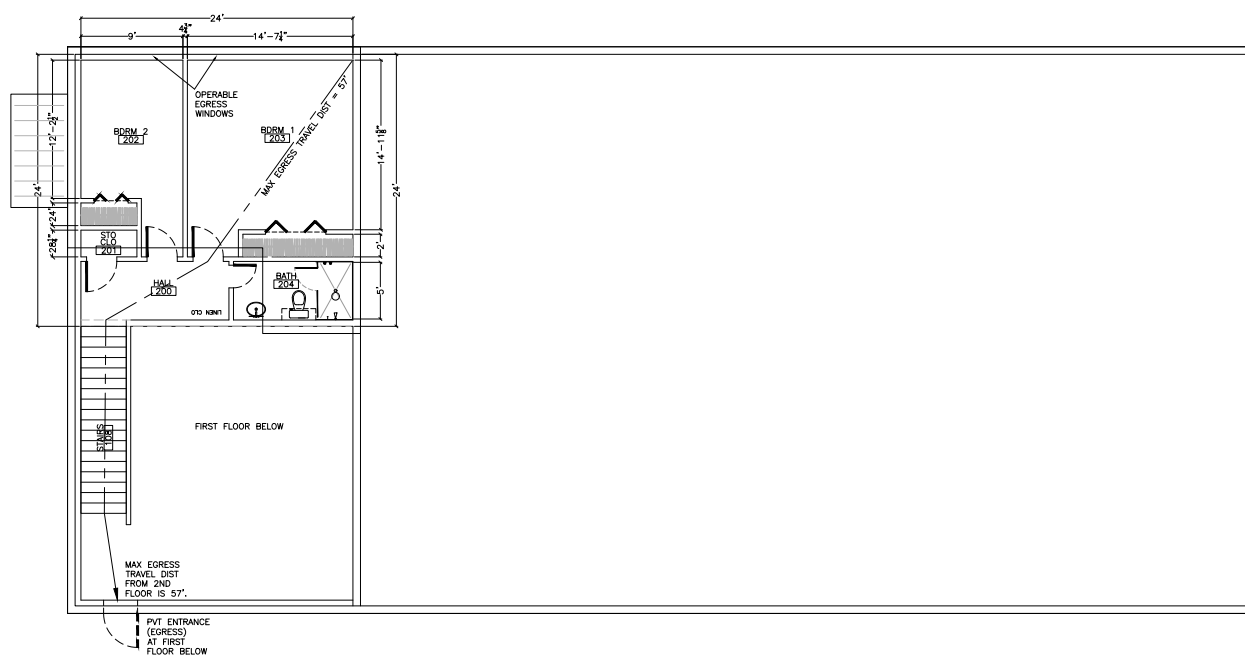
May 12, 2021



07/19/2021 Item 3.

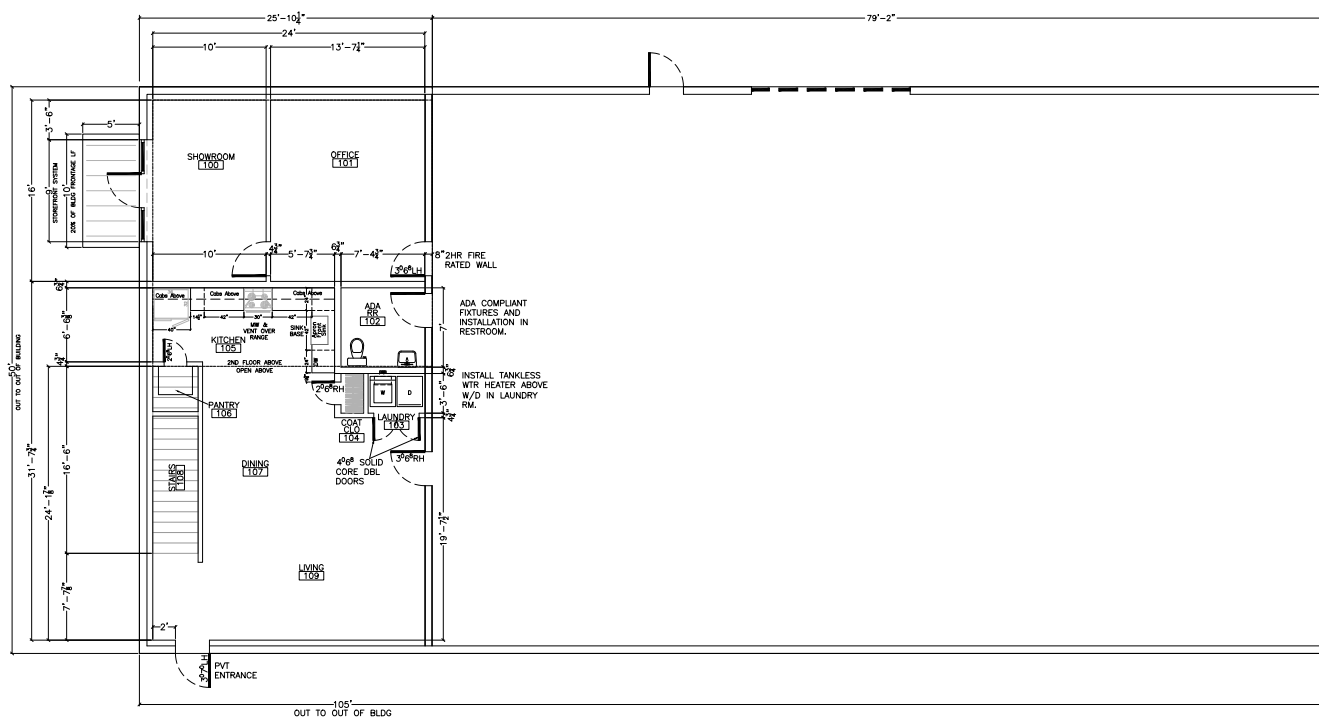






## SQUARE FOOTAGE SUMMARY

1st FLOOR	
1st FLOOR OFFICE/SHOWROOM	525 SF
1st FLOOR WAREHOUSE	3,957 SF
1st FLOOR LIVING SPACE	768 SF
TOTAL GROSS 1st FLOOR FOOTPRINT	5,250 SF
2nd FLOOR	
2nd FLOOR LIVING SPACE	576 SF
TOTAL 1st & 2nd GROSS SPACE	5,826 SF
TOTAL 1st FLOOR GROSS BUSN	4,482 SF



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

## SQUARE FOOTAGE SUMMARY

1st FLOOR	
1st FLOOR OFFICE/SHOWROOM	525 SF
1st FLOOR WAREHOUSE	3,957 SF
1st FLOOR LIVING SPACE	768 SF
TOTAL GROSS 1st FLOOR FOOTPRINT	5,250 SF
2nd FLOOR	
2nd FLOOR LIVING SPACE	576 SF
TOTAL 1st & 2nd GROSS SPACE	5,826 SF
TOTAL 1st FLOOR GROSS BUSN	4,482 SF

**BUILDING CODE ANALYSIS:**

SCOPE OF WORK: GROUND UP SITE AND BUILDING CONSTRUCTION OF A 3,250 SF FIRST FLOOR AND 576 SF MEZZANINE (TOTAL 3,826 SF) STRUCTURE LOCATED AT 25 STEEL ROAD (REGENCY BUSINESS PARK ADDITION PHASE ONE (OWB) BLOCK B, LOT 3).

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, COUNTY, STATE, OR FEDERAL LAW AND APPLICABLE CONSTRUCTION CODES AS CURRENTLY RECOGNIZED BY THE CITY OF WYLLIE, COLLIN COUNTY, TEXAS.

ARTICLES, SECTIONS, OR TABLES REFERRED TO HEREIN ARE TAKEN FROM CODES LISTED BELOW. CONSTRUCTION MUST COMPLY WITH:

- 2015 INTERNATIONAL BUILDING CODE (IBC)
- 2015 INTERNATIONAL MECHANICAL CODE (IMC)
- 2015 INTERNATIONAL PLUMBING CODE (IPC)
- 2015 INTERNATIONAL FIRE CODE (IFC)
- 2017 NATIONAL ELECTRIC CODE (NEC)
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- TEXAS ACCESSIBILITY STANDARDS
- CITY OF WYLLIE ORDINANCES AND AMENDMENTS

THIS PROPERTY IS ZONED: LIGHT INDUSTRIAL

PROPOSED USE: LIGHT ASSEMBLY & FABRICATION

BUILDING CONSTRUCTION TYPE: V-B (TABLE 601)

OCCUPANCY CLASSIFICATION: (SECT 302)

B - BUSINESS OFFICE (SECT 304)

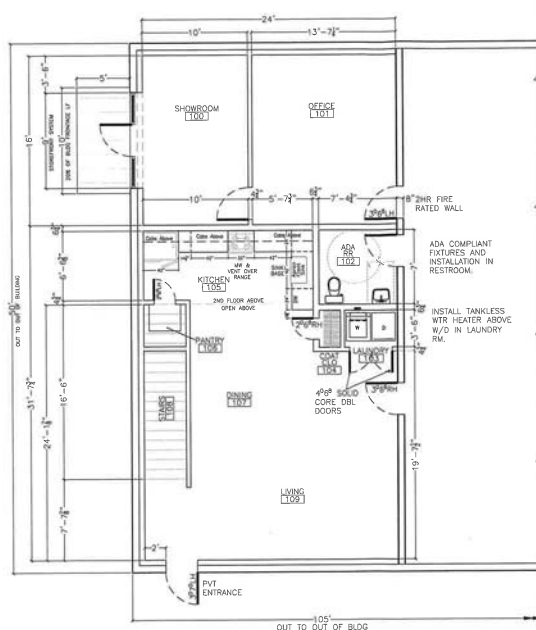
F1 - FACTORY (SECT 306)

S - STORAGE (SECT 311)

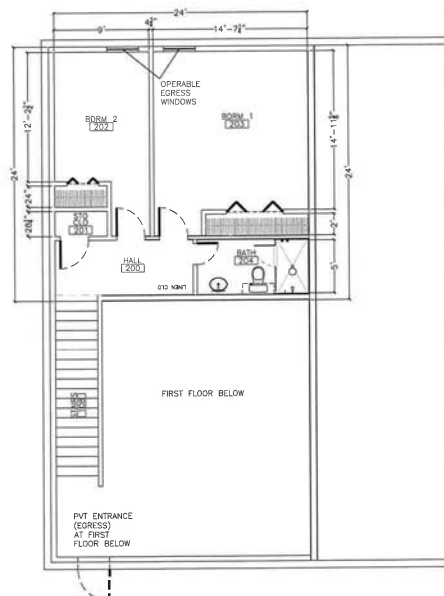
**ZONING NOTES:**

ARTICLE 5: USE REGULATIONS, PG 86, J. ACCESSORY USES, B, CARETAKERS QUARTERS/DOMESTIC OR SECURITY UNIT IS LISTED AS PERMITTED BY RIGHT UNDER BOTH LIGHT AND HEAVY INDUSTRIAL DISTRICTS.

CARETAKERS QUARTERS, DOMESTIC OR SECURITY UNIT (PG 124) DEFINITION: CARETAKERS QUARTERS, DOMESTIC OR SECURITY UNIT MEANS AN INDEPENDENT, SELF-CONTAINED DWELLING UNIT LOCATED ON THE SAME LOT AS THE PRINCIPAL USE OR STRUCTURE AND WHICH PROVIDES RESIDENTIAL ACCOMMODATIONS FOR A PROPERTY MANAGER OR SECURITY PERSONNEL.



**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**BETTER DESIGN RESOURCES**  
211-773-4440  
WWW.BETTERDESIGNRESOURCES.COM  
CONCEPT • DESIGN • CONSTRUCTION MANAGEMENT

CK METALCRAFT, LLC  
25 STEEL ROAD, CITY OF WYLLIE, COLLIN COUNTY, TEXAS 75098

DRAWING REV:  
FOR:  
CONCEPT  
DRAWN BY:  
Bryan D. Rogers  
DATE:  
04-19-2021

SHEET  
**A1**  
OF

# PROJECT DIRECTORY:

CLIENT:  
KEVIN D. POLEY / CK METALCRAFT LLC  
25 STEEL ROAD, WYLLIE, TX 75098  
PH: 972-979-9419

PROJECT DESIGN:  
BRYAN D. ROGERS, BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLLIE, TX 75098  
PH: 214-773-6480  
PH: 214-773-6480  
FAX: 972-429-0224

GENERAL CONTRACTOR:  
BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLLIE, TX 75098  
PH: 214-773-6480  
FAX: 972-429-0224

CK ENGINEERING  
7000 D. WINTERS, P.E.  
ENGINEERING CONCEPTS & DESIGN  
205 WINOCO DR., WYLLIE, TX 75098  
PH: 972-941-8400  
FAX: 972-941-8401

BOUNDARY SURVEY:  
MATTHEW BUSBY, R.P.L.S.  
BOUNDARY SOLUTIONS INC.  
P.O. BOX 250, CADDO MILLS, TX 75135  
PH: 972-782-8472  
FAX: 972-782-7611

M. F. P. ENGINEERING  
BLV. PATEL, P.E.  
B. PATEL ENGINEERING SERVICES  
804 BRIGHTON AVE., SOUTHLAKE, TX 76092  
PH: 972-777-7777  
KHURSHID A. CHIVHANI, P.E.  
M.D.U.P. ENGINEERS  
124 N. SPRING DR., RICHARDSON, TX 75080

STRUCTURAL ENGINEERING:  
IGOR TERPITSKY, P.E.  
NORTON DESIGNS  
4416 KELLER HICKS RD., FT. WORTH, TX 76244  
PH: 817-379-0868

Site Design Requirements		
Element	Base Standard (All development must comply fully with all listed below)	Desirable (Each development must select 4 of the 8 desirables listed below)
Building placement	1. Entrances and/or facades oriented to the street. 2. Building footprints no greater than 20,000 square feet in NS and CR Districts. 3. Multiple buildings placed to create plazas, courtyards, landscaped areas w/connecting walkways.	1. Building at the front yard line. 2. Individual buildings w/footprints = or < 10,000 square feet. 3. Front facade oriented to the street.
Parking placement	1. Parking spaces at least 10' from residential lot line.	1. Site plan with no more than 50% of parking in front of the building. 2. Building with no more than one row parking in front.
Access drives	1. Minimum width drive of 24'; turning radius of 25'. 2. Access drive at least 150' from intersection. 3. Access drives serving developments greater than 30,000 sq ft shall have separated median, or be separated at least 150' from each other. 4. Landscaped treatment of entrances	1. Combined access points with adjacent tracts. 2. Direct connection between buildings and street.
Location of service and loading areas	1. Service and loading areas shall not be visible from a public street or adjacent residential lot. 2. Developments unable to meet the above are required to have masonry screening walls w/gates.	1. Not visible from public street but provide masonry screening.

Landscaping Design Requirements		
Element	Base Standard (All development must comply fully with all listed below)	Desirable (Each development must select 4 of the 8 desirables listed below)
Landscaping in required yards	1. At least 20% of site shall be landscaped in NS, CR, CD, & BC Districts; 10% of site in CR & CD Districts for single buildings of 100,000 sq ft or more; 10% of site in U and H Districts. 2. Landscaping is required in the front yard. 3. Landscaping is required in side and rear yards adjacent to, or across the street from residential.	1. Landscaping that exceeds the minimum by 10%. 2. Landscaping in side and rear yard not otherwise required.
Landscaping of parking lots	1. Site plans requiring more than 12 spaces required to have 50 sq ft. of landscaping per space. 2. No parking space further than 80' from landscaped area on site. 3. Parking rows 12 spaces or longer shall have landscaped islands at end. 4. All parking rows shall have landscaped areas at least every 12 spaces.	1. Landscaping 10% or more in excess of 50 sq ft./space. 2. Parking lots with no space further than 40 feet from a landscaped area. 3. Landscaped pedestrian connection to main entrance.
Visual screening	1. Required screening in strip at least 5' wide, plants 3' in height when planted, include one flowering tree for every 20 linear feet of area. 2. At least 50% of required front yard developed as landscaped buffer, at least 10' in width. 3. Trees required in buffer, in groves or belts on a 30 - 40' spacing. 4. Required trees at least 3' in caliper. 5. At least 4" mounding concrete walkway on perimeter when adjacent to thoroughfare.	1. Use of rock walls or other natural landscape features; increase in minimum width of landscape buffer by 20%. 2. Provision of shade benches, pedestrian lighting other streetscape elements.

# GENERAL NOTES:

- ARTICLES, SECTIONS, OR TABLES REFERRED TO HEREIN ARE TAKEN FROM CODES LISTED BELOW. CONSTRUCTION MUST COMPLY WITH:
  - 2015 INTERNATIONAL BUILDING CODE (IBC)
  - 2015 INTERNATIONAL MECHANICAL CODE (IMC)
  - 2015 INTERNATIONAL PLUMBING CODE (IPC)
  - 2015 INTERNATIONAL FIRE CODE (IFC)
  - 2017 NATIONAL ELECTRIC CODE (NEC)
  - 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
  - TEXAS ACCESSIBILITY STANDARDS
  - CITY ORDINANCES AND AMENDMENTS
- NO APPURTENANCE BETWEEN THE HEIGHT OF 2' AND 9' MAY BE PLACED WITHIN THE VISIBILITY TRIANGLES.

# LANDSCAPE NOTES:

- LOT = 0.650 AC OR APX 28,314 SF  
LANDSCAPE REQUIRED 10% OR 2,831 SF  
LANDSCAPE AREA PROVIDED = 5,447 SF
- APX 23% LOT COVERAGE
- NO TREES LISTED ON THE CITY DESIRABLE SPECIES LIST CURRENTLY EXIST ON THE SITE.

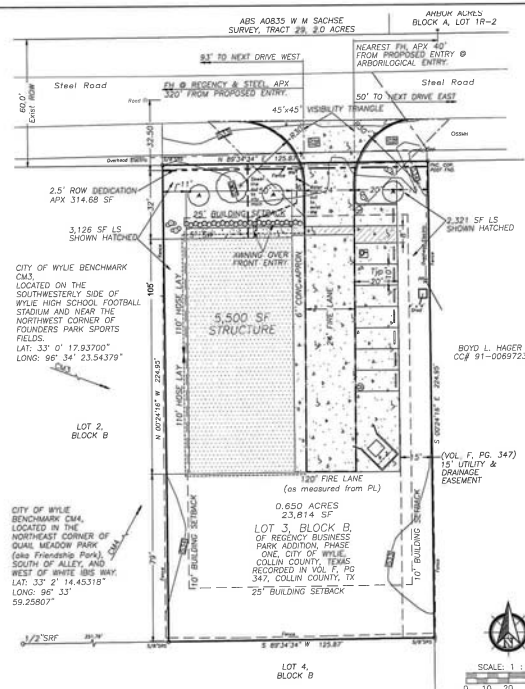
# SITE DATA SUMMARY:

SYNOPSIS:  
GROUND UP CONSTRUCTION OF A NEW 5,500 SF STRUCTURE, ASSOCIATED UTILITIES, PARKING, AND FIRE LANE, ON REGENCY BUSINESS PARK ADDITION PHASE ONE (COW) BLK. B, LOT 3 - LOCATED AT 25 STEEL ROAD, CITY OF WYLLIE, COLLIN COUNTY, TEXAS 75098.

CURRENTLY ZONED: LIGHT INDUSTRIAL (NO CHANGES)

PROPOSED USE: LIGHT ASSEMBLY AND FABRICATION

PARKING REQUIREMENTS:  
REQUIRED: 5,500 SF @ 1:1,000 = (5.5) 6  
PROVIDED: 8, INCLUDING 1 VAN ACCESSIBLE HC SPACE



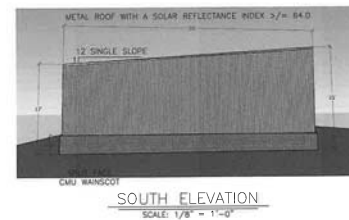
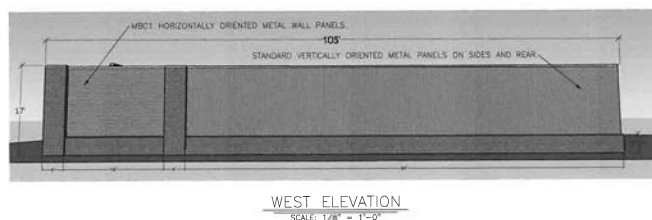
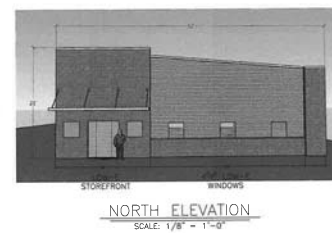
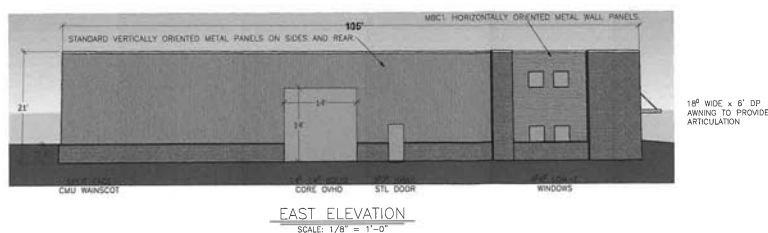
# SITE PLAN

SCALE: 1" = 20'

BETTER DESIGN RESOURCES  
BRYAN D. ROGERS, P.E.  
P.O. BOX 1454, WYLLIE, TX 75098  
PH: 214-773-6480  
FAX: 972-429-0224

CK METALCRAFT, LLC  
25 STEEL ROAD, CITY OF WYLLIE, COLLIN COUNTY, TEXAS 75098

DRAWING REV:  
FOR:  
CONSTRUCTION  
DRAWN BY:  
Bryce D. Rogers  
DATE:  
01-29-2021  
SHEET:  
C1  
OF



# GENERAL NOTES:

1. ARTICLES, SECTIONS, OR TABLES REFERRED TO HEREIN ARE TAKEN FROM CODES LISTED BELOW. CONSTRUCTION MUST COMPLY WITH:  
2015 INTERNATIONAL BUILDING CODE (IBC)  
2015 INTERNATIONAL MECHANICAL CODE (IMC)  
2015 INTERNATIONAL PLUMBING CODE (IPC)  
2015 INTERNATIONAL FIRE CODE (IFC)  
2017 NATIONAL ELECTRIC CODE (NEC)  
2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)  
TEXAS ACCESSIBILITY STANDARDS  
CITY ORDINANCES AND AMENDMENTS

# Architectural Design Requirements

Element	Base Standard (All development must comply fully with all listed below)	Desirable (Each development must select 3 of the 6 desirables listed below)
Building materials	<ol style="list-style-type: none"> <li>Buildings constructed of a masonry product with at least 20% stone on front facade in NS, CR, CC, BG, U and H Districts. Tilt wall construction is permissible in LI and H Districts.</li> <li>Roofs with pitch greater than 2:12 use specified roofing materials.</li> <li>Buildings should copy architectural styles and details, design themes, building materials, and colors of the surrounding new development context w/in 200 ft of a corner.</li> </ol>	<ol style="list-style-type: none"> <li>Use of two complementary primary facade materials to help achieve facade articulation, visual variety and/or architectural detailing.</li> <li>Copy same style entire block.</li> </ol>
Building articulation, form and massing	<ol style="list-style-type: none"> <li>Walls not exceed height width ratio of 1 to 2 without variation in massing of facade. At least 25% of facade offset at least 4'.</li> <li>Entrances must be emphasized with architectural elements.</li> <li>Ground floor facades in NS, CR, &amp; CC Districts required specified features along 60% of length.</li> </ol>	<ol style="list-style-type: none"> <li>Application of base standards to facades not facing a public street.</li> <li>Use of Architectural detailing and/or materials to provide variety in visual appearance.</li> </ol>
Architectural compatibility	<ol style="list-style-type: none"> <li>Buildings in the NS and CR Districts shall be architecturally compatible with surrounding neighborhoods.</li> <li>Buildings in CC &amp; BG Districts adjacent or within 200' of residential areas shall be architecturally compatible.</li> </ol>	<ol style="list-style-type: none"> <li>Buildings with pitch roofs meeting minimum requirement of residential development.</li> <li>Buildings with hip roof sections, dormers or two or more gable roof sections at right angles to each other.</li> </ol>

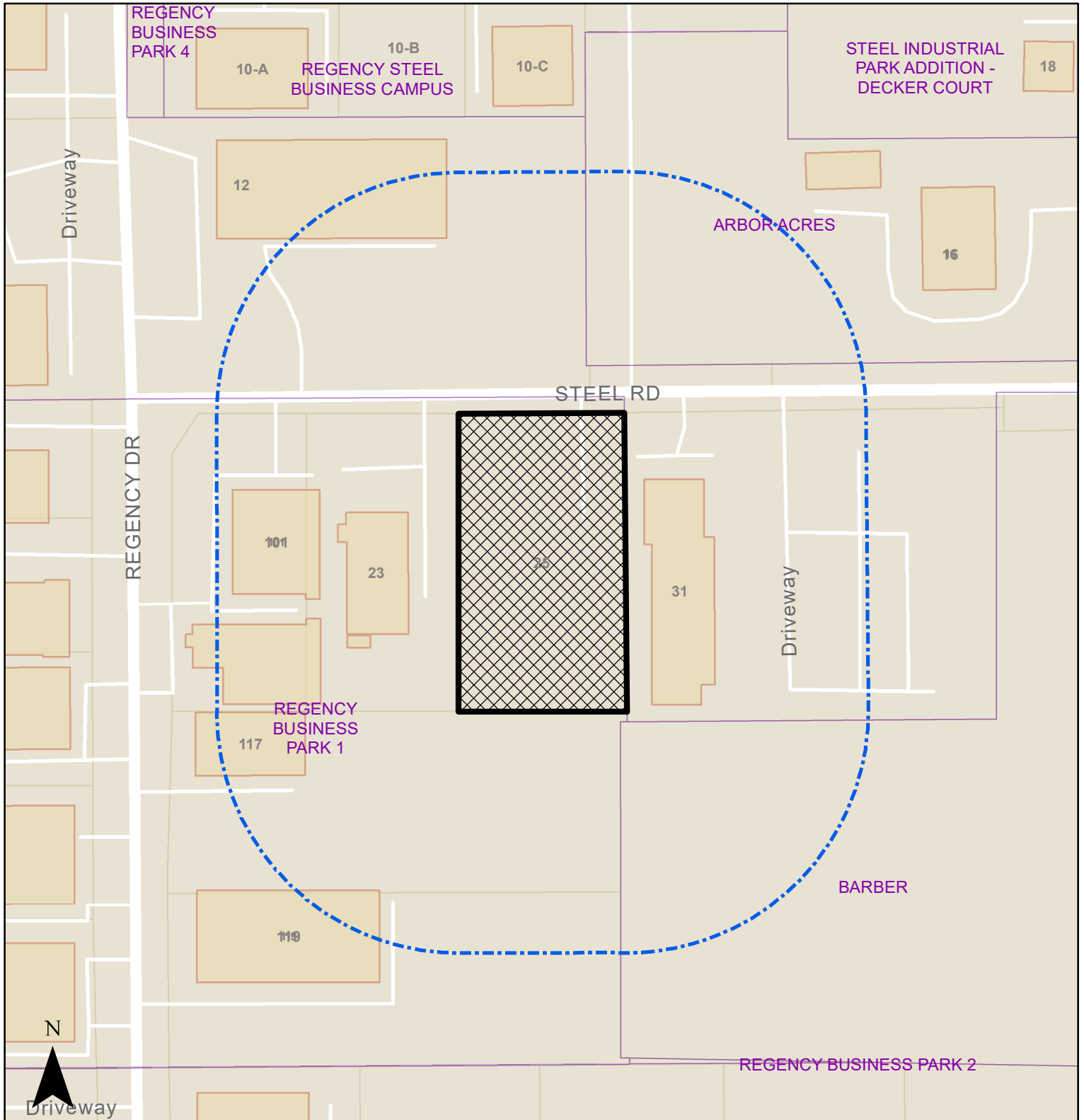
**BETTER DESIGN RESOURCES**  
214-773-4440  
WWW.BETTERDESIGNRESOURCES.COM  
CONCEPT • DESIGN • CONSTRUCTION MANAGEMENT

CK METALCRAFT, LLC  
25 STEEL ROAD, CITY OF WYLLIE, COLLIN COUNTY, TEXAS 75098


DRAWING REV.  
FOR:  
CONSTRUCTION  
DRAWN BY:  
Bryan D. Rogers  
DATE:  
01-18-2021  
SHEET  
A1  
OF

# Notification Map

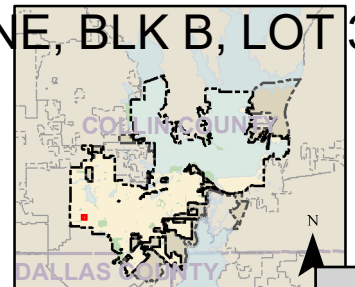
07/19/2021 Item 3.



## REGENCY BUSINESS PARK ADDITION PHASE ONE, BLK B, LOT 3

 200 Foot Notifcation Buffer  Subject Property

0 55 110 220 330 440 Feet



**PUBLIC COMMENT FORM***(Please type or use black ink)*

Planning Department  
 300 Country Club Road  
 Building 100  
 Wylie, Texas 75098

☐ I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-07.



☒ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-07.

Date, Location & Time of  
 Planning & Zoning  
 Commission meeting:

Monday, May 17, 2021 at 6:30 pm  
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Boyd L. Hager Property Owned  
(please print)  
 Address: 556 Private Dr. 252 31 Steel Road  
Chesapeake, OH 45619 Wylie, TX 75098  
 Signature: B. L. Hager Prop. ID:  
May 10, 2021 1684074

**COMMENTS:**

The introduction of temporary buildings leads to a lack of control and associated reduction of the value of the properties that are around it. Therefore, I am against the change in zoning.





# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	<u>July 19, 2021</u>	<b>Item Number:</b>	<u>4</u>
<b>Department:</b>	<u>Planning</u>	<b>Case Number:</b>	<u>2021-08</u>
<b>Prepared By:</b>	<u>Kevin Molina</u>	<b>Project Location:</b>	<u>2924 Montague Trail</u>
<b>Date Prepared:</b>	<u>May 27, 2021</u>	<b>Subdivision Name:</b>	<u>Cimarron Estates</u>
		<b>Exhibits:</b>	<u>Locator Map, Survey, Elevation, Notification Map, Comments</u>

### Subject

Hold a Public Hearing to consider and act upon a request by Devin Runwicz for a variance to Section 2.5 of the Zoning Ordinance to allow for reduced rear setbacks, reduced roof slope, an increased maximum height, and increased lot coverage of an accessory structure. Property located at 2924 Montague Trail. **ZBA 2021-08**

### Discussion

**Applicant: Devin Runewicz**

**Owner: Devin Runewicz**

The subject property is located at 2924 Montague Trail and is currently zoned Single Family 10/24 (SF 10/24).

The applicant is requesting variances to allow for the placement of a 750 sq.ft. detached garage with reduced rear setbacks of 5' in lieu of 10', an increased maximum height allowance of 18' in lieu of 15', a minimum roof slope of 2:12 in lieu of 3:12 and an increased lot coverage of 9% in lieu of 5%.

Lot coverage, setbacks, and height limits on accessory structures are requirements designed to allow for household storage while protecting open space and neighborhood aesthetics.

The applicant is planning on installing a lift in the garage for the storage of classic cars.

Public comment forms were mailed to twenty-seven (27) property owners within 200 feet of this request, as required by State Law. At the time of posting two comment forms were returned in opposition and none in favor 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.

**Approved By****Department Director***Initial*

JH

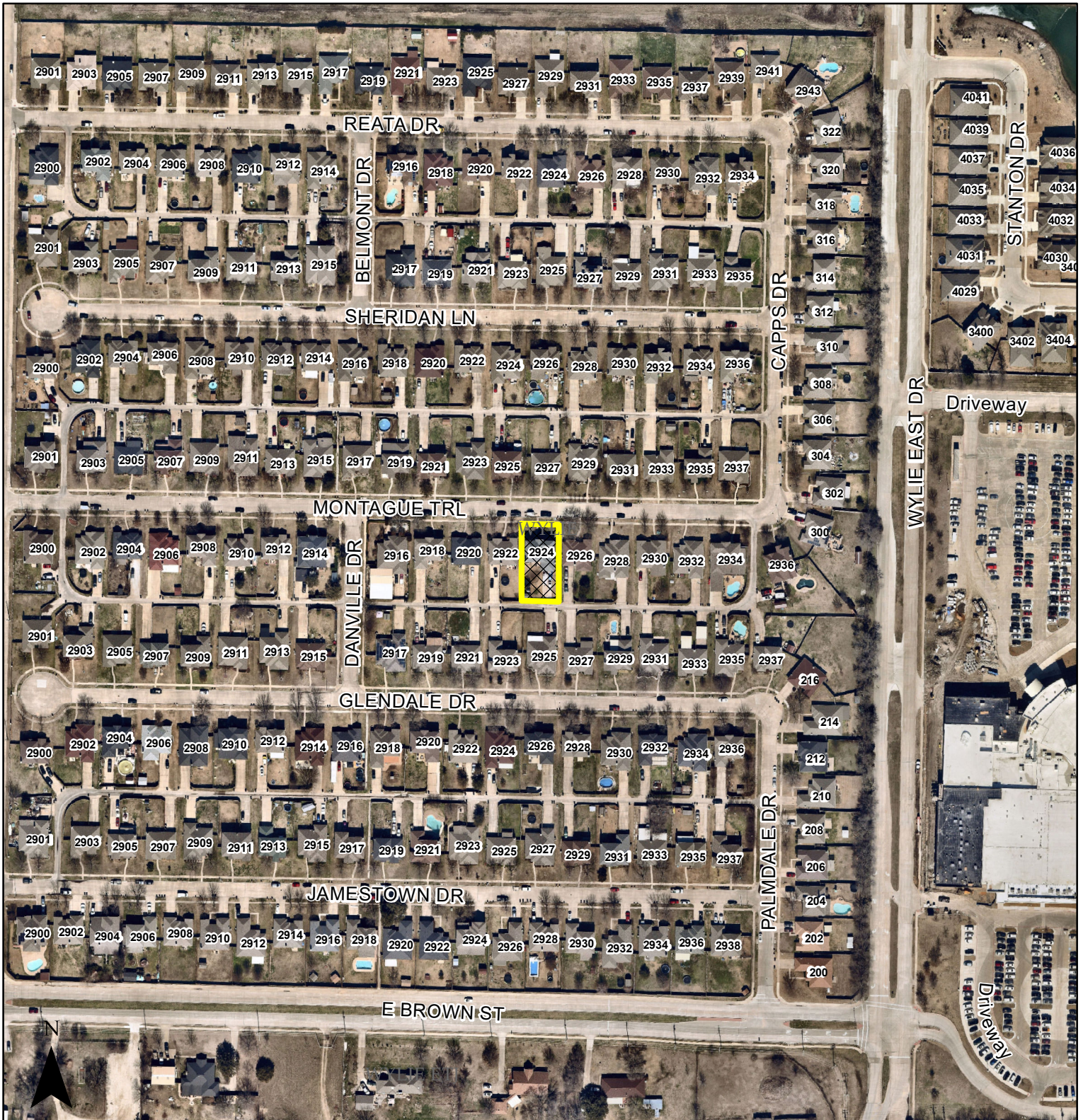
*Date*

June 3, 2021



# Locator Map

07/19/2021 Item 4.

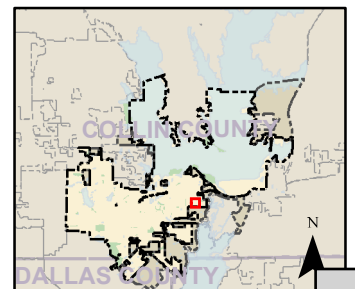


Cimarron Estates Phase II, Block A, Lot 41



Subject Property

0 115 230 460 690 920 Feet





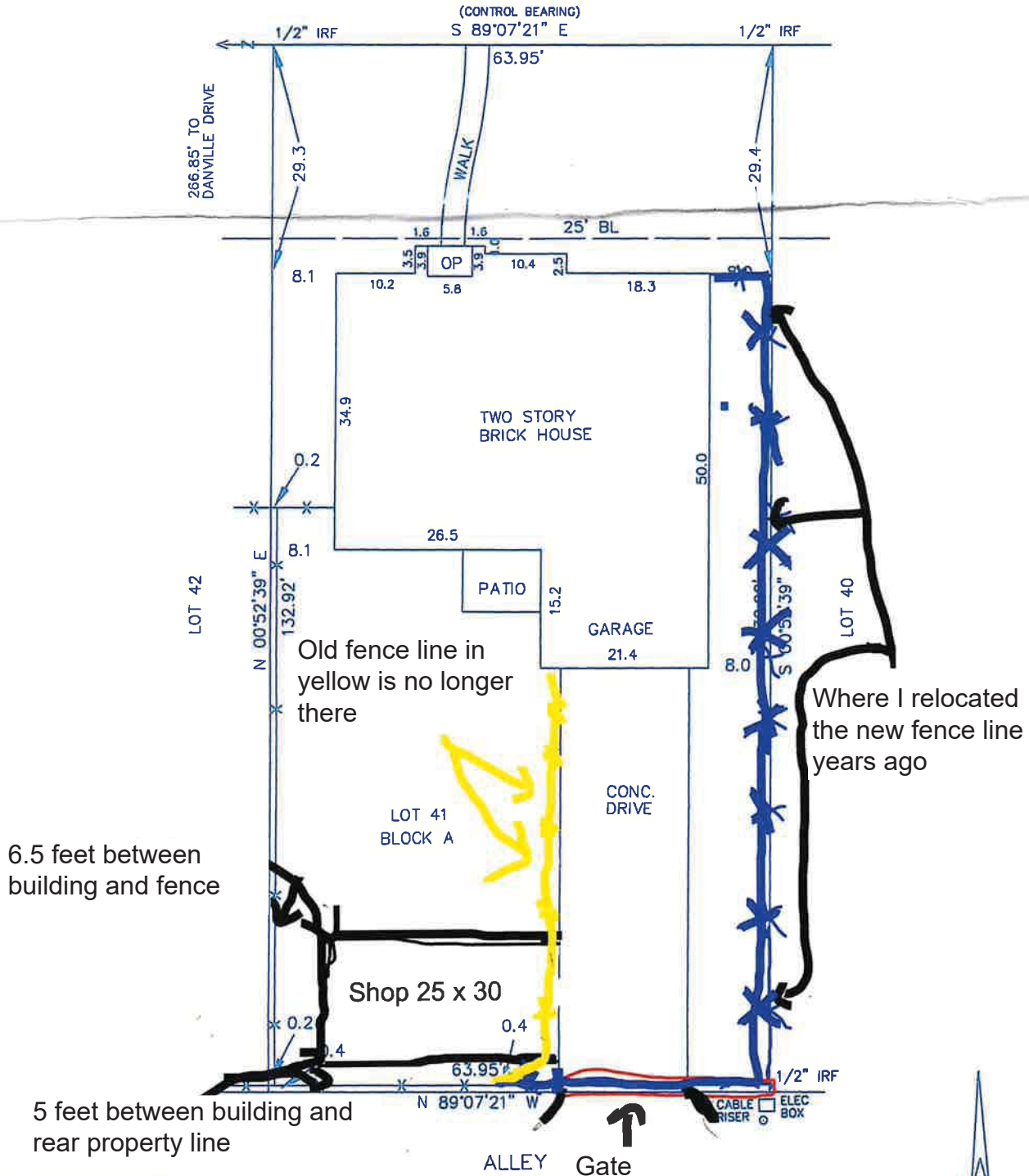
# PLAT SHOWING

07/19/2021 Item 4.

Lot 41, Block A, of CIMARRON ESTATES PHASE II, an Addition to the City of Wylie, Collin County, Texas, according to the plat thereof as recorded in Volume 0, Page 362 of the Plat Records, Collin County, Texas.

2924 MONTAGUE TRAIL

2924 MONTAGUE TRAIL  
50' R.O.W.



"FLOOD CERTIFICATION"  
Subject property is located in Zone X according to the Flood Insurance Rate Map Community Panel Map # 48085C0470 G and Map # 48085C0500 G Dated: January 19, 1996

View: Custom  
Scene: East Texas



BUILDING SIZE ▶

OVERHANGS ▶

LEAN-TO ▶

DOORS AND WINDOWS ▶

WAINSCOT ▶

GUTTER ▶

RIDGE VENT ▶

COLOR SELECTIONS ▼

Wall: Rustic Brown  
Roof: Charcoal  
Trim: Charcoal  
Rollup: Saddle Leather ...

*next step >>*

INSULATION ▶

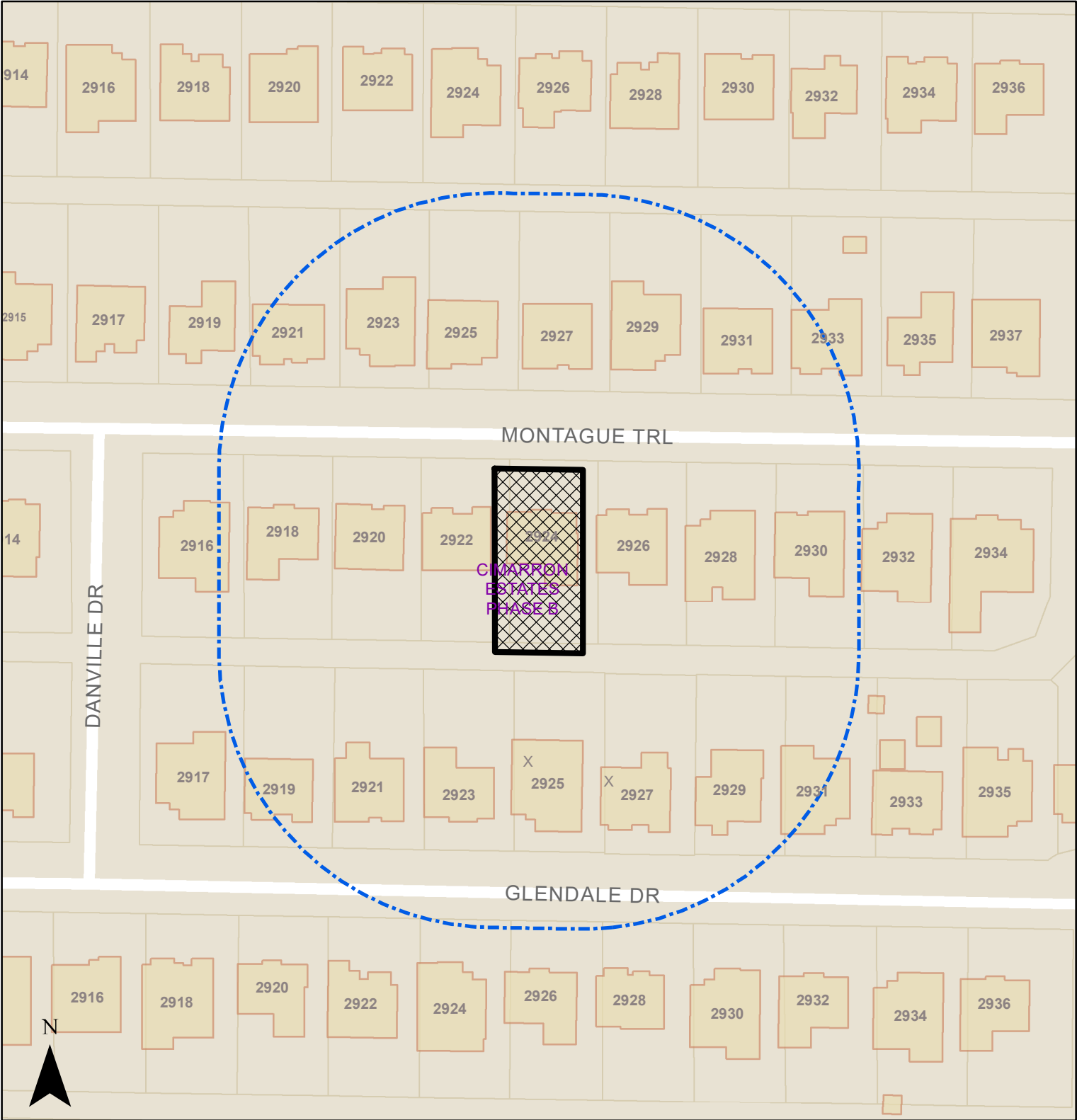
TRANSLUCENT PANELS ▶

8' WALL LINER PANELS ▶


GET A QUOTE ▶

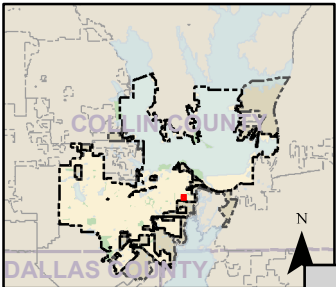
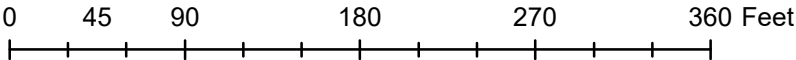


# Notification Map



## Cimarron Estates Phase II, Block A, Lot 41

 200 Foot Notifcation Buffer  Subject Property



**PUBLIC COMMENT FORM***(Please type or use black ink)*

Planning Department  
 300 Country Club Road  
 Building 100  
 Wylie, Texas 75098

\_\_\_\_\_ I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-08.

✓ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-08.

Date, Location & Time of  
 Planning & Zoning  
 Commission meeting:

Monday, June 07, 2021 at 6:30 pm  
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Paulette Goss  
 (please print)

Address: 2927 Glendale Dr  
Wylie, Tx 75098

Signature: Paulette Goss

Date: 5/24/21

**COMMENTS:**

The building is too large and too high. I feel it will effect  
the value of my property.

**PUBLIC COMMENT FORM***(Please type or use black ink)*

Planning Department  
300 Country Club Road  
Building 100  
Wylie, Texas 75098

☐ I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-08.

☒ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-08.

Date, Location & Time of  
Planning & Zoning  
Commission meeting:

Monday, June 07, 2021 at 6:30 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: ELIZABETH ELLINGSON  
(please print)

Address: 2925 GLENDALE DR  
WYLIE, TX 75098

Signature: Elizabeth Ellingson

Date: 6-7-21

**COMMENTS:**

---

---

---

---

---

---

---

---





# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	July 19, 2021	<b>Item Number:</b>	5
<b>Department:</b>	Planning	<b>Case Number:</b>	2021-09
<b>Prepared By:</b>	Kevin Molina	<b>Project Location:</b>	112 S Ballard
<b>Date Prepared:</b>	July 12, 2021	<b>Subdivision Name:</b>	Olde City Park Addition
		<b>Exhibits:</b>	Locator Map, Site Plan, Elevation, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Robert Diaz for a variance to Section 6.3.E.6 of the Zoning Ordinance to allow for an increased size of a monument size for the Downtown Historic District. Property located at 112 S Ballard. **ZBA 2021-09**

### Discussion

**Applicant: Robert Diaz**

**Owner: City of Wylie**

The subject property is located at 112 S Ballard and is currently zoned Downtown Historic District (DTH).

The applicant is requesting a variance to allow for the placement of an electronic sign that measures a max of 15' in width and 11' in height, being a total square footage of 165 sq.ft.. The Downtown Historic District regulations found in Section 6.3.E.6 of the Zoning Ordinance does not specifically allow for monuments signs to be placed within the district boundaries.

A unique circumstance may be apparent as the proposed sign is replacing an existing rod iron sign with more modern signage capabilities that will help broadcast events within the Downtown Historic District.

A sign of similar size was approved by the Zoning Board of Adjustments in May of 2020 and is now in use in front of the Public Safety Building on Highway 78.

Public comment forms were mailed to twenty-six (26) 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 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.

<b>Approved By</b>	<i>Initial</i> JH	<i>Date</i> July 15, 2021
<b>Department Director</b>	_____	_____



# Locator Map

07/19/2021 Item 5.

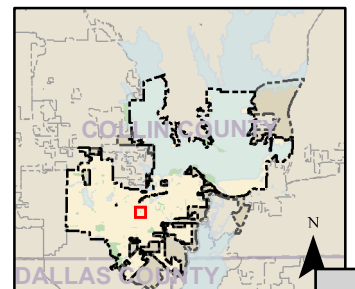


ZBA 2021-09; 112 S Ballard

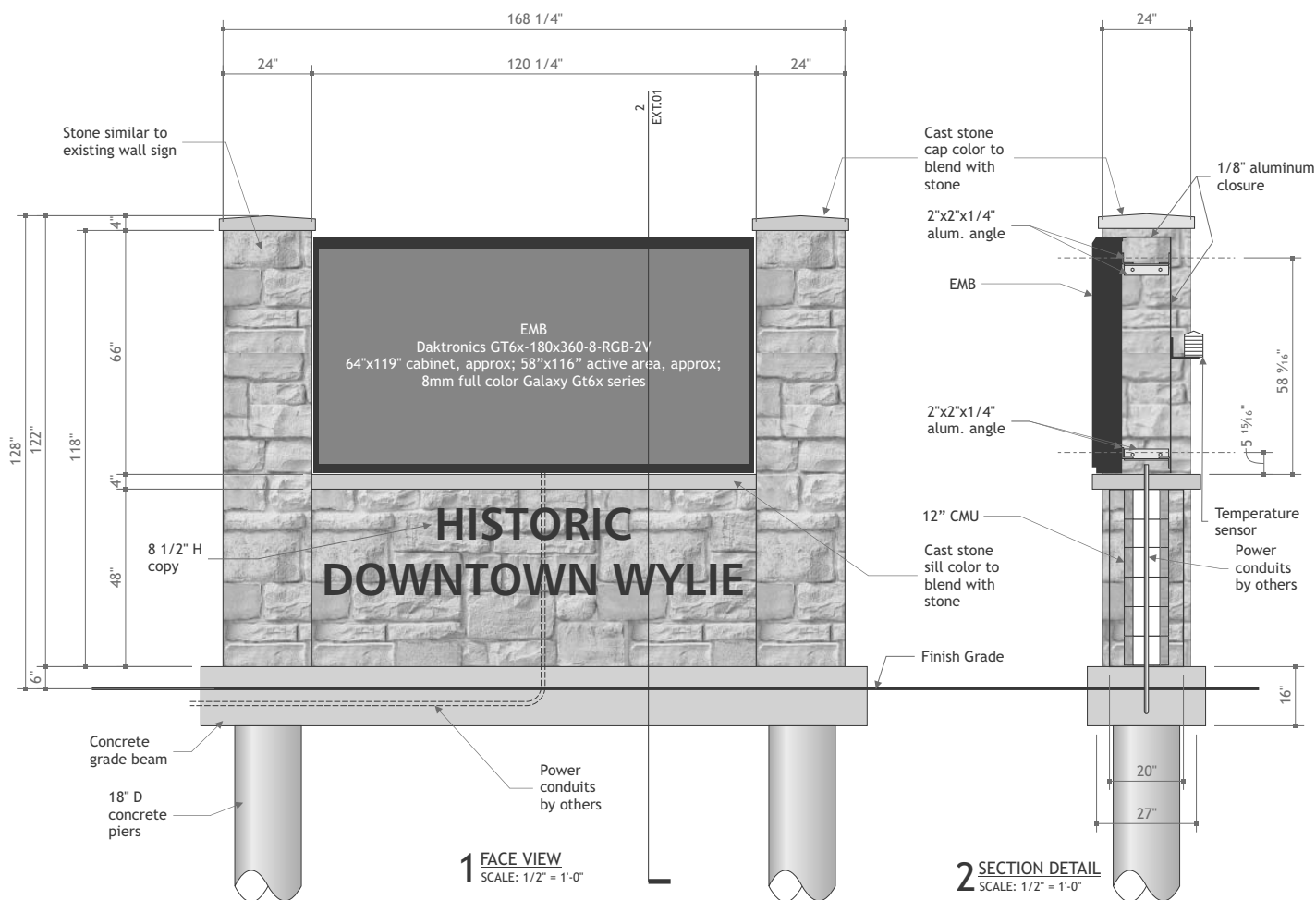


Subject Property

0 140 280 560 840 1,120 Feet







### Casteel Sign

11106 Morrison Lane  
Dallas, TX 75229  
T 214.352.7446 F 214.352.7448  
www.casteelsign.com

Olde City Park  
5 Ballard Avenue at 5H & 7B  
Wylie, Texas

Project No.:

Olde City Park Marquee in  
Masonry Monument

#### Specifications

- Electrical load:  
120VAC;  
Line 1 15.38 Amps,  
Line 2 11.09 Amps
- Fontstyle:  
Humnst777 BT Bold

90 sf

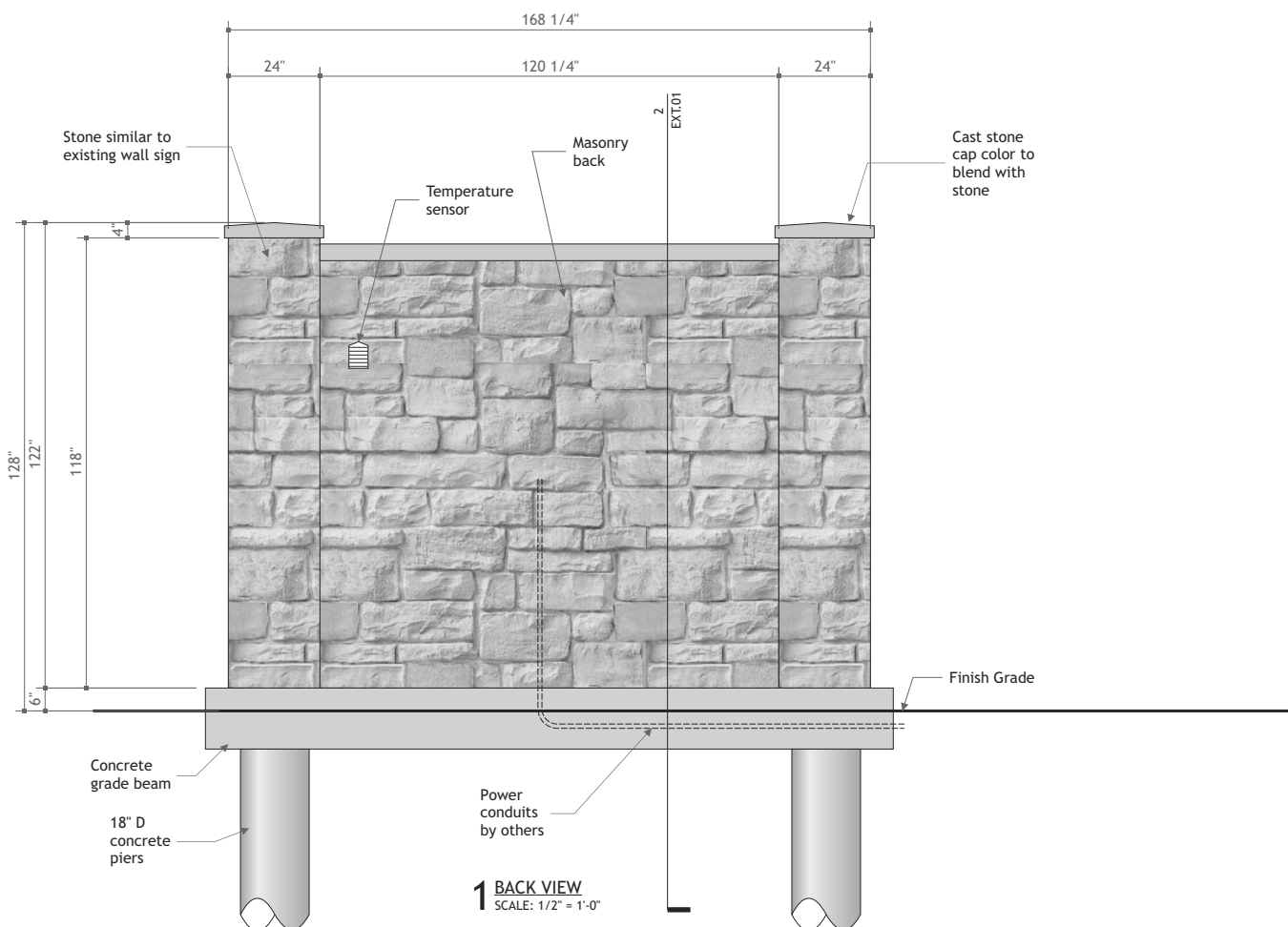
Sign Type A.1

Date 05.26.2021

Scale See Drawing

ALL IDEAL, PLANS, AND ELECTRONIC  
ART INDICATED ON THIS DRAWING ARE  
COPYRIGHTED AND OWNED BY  
CASTEEL & ASSOCIATES, INC. AND  
SHALL NOT BE REPRODUCED, USED  
BY OR DISCLOSED TO ANY PERSONS,  
FIRM OR CORPORATION FOR ANY  
PURPOSE WHATSOEVER WITHOUT  
PERMISSION OF  
CASTEEL & ASSOCIATES, INC.

EXT.01



# Casteel Sign

11106 Morrison Lane  
Dallas, TX 75229  
T 214.352.7446 F 214.352.7448  
www.casteelsign.com

Olde City Park  
5 Ballard Avenue at 5H & 78  
Wylie, Texas

Project No.:

Waxahachie Existing HS  
Marquee in Masonry  
Monument

## Specifications

Sign Type A.1

Date 05.26.2021

Scale See Drawing

ALL IDEAL, PLANS, AND ELECTRONIC  
ART INDICATED ON THIS DRAWING ARE  
COPYRIGHTED AND OWNED BY  
CASTEEL & ASSOCIATES, INC. AND  
SHALL NOT BE REPRODUCED, USED  
BY OR DISCLOSED TO ANY PERSONS,  
FIRM OR CORPORATION FOR ANY  
PURPOSE WHATSOEVER WITHOUT  
PERMISSION OF  
CASTEEL & ASSOCIATES, INC.

EXT.04



GRAPHIC SCALE IN FEET  
0 15 30 60

**NOTES**

1. THESE ARE PRELIMINARY. CONSULT LOCAL AND STATE DATA AND RECORDS FOR ALL UTILITIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR TO COORDINATE WITH UTILITY OWNERS AND PROVIDE POWER TO ELECTRONIC MONUMENT SIGN.
3. THE SIGN SHALL BE LOCATED OUTSIDE OF PROPERTY LINES AND NOT IN ANY RIGHT-OF-WAY OR EASEMENT.
4. CONTRACTOR TO COORDINATE WITH CITY OF WYLLIE DESIGN OF SIGNAGE AND NOT TO CONFLICT WITH THE EXISTING SIGNAGE.
5. ALL DISTURBED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER.
6. CONTRACTOR TO USE CAUTION WHEN DRIVING THROUGH PROJECT AREA FOR SIGN SPECIFICATIONS.
7. ALL DISTURBED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER.
8. SIGN SHALL BE PROVIDED BY ALL ENGINEERING DESIGN IN SUBMITTAL.

**LEGEND**

EXISTING RIGHT OF WAY LINE	---
EXISTING LINE OF SIGHT	---
PROPOSED LANDSCAPE BUFFER	---
APPROX. LOCATION OF EX. SIGN (NOT TO SCALE)	---
PROPOSED SIGN	---
PROPOSED POWER POLE / ELECTRICAL SIGNAL POLE	---

Know what's below.  
Call before you dig.

KNOWN UTILITIES LOCATED BY XRAYMAP NOT 811

WARNING: UNDERGROUND UTILITIES IN THE AREA CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES DUE TO DAMAGE INCURRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.

**Kimley»Horn**

300 EAST CHASE STREET, SUITE 200  
DALLAS, TEXAS 75201  
WWW.KIMLEYHORN.COM

BRITANNY D. SHAW  
130535  
06/03/2021

PROJECT NO.	21-0001
DATE	06/03/2021
DRAWN BY	BS & BW
CHECKED BY	BS
DESIGNED BY	BS
IN CHARGE	BS

**OLDE CITY PARK  
WYLLIE, TEXAS  
ELECTRONIC MONUMENT SIGN  
PREPARED FOR  
CITY OF WYLLIE**

**SITE PLAN**

SHEET NUMBER  
**C-101**

## PLANTING NOTES:

1. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE DRAWINGS.
3. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AND MUST BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED.
4. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF SOBS FROM TO PLANTING IN ALL AREAS.
5. FINAL FINE GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION PRIOR TO PLANTING.
6. ALL PLANT QUANTITIES LISTED ARE FOR INFORMATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED IN THE PLANT SCHEDULE AND CORRESPONDING QUANTITIES.
7. LANDSCAPE CONTRACTOR TO PROVIDE STEEL EDGING BE TRENCH ALL PLANTING BEDS AND LAWN AREAS.
8. ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS AND SIZES SHOWN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE.
9. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
10. ALL NEW PLANTING AREAS TO BE ABANDONED PER SPECIFICATIONS.
11. ANY PLANT MATERIAL THAT DOES NOT SURVIVE SHALL BE REPLACED WITH AN EQUIVALENT SIZE AND SPECIES WITHIN THIRTY (30) DAYS.
12. PLANT MATERIAL SHALL BE FREE OF TRUNK, WEED, DISEASE, AND DEAD PLANT MATERIAL.
13. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRUNK, WEED, DISEASE, AND DEAD PLANT MATERIAL.
14. ALL LIVE EXISTING SOILS & BERMUDA GRASS SHALL BE REMOVED FROM PLANTING AREAS TO A DEPTH OF 2" & REPLACED WITH ORGANIC IMPORTED TOPSOIL FILL.
15. ALL DESTROYED AREAS OUTSIDE OF PLANTING ZONE TO BE REPLACED WITH BERMUDA GRASS PER SPECIFICATIONS.
16. CONTRACTOR TO PROVIDE 18 MONTH MAINTENANCE AFTER ALL CONTRACTORS IS COMPLETE.

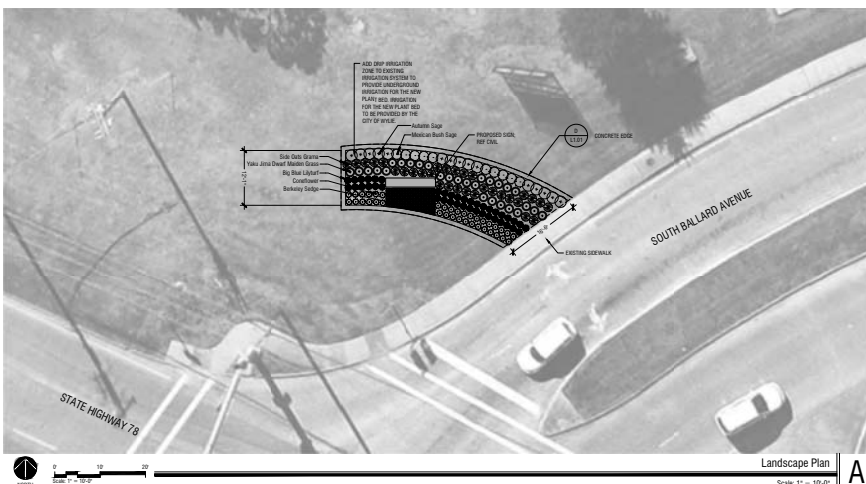
## IRRIGATION NOTES:

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS, WITH SPACING FOR STREETS AND WALKS AS PROVIDED.
2. IRRIGATION SYSTEMS SHALL BE MAINTAINED AND REPLACED AS NECESSARY.
3. ALL PLANTING AREAS TO BE FULLY IRRIGATED.
4. IRRIGATION SYSTEM TO HAVE A FULLY AUTOMATED CONTROL SYSTEM.
5. ANY EXISTING PLANTING DAMAGED DURING CONSTRUCTION TO BE REPLACED AT NO COST TO THE OWNER.

## PLANT SCHEDULE

SHRUBS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	REMARKS
☉	Autumn Sage / <i>Salvia greggii</i>	3 gal	12" h X 18" w	24" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
☼	Big Blue Lihufu / <i>Liriope muscari</i> 'Big Blue'	1 gal	18" h X 12" w	18" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
☼	Coneflower / <i>Echinacea purpurea</i>	1 gal	18" h X 12" w	18" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
☼	Mexican Bush Sage / <i>Salvia leucantha</i>	3 gal	18" h X 18" w	24" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
☼	Side Oats Grama / <i>Bouteloua curtipendula</i>	3 gal	18" h X 18" w	24" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
☉	Yaku Jima Dwarf Maiden Grass / <i>Miscanthus sinensis</i> 'Yaku Jima'	3 gal	18" h X 18" w	24" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED

GROUND COVERS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	REMARKS
☼	Berkeley Sedge / <i>Carex divulsa</i>	1 gal	6" h X 12" w	12" o.c.	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED

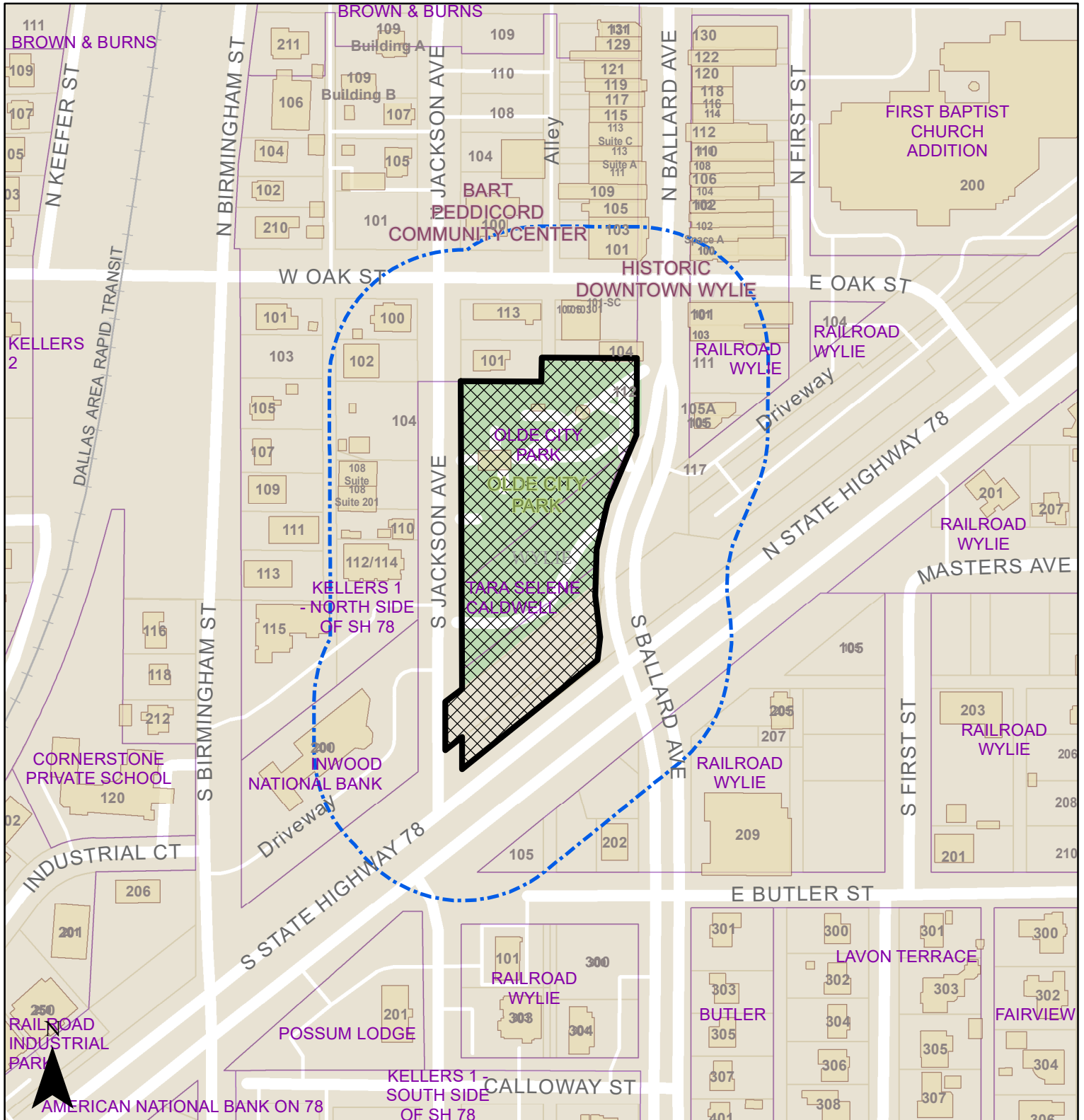
Landscape Plan  
Scale: 1" = 10'-0"

A

DATE	BY
REVISIONS	
NO.	
© 2019 KIMLEY-HORN AND ASSOCIATES, INC. 3810 EAST 15TH AVENUE, SUITE 100 DENVER, CO 80202 WWW.KIMLEY-HORN.COM TEL: 303.733.8888	
PREPARED BY: J.A.S. CHECKED BY: J.A.S. DATE: 09/01/2020	SHEET NUMBER: L1.00

# Notification Map

07/19/2021 Item 5.



ZBA 2021-09; 112 S Ballard

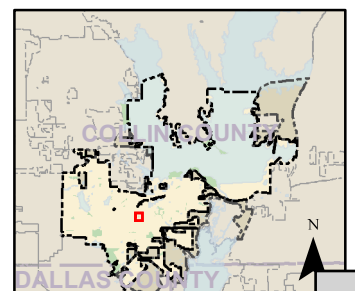


200 Foot Notification Buffer



Subject Property

0 100 200 400 600 800 Feet





**PUBLIC COMMENT FORM***(Please type or use black ink)*

Planning Department  
300 Country Club Road  
Building 100  
Wylie, Texas 75098



I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-09.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-09.

Date, Location & Time of  
Planning & Zoning  
Commission meeting:

Monday, July 19, 2021 at 6:30 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: TCM PARTNERS LP  
(please print)

Address: 113 W. OAK ST (P.O. Bx 1300)  
WYLIE, TEXAS 75098

Signature: Dan C. Myer

Date: JUNE 29, 2021

**COMMENTS:**

---

---

---

---

---

---

---

---

---

---



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	<u>July 19, 2021</u>	<b>Item Number:</b>	<u>6</u>
<b>Department:</b>	<u>Planning</u>	<b>Case Number:</b>	<u>2021-10</u>
<b>Prepared By:</b>	<u>Kevin Molina</u>	<b>Project Location:</b>	<u>1451 Park Blvd</u>
<b>Date Prepared:</b>	<u>July 12, 2021</u>	<b>Subdivision Name:</b>	<u>Bear Foot Lodge Addition</u>
		<b>Exhibits:</b>	<u>Locator Map, Survey, Elevation, Notification Map, Comments</u>

### Subject

Hold a Public Hearing to consider and act upon a request by Marquis Ellis for a variance to Section 5.5.A of the Zoning Ordinance to allow for an extension to the time frame allowed for 2 temporary buildings. Property located at 1451 Park Blvd. **ZBA 2021-10**

### Discussion

**Applicant: Marquis Ellis**

**Owner: Watkins Family Trust**

The subject property is located at 1451 Park Blvd and is currently zoned in the Birmingham Farms Planned Development 2002-39

The applicant is requesting a variance to allow for a 60 day extension to the time allowed for two temporary buildings. Each building contains 2 temporary classrooms for the Bearfoot Lodge Private School. A temporary use permit is typically allowed for a time of 90 days. The extension would increase the time to 150 days.

A unique circumstance may be apparent as the private school is requesting additional time for the temporary buildings due to repairs on the main building from the February 2021 winter freezing storm not being completed.

Public comment forms were mailed to sixteen (16) property owners within 200 feet of this request, as required by State Law. At the time of posting no comment forms were returned in favor or 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.

**Approved By****Department Director***Initial*  
JH*Date*  
July 15, 2021



# Locator Map

07/19/2021 Item 6.

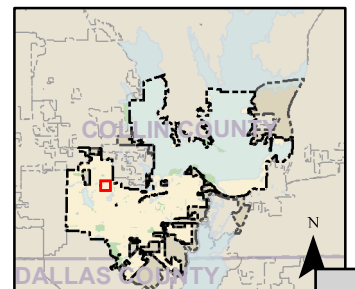


ZBA 2021-10; Bear Foot Lodge; 1451 Park Blvd



Subject Property

0 130 260 520 780 1,040 Feet





Building #2  
24' X 64'

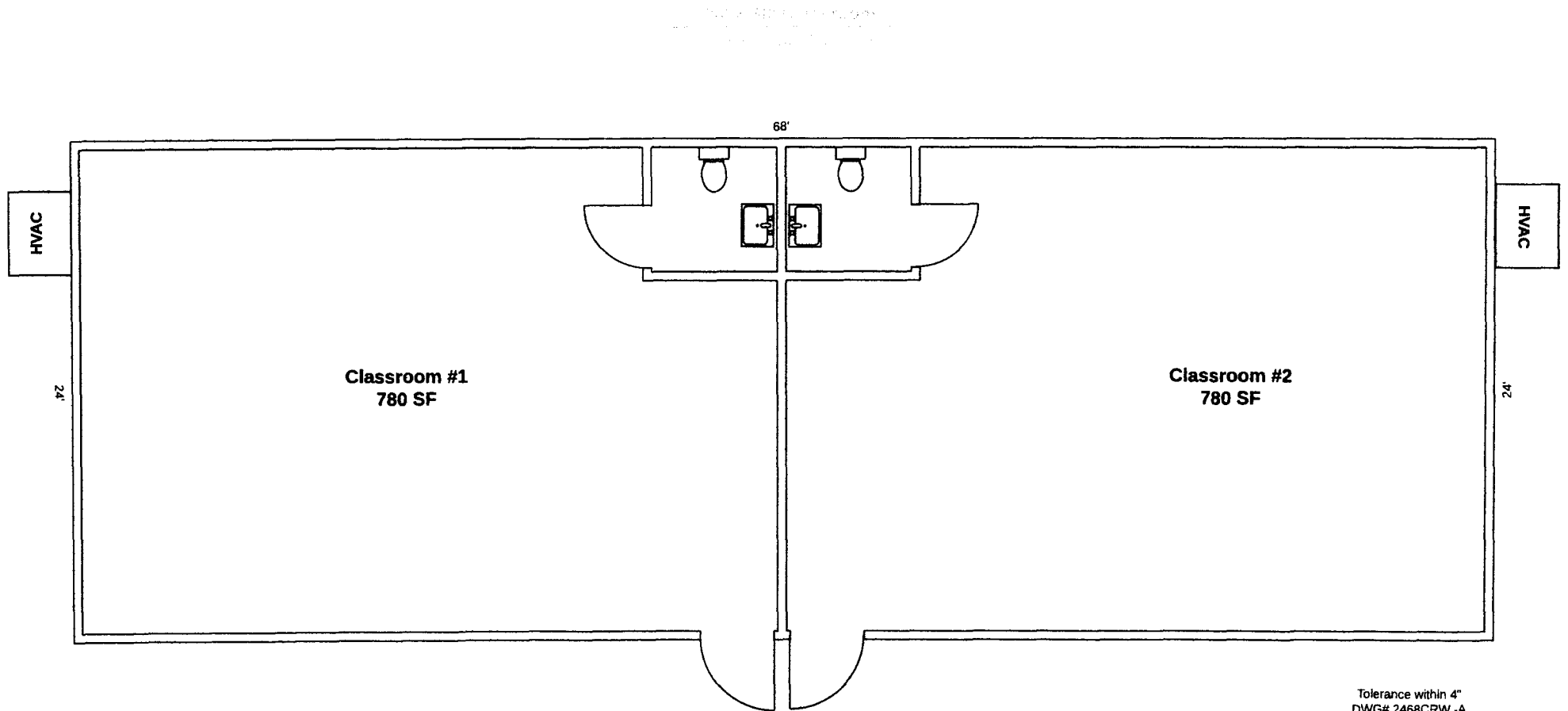
Proposed  
Location Of  
Temporary Meter  
Install By ONCOR

Building #1  
40' X 70'



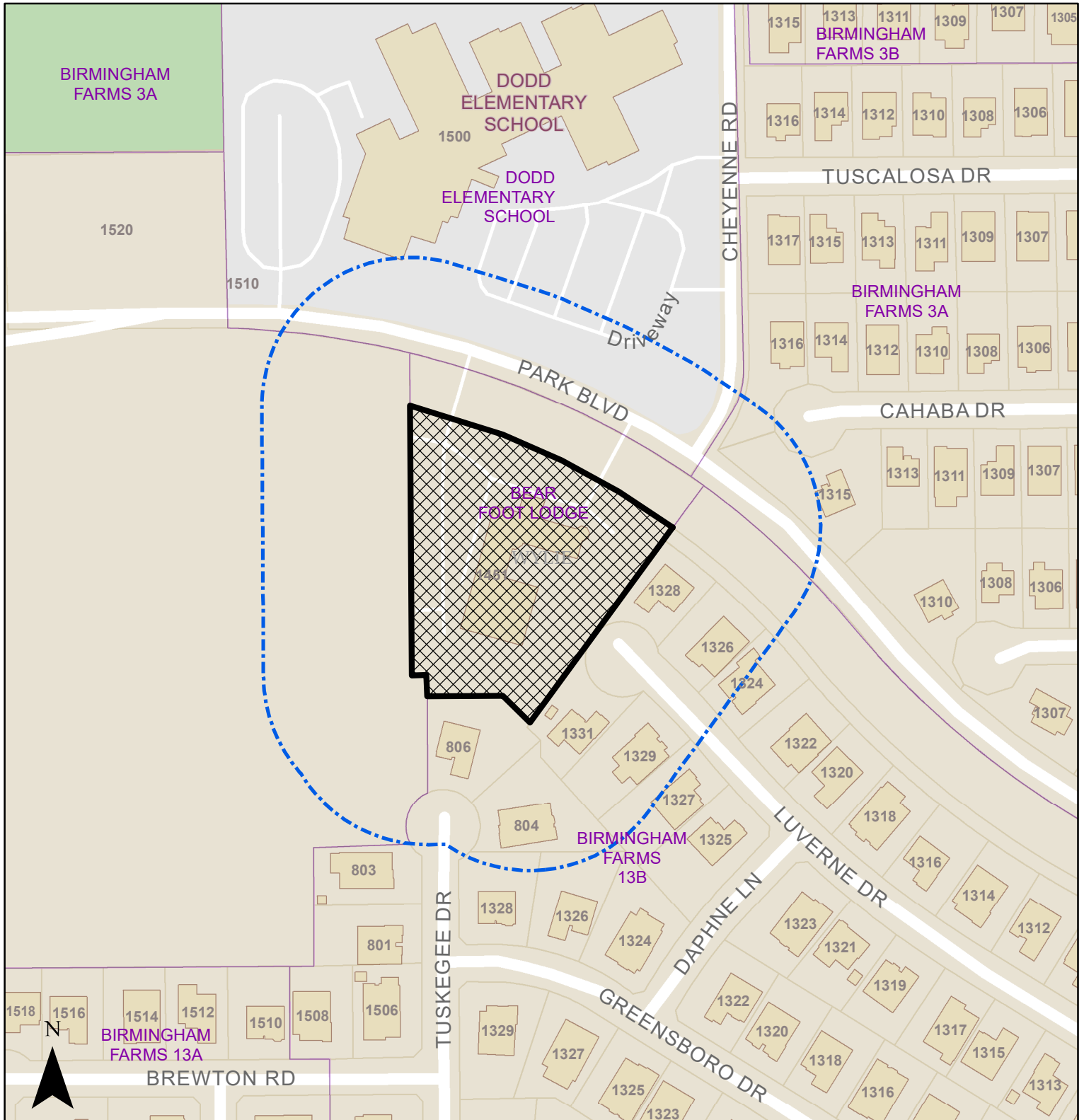
REVIEWED  
CITY OF WYLLIE  
BUILDING INSPECTIONS  
BY: CV  
DATE: 3.31.21

APPROVAL City of Wylie Sig.		Date
Bldg Inspection		
Planning		
Fire		
Engineering		
Health		



# Notification Map

07/19/2021 Item 6.



ZBA 2021-10; Bear Foot Lodge; 1451 Park Blvd

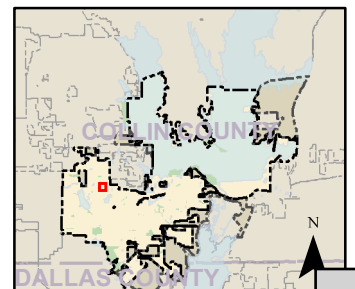


200 Foot Notification Buffer



Subject Property

0 90 180 360 540 720 Feet







# Wylie Zoning Board of Adjustment

## AGENDA REPORT

<b>Meeting Date:</b>	July 19, 2021	<b>Item Number:</b>	7
<b>Department:</b>	Planning	<b>Case Number:</b>	2021-11
<b>Prepared By:</b>	Kevin Molina	<b>Project Location:</b>	100 Kristen Ln
<b>Date Prepared:</b>	July 12, 2021	<b>Subdivision Name:</b>	Bear Foot Lodge Addition
		<b>Exhibits:</b>	Locator Map, Survey, Elevation, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Wakass Abdrazak for a variance to Figure 4-5, Figure 4-7 and Section 4.3.D.4 of the Zoning Ordinance to allow for service and loading areas to face a public street. Property located at 100 Kristen Ln. **ZBA 2021-11**

### Discussion

**Applicant: Wakass Abdrazak**

**Owner: Thabata Sara A**

The subject property is located at 100 Kristen Ln and is currently zoned in the Light Industrial district.

The applicant is requesting a variance to allow service and loading areas to face a public street.

The applicant has stated that there is a hardship due to the property being on a corner lot thereby having two street facings. Two street facings makes not having the garage doors facing a street more of a challenge and may not be desirable in an LI district. The rectangular shape of the lot makes the building's orientation with garage doors facing Martinez Lane the most feasible option for the development of the site. The property across the street of the subject property is also zoned Light Industrial. Within the Creek Bend Industrial Park there are other structures that have service and loading areas that face a public street. The intent of the ordinance is to keep drive-by aesthetics as high as possible.

If this variance were to be approved a full site plan review and approval will be required by the Planning and Zoning Commission.

Public comment forms were mailed to fifteen (15) property owners within 200 feet of this request, as required by State Law. At the time of posting no comment forms were returned in favor or 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.


<b>Approved By</b>	<i>Initial</i> JH	<i>Date</i> July 15, 2021
<b>Department Director</b>	_____	_____

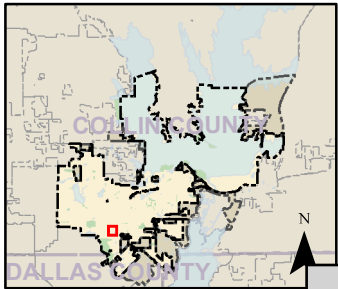
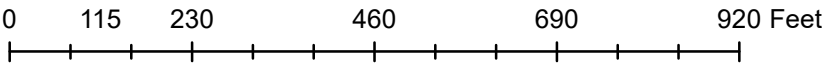


# Locator Map

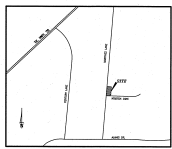


ZBA 2021-11; 100 Kristen Ln

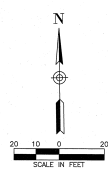
 Subject Property





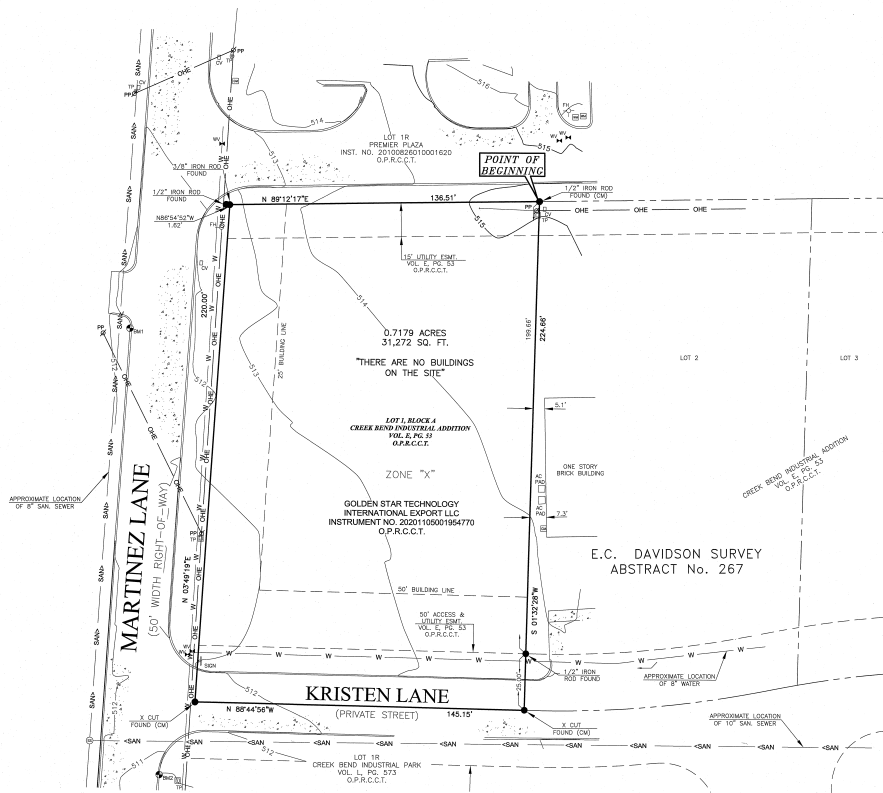


VICINITY MAP  
NOT TO SCALE



The Basis of Bearings is from the Texas State Plane Coordinate System NAD83, North Central Zone as derived from GPS observations using the Alabama RTK Network and adjusted to surface using a surface scale factor of 1.0001271.

LEGEND	
---	BOUNDARY LINE
---	ADJACENT BOUNDARY LINE
---	EASEMENT LINE (AS NOTED)
---	WATER LINE
---	SANITARY SEWER LINE
---	STORM DRAIN LINE (AS NOTED)
---	OPTICAL FIBER LINE
---	SET IRON ROD (AS NOTED)
---	FOUND IRON ROD (AS NOTED)
---	"X" CUT FOUND
---	"X" CUT SET
---	WATER VALVE
---	WATER METER
---	FIRE HYDRANT
---	SANITARY SEWER MAN HOLE
---	ELECTRIC WALK
---	CABLE WALK
---	TRAFFIC SIGNAL VAULT
---	TRAFFIC SIGN
---	TELEPHONE PEDESTAL
---	LIGHT POLE
---	POWER POLE
---	BENCH MARK
---	CONTROL MONUMENT
---	O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS COLLIN COUNTY, TEXAS



LAND DESCRIPTION

Being a 0.7179 acre tract of land situated in the E.C. Davidson Survey, Abstract No. 267, City of Wylie, Collin County, Texas, being all of Lot 1, Block A, Creek Bend Industrial Addition, as submitted to the City of Wylie, according to the plat thereof recorded in Volume 8, Page 53, Official Public Records, Collin County, Texas, and being all of the certain tract of land contained in the Technology International Export, LLC as recorded in Instrument Number 202010504790, Official Public Records, Collin County, Texas, and being more particularly described by name and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod (Control Monument (CM)) at the northeast corner of said Lot 1, same being at the northeast corner of Lot 2 of said Creek Bend Industrial Addition, and on the south line of Lot 1B, Premier Plaza, as addition to the City of Wylie, according to the plat thereof recorded in Instrument Number 20100826010001620, Official Public Records, Collin County, Texas;

**THENCE** N 88° 12' 17" E, along the common east line of said Lot 1, and the west line of said Lot 2, measuring a 1/2 inch iron rod found at a distance of 199.46 feet, and containing a total distance of 224.46 feet, to a "X" cut found (CM) at the northeast corner of said Lot 1, same being at the southwest corner of said Lot 2, and also being on the north line of Lot 1B, Creek Bend Industrial Park, as addition to the City of Wylie, according to the plat thereof recorded in Volume 1, Page 373, Official Public Records, Collin County, Texas;

**THENCE** N 88° 12' 17" E, along the common north line of said Lot 1, and the north line of said Lot 1B, a distance of 145.15 feet, to a "X" cut found at the southwest corner of said Lot 1, same being the southwest corner of said Lot 1B, and also being on the east right-of-way line of Martinez Lane (50' width right-of-way);

**THENCE** N 88° 12' 17" E, along the common west line of said Lot 1, and the east right-of-way line of said Martinez Lane, a distance of 220.00 feet, to a 1/2 inch iron rod found, at the northeast corner of said Lot 1, same being the southwest corner of said Lot 1B, and also being on the north line of Lot 1B, Creek Bend Industrial Park, as addition to the City of Wylie, according to the plat thereof recorded in Volume 1, Page 373, Official Public Records, Collin County, Texas;

**THENCE** N 88° 12' 17" E, along the common north line of said Lot 1, and the north line of said Lot 1B, a distance of 145.15 feet, to the **POINT OF BEGINNING** containing 0.7179 of an acre of land (31,272 square feet), more or less.

SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS. The fieldwork was completed on February 25, 2020.

Date of Plat or Map: March 11, 2021

Mark Allen Nace  
Registered Professional Land Surveyor  
Texas Registration No. 9539  
March 11, 2021



BENCHMARK NOTES	
The Benchmarks and elevations shown are based on the North American Vertical Datum 1988 (NAVD83) by using GPS observations in conjunction with the AITerra RTK Network, adjusted to City of Wylie benchmark.	
Benchmark No. 1	Square with "X" cut on top of curb, approximately 70' +/- southwest of the northeast corner of subject property.
Elevation:	\$11.03
Benchmark No. 2	Square with "X" cut on top of curb, approximately 30' +/- southwest of the southwest corner of subject property.
Elevation:	\$11.09

FLOOD NOTES	
No portion of this subject property shown herein lies within the 100 year flood hazard area according to the Flood Insurance Rate Map, Community Panel No. 48060C055, dated June 2, 2009. The subject property is located in the area designated as Zone "X", (area determined to be outside the 0.2% annual chance floodplain).	

GENERAL NOTES	
1. All underground utilities shown herein were taken from existing plans, none of the underground utilities shown herein have been field verified by this surveyor.	
2. This survey was prepared without the benefit of a Title Commitment.	

NO.	DATE	DESCRIPTION	BY

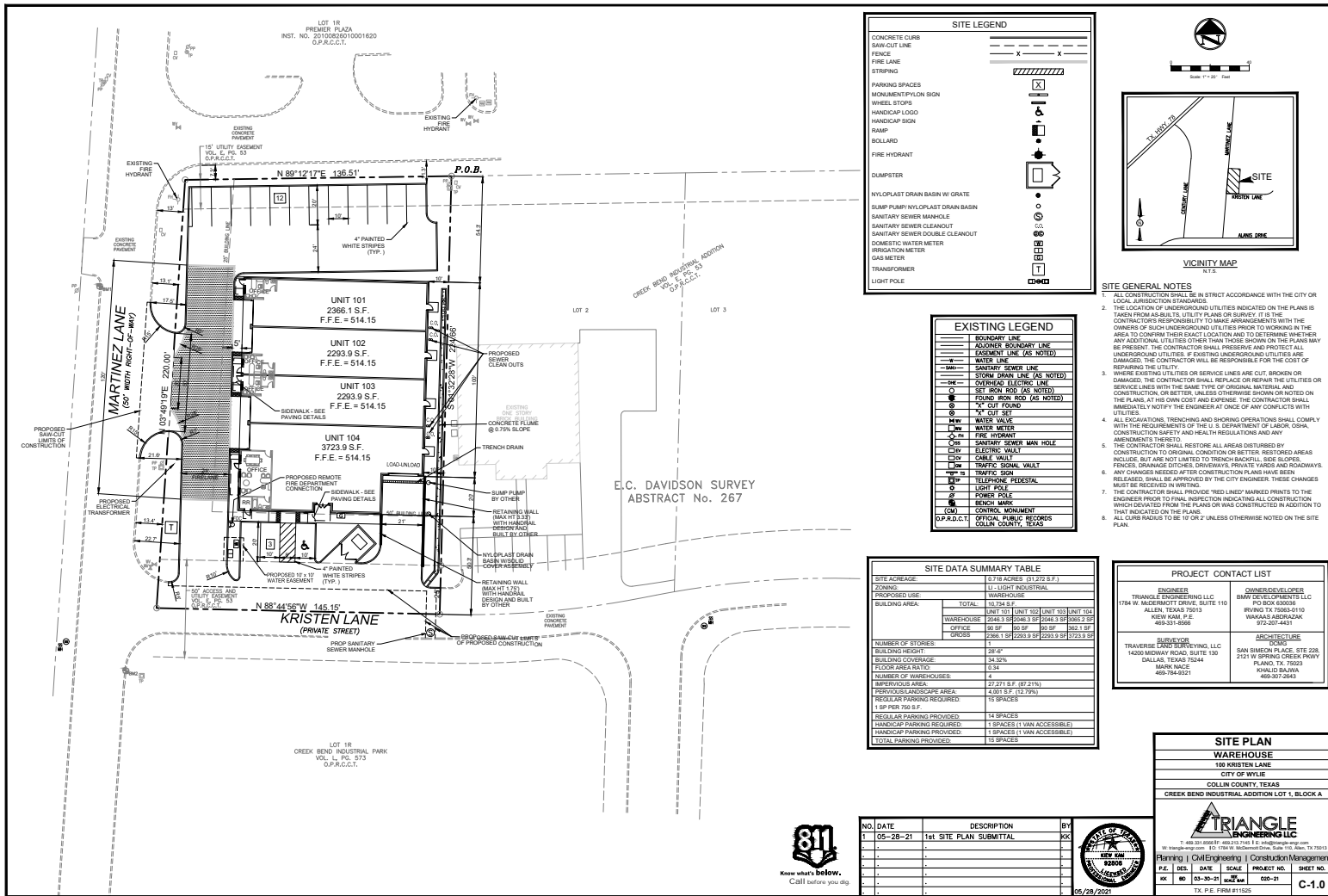
ALTA/NSPS LAND TITLE SURVEY

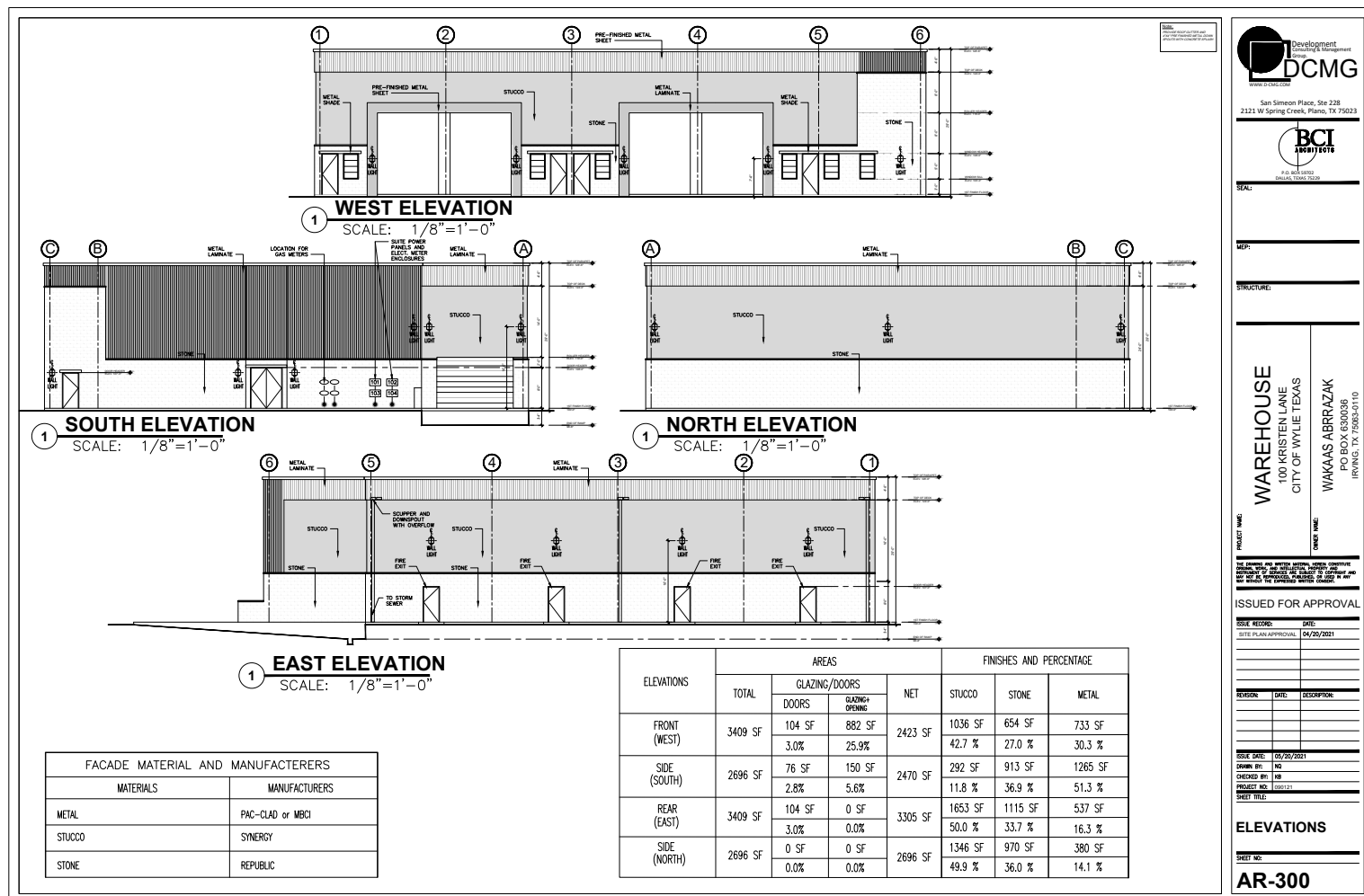
LOT 1, BLOCK A  
CREEK BEND INDUSTRIAL ADDITION  
E.C. DAVIDSON SURVEY, ABSTRACT NO. 267  
CITY OF WYLIE, COLLIN COUNTY, TEXAS

LAND SURVEYING, LLC  
14200 Midway Road, Suite 100, Dallas, TX 75244 | P: 972.784.8021  
15175 Truett Road, Suite 100, Dallas, TX 75244 | P: 972.784.8021

Surveying | Construction Staking | Platting

DRAWN	CHECK	DATE	SCALE	PROJECT NO.	SHEET NO.
CRC	MAN	3-11-2021	1" = 20'	19-12-2021	1

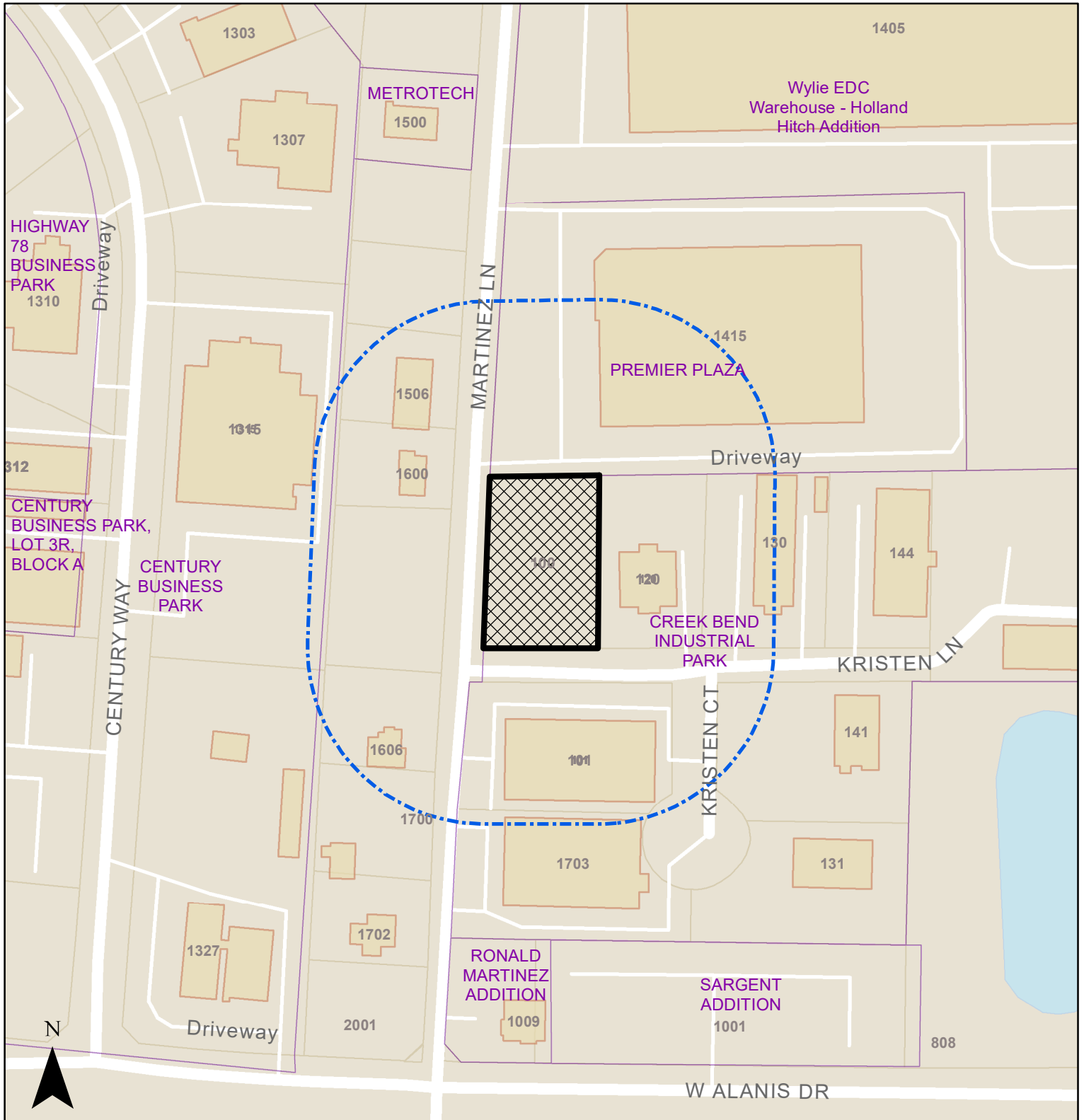






# Notification Map

07/19/2021 Item 7.



ZBA 2021-11; 100 Kristen Ln



200 Foot Notification Buffer



Subject Property

0 75 150 300 450 600 Feet

