

Wylie Zoning Board of Adjustments Regular Meeting

July 18, 2022 – 6:30 PM

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



CALL TO ORDER

COMMENTS ON NON-AGENDA ITEMS

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

ELECTION OF CHAIR & VICE CHAIR

WORK SESSION

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

RECONVENE INTO REGULAR SESSION

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, the approval of the September 20, 2021 Minutes

REGULAR AGENDA

1. Hold a Public Hearing to consider and act upon a request by Richard Parker for a variance to Section 4.2.A.3 of the Zoning Ordinance to allow for 10' front setbacks in lieu of the required 25'. Property located at 1602 Martinez Lane. ZBA 2022-01.
2. Hold a Public Hearing to consider and act upon a request by Daimie Mabrey for a variance to Section V.14-15 of Planned Development 2002-52 to allow for 3' side and rear setbacks in lieu of the required 5' side setback and rear setback of 10% of the lot depth. Property located at 1314 Spotted Owl Avenue. ZBA 2022-02.
3. Hold a Public Hearing to consider and act upon a request by Mark Phillips for a variance to Section 1.C of the Stone Grove Planned Development, PD 1999-29 and Section 3.4.F.6 of the Zoning Ordinance to allow for a 10' side corner setback in lieu of the required 25' side corner setback and for a flat roof slope in lieu of an 8:12 slope. Property located at 1001 Heatherwood Drive. ZBA 2022-03.
4. Hold a Public Hearing to consider and act upon a request by Ron Haynes Jr. for a variance to the rear and side setbacks of the Dominion of Pleasant Valley Planned Development, PD 2020-54 to allow for a 10' front and rear setback in lieu of the 20' front and 25' rear setback. Property located at 310 Crape Myrtle. ZBA 2022-04

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on July 15, 2022 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.



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning Item Number: WS
Prepared By: Jasen Haskins, AICP

Subject

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

Recommendation

N/A

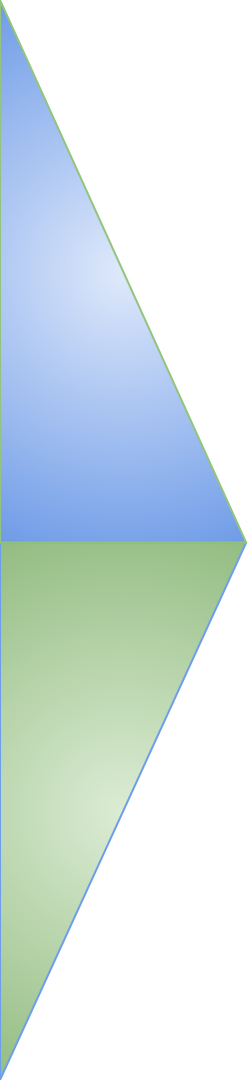
Discussion

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.



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
- 972-516-6324

Senior Planner

- kevin.molina@wylietexas.gov
- 972-516-6323

Administrative Assistant

- mary.bradley@wylietexas.gov
- 972-516-6320



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning

Item: A

Prepared By: Mary Bradley

Subject

Consider, and act upon, Minutes from the September 20 2021 Regular Meeting.

Recommendation

Motion to approve item as presented.

Discussion

The minutes are attached for your consideration.



Zoning Board of Adjustment

Minutes
Regular Meeting
September 20, 2021 – 6:30 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Chair Byron Betler called the meeting to order at 6:30PM. and announced a quorum was present. Board Members in attendance; Chair Betler, Board Member Richard Covington, Board Member Andrew Wight, Board Member Aaron Lovelace and Board Member Zewge Kagne. Alternate Board Member Richard Miller was present 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 August 16, 2021 Meeting.

Board Action

A motion was made by Vice Chair Wight, and seconded by Board Member Lovelace, 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 Alvin Harrison for a variance to Section 5-2 of the Zoning Ordinance to allow for 32 parking spaces in lieu of 40 parking spaces for a day care facility. Property located at 7940 E Parker Road. ZBA 2021-14.

Staff Comments

Mr. Molina addressed the Board Members and stated that the property is located at 7940 E Parker Road and is currently zoned Commercial Corridor.

The applicant is requesting a variance to allow for reduced parking for a day care facility by providing 32 parking spaces in lieu of 40 parking spaces. The Zoning Ordinance has a parking requirement of four spaces per classroom. The variance is being requested for the potential of up to ten classrooms being allowed.

The applicant and staff believe the variance request has merit due to a covered area for drop-offs and pick-ups will alleviate short-term parking. Staff conducted an informal survey of local day-cares and found that there was unutilized parking, even at peak times. The applicant did a survey of parking requirements in Dallas, Plano and Garland and the requirement is less strict than Wylie.

Public Comment forms were mailed to ten property owners. No comment forms were returned in favor or in opposition of the request.

Public Comments

Chair Betler opened the public hearing for Item 1 at 6:40PM asking anyone present wishing to address Board Members to come forward.

The applicant, Mr. Terry Sullivan addressed the Board Members stating the site will provide eight classrooms, with ten to twenty-five students in each classroom. The facility will range from 9,000 to 10,000 square feet, so the parking is based upon the size of the building, so the 32 parking spaces will be adequate.

Chair Betler closed the public hearing for Item 1 at 6:42PM.

Board Action

A motion was made by Board Member Covington, and seconded by Vice Chair Wight, to grant the variance to allow 32 parking spaces in lieu of 40 parking spaces. Property located 7940 E Parker Road. ZBA 2021-14. A vote was taken and carried 5 - 0.

Ms. Bradley stated that there will not be a meeting in October, 2021.

ADJOURNMENT

A motion was made by Chair Belter and seconded by Vice Chair Wight, to adjourn the meeting at 6:47PM. A vote was taken and carried 5 – 0.

Byron Betler, Chair

ATTEST:

Mary Bradley



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 1

Subject

Hold a Public Hearing to consider and act upon a request by Richard Parker for a variance to Section 4.2.A.3 of the Zoning Ordinance to allow for 10' front setbacks in lieu of the required 25'. Property located at 1602 Martinez Lane. ZBA 2022-01

Recommendation

Motion to approve, deny.

Discussion

OWNER: Validus LLC

APPLICANT: Richard Parker

The applicant is requesting a variance to Section 4.2.A.3 of the Zoning Ordinance to allow for 10' front setbacks in lieu of the required 25' to allow for the construction of two buildings placed closer to the street and accommodate the needed space for rear parking. The property is located at 1602 Martinez Lane and is zoned in the Light Industrial district.

The applicant received conditional approval for the site plan by the Planning and Zoning Commission in June of 2022 for the construction of two 5,590 sf buildings. The reviewed site plan provided parking at the rear of the property due to an existing gas line that is located along the street frontage of the subject property. The approval of the site plan is dependent on the outcome of this variance request.

The applicant and staff believe the variance request has merit for the following reasons:

- Parking on utility easements shall not count towards the required parking. The existing gas line prevents any of the parking spaces that are placed in the front of the lot to count towards the required parking for the development.
- The Zoning Ordinance recommends having loading areas not be visible from the right of way. Additional space is necessary at the rear of the property for the maneuverability of loading trucks and access to the rear loading doors.

Public comment forms were mailed to thirteen (13) 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 none were 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.



Locator Map

07/18/2022 Item 1.

WYLIE

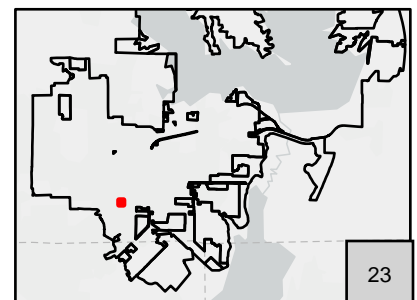


Case Number: ZBA 2022-01



Subject Property

0 62.5 125 250 Feet



SITE DESIGN REQUIREMENTS:

1. BUILDINGS AT THE FRONT YARD LINE
2. INDIVIDUAL BUILDINGS LESS THAN OR EQUAL TO 10,000 SF
3. FRONT FACADE ORIENTED TO MARTINEZ LANE
4. SITE PLAN WITH NO MORE THAN 50% OF PARKING IN FRONT OF THE BUILDING.
5. BUILDING WITH NO MORE THAN ONE ROW PARKING IN FRONT.
6. DIRECT CONNECTION BETWEEN BUILDINGS AND STREET.
7. SERVICE AREA NOT VISIBLE FROM PUBLIC STREET, MASONRY SCREENING ADDITIONAL.

LANDSCAPING DESIGN REQUIREMENTS:

1. LANDSCAPING THAT EXCEEDS MINIMUM OF 10%
2. LANDSCAPING IN SIDE AND REAR YARD NOT OTHERWISE REQUIRED
3. LANDSCAPE 10% OR MORE IN EXCESS OF 50 SF/PARKING SPACE
4. LANDSCAPED PEDESTRIAN CONNECTION TO MAIN ENTRANCE
5. USE OF ROCK WALLS OR OTHER MATRUAL LANDSCAPE FEATURES

NEW BUILD CONSTRUCTION
COMMERCIAL

SITE PLAN
0.610 ACRES
26557 SF

ZONING: LI
USE: WAREHOUSE

LOT 1, BLOCK A



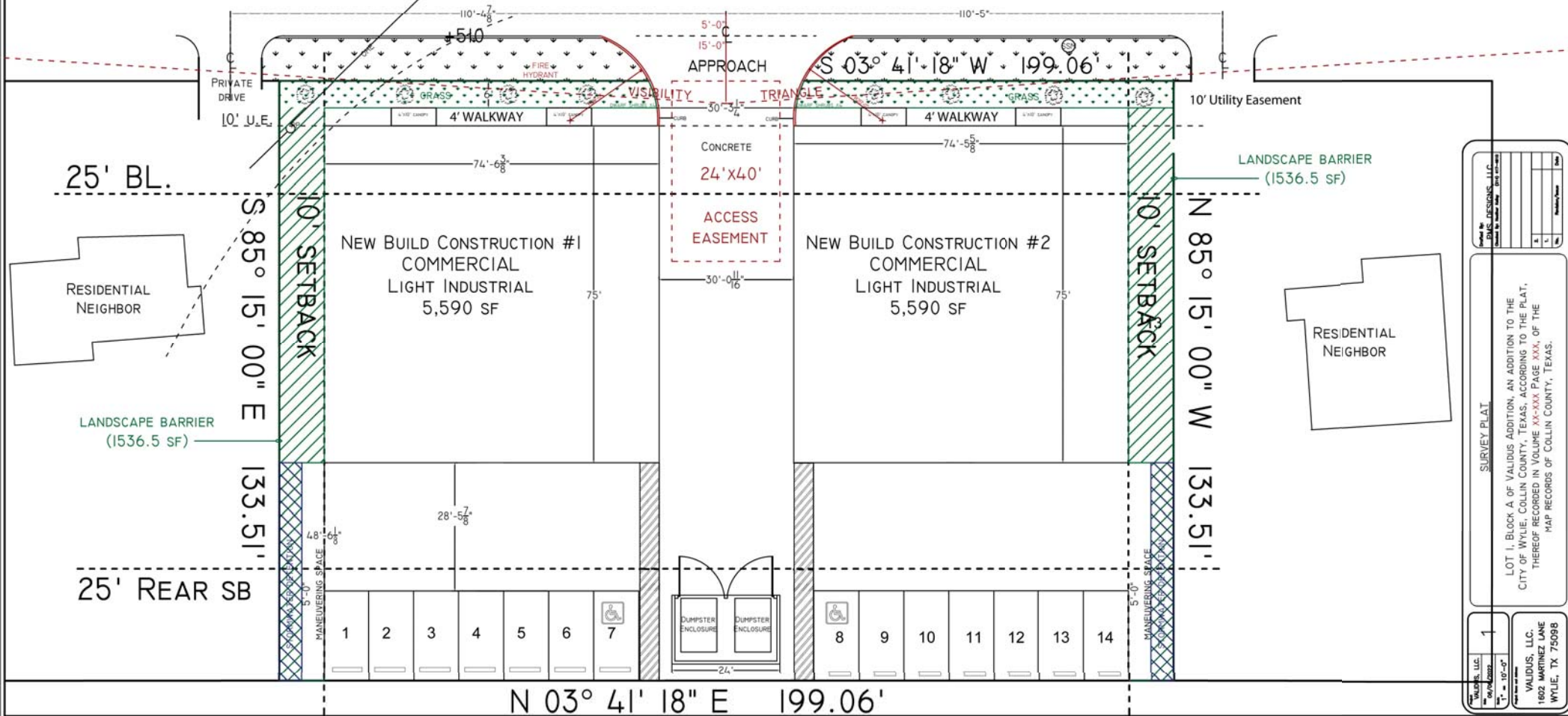
10% LANDSCAPING REQ'D
3073 SF PROVIDED = 11.6%

LOT COVERAGE 50% MAX
PROPOSED = 42%

LEGEND:

- OHE — OVERHEAD ELECTRIC LINES
- POWER POLE
- ⊙ SANITARY SEWER MANHOLE
- +510 ELEVATION MARKER
- ⊗ DWARF SHRUB

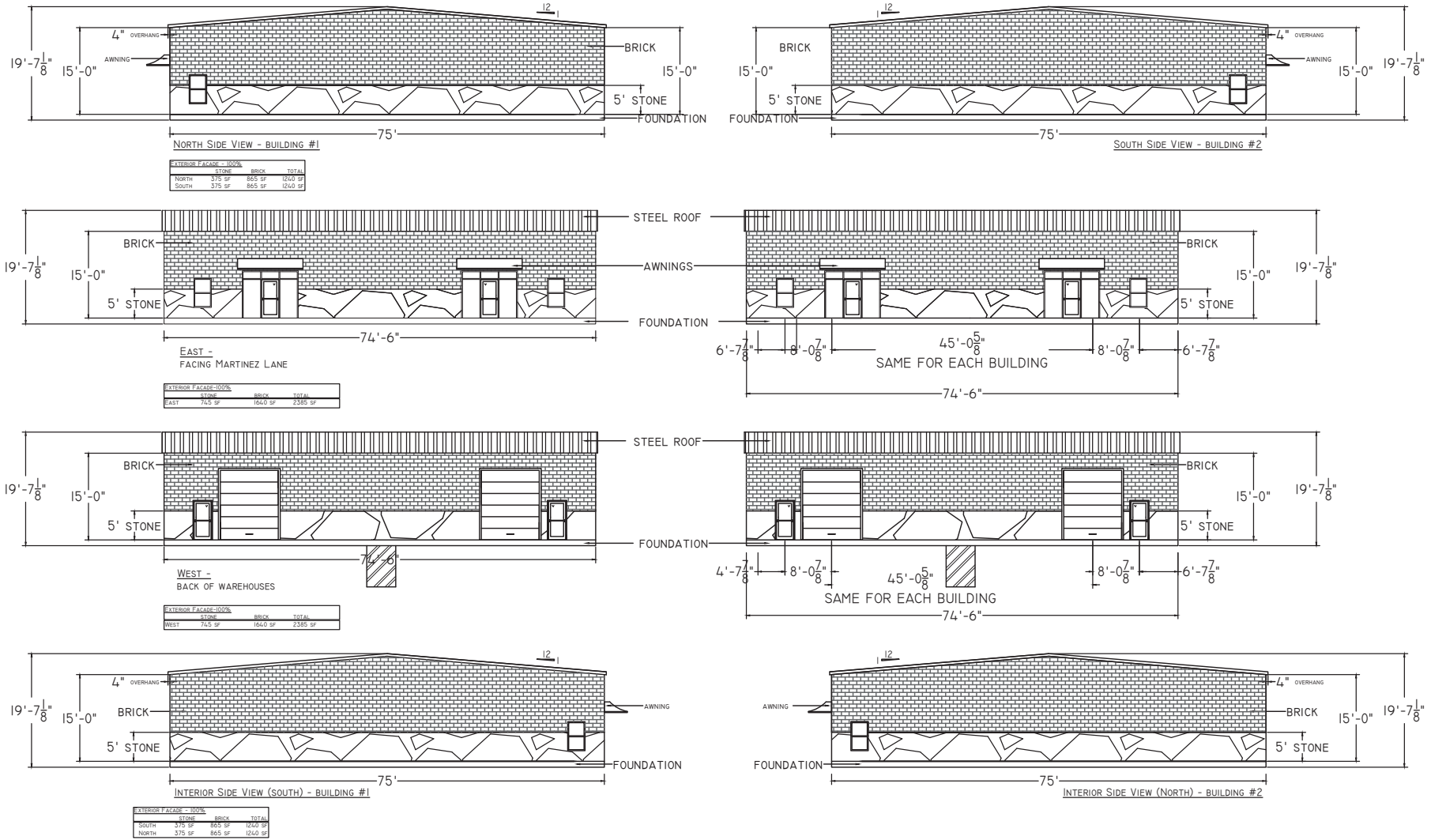
MARTINEZ LANE



DATE	BY	REVISION
07/18/2022	DMC	1.0

SURVEY PLAT
LOT 1, BLOCK A OF VALIDUS ADDITION, AN ADDITION TO THE CITY OF WYLLIE, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT, THEREOF RECORDED IN VOLUME XX-XXX PAGE XXX, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS.

VALIDUS, LLC 1602 MARTINEZ LANE WYLLIE, TX 75098
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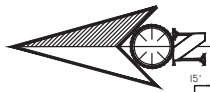
LOT I, BLOCK A



LANDSCAPING DESIGN REQUIREMENTS:

1. USE OF TWO COMPLEMENTARY PRIMARY FACADE MATERIALS
2. COPY SAME STYLE ENTIRE BLOCK
3. APPLICATION OF BASE STANDARDS TO FACADES ENTIRE BUILDING
4. USE OF ARCH DETAILS AND/OR MATERIAL TO PROVIDE VARIETY IN VISUAL APPEARANCE
5. BUILDINGS WITH PITCH ROOFS MEETING MINIMUM REQUIREMENTS OF RESIDENTIAL DEVELOPMENT

VALIDUS, LLC 04/04/2022 1/8" = 1" VALIDUS, LLC 1602 MARTINEZ LANE WYLLIE, TX 75098	2 LOT I3 COMMERCIAL NEW BUILD CONSTRUCTION ZONING: LI; USE: WAREHOUSE ELEVATION PLANS	Drawn By PMS DESIGNS, LLC. Contact: Mr. Nathan Kelly (817) 457-8871 Date Revision/Issue
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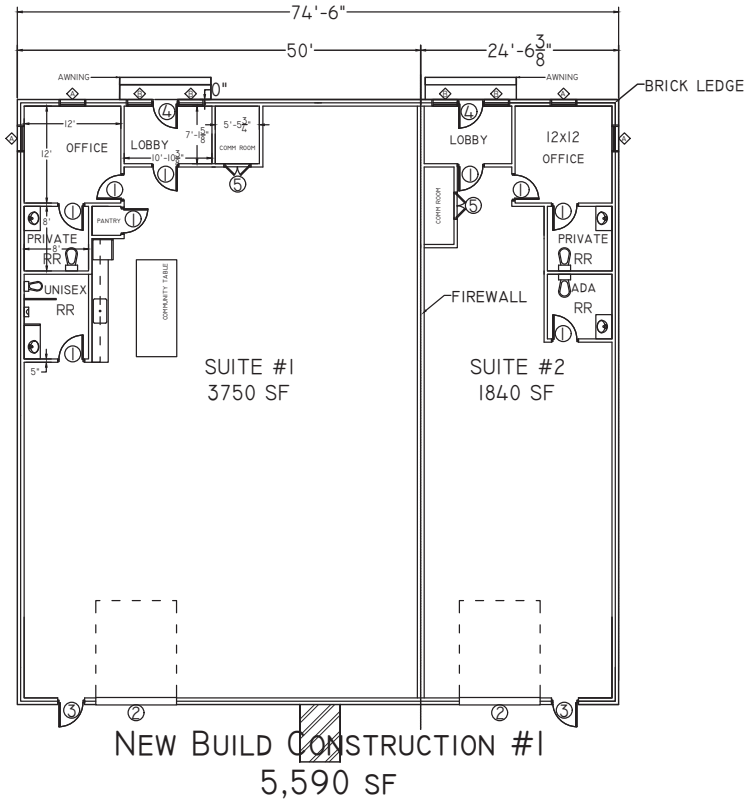


LOT I, BLOCK A



NEW BUILD CONSTRUCTION
COMMERCIAL
ZONING: LI
USE: WAREHOUSE

FLOORPLAN



AREA TABULATIONS:	
BUILDING #1	5590 SF
BUILDING #2	5590 SF
TOTAL	11,180 SF

ALUMINUM STOREFRONT WINDOWS

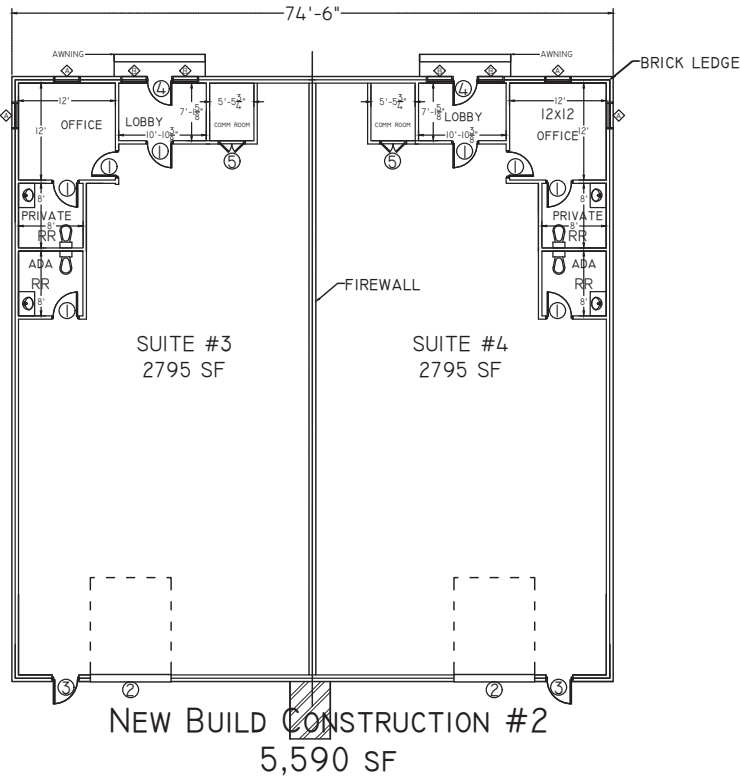
A	36	X	60	SH
B	36	X	96	FIXED

DOOR SCHEDULE

1	3'-0"	X	6'-8"	INTERIOR WOOD DOOR
2	12/0	X	10/0	OVERHEAD DOOR
3	3'-0"	X	6'-8"	METAL SECURITY DOOR
4	3'-0"	X	8'-0"	STOREFRONT w/TRANSOM
5	3'-0"	X	6'-8"	INTERIOR PAIR

CONSTRUCTION NOTES:

2015 IBC, IECC, NEC. IMC, IPC & IFC



DESIGNER: J. M. DESIGNS, LLC
OWNER: LOT I3 NB CONSTRUCTION
DATE: 07/18/2022

LOT I3 NB CONSTRUCTION
COMMERCIAL
FLOORPLAN

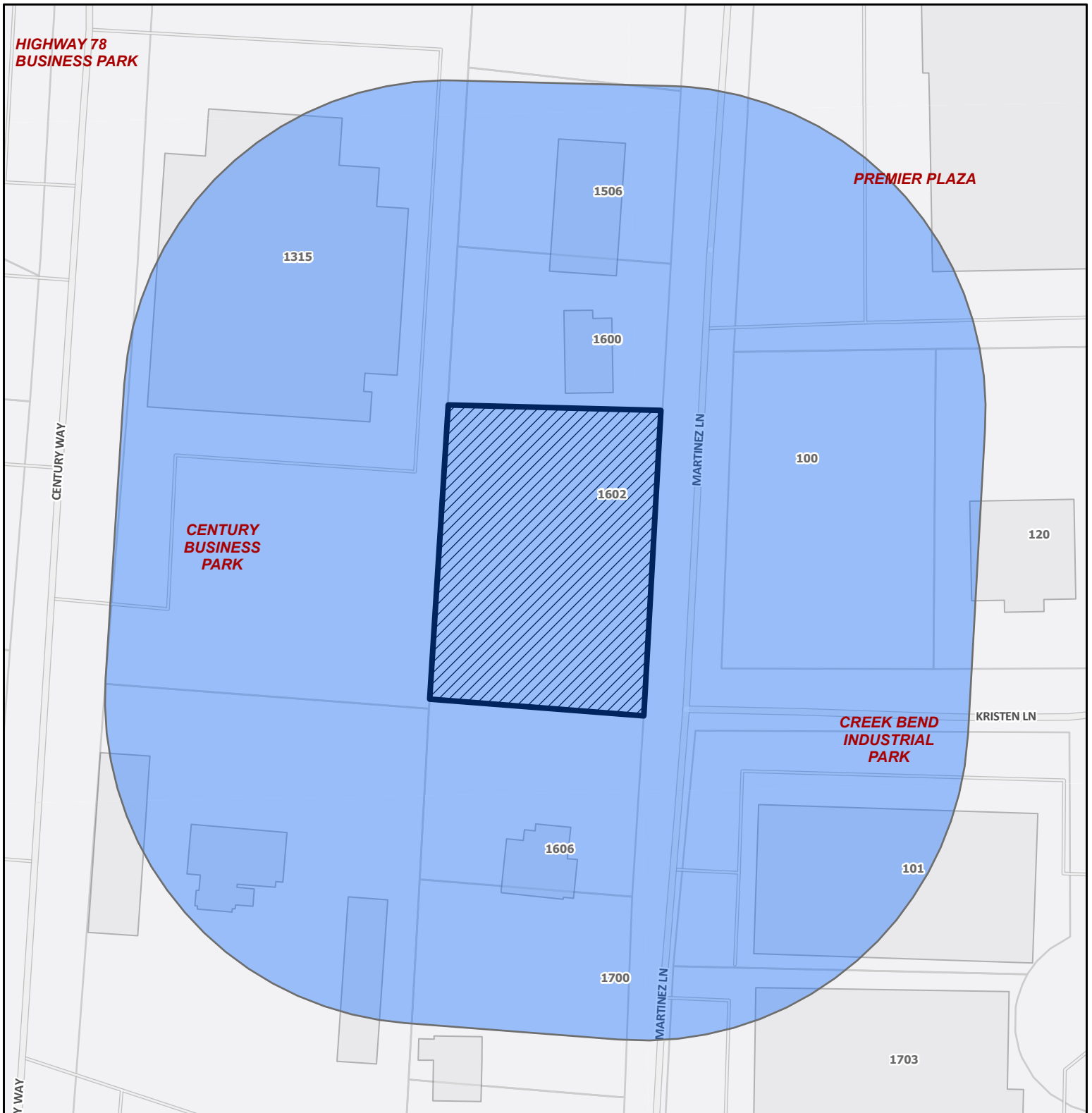
3
VALIDUS, LLC
1602 MARTINEZ LANE
WYLLIE, TX 75098



Notification Map

07/18/2022 Item 1.

WYLIE



Case Number: ZBA 2022-01

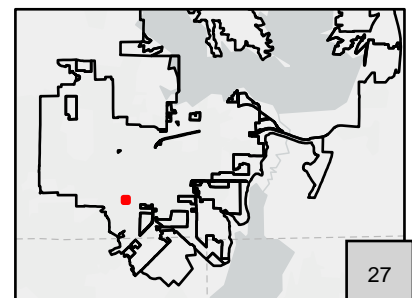


Subject Property



200ft Buffer

0 65 130 260 Feet



I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2022-01.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-01.

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Ruben Fuentes
(please print)

Address: 1600 Martine z Lane

Signature: Ruben Fuentes

Date: 7/8/22

COMMENTS:



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 2

Subject

Hold a Public Hearing to consider and act upon a request by Daimie Mabrey for a variance to Section V.14-15 of Planned Development 2002-52 to allow for 3' side and rear setbacks in lieu of the required 5' side setback and rear setback of 10% of the lot depth. Property located at 1314 Spotted Owl Avenue. ZBA 2022-02

Recommendation

Motion to approve, deny.

Discussion

OWNER: Daimie and Brad Mabrey

APPLICANT: Daimie Mabrey

The applicant is requesting a variance to Section V.14-15 of the Bozman Farms Planned Development (PD 2002-52) to allow for 3' side and rear setbacks in lieu of the required 5' side setback and rear setback of 10% of the lot depth. The property is located at 1314 Spotted Owl Avenue. The purpose of this request is to allow for the construction of a patio cover that measures 19x17 (323sf). The requested setbacks match those of the current accessory structure allowances of the Zoning Ordinance.

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

- The 10% of the lot depth rear setback requirement found in the Planned Development is restrictive due to the corner lot's large shape.
- City Council adopted a Zoning Ordinance amendment in January of 2021 allowing for a 3' side and rear setback for accessory structures in December of 2020. Variances are still required for individual Planned Developments that are more restrictive.
- The Architectural Review Committee of the HOA for the Bozman Farms Subdivision has provided a statement stating that they have no opposition for the construction of the Patio Cover at the requested setbacks.

Public comment forms were mailed to twenty-four (24) property owners within 200 feet of this request, as required by State Law. At the time of posting five comment forms were 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.



Locator Map

07/18/2022 Item 2.

WYLIE

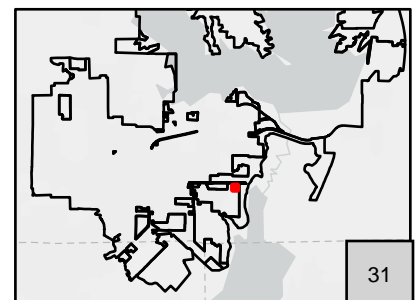


Case Number: ZBA 2022-02



Subject Property

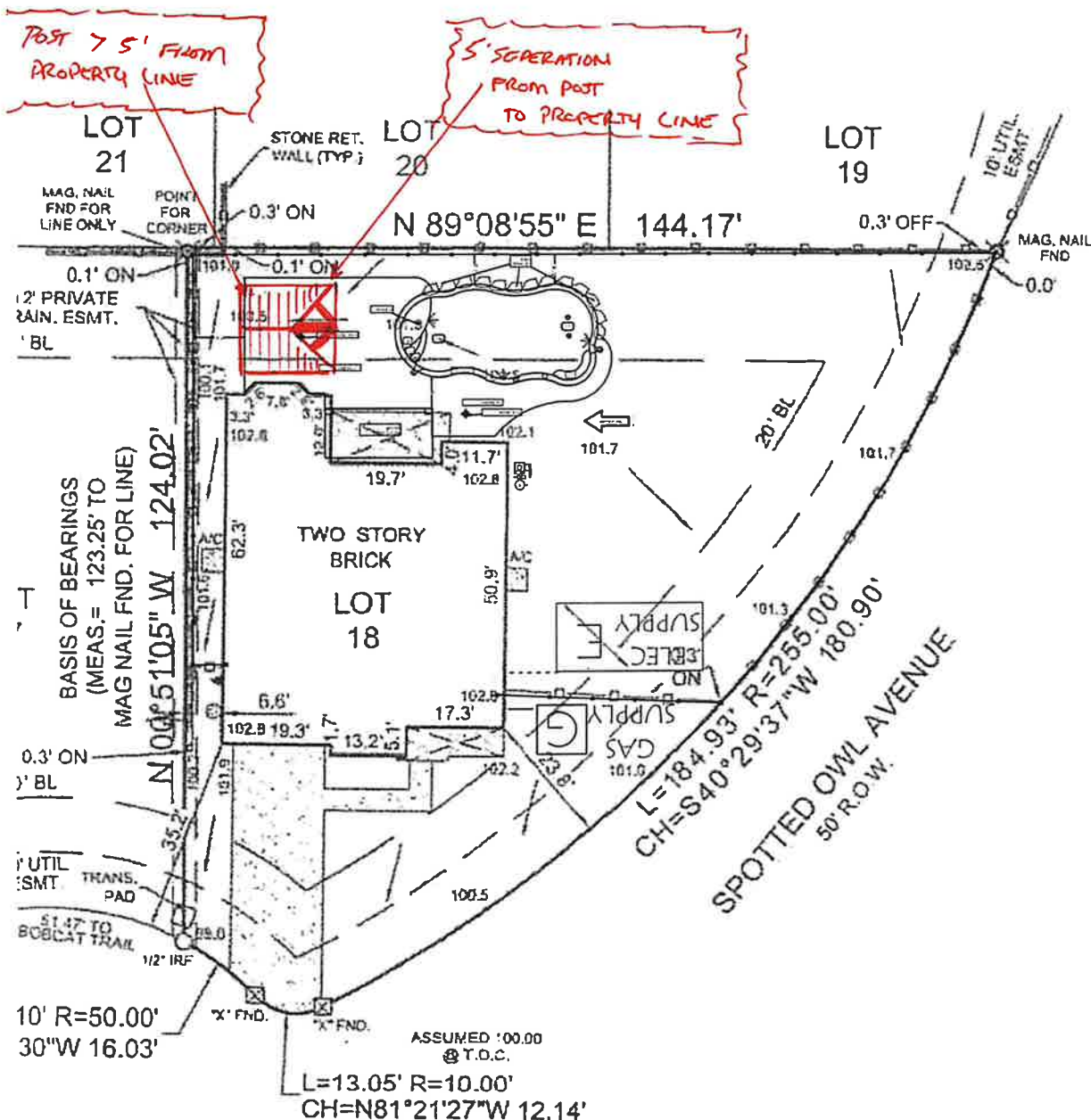
0 62.5 125 250 Feet



FINAL SURVEY

ify that persons under my direction have, this date, made an on-the-ground survey of property located at
1314 SPOTTED OWL AVENUE, in COLLIN COUNTY, Texas,
18, in Block 1
BOZMAN FARM ESTATES PHASE 7, an addition
COLLIN COUNTY, Texas, according to the MAP OR PLAT THEREOF
VOLUME 2019, PAGE 766, of the MAP OR PLAT Records of COLLIN County, Texas.

FREE-STANDING / NOT ATTACHED GABLE-STYLE STRUCTURE



3 OWL AVENUE
10' R.O.W.

NOTE: PROPERTY SUBJECT TO TERMS,
CONDITIONS AND EASEMENTS
CONTAINED IN INSTRUMENT RECORDED IN
VOL. 5689, PG. 4071, WHEN TAKEN WITH ALL
AMENDMENTS AND/OR SUPPLEMENTS THERETO

Owner: Daimie + Brad Magbrey
 Address: 1314 Spotted Owl
 City: Wylie, TX
 His Cell: _____
 Her Cell: 850.380.5768
 Email: mabreys@The80's.com
 How did you hear about us? Dr. - Neighbors



DECKMASTERS
 SINCE 1973

214.998.0

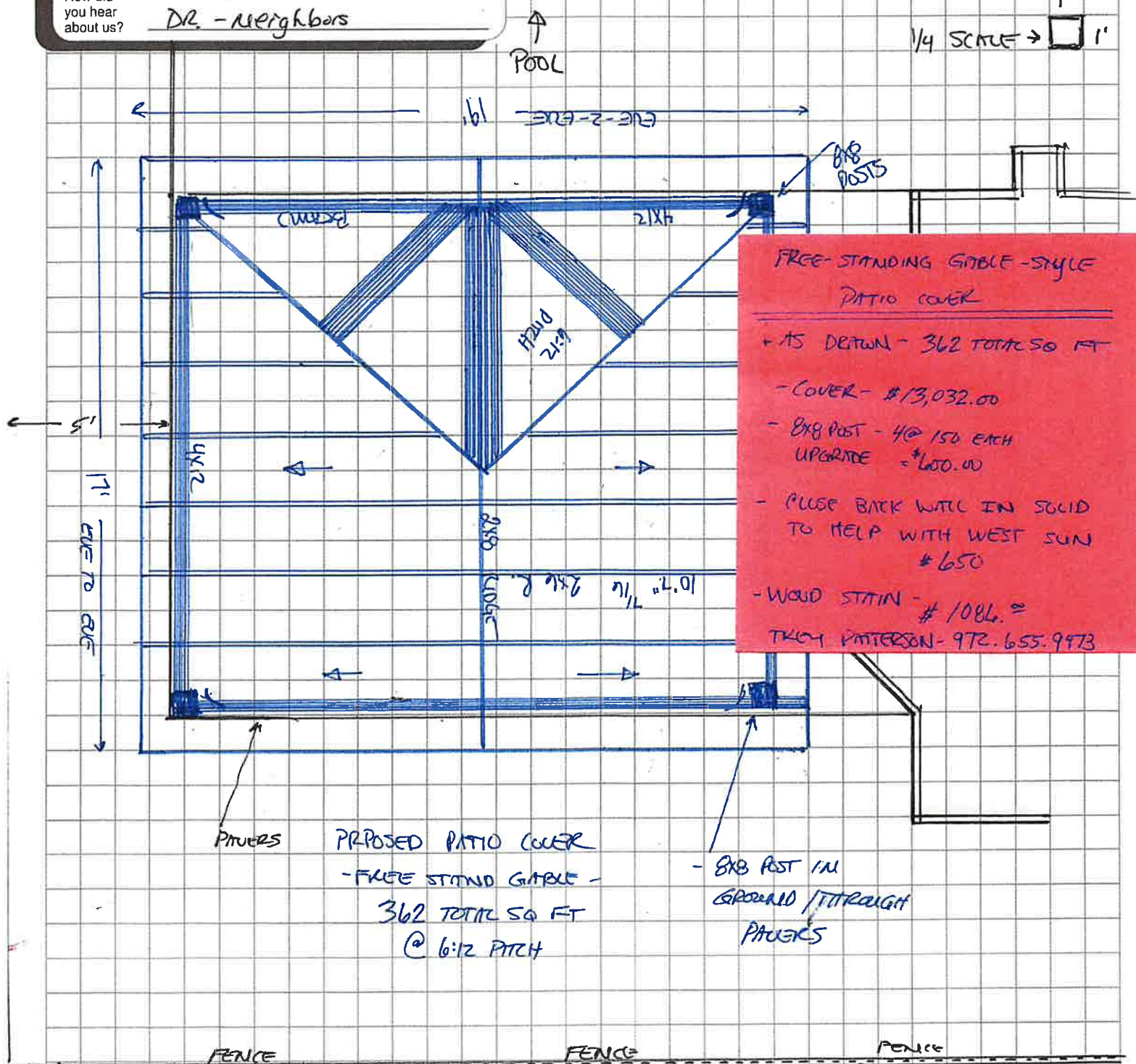
07/18/2022 Item 2.

www.DeckMastersPatios.com
 Search Deck Masters Patios
 on Facebook

Date of Bid: 5-10-22
 Quote good for 30 days from this date

15'x20' FREE-STANDING GABLE

1/4 SCALE → 1'



AREA

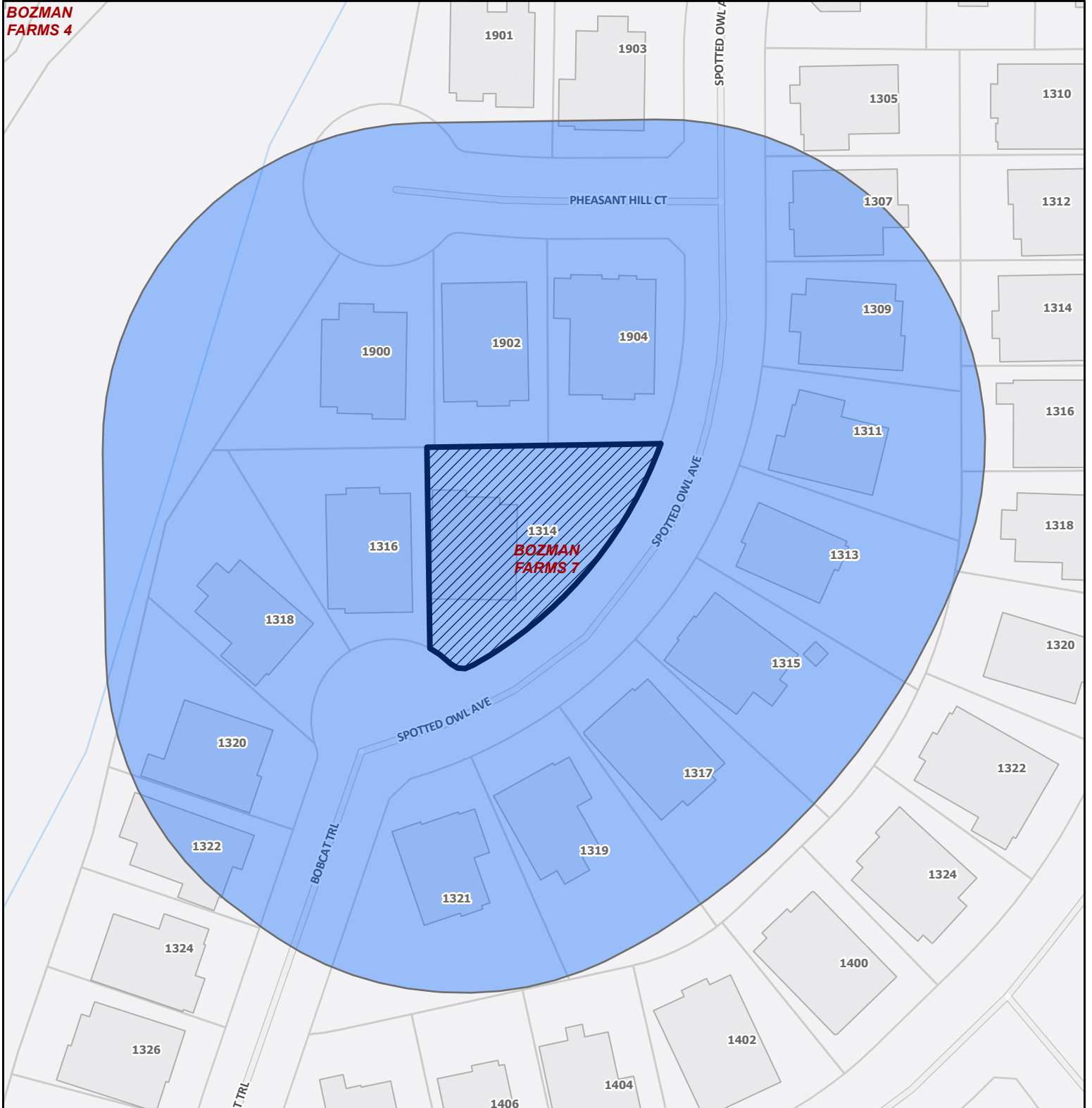




Notification Map

07/18/2022 Item 2.

WYLIE



Case Number: ZBA 2022-02

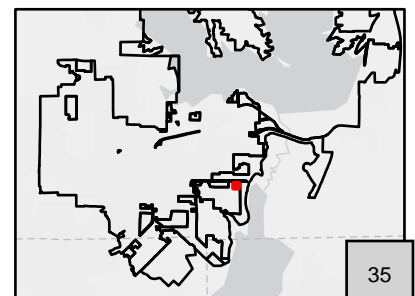


Subject Property



200ft Buffer

0 65 130 260 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 #2022-02.

☐ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Lance & Mandy Coers
(please print)

Address:

1900 Pleasant Hill Ct.

Signature:

Mandy & Lance Coers

Date:

6.28.22

COMMENTS:

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 #2022-02.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Dalea Aguilar
(please print)

Address:

1311 Spotted Owl Ave

Wylie Tx 75098

Signature:

Dalea Aguilar

Date:

7/13/2022

COMMENTS:

Very upsetting that the Mabreys have to go through this
to have a patio cover installed in their own backyard!
Please approve and let them enjoy shade while outside.

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 #2022-02.

☐ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

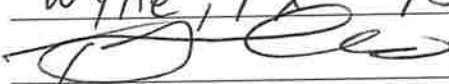
Tim Gibson

(please print)

Address:

1318 Bobcat Trail
Wylie, TX 75098

Signature:



Date:

6/26/2022

COMMENTS:

As a member of the ARC Committee for Bozeman Farms, we approved this based off of City Standards for a shed. We decided that if a shed would be allowed then the Pergola was a similar structure.

PUBLIC COMMENT FORM
(Please type or use black ink)

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

X

I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Susan DeFace Washington
(please print)

Address:

1901 Pheasant Hill Ct
Wylie TX 75098

Signature:

Susan Washington

Date:

6-25-22

COMMENTS:

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 #2022-02.



I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-02.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Brandee Donahue
(please print)
Address: 1320 Bobcat Trail
Wylie TX 75098
Signature: Brandee Donahue
Date: 6/28/2022

COMMENTS:



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 3

Subject

Hold a Public Hearing to consider and act upon a request by Mark Phillips for a variance to Section 1.C of the Stone Grove Planned Development, PD 1999-29 and Section 3.4.F.6 of the Zoning Ordinance to allow for a 10' side corner setback in lieu of the required 25' side corner setback and for a flat roof slope in lieu of an 8:12 slope. Property located at 1001 Heatherwood Drive. ZBA 2022-03

Recommendation

Motion to approve, deny.

Discussion

OWNER: Mark Phillips

APPLICANT: Mark Phillips

The applicant is requesting a variance to Section 1.C of the Stone Grove Planned Development. PD 1999-29 and Section 3.4.F.6 of the Zoning Ordinance to allow for a 10' side corner setback in lieu of the required 25' side corner setback and for a flat roof slope in lieu of an 8:12 slope. The property is located at 1001 Heatherwood Drive. The purpose of this request is to allow for the construction of an attached carport that measures 14x24 (336sf).

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

- Elevations of the proposed carport have been presented to surrounding neighbors and seven have approved of the carport's enclosed design with a 3' in height stone wall and 4'9" in height cedar slats.

Public comment forms were mailed to eighteen (18) property owners within 200 feet of this request, as required by State Law. At the time of posting four comment forms were 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.



Locator Map

07/18/2022 Item 3.

WYLIE

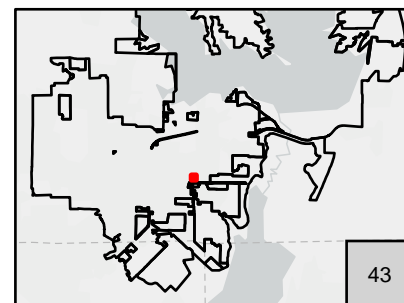


Case Number: ZBA 2022-03



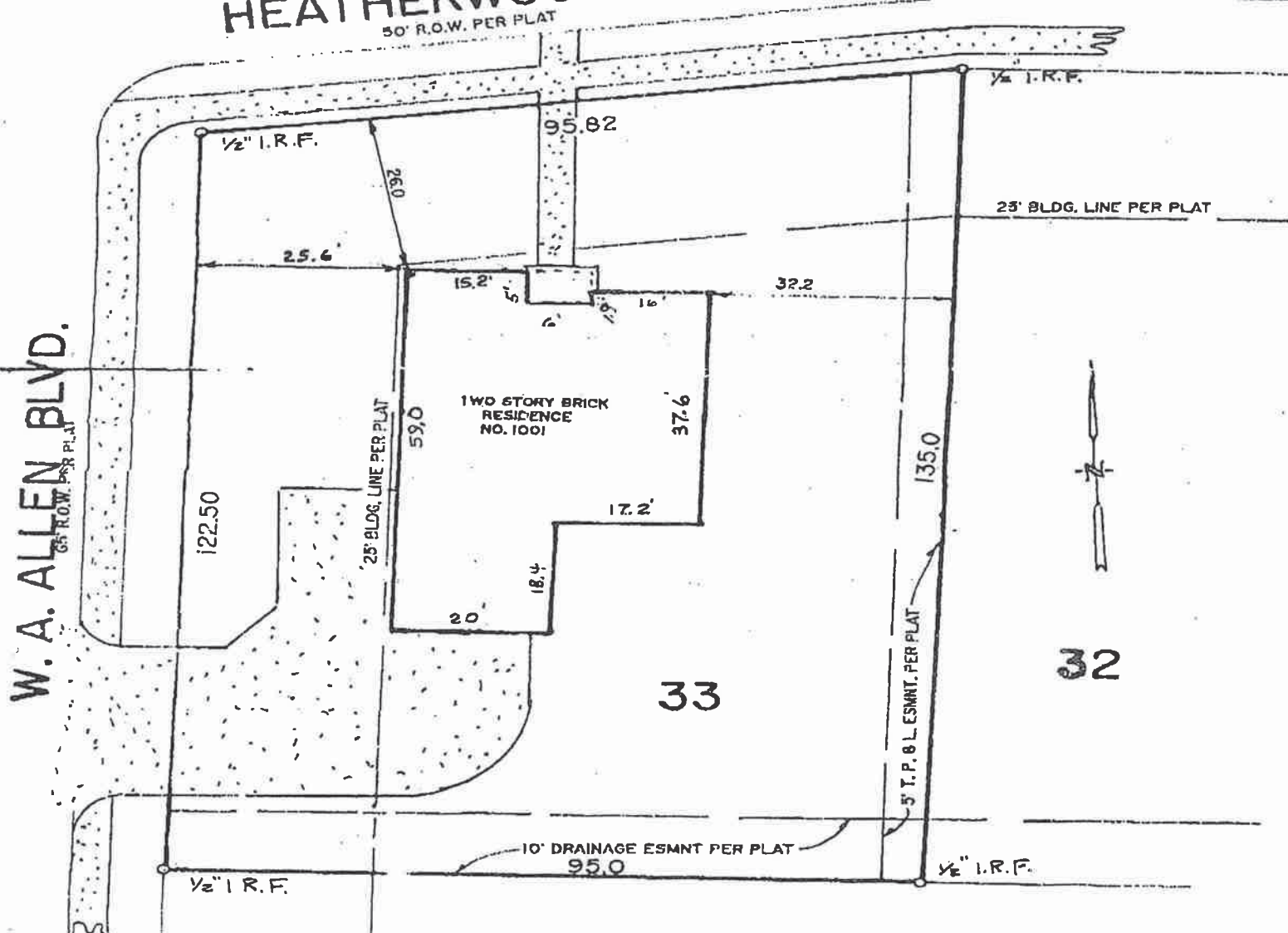
Subject Property

0 62.5 125 250 Feet



NOTE: According to the F.I.R.M. In Community Panel No. 48085C0465G, this property is not located in the 100 year flood plain. Zone X.

بسم الله الرحمن الرحيم



CERTIFY TO: Chicago Title Co. GF# 491020

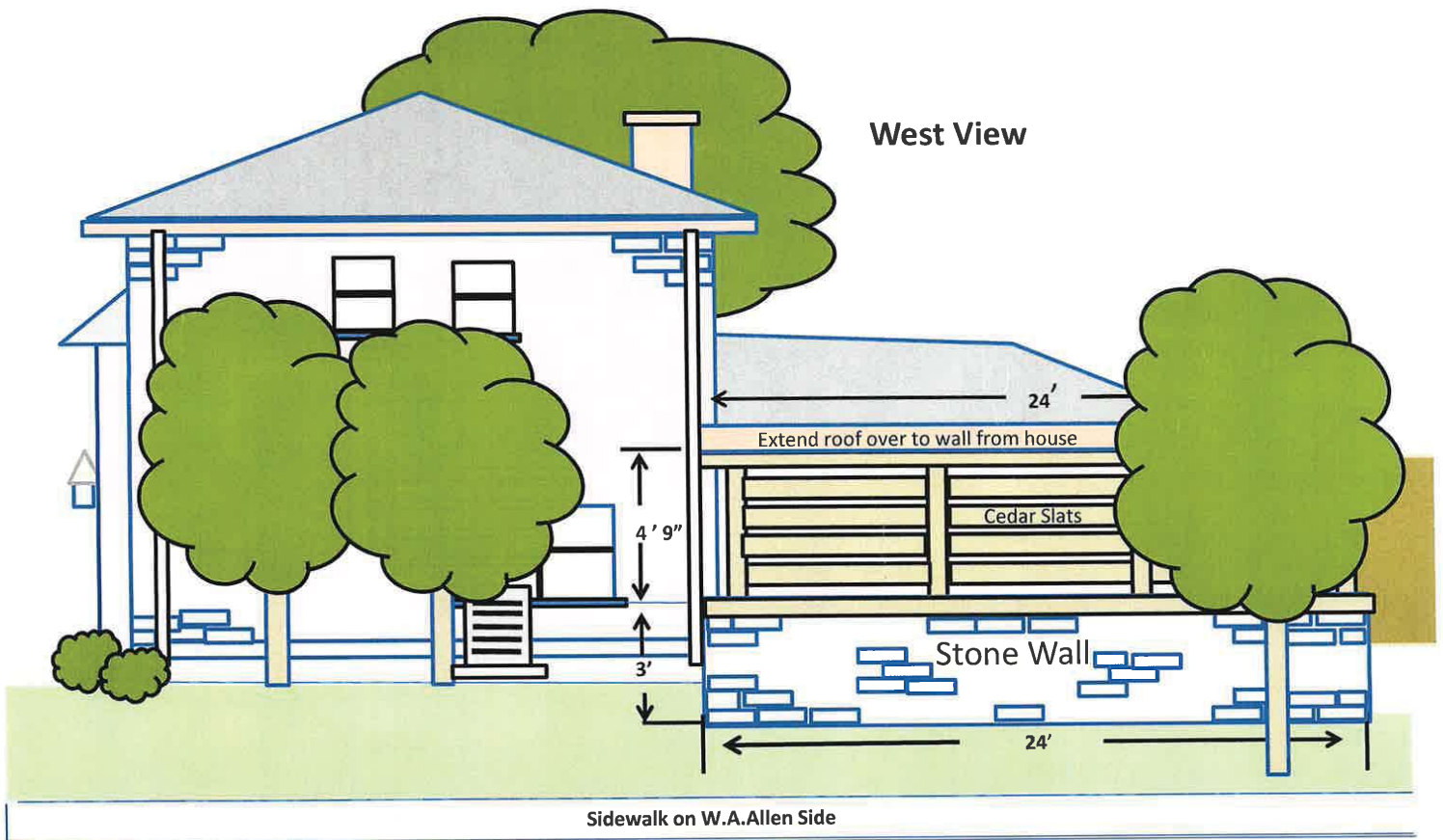
The plat herein is a true, correct and accurate representation of the property as determined by survey, subject to any and all easements, of which I have been advised, the lines and dimensions of said property being as indicated by the plat; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated. There are no encroachments, conflicts or protrusions, except as shown.

By: Don Parish
Don Parish
Registered Professional Land Surveyor, #2516



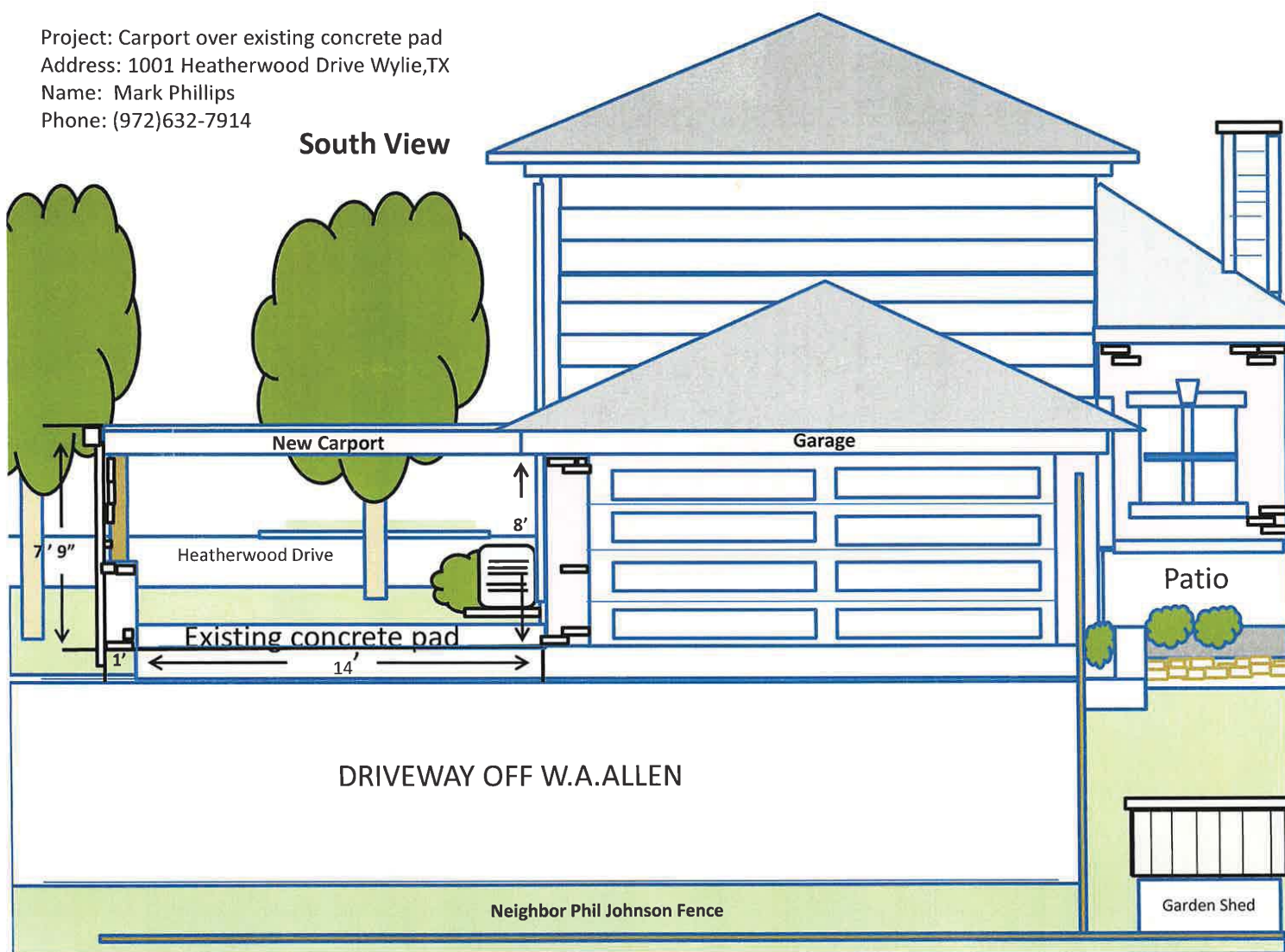
Construction of Car port over existing
cement pad
1001 Heatherwood Dr Wylie, Texas
Mark Phillips
(972)632-7914

West View



Project: Carport over existing concrete pad
Address: 1001 Heatherwood Drive Wylie, TX
Name: Mark Phillips
Phone: (972)632-7914

South View

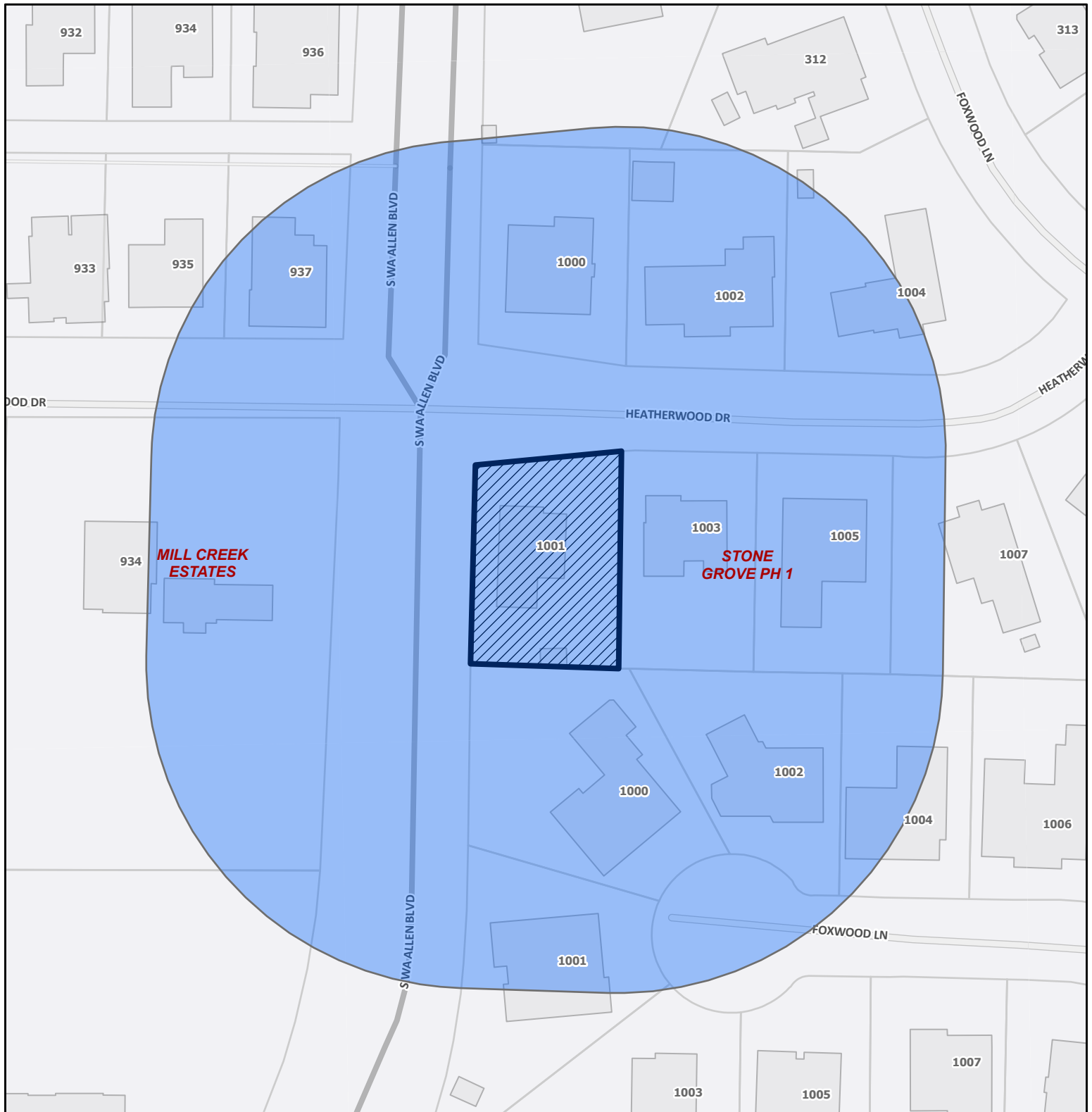




Notification Map

07/18/2022 Item 3.

WYLIE



Case Number: ZBA 2022-03

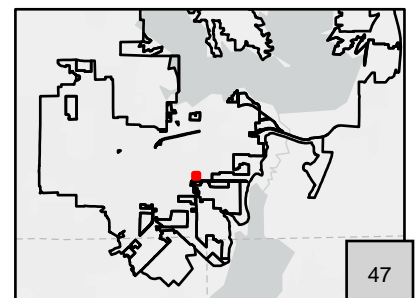


Subject Property



200ft Buffer

0 65 130 260 Feet



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

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

JB

I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

_____ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Jerry C. Barnett
(please print)

Address: 1007 Heatherwood Dr Wylie TX 75098

Property Tax Acct# R224800403001

Signature: Jerry C Barnett

Date: 6/26/2022

COMMENTS:

PUBLIC COMMENT FORM
(Please type or use black ink)

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

X

I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: SHELBY SOLOMON
(please print)

Address: 1004 HEATHERWOOD DR
WYLYE TX 75098

Signature: 

Date: 6/27/2022

COMMENTS:

N/A

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 #2022-03.

☐ I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

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

Monday, July 18, 2022 at 6:30 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: SCHRAPLA Family Trust
ELAINE SCHRAPLA
(please print)

Address: 115 S WA ALLEN
WYLIE, TX 75098

Signature: Elaine Schrapla

Date: _____

COMMENTS:

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

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

X I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

 I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2022-03.

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

Monday, July 18, 2022 at 6:30 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Kevin P McIlravy
(please print)

Address: 1003 Heatherwood Dr

Wylie, TX 75098

Signature: Kevin P. McIlravy

Date: 6/27/2022

COMMENTS:



Mark Phillips 1001 Heatherwood Drive Wylie, Texas
Petition for Variance on Carport Project

	Name:	Address:	Phone:	Approve Y/N
01	Anthony Morgan	1000 Heatherwood Dr	469-693-5617	yes
02	Lonnie Townsend	1002 Heatherwood Dr	214-384-8304	yes
03	Kevin McIlhenny	1003 Heatherwood Dr	214 500 7006	yes
04	Jerry Barnett	1007 Heatherwood Dr	972 442 7412	yes
05	Billy Cobb	401 Foxwood Ln	214-802-7669	yes
06	Phil Johnson	400 11001 Foxwood Ln	972-978-1154	yes
07	Andrew Morgan	1005 Heatherwood Dr	469-223-2574	yes
08				
09				
10				
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18				
19				
20				



Wylie Zoning Board of Adjustments

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 4

Subject

Hold a Public Hearing to consider and act upon a request by Ron Haynes Jr. for a variance to the rear and side setbacks of the Dominion of Pleasant Valley Planned Development, PD 2020-54 to allow for a 10' front and rear setback in lieu of the 20' front and 25' rear setback. Property located at 310 Crape Myrtle.
ZBA 2022-04

Recommendation

Motion to **approve, deny.**

Discussion

OWNER: Wylie DPV, LP

APPLICANT: Ron Haynes, Jr

The applicant is requesting a variance to the rear and side setbacks of the Dominion of Pleasant Valley Planned Development, PD 2020-54 to allow for a 10' front and rear setback in lieu of the 20' front and 25' rear setback. Property located at 310 Crape Myrtle. The purpose of this request is to allow for the development of a single family home on an irregular shaped lot

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

- The lot is located at the cul-de-sac of Crape Myrtle Drive and has a geometry that does not allow the developer to deliver a buildable house pad without reducing the front and rear setbacks. The developer had proposed a layout with Crape Myrtle Drive connecting to Banderilla Lane to avoid the cul-de-sac. However, an agreement to purchase the necessary property from the land owner could not be reached.

Public comment forms were mailed to five (5) 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.

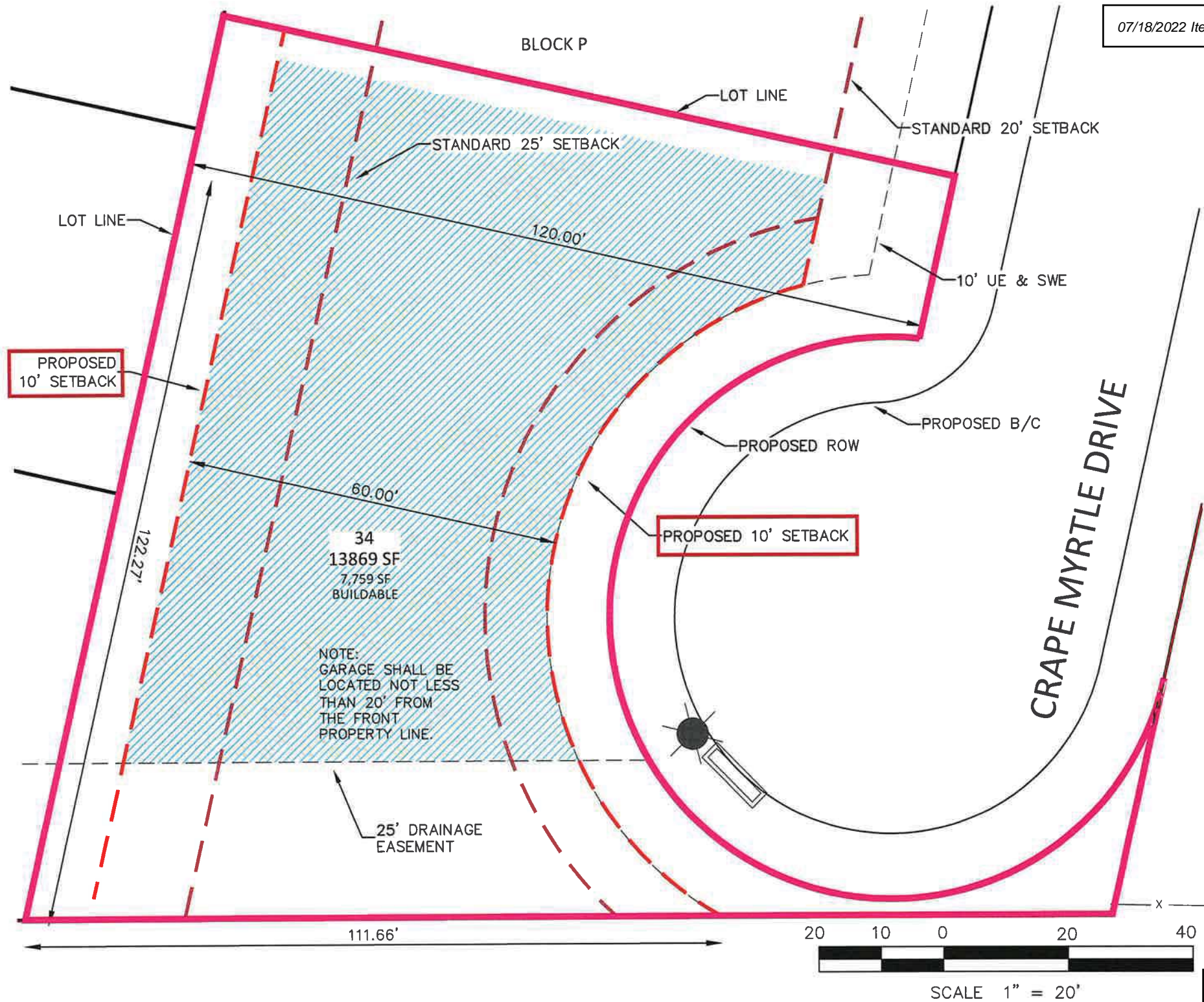
The Board shall not grant a variance to the development code which:

- (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.

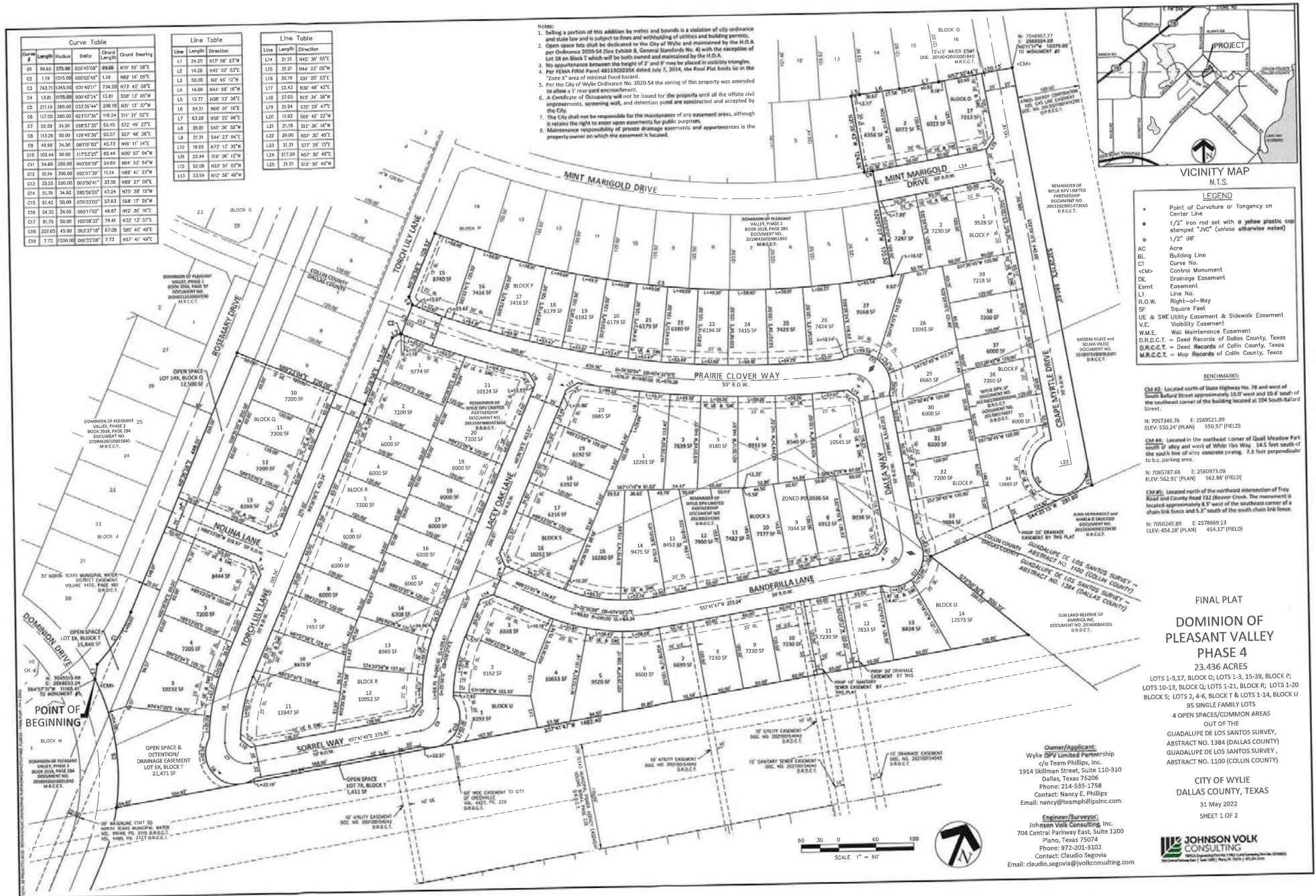
In order to grant a variance to the development code the Board shall find that all the following have been satisfied:

- (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.





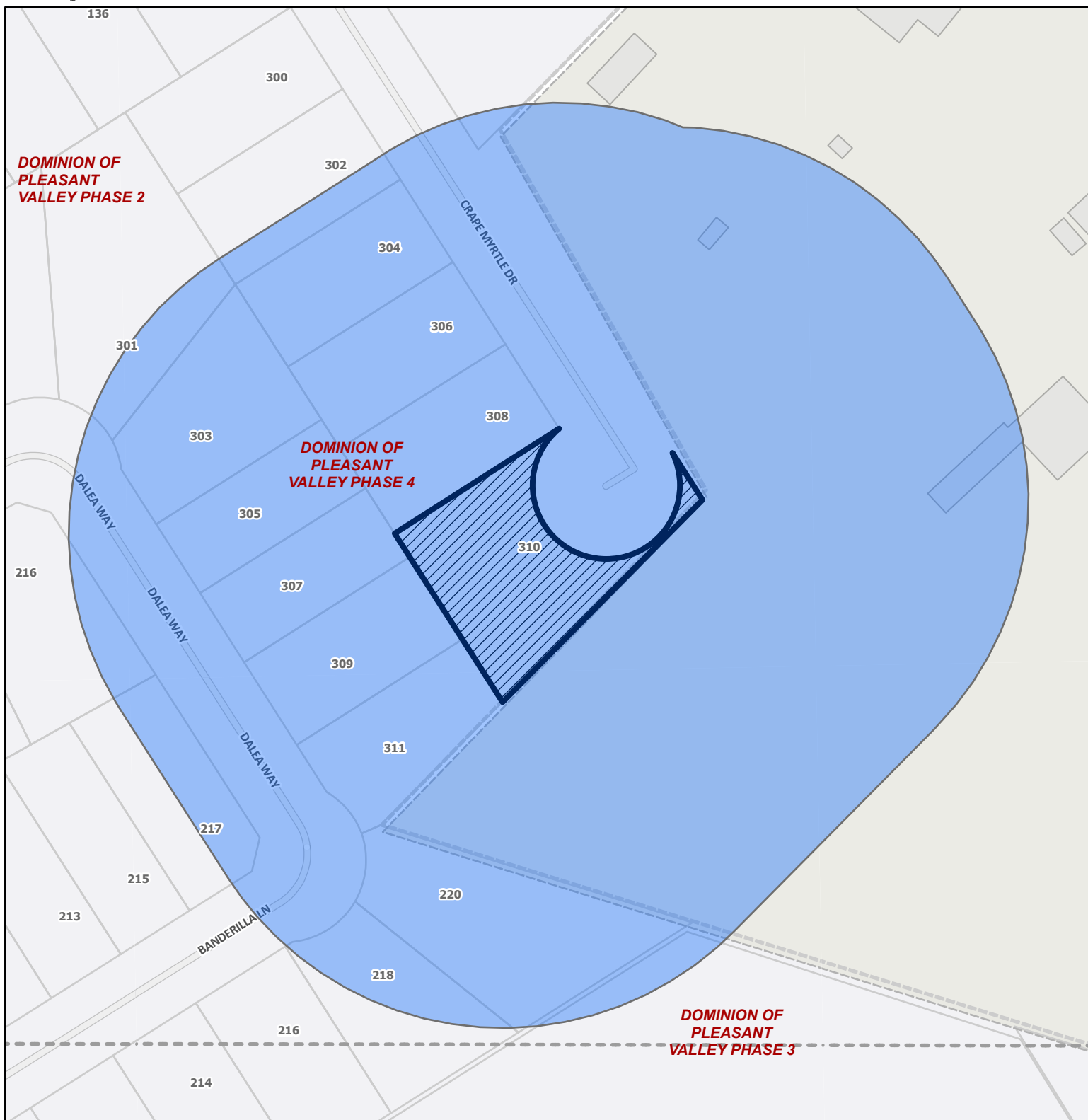




Notification Map

07/18/2022 Item 4.

WYLIE



Case Number: ZBA 2022-04



Subject Property



200ft Buffer

0 65 130 260 Feet

