



City of University Park

City Hall
3800 University Blvd.
University Park, TX 75205

Meeting Minutes Board of Adjustment

Thursday, November 19, 2015

4:00 PM

Council Chamber

3:30 - 4:00 PM - Work Session for Agenda Review

Acting Chairman Jackson opened the work session at 3:30 pm and asked Mr. Persaud to present case 15-011. Mr. Persaud went over pictures of the subject site pointing out the irregular shape and size of this lot. Mr. Persaud then talked about the requested variances stating the west sideyard setback for this lot is 10.85 feet but the applicant is asking for a one foot variance to be 9.85 feet instead. The architect provided drawings of the average sideyard setbacks for other lots on that block showing the Board that they would be setback farther than that with the variance. The east side of the house is encroaching into the sideyard setback a total of 123 square feet distributed between three triangle shaped sections of the house. The applicant is asking for a east sideyard setback of 10 feet instead of the 15.19 feet that is required. Mr. Persaud told the Board that in order to preserve the 30 inch caliper red oak in the front they have to keep away from the trees drip line. Doing so causes the house to be setback further pushing the corner of the garage into the 15 foot required east sideyard setback as well. Mr. Persaud talked about the responses staff recieved and then asked the Board that if they choice to approve the variances that they approve the site plan labeled Exhibit C.

The Boardmembers discussed wasted space in the garage, lot coverage and another alternative solutions there might be. No action was taken. The work session was closed at 3:51 PM.

Call to Order

Acting Chairman Jackson called the meeting to order at 4:00 PM and introduced the Board and Staff members.

Introduction of Board Members

- Present:** 5 - John Jackson, Darrell Lane, Bobby Womble, Eurico Francisco and Rusty Goff
- Excused:** 1 - Chairman Eddy Moore
- Seated:** 4 - Clay Snelling, Kevin Maguire, Jeff Barnes and Jim Hitzelberger

Staff in Attendance

Harry Persaud, Chief Planning Official
Patrick Baugh, Community Development Director
Jessica Steele, Planning Technician
Rob Dillard, City Attorney

Present: 9 - John Jackson, Darrell Lane, Clay Snelling, Bobby Womble, Eurico
Francisco, Kevin Maguire, Rusty Goff, Jeff Barnes and Jim Hitzelberger

Excused: 1 - Chairman Eddy Moore

The Board of Adjustment of the City of University Park conducted a public hearing in the Council Chamber. Consideration was given to the following item(s):

[BOA 15-011](#)

Requesting variances under Section 21-100 (4) (c) of the comprehensive zoning ordinance to allow for (1) a side yard setback of 9.85 feet along the west property line, where 10.85 feet is required and (2) to allow for a side yard setback 10 of feet along the east property line where 15.19 feet is required. The subject property is located at 2901 Bryn Mawr Drive and zoned, SF-2 zoning district classification in accordance with the comprehensive zoning ordinance.

Acting Chairman Jackson opened the public hearing at 4:00 pm and asked for anyone to speak in favor of the request to approach the podium.

Clint Pierson, the architect, discussed their request and how the lot is irregular shaped and they want to preserve the tree in the front yard which pushes the house into some set backs approximately 123 square feet.

Boardmember Francisco asked what the square footage of the proposed house was. Mr. Persaud explained that air conditioned space was 6,155 square feet.

Mr. Pierson also explained that the allowable lot coverage was 40% and stressed that they were not trying to max out the lot because they were only going to cover 32% of the lot.

Luis Gonzalez, builder, reminded the Board that there is a large parkway on the side of the lot that is not a part of their lot but looks like it is and sets the house back even further from the street. Mr. Gonzalez also explained that they are not trying to take advantage of the city or lot and are not trying to build too big for the lot. They expressed an intent want to make the street more beautiful with this new structure.

Boardmember Lane asked Mr. Pierson if the tree was not in the front of the lot, and that side of the house could move forward with the rest of the house, would they be inside the setbacks. Mr. Pierson replied stating it was very possible with a little change to the inside of the structure.

Boardmember Womble asked what the neighbor to the west's side yard was. Mr. Pierson said he measured it and it was 9.5 feet to the property line. Mr. Pierson then said they are asking to be 9.85 instead of the required 10.85.

Acting Chairman Jackson asked if there was anyone else to speak in favor or in opposition to the request. With no one else to speak, Acting Chairman Jackson closed the public hearing at 4:13 pm.

Boardmember Goff proposed they maintain the required set back of 10.85 on the west side of the property and that they reduce the garage and look at a variance for the east side yard setback.

Boardmember Francisco stated that the structure can be modified to not need any variances.

Boardmember Womble agreed with Boardmember Goff to keep the required west side yard setback but sees the good they are trying to do with the three car garage and trying to buy the city right-of-way.

Mr. Dillard suggested that the Board break up the requested variance into separate ones.

Boardmember Lane made a motion to deny the request for the west side yard setback of 9.85. Boardmember Francisco seconded.

Boardmember Goff made a motion to deny the request for the east side yard setback of 10 for the garage. Boardmember Lane seconded.

Boardmember Womble made a motion to grant the request for a east side yard setback of 10 feet for the front of the structure. Boardmember Goff seconded.

A motion was made by Boardmember Womble, seconded by Boardmember Goff, that this Variance Request be approved as amended. The motion carried by a unanimous vote.

15-473

Minutes of the October 27, 2015 Board of Adjustment Meeting

A motion was made by Boardmember Lane, seconded by Boardmember Goff, that the Minutes be approved. The motion carried by a unanimous vote.

Aye: 7 - Boardmember Jackson, Boardmember Lane, Boardmember Snelling, Boardmember Womble, Boardmember Francisco, Boardmember Maguire and Boardmember Goff

Excused: 1 - Chairman Moore

ADJOURNMENT: With there being no further business before the Board, Acting Chairman Jackson adjourned the meeting at 4:13 PM.

Approved by:

Chairman Eddy Moore

Date