



City of University Park

City Hall
3800 University Blvd.
University Park, TX 75205

Meeting Minutes Board of Adjustment

Tuesday, November 28, 2017

5:00 PM

Council Chamber

4:30 - 5:00 PM - Work Session for Agenda Review

Chairman Moore opened the work session at 4:38pm.

Mrs. Rees introduced case BOA 17-012 for a variance request with regards to Section 21-100(3)(a)(i) of the comprehensive zoning ordinance which discusses the allowable building wall length for a new family home. Mrs. Rees briefly presented a PowerPoint presentation and provided a graphic of the buffer, site, survey, and parkway. A brief discussion was held regarding the lot depth and how this particular lot currently meets each requirement and standard of a lot. The boardmembers discussed whether or not this item should have been submitted as a variance or an appeal. Mrs. Rees explained to the boardmembers that the homeowner insisted that the item be presented as a variance.

The work session was closed at 4:54pm and no action was taken.

Call to Order

Chairman Moore called the meeting to order at 5:03pm.

Introduction of Board Members

- Present:** 5 - Chairman Eddy Moore, John Jackson, Darrell Lane, Bobby Womble and Jeff Barnes
- Excused:** 3 - Clay Snelling, Eurico Francisco and Ann Shaw
- Seated:** 2 - Kevin Maguire and Jim Hitzelberger

Staff in Attendance

Patrick Baugh, Community Development Director
Jessica Rees, City Planner
Cecilia Mena, Planning Technician
Rob Dillard, City Attorney

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

Attachments: [BOA report.docx](#)
 [Resubmitted.App.pdf](#)
 [Doc Oct 31 2017 10-43 AM.pdf](#)
 [Resubmitted.Addendum,Survey,Supporting Docs.pdf](#)
 [Resubmitted.Plans.pdf](#)

Chairman Moore asked Boardmember Jackson to read the case then swore-in those persons wishing to speak to the item and opened the public hearing. Chairman Moore requested that the applicant approach the podium to speak on behalf of BOA 17-012.

Robert Bruner, property owner, approached the podium and introduced himself and his architect, Paul Turney. Mr. Bruner explained why he decided to bring this item before the Board. Mr. Bruner expressed that the 42% rule should be based off of where the sidewalk is rather than the actual property line. Mr. Bruner also stated that this block has a 17 foot right-of-way and the hardship would be the notch on the corner of his home which would effect the amount of headroom available. Mr. Bruner stated that Mr. Turney would answer any questions. Mr Bruner mentioned that the proposed home would be fairly small in size. Boardmember Jackson commented that this hardship was self-imposed. Mr. Bruner explained that the ordinance shows an illustration where the property line begins from the sidewalk. Mr. Bruner confirmed that he has not approached the City to purchase a portion of the right-of-way. A discussion was held regarding the definition of a lot, lot depth, and that the samples in the ordinance do not cover each lot in the City. Chairman Moore asked Mrs. Rees to approach the podium to answer any questions.

Mrs. Rees stated that if there was a graphic that did not correlate with the text in the ordinance then the text would override the graphic. Mrs. Rees mentioned that this lot met all of the requirements of an actual lot and also that the City does not incorporate any of the public right-of-way into lot dimensions. Mrs. Rees confirmed that there has not been any previous variances for this block and that each home remains in compliance from what staff is aware of.

Mr. Bruner approached the podium and explained that the state statute allows for a special circumstance to take the intent of the ordinance to keeps things in proper scale and proportion.

Chairman Moore asked if there was anyone else to speak in favor or in opposition of the request, with no one else to speak, Chairman Moore closed the public hearing.

A motion was made by Boardmember Barnes, seconded by Boardmember Lane, that this Variance Request be denied. The motion carried by a unanimous vote.

Consider the previous meeting minutes with or without corrections:

Attachments: [Meeting Minutes 7.25.17.pdf](#)

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

ADJOURNMENT: With their being no further business before the Board, Chairman Moore adjourned the meeting at 5:28pm.

Approved by:

Chairman Eddy Moore

Date