



MINUTES

FOR THE

SEAGOVILLE BOARD OF ADJUSTMENTS

Meeting scheduled to begin at 6:30 p.m.,

Thursday, July 21, 2016

in the Council Chambers of City Hall,
located at 702 North U.S. Highway 175 – Seagoville, Texas

- I. Chairperson Yearout declared a quorum present and called the meeting to order at 6:30 p.m.

Board Members present: Vice-Chairperson George Edwards
Chairperson Jerry Yearout
Alternate #2 Lorin Mullens
Boardmember Sidney M. Sexton, Jr.
Boardmember Mildred Thompson
Boardmember Nancy Ashley

Boardmember(s) absent: None

City Staff present: Building Official Ladis Barr and
Planning Technician/BOA Liaison Cindy Kintz

- II. Chairperson Yearout gave the invocation and the Boardmembers led in reciting of the Pledge of Allegiance.
- III. Boardmember Ashley made a motion, seconded by Boardmember Sexton, to approve the minutes for the Board of Adjustments meeting held on June 27, 2016 and the training meeting held on July 12, 2016 as written. A vote was cast 5 in favor, 0 against.

[At this time, Chairperson Yearout administered the oath to members of the audience providing testimony during the public hearings.]

[Chairperson Yearout read aloud the definition of an unnecessary "true" hardship.]

IV. PUBLIC HEARINGS

- A. **#V2016-05:** Chairperson Yearout opened the public hearing at 6:34 p.m. to hear the request of David Mackey with the Dallas County Housing Replacement Program on behalf of property owner Jean Reynolds for a variance from Section 25.02.153(i) for a three hundred and fifty square foot variance from the area of dwelling (minimum fourteen hundred square feet) for a total of 1,050 square feet for the dwelling; and a variance to waive the requirement in Section 25.02.153(l) of a 400 square foot minimum two-car garage for a replacement dwelling to be constructed on 0.74± acre located on Block B of the McClung Acres Addition more commonly known as 412 Baker Street as found in the Deed Records of Dallas County, Seagoville, Texas.

Speaking in favor of the request was the applicant, David Mackey – Housing Inspector for the Dallas County Housing Replacement Program, 411 Elm Street, 3rd Floor, Dallas, Texas. No one spoke in opposition to the request. Chairperson Yearout closed the public hearing at 6:42 p.m.

Following a brief discussion, Boardmember Sexton made a motion, seconded by Boardmember Ashley, to approve the request of David Mackey with the Dallas County Housing Replacement Program on behalf of property owner Jean Reynolds for a variance from Section 25.02.153(i) for a three hundred and fifty square foot variance from the area of dwelling (minimum fourteen hundred square feet) for a total of 1,050 square feet for the dwelling; and a variance to waive the requirement in Section 25.02.153(l) of a 400 square foot minimum two-car garage for a replacement dwelling to be constructed on 0.74± acre located on Block B of the McClung Acres Addition more commonly known as 412 Baker Street as found in the Deed Records of Dallas County, Seagoville, Texas. A vote was cast 5 in favor, 0 against. The request was approved.

- B. **#V2016-06:** Chairperson Yearout opened the public hearing at 6:44 p.m. to hear the request of Karl Jr. and Heather Boss for a variance from Section 2(d)(d) of the city's Planned Development Ordinance No. 30-03 for a four foot encroachment into the fifteen foot rear yard setback for a covered patio to be constructed on 0.21± acre located on Lot 26, Block E of the Highland Meadows Addition, Phase IIA more commonly known as 2701 Old Farm Drive as recorded in Instrument No. 201600083280 of the Deed Records of Dallas County, Seagoville, Texas.

Speaking in favor of the request was the applicant, Karl Boss Jr. – 2701 Old Farm Drive, Seagoville, Texas. Also speaking in favor of the request was Jonathan Delira – 3012 Glenrose Drive, Seagoville, Texas. No one spoke in opposition to the request. Chairperson Yearout closed the public hearing at 6:52 p.m.

Following a brief discussion, Boardmember Thompson made a motion, seconded by Boardmember Sexton, to approve the request of Karl Jr. and Heather Boss for a variance from Section 2(d)(d) of the city's Planned Development Ordinance No. 30-03 for a four foot encroachment into the fifteen foot rear yard setback for a covered patio to be constructed on 0.21± acre located on Lot 26, Block E of the Highland Meadows Addition, Phase IIA more commonly known as 2701 Old Farm Drive as recorded in Instrument No. 201600083280 of the Deed Records of Dallas County, Seagoville, Texas. A vote was cast 5 in favor, 0 against. The request was approved.

- C. **#V2016-07:** Chairperson Yearout opened the public hearing at 6:54 p.m. to hear the request of Refugio and Maria Rizo for a variance from Section 25.02.310 of the city's Zoning Ordinance for a three foot encroachment into the ten foot side yard setback for a small room addition constructed on 0.09± acre located on Lot 1, Block C of the Briar Creek Village Addition more commonly known as 1100 Vincent Drive as recorded in Volume 99080, Page 6359 of the Deed Records of Dallas County, Seagoville, Texas.

Speaking in favor of the request on behalf of the applicant, Refugio Rizo, was his daughter, Marcella Rizo, translating and providing testimony – 1111 Van Street, Seagoville, Texas. No one spoke in opposition to the request. Chairperson Yearout closed the public hearing at 7:01 p.m.

Following a brief discussion, Boardmember Thompson made a motion to approve the request of Refugio and Maria Rizo for a variance from Section 25.02.310 of the city's Zoning Ordinance for a three foot encroachment into the ten foot side yard setback for a small room addition constructed on 0.09± acre located on Lot 1, Block C of the Briar Creek Village Addition more commonly known as 1100 Vincent Drive as recorded in Volume 99080, Page 6359 of the Deed Records of Dallas County, Seagoville, Texas. The motion died due to the lack of a second.

Boardmember Sexton made a motion, seconded by Vice-Chairperson Edwards, to deny the request of Refugio and Maria Rizo for a variance from Section 25.02.310 of the city's Zoning Ordinance for a three foot encroachment into the ten foot side yard setback for a small room addition constructed on 0.09± acre located on Lot 1, Block C of the Briar Creek Village Addition more commonly known as 1100 Vincent Drive as recorded in Volume 99080, Page 6359 of the Deed Records of Dallas County, Seagoville, Texas. A vote was cast 4 in favor, 1 against. The request was denied.

Boardmember Sexton made a motion, seconded by Vice-Chairperson Edwards, to amend the original motion allowing the applicant ninety (90) days to remove the portion of the small room addition out of the ten-foot side yard setback. A vote was cast 5 in favor, 0 against.

- D. **#V2016-08:** Chairperson Yearout opened the public hearing at 7:08 p.m. to hear the request from Christopher Braggs for a variance from Section 25.02.153(b) of the city's Zoning Ordinance for a four foot encroachment into the six foot side yard setback for a storage building under construction on 0.40± acre located on Lot 13, Block H of the Unrecorded Phillip Pirozzo Survey more commonly known as 501 Armstrong Road as recorded in Instrument No. 200600109460 of the Deed Records of Dallas County, Seagoville, Texas.

Speaking in favor of the request was the applicant, Christopher Braggs – 501 Armstrong Road, Seagoville, Texas. No one spoke in opposition to the request. Chairperson Yearout closed the public hearing at 7:18 p.m.

After a discussion, Boardmember Thompson made a motion, seconded by Boardmember Sexton, to deny the request of Christopher Braggs for a variance from Section 25.02.153(b) of the city's Zoning Ordinance for a four foot encroachment into the six foot side yard setback for a storage building under construction on 0.40± acre located on Lot 13, Block H of the Unrecorded Phillip Pirozzo Survey more commonly known as 501 Armstrong Road as recorded in Instrument No. 200600109460 of the Deed Records of Dallas County, Seagoville, Texas. A vote was cast 5 in favor, 0 against. The request was denied.

Boardmember Thompson made a motion, seconded by Boardmember Sexton, to amend the original motion allowing the applicant one-hundred and twenty (120) days to remove the portion of the storage building under construction out of the six-foot side yard setback. A vote was cast 4 in favor, 1 against.

- V. The meeting adjourned at 7:30 p.m.

JERRY YEAROUT
CHAIRPERSON

ATTEST:

CINDY KINTZ, PLANNING TECHNICIAN
AND BOARD OF ADJUSTMENTS LIAISON