

City of Sachse, Texas
Board of Adjustments

Minutes of the Regular Meeting of May 16, 2013
Time: 7:00 p.m. Place: Sachse City Hall

Members Present:

Steve Oliver, Chairman
Kevin Quinn
David Darr, Alternate
Stephen Klash
Cory Hill

Members Absent:

James Cron

Others Present:

Billy George, City Manager
Michael Spencer, Building Official
Charlotte Youngblood, Secretary

Steve Oliver opened the regular meeting of the Zoning Board of Adjustment at 7:00 p.m.

1. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags

The invocation was offered by Steve Oliver and he also led the pledges.

Agenda Items:

2. Consider approval of the minutes from the March 16, 2013 Zoning Board of Adjustments meeting.

A motion was made by Kevin Quinn to approve the minutes. Stephen Klash seconded the motion. With all voting in favor the motion passed unanimously.

3. Conduct a public hearing and consider the application of Evaristo Jiminez requesting a variance from the Code of Ordinances, Chapter 11, Zoning, Schedule 1, Parking Requirement from 47 spaces to 37 spaces, and a variance to form the Code of Ordinances, Chapter 11, Zoning Article 3, Area Regulations to reduce front setback from 25 feet to 12.6 feet and to reduce the side yard (street) setback from 25 feet to 8 feet. The subject property is a 0.54 acre lot located at 7218 State Highway 78, Sachse, Texas 75048, more particularly described as Block A, Lot 10E, Sable Hill Estates.

Michael Spencer, Building Official, introduced the item and made a PowerPoint presentation. He explained the property owner is requesting three variances: 1) reduction in parking requirements; 2) reduction in front yard setback along Highway 78; and 3) reduction in side yard (street) setback. Mr. Spencer explained that these variances are a result of the applicant wishing to construct an outdoor patio.

Evaristo Jimenez, Applicant, 7024 Royal Oaks, said he has lived in Sachse for five years and wishes to stay in Sachse and expand his business. Jessie Jimenez, Applicant's representative, stated the first area of concern was the parking requirements. However, since that time we have been communicating with our neighbor 78 Realty to reach a parking agreement with him. I have a letter granting permission for us to use the adjacent parking. The second area of concern was the side yard setback on the Sable Road side in order for us to build an outdoor patio. If the variance is granted we will be closing two of the existing four entry/ exit points. He said they have been doing really well and having a patio would allow them to continue to be successful and competitive.

Stephen Klash made a motion to open the public hearing. Kevin Quinn seconded the motion. The motion passed 5-0 with all voting in favor. The public hearing was opened at 7:26 p.m.

Jeanie Marten, 4908 Maple Shade Drive, said the City Council is going to need to consider at some point shared parking agreements. We have an opportunity with these two cases tonight to head down that pathway and open up the discussion about shared parking agreements. She said Frankie's is a wonderful establishment involved in the community and we are handicapping them with outdated parking requirements.

Stephen Klash made a motion to close the public hearing. Corey Hill seconded the motion. The motion passed unanimously. The public hearing was closed at 7:29 p.m.

More discussion followed regarding legal nonconforming uses, parking requirements and setbacks.

Corey Hill made a motion to approve all three variances. Kevin Quinn seconded the motion. The motion passed 5-0.

4. Conduct a public hearing and consider the application of THJ Property LP/ Auduong Thiec Thien requesting a variance from the Code of Ordinances, Chapter 11, Zoning, Schedule 1, Parking Requirements to reduce the parking requirement from 113 spaces to 101 spaces, and a variance from the Code of Ordinances, Chapter 11, Section 5.5 to permit non-masonry exterior building materials in lieu of the required masonry exterior building materials. The property consists of two lots: one of which is located at 6302 State Highway 78, Sachse, Texas 75048, more particularly described as a 0.50-acre parcel located in Isaac Ramsey Abstract 1248, page 471, Tract 11.1; and the second is located at 6310 State Highway 78, Sachse, Texas 75048, more particularly described as a 1.00-acre parcel located in Block A, Lot 1 of the City of Sachse Addition.

Michael Spencer, Building Official, introduced the item and made a PowerPoint presentation. He explained the property owner is requesting two variances. The first variance would allow for a reduction in required parking and the second variance would allow for the use of non-masonry building materials. Mr. Spencer explained that the tenant is wishing to occupy the vacated structure at 6302 State Highway 78. Since this property has been vacated for a period of greater than six months the property no longer retains its lawful nonconforming status which means it would have to conform to the regulations currently in place requiring masonry exterior. The structure is currently constructed of non-masonry materials which necessitated the variance. He also explained that the additional variance is for a reduction in required parking. There are currently a total of 113 parking spaces required and only 101 available.

Meredith Blanford stated that the restaurant has space available where external freezers can be removed which would allow for the addition of 6 more parking spaces.

Elizabeth Blanford, Applicant, explained that the variance would allow them to double the size of their business. She stated that her current location is not big enough to do large weddings. Our shop is in the same shopping center where Burger Island is located. Ms. Blanford stated it was not until she got involved with the community that people began to realize where they were located. She said they would like to do different landscaping and add a green house. The new landscaping would allow us to attract higher end weddings. Signage is also important. She stated she felt that with better signage she could double her business. She stated she is a graduate of Sachse High School and she is currently involved with the Sachse High School work program, Naaman Forest

Horticulture Class, and the Sachse Garden Club. She said this new location would allow us to expand our business which would generate more sales and real estate taxes.

Stephen Klash made a motion to open the public hearing. Kevin Quinn seconded the motion. The motion passed unanimously. The public hearing was opened at 8:15 p.m.

Jeanie Marten, 4908 Maple Shade, said Lizzie B's is a successful homegrown Sachse business that needs to expand. The owner, Elizabeth Blanford, has been committed to the community and is involved with the Chamber and the schools. At the property being discussed tonight there are three retail spaces that are empty and under our current parking code have no possibility of being filled. Lizzie B's desire to move into the old Country Junction space is a great opportunity to utilize a space that quite frankly has become an eye sore. Her parking needs will have the lowest impact. The fact that the hours of operation are the exact opposite of Uncle Bruce's makes for a logical marriage of shared parking. Ultimately, granting her variance will be a big win for Sachse.

Mark Timm, 4417 Briarcrest, City Council member, stated he is here this evening as a member of the Sachse Chamber of Commerce. He said he has lived in Sachse for 21 years and this is the third flower shop he has seen in Sachse. This is the first that has been so successful that they need to relocate into a bigger facility. He said he would encourage the commission to consider that seriously tonight. He explained that there are two properties that are part of this request and are unique in that they have no way to expand their parking. So if anyone else in the future wants to come into this location they will be back up here asking for a variance. So the choice is do we keep kicking the can down the road or do we take care of one of our own today.

Stephen Klash made a motion to close the public hearing. Kevin Quinn seconded the motion. The motion was passed with all voting in favor. The public hearing was closed at 8:18 p.m.

More discussion followed regarding parking requirements and the current need to update our parking ordinance.

Kevin Quinn made a motion to approve the request for both variances. Corey Hill seconded the motion. The motion was passed 5-0.

There being no further business, Mr. Oliver moved to adjourn. The meeting was adjourned at 8:30 p.m.



Chairperson