



**Thursday, August 20, 2020
Zoning Board of Adjustment**

This meeting will begin at 5:30 p.m.

MEETING HELD AS A TELEPHONE CONFERENCE CALL

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

We encourage members of the public to listen to the telephone conference meeting.

If you have any comments to submit regarding the agenda or other items related to the agenda, please e-mail those to mrobinson@cityofsachse.com.

INSTRUCTIONS FOR ACCESSING THE TELEPHONE CONFERENCE CALL:

Citizens may join the Zoom Meeting by logging on at: <https://us02web.zoom.us/j/87810997459>

Meeting ID: 878 1099 7459

Or Telephone: (Toll Free): 877-853-5247

A. Regular Meeting - 5:30 PM

1. Call to Order: The Zoning Board of Adjustment of the City of Sachse will hold a Regular Meeting on Thursday, August 20, 2020 at 5:30 p.m. to consider the following items of business:
2. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
3. Consider and act on a request by Tony & Julie Morris for a variance to reduce the rear setback from 25 feet to 15 feet for the property located at 7624 Courtney Circle.
4. Adjournment.

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act and was posted on the bulletin board, an accessible location at Sachse City Hall.

Michelle Lewis Sirianni, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 975.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.



Agenda Item Details

Meeting	Aug 20, 2020 - Zoning Board of Adjustment
Category	A. Regular Meeting - 5:30 PM
Subject	3. Consider and act on a request by Tony & Julie Morris for a variance to reduce the rear setback from 25 feet to 15 feet for the property located at 7624 Courtney Circle.
Access	Public
Type	Discussion, Action, Information
Recommended Action	Staff recommends denial of the proposed variance request as Staff was not able to determine that an unnecessary hardship exists for the property that would prevent the construction of a patio cover.

Public Content

BACKGROUND

The applicant is requesting a variance request to reduce the rear setback from 25-feet to 15-feet in order to construct an attached patio cover to the existing home. While detached accessory structures have a minimum 3-foot rear setback, attached structures are considered part of the main structure and required to meet the standard rear setback for the zoning district.

The applicant has stated in their request that a special condition/hardship exists due to a detached structure being more expensive to construct (\$3,300 in estimate provided), not being as structurally safe as an attached patio cover; and not providing an element proof space to use. As part of their request, the applicant has provided a petition from adjacent property owners.

OVERVIEW

- In order for the Board to grant a variance request, it must find that:
 - That the variance will not be contrary to the public interest;
 - That due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship; and
 - That the spirit of the zoning ordinance shall be observed and substantial justice done.
- An unnecessary hardship while not narrowly defined by State law, does not include:
 - Self-imposed hardship;
 - Financial hardship;
 - Inability to achieve highest and best use;
 - Objectives of the property owner.

RECOMMENDATION

Staff recommends denial of the proposed variance request as Staff was not able to determine that an unnecessary hardship exists for the property that would prevent the construction of a patio cover.


7624 Courtney Circle - Petition.pdf (150 KB)

Staff Presentation - 7624 Courtney Circle.pdf (1,296 KB)


7624 Courtney Circle Variance Request

BOARD OF ADJUSTMENT

AUGUST 20, 2020




Project Information

- Variance request to reduce the required rear yard setback for the lot from 25' to 15'
 - Applicant/Owner: Tony & Julie Morris
 - Location: 7624 Courtney Circle
- 

Variance - Approval Criteria


In order for the Board of Adjustment to approve a variance request, the Board must find:

- 1) That the variance will not be contrary to the public interest;
 - 2) That due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship; and
 - 3) That the spirit of the zoning ordinance shall be observed and substantial justice done.
- 

Variations & Hardships

“Authorization for a property to depart from literal requirements of the zoning regulations in utilization of property in cases where strict enforcement would cause undue hardship”

An unnecessary hardship is not narrowly defined by State law, but it does not include:

- Self-imposed hardship;
 - Financial hardship;
 - Inability to achieve highest & best use; or
 - Objectives of the property owner
- 

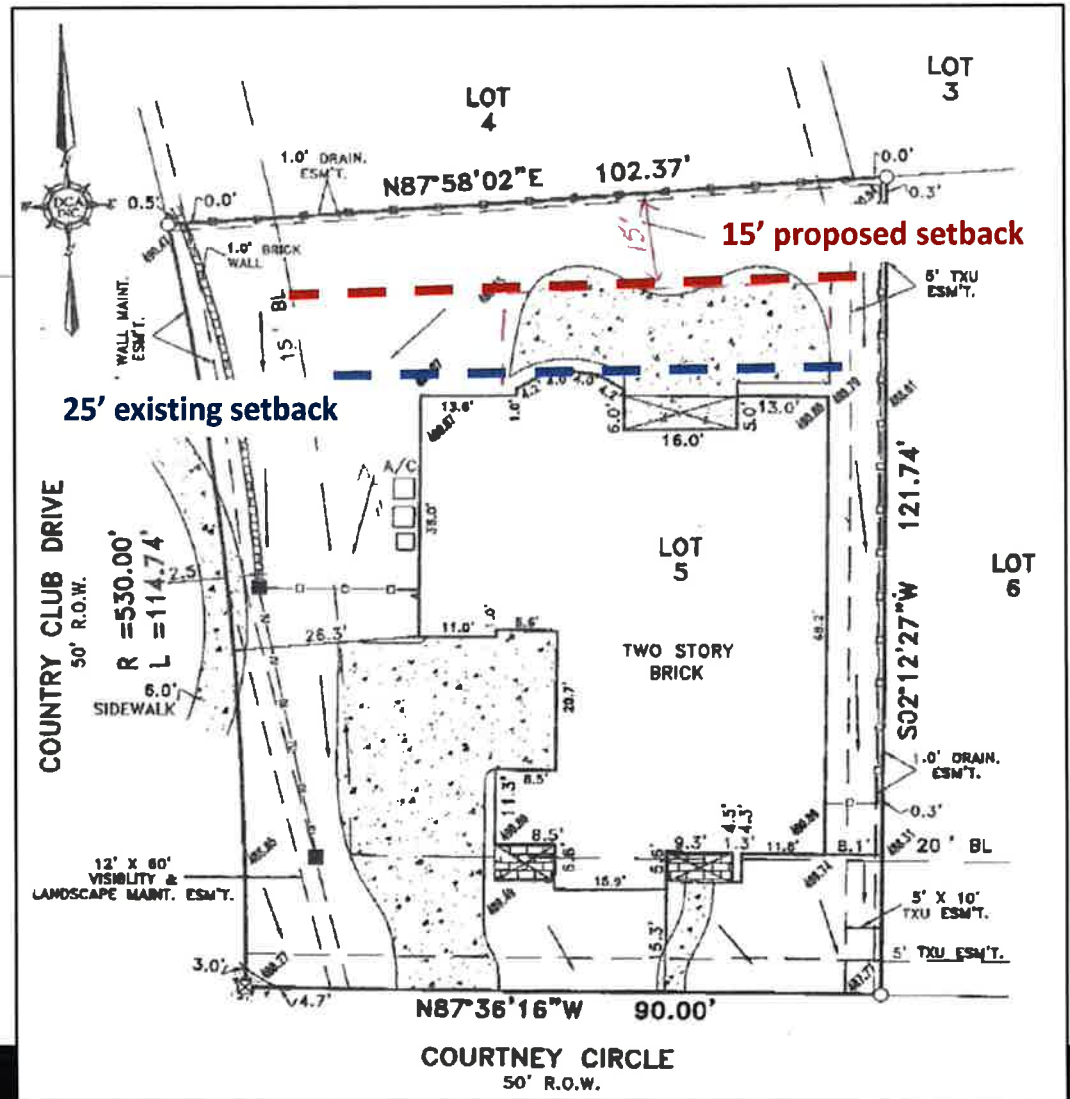
Aerial Map

The subject property is generally located at the northeast corner of Country Club Drive and Courtney Circle.



Request

Reduce the rear setback from 25' (shown in blue) to 15' (shown in red) to allow for an attached patio structure.



Applicant photos - backyard

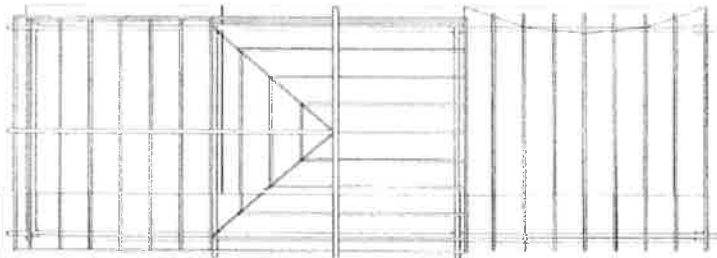
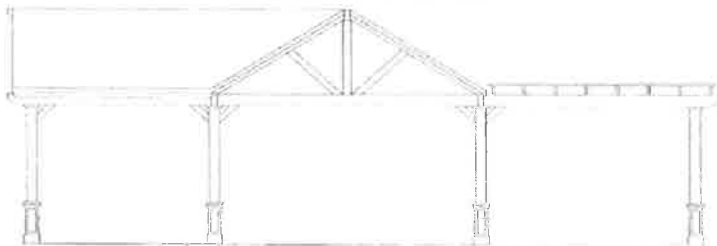


Applicant photos – patio structure

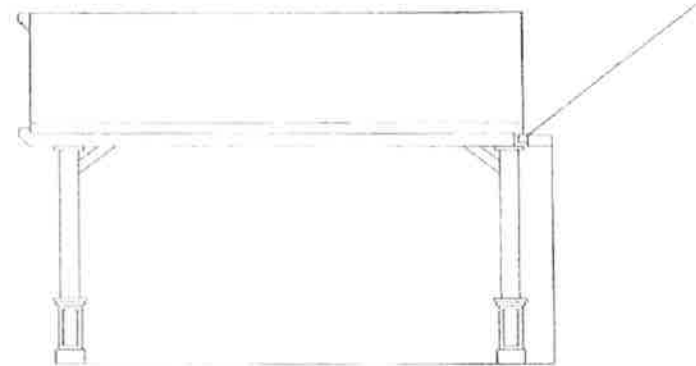
ATTACHED TO HOUSE



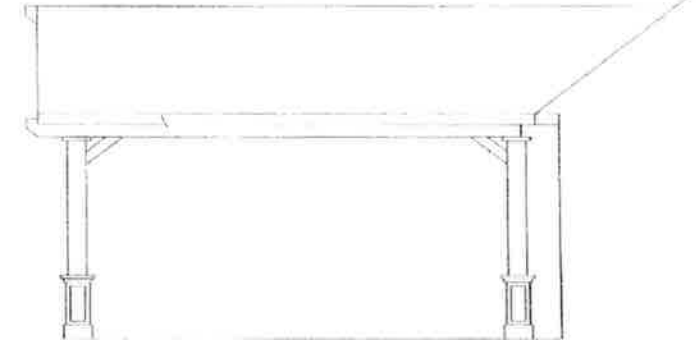
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Applicant photos – patio examples

Examples of ATTACHED Patio Covers




Examples of UNATTACHED Patio Covers



Staff Recommendation

Staff recommends denial of the proposed variance request for the following reasons:

- That an unnecessary hardship does not exist with the property that would prevent the construction of a patio cover;
 - An alternative exists to allow for the construction of a patio cover that meets zoning requirements;
 - Will alter the rear setback for the entire property to 15' which allows for a larger structure overall for the lot.
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THIS PETITION IS FOR:

ORIGINAL

TONY & JULIE MORRIS
7624 Courtney Circle, Sachse, TX 75048

PURPOSE OF PETITION: To build an ATTACHED patio cover over our existing concrete patio in the back yard.

THANK YOU FOR SIGNING!

PRINTED NAME	ADDRESS	SIGNATURE	DATE
Heather Olson	10212 Creekwood Ct	Heather Olson	6/10
Mark Olson	10212 Creekwood Ct	Mark Olson	6/10
Ida Martinez	7310 Vista Valley Ln	Ida Martinez	6/11
Ernest Martinez	7310 Vista Valley Ln	Ernest Martinez	6/11
Mary Davis	7515 Courtney Circle	Mary Davis	6-15
Cheridan Stuenkel	7532 Courtney Circle	Cheridan Stuenkel	6-15
Anthony Overstreet	7528 Courtney Circle	Anthony Overstreet	6-15
Chris Pemburn	7524 Courtney Circle	Chris Pemburn	6/15
Kristen Chaney	7520 Courtney Cir	Kristen Chaney	6/15
Braunson Bledsoe	7520 Courtney Cir	Braunson Bledsoe	6/15
Jeffery Birl	7511 Courtney Circle	Jeffery Birl	6-15-2020
Charlaine Capron-Leid	7508 Courtney Circle	Charlaine Capron-Leid	6-15-2020
Pam St. John	7606 Courtney Circle	Pam St. John	6-15-2020
Angela Bridges	7625 Courtney Circle	Angela Bridges	6-15-2020
ERIC BRIDGES	7625 Courtney Circle	Eric Bridges	6-15-2020
Carol Leonard	7618 Courtney Cir.	Carol Leonard	6/15/2020
John Leonard	7618 Courtney Cir	John Leonard	6/15/2020
Jayne Cornell	7622 Courtney Cir	Jayne Cornell	6/15/20
KYLE CORNELL	7622 COURTNEY CIR	Kyle Cornell	6/15/20