

## MINUTES

## ZONING BOARD OF ADJUSTMENT REGULAR MEETING OF JANUARY 16, 2018

The Zoning Board of Adjustment of the City of Lancaster, Texas, met in a Regular Session in the Council Chambers of City Hall on January 16, 2018 at 6:30 p.m. with a quorum present to-wit:

**Board Members Present**

Chair Deborah Taylor  
Margaret Brooks  
Sherri Williams  
Syrinithnia Mann  
John G Thomas  
Alternate Lawrence Smith

**City Staff:**

Dale Jackson, Building Official  
Kelley Frazier, Development Coordinator  
David Ritter, City Attorney

**Call to order**

Chair Taylor called the meeting to order at 6:30 p.m. on January 16, 2018.

**Consent Agenda:**

Chair Taylor read the consent agenda.

1. **Consider approval of minutes from the Board of Adjustment Regular Meeting held on April 11, 2017.**

**MOTION:** Board Member Brooks made a motion, and seconded by Board Member Williams to approve consent item 1 with the amendment that Alternate Lawrence Smith be counted present for the meeting. The vote was cast 5 for, 0 against.

**Public Hearing:**

2. **Discuss and consider a variance from Section 14.503(a)(3)A. of the Lancaster Development Code which requires garages that are accessed off of a street to be located at least 20 feet behind the closest corner of the front building facade or for the garage door to be perpendicular to the street. The location of the variance request is 618 Kiowa Circle and is further described as Lot 9, Block E of the Indian Canyon Subdivision.**

Dale Jackson, Building Official, stated a permit was issued on May 19, 2017 to construct a new Single-Family Dwelling at 618 Kiowa Circle. During the construction process, an inspection was requested and an error was discovered. The applicant was informed that a variance would be required to continue. Section 14.503(a)(3)A. of the Lancaster Development Code requires that garages to be accessed off of an alley. If the garage is accessed off of the street, the garage must be located at least 20 feet behind the closest corner of the front building façade or a J-swing garages (garages that have their door perpendicular to the street) is not required to meet the additional 20 foot setback. In this case the house has a front facing garage, and it is not set back the required 20 feet. Additionally, the house has had plumbing installed, foundation poured and framing completed. Staff went on site and noticed there are several homes on this same street and in this area that are similar to this home. Because this house is currently under construction and it does not differ from homes that currently exist in the immediate vicinity, in staff's opinion,

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approval of the variance would not alter the essential character of the district or weaken the general regulations established for the district. Staff recommends approval of this variance as presented.

Board Member Thomas inquired if there inspections on this property during construction. Mr. Jackson stated there were inspections completed at this location and when the error was discovered, work was stopped at that time to allow this variance to move through the process.

Board Member Williams asked how far along the home is in the construction phase. Mr. Jackson indicated that the home is at the framing stage so the structure of the home is complete, the electrical rough is complete, the HVAC duct work has been installed, the plumbing is up through the foundation and into the walls, however sheetrock has not been installed at this time. At this point they are about 50% complete.

Board Member Mann inquired as to who is the applicant for this project is. Mr. Jackson stated the contractor and property owner is the applicant for this project. Ms. Mann asked if the error occurred during the initial plan review of the project. Mr. Jackson stated that was correct.

Chair Taylor opened the public hearing.

Joe Boston, 717 E Border Street, Arlington Texas, indicated that when the process was initially started and the plans were submitted to the Building Official at that time and were approved by him. He chose this plan because it did match the majority of the neighborhood in this area and had no idea that this violated city code. However, he has been delayed at this point for two months and needs to be able to move forward on this project. He is requesting this variance be approved in order to move forward with completion of the home.

**MOTION:** Board Member Thomas made a motion and seconded by Board Member Brooks to close the public hearing. The vote was cast 5 for, and 0 against.

**MOTION:** Board Member Mann made a motion and seconded by Board Member Thomas to approve item 2 as submitted. The vote was cast 5 for, and 0 against.

**MOTION:** Board Member Brooks made a motion and seconded by Board Member Mann to adjourn the meeting. The vote was cast 5 for, and 0 against.

The meeting was adjourned at 6:47 p.m.

**ATTEST:**

**APPROVED:**

T. CAPEHART / V. Coleman  
Terry Capelhart, Director

Deborah Taylor  
Deborah Taylor, Chair