

**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA
CITY HALL, 3200 DIANA DRIVE
MARCH 5, 2024 at 6:00 PM**

1. CALL TO ORDER

2. EXECUTIVE SESSION

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Zoning Board of Adjustment to seek advice from the City Attorney as to the posted subject matter of this Zoning Board of Adjustment meeting.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

3. PUBLIC COMMENTS

This is the public's opportunity to address the Zoning Board of Adjustment on any matter not posted on the agenda. Citizen comments emailed to Lindsay Rawlinson (lrawlinson@richlandhills.com) on an item either listed on this agenda or not listed on this agenda will be heard at this time.

REGULAR AGENDA

4. Approve minutes from the September 5, 2023, Zoning Board of Adjustment meeting.
5. Consider **ZBA 2024-0090**, a request for a variance to increase the lot coverage maximum for the property described as Lot A, Block 98 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 7600 Bridges Avenue, Richland Hills, Texas 76118. **PUBLIC HEARING**

6. ADJOURNMENT

CERTIFICATE

I hereby certify that the above agenda was posted on this the 29th day of February 2024, by 5:30 p.m., on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas.

Lindsay Rawlinson

Lindsay Rawlinson
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements at the meeting, please notify the City Secretary 48 hours in advance of the meeting so that reasonable accommodations can be made. City of Richland Hills (817) 616-3810.

Memorandum

To: Richland Hills Zoning Board of Adjustment

From: Lindsay Rawlinson, City Secretary

Date: March 5, 2024

Subject: Minutes from the September 5, 2023 Zoning Board of Adjustment Meeting

Agenda Item:

Approval of September 5, 2023 Zoning Board of Adjustment Meeting Minutes

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

September 5, 2023 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the September 5, 2023 Zoning Board of Adjustment meeting

**ZONING BOARD OF ADJUSTMENT
SEPTEMBER 5, 2023
MINUTES**

Roll Call:

Members present

Jorge Cisneros, Chair
Ashly Schilling, Place 3
Athena Campbell, Place 4
Lisa Skier, Place 5
Joyce Fiaccone, Alternate 1

Members absent

Pamela Keith, Place 2

Staff present

Logan Thatcher, Assistant to the City Manager
Lindsay Rawlinson, City Secretary
Alecia Kreh, City Attorney

1. CALL TO ORDER

Chairman Cisneros called the meeting to order at 6:00 p.m.

2. EXECUTIVE SESSION

A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Zoning Board of Adjustment to seek advice from the City Attorney as to the posted subject matter of this Zoning Board of Adjustment meeting.

Motion: Motion was made by Member Campbell and seconded by Member Skier to convene into Executive Session. Time: 6:01 p.m.

Motion carried by a vote of 5-0.

B. Reconvene: Action necessary on items discussed in Executive Session

Chairman Cisneros reconvened into open session. Time 6:10 p.m.

3. PUBLIC COMMENTS

None.

REGULAR AGENDA

4. Approve minutes from the May 16, 2023 Zoning Board of Adjustment meeting.

Motion: Motion was made by Member Skier and seconded by Member Schilling to approve the May 16, 2023 Zoning Board of Adjustment meeting minutes.

Motion carried by a vote of 5-0.

5. Approved ZBA 2023-0773, a request for a variance to decrease the side yard setback requirement for the property described as Lot 5, Block 42 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 6728 Davidson Street, Richland Hills, Texas 76118. PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented ZBA 2023-0773, a request for a variance to decrease the side yard setback requirement from 10 feet to nine feet, six inches for the property described as Lot 5, Block 42 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 6728 Davidson Street, Richland Hills, Texas 76118. The property is a 13,430 square foot lot with a 1,358 square foot single family residence in the SF-10 zoning district.

Mr. Thatcher advised that the applicant, Francisco Andrade, is requesting a to build an attached covered patio.

Francisco Andrade, 6728 Davidson Street, Richland Hills, advised that a tree fell in his yard and due to the loss of shade from the tree, they need a new covered patio. He is seeking to stay in line with the line of the house.

Chairman Cisneros opened the Public Hearing at 6:15 p.m. and asked to hear from any proponents followed by opponents of the case.

Norma Loaiza, 6720 Davidson Street, Richland Hills, advised that she is in favor of the variance and the proposed covered patio area and stated it will look nicer when the work is completed.

Chairman Cisneros closed the Public Hearing at 6:19 p.m.

Motion: Motion was made by Member Schilling and seconded by Member Skier to approve ZBA 2023-0773, a request for a variance to decrease the side yard setback requirement for the property described as Lot 5, Block 42 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 6728 Davidson Street, Richland Hills, Texas 76118.

Motion passed by a vote of 5-0.

6. Approved ZBA 2023-0761, a request for a variance to increase the lot coverage maximum for the property described as Lot 16, Block 51 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3829 Norton Drive, Richland Hills, Texas 76118. PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented ZBA 2023-0761, a request for a variance to increase the lot coverage maximum for the property described as Lot 16, Block 51 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3829 Norton Drive, Richland Hills, Texas 76118. The property is a 14,000 square foot lot with a 2,861 square foot single family residence in the SF-7 zoning district.

Mr. Thatcher advised that the applicant, Grayson Anderson, is requesting a Variance to increase the lot coverage maximum of 5,600 square feet by 1,286 square feet making the lot coverage maximum 6,886 square feet. Mr. Anderson is seeking to replace a detached garage and place it further back on the property due to flooding issues

Grayson Anderson, 3829 Norton Drive, Richland Hills, provided background information regarding his property and presented pictures of flooding issues his property has faced.

Chairman Cisneros opened the Public Hearing at 6:39 p.m. and asked to hear from any proponents followed by opponents of the case.

Dixie Davis, 3825 Norton Drive, Richland Hills, expressed her appreciation for the applicant as a neighbor and is in favor of the variance.

Roy Davis, 3825 Norton Drive, Richland Hills, stated that Mr. Anderson was a wonderful neighbor and builder who produces quality work. He is in favor of the variance.

Chairman Cisneros closed the Public Hearing at 6:41 p.m.

Motion: Motion was made by Member Schilling and seconded by Member Skier to approve ZBA 2023-0761, a request for a variance to increase the lot coverage maximum for the property described as Lot 16, Block 51 Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3829 Norton Drive, Richland Hills, Texas 76118.

Motion passed by a vote of 5-0.

7. ADJOURNMENT

Motion: Motion was made by Member Schilling and seconded by Member Campbell to adjourn.

Motion carried by a vote of 5-0.

There being no further business to come before the Zoning Board of Adjustment, Chairman Cisneros declared the meeting adjourned at 6:44 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Jorge Cisneros, Chairman

Memorandum

To: Richland Hills Zoning Board of Adjustment

From: JP Ducay, Director of Planning & Development Services

Date: March 5, 2024

Subject: Zoning Variance Request for 7600 Bridges Avenue

Agenda Item:

Consider ZBA 2024-0090, a request for a variance to increase the lot coverage maximum for the property described as Lot A, Block 98, Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 7600 Bridges Avenue, Richland Hills, Texas 76118. **PUBLIC HEARING**

Background Information:

The property at 7600 Bridges Avenue is a 7,920 square-foot lot with a 2,976 square-foot two-family (duplex) residence located in the SF-7 zoning district. The applicant for this property is Nigel Crudgington.

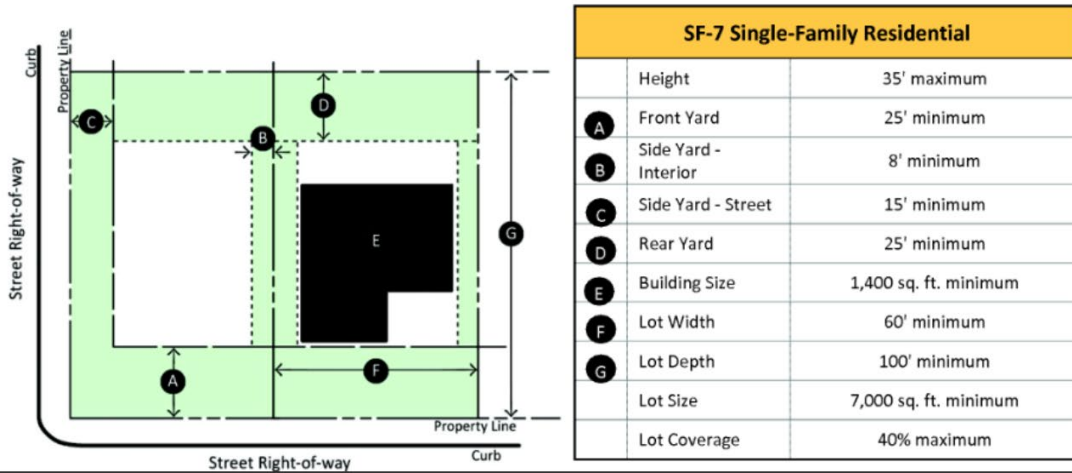
According to **Section 2.03.03(D) SF-7 Single-Family Residential – Area regulations**, the lot coverage maximum shall be no more than 40%. Subsequently, the subject 7,920 square-foot lot allows for a maximum lot coverage of 3,168 square-feet. After a site inspection, it was determined that there was an approximate covered lot area of 4,132 square-feet (exceeds lot coverage requirement by 964sf).

The applicant is requesting a variance in order to increase the lot coverage maximum of 3,168 square-feet by 964 square-feet making the lot coverage maximum 4,132 square-feet. The subject residential duplex was constructed in 1971. During the original construction phase, it is suspected that the existing 836 square-foot concrete pad was poured in the rear yard and a carport was constructed on top. In August 2023, a storm caused the carport to collapse. The applicant is now proposing to replace the carport with an 800 square-foot four car garage (please see attached slides from the applicant).

The subject site exceeds the lot coverage requirement due to the existing rear yard driveway and concrete (carport) pad. In order to construct any new structure on site, a lot coverage zoning variance would be required to address this pre-existing non-conformity.

Zoning Map:

(D) Area regulations.



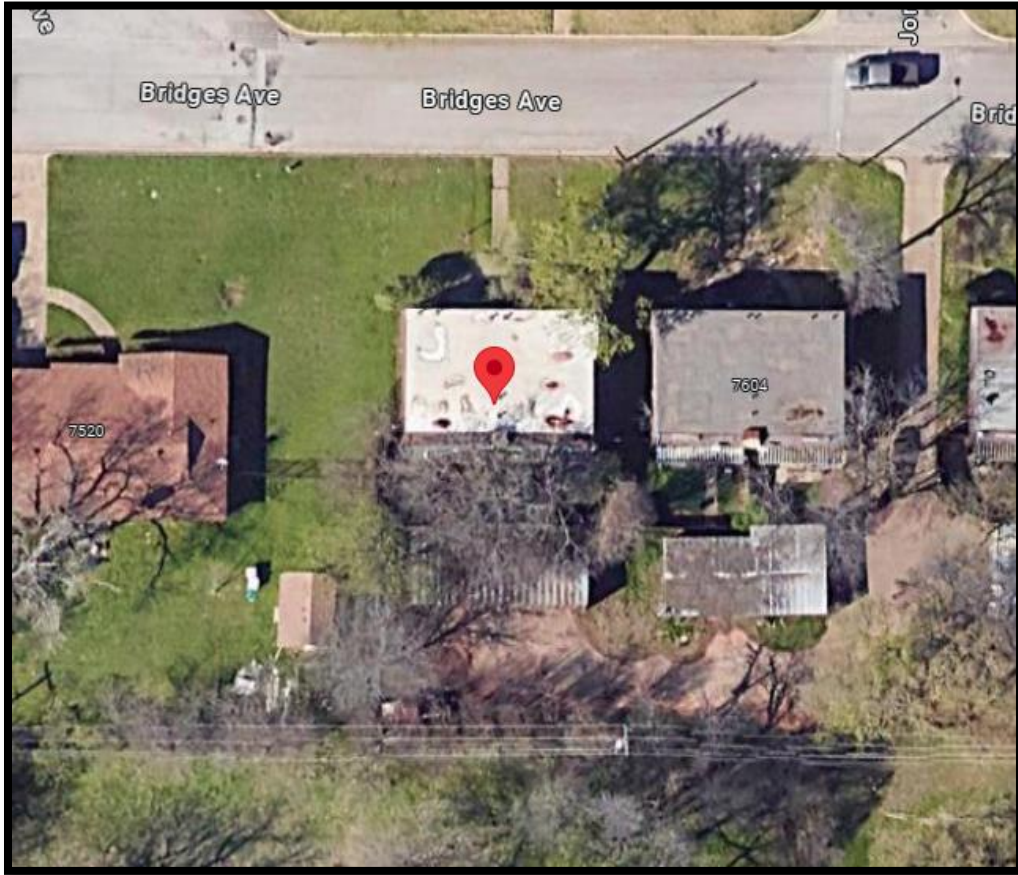
Attachments:

- Property Photos
- Proposed Plans
- Section 6.12 – Zoning Variance

Motion:

Motion to *(approve/deny)* ZBA 2024-0090, a request for a variance to increase the lot coverage maximum for the property described as Lot A, Block 98, Richland Hills Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 7600 Bridges Avenue, Richland Hills, Texas 76118.

7600 Bridges Avenue Property Photos



Nigel Crudgington
7600 Bridges Ave
Richland Hills, TX 76118
(817) 368-8766
Ncrudge@yahoo.com

January 25, 2024

Dear Richland Hills Zoning Board,

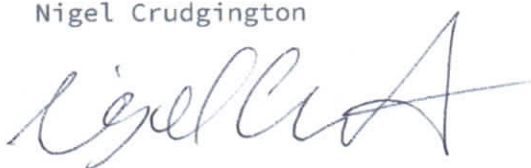
In early August of 2023 a storm came through and much of the city was effected. Among those effected was my tenant and myself. The roof of our carport had collapsed, resulting in my car's back window being smashed and my tenant's trailer and other property being damaged. It has since been demolished and removed. Seeing as how I bought the property as my first home in July, it was pretty disheartening but it could have been worse. Since the collapse I have not made any moves to replace it until now.

I proposing to install a metal, 20x40x9ft enclosed garage. I was informed by the permit office that such would exceed the limit of what percentage of my property is allowed to be in dwelling status.

I am applying for an exemption to that policy. Not having covered parking is a hardship to myself and my tenant, due to the exposure of our property to the elements and inability to secure the vehicle and property within. We are also without the storage space that was afforded to us by the aforementioned carport. I am not expanding the parking area, only building upon the concrete pad that was already in place. It will be the same size as the previous structure. It will have electrical outlets and lighting as my previous carport had and will also have garage door openers. Please see the mockup that was generated by the metal building manufacturer, Alan's Factory Outlet. Blueprints will be available upon approval of exemption.

Sincerely,

Nigel Crudgington

A handwritten signature in black ink, appearing to read 'Nigel Crudgington', written in a cursive style.



Your Custom Metal Building Design
alansfactoryoutlet.com | 1-800-488-6903

Edit or Buy Your Design: alansfactoryoutlet.com/design/IDgWyRR2/

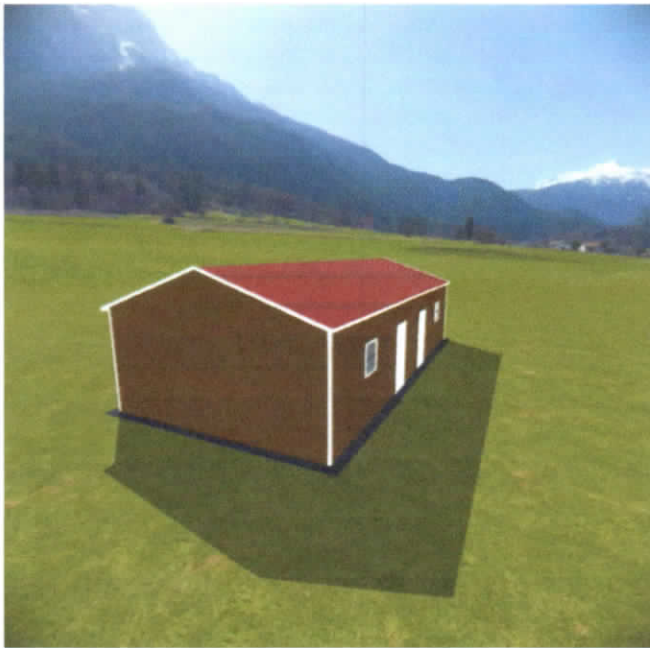
Delivery Zip Code: 76118



Front



Right



Back

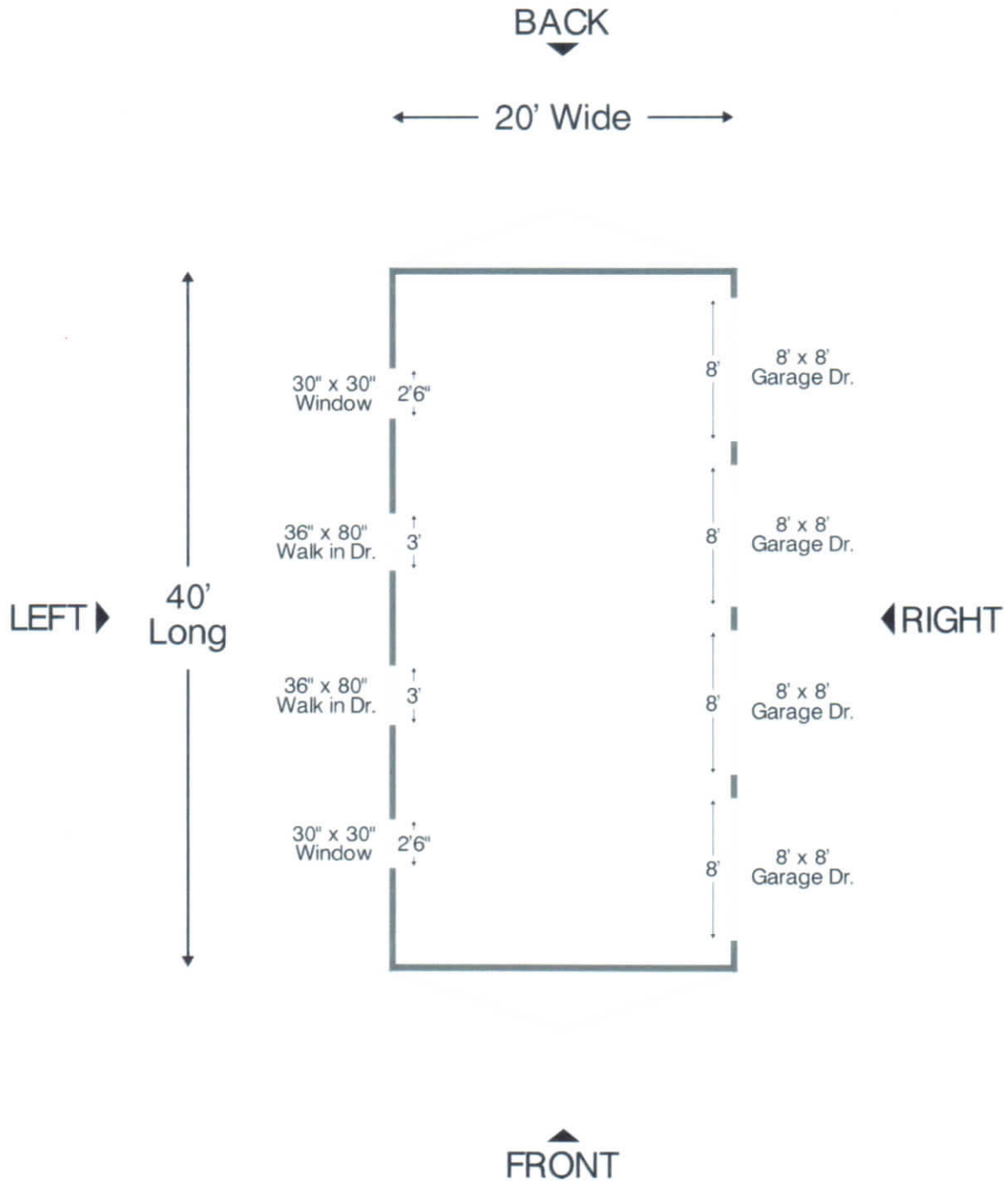


Left



Your Custom Metal Building Design
alansfactoryoutlet.com | 1-800-488-6903

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Floor Plan



Your Custom Metal Building Design

alansfactoryoutlet.com | 1-800-488-6903

Edit or Buy Your Design: alansfactoryoutlet.com/design/IDgWyRR2/

Delivery Zip Code: 76118

20 x 40 Vertical Roof Metal Garage \$10,624.50 1 \$11,805.00

Roof Color: Barn Red

Trim Color: White

Side & End Color: Earth Brown

Garage Door Color: White

Galvanized or Colored Screws: Silver Galvanized Screws

Certified or Uncertified: Certified 140 mph & 35 psf

14 GA or 12 GA Tubing: Standard 14 GA

29 GA or 26 GA Sheeting: Standard 29 GA

Leg Height: 9' Leg Height on a 40' Long

Left Side: Left Side Closed with 9' Legs - 40' Long

Right Side: Right Side Closed with 9' Legs - 40' Long

Horizontal or Vertical Sides: Horizontal Sides

Vertical Deluxe Two Tone on Side: Without Vertical Deluxe Two Tone

Ends: 20' Wide - Close Both 9' Ends

Horizontal or Vertical Ends: Horizontal Ends

Vertical Deluxe Two Tone on End: Without Vertical Deluxe Two Tone

Garage Doors 8'x8': Four 8' Wide x 8' Tall Garage Doors

Walk in Door: Two Single Walk in Doors 36" Wide x 80" Tall

Windows: Two 30" x 30" Windows

Installation Surface: Asphalt

Power Outlet Available Within 100ft: Yes, Power Outlet Within 100ft

Garage Doors 8'x8' Locations Side: 4 Garage Doors 8'x8' on the Side

Walk in Door Location: Walk in Door on Left Side Centered

Windows Location: Window on the Left Side

Subtotal: \$11,805.00

Limited Time 10% Discount: -\$1,180.50

Delivery & Installation: FREE for Zip Code 76118

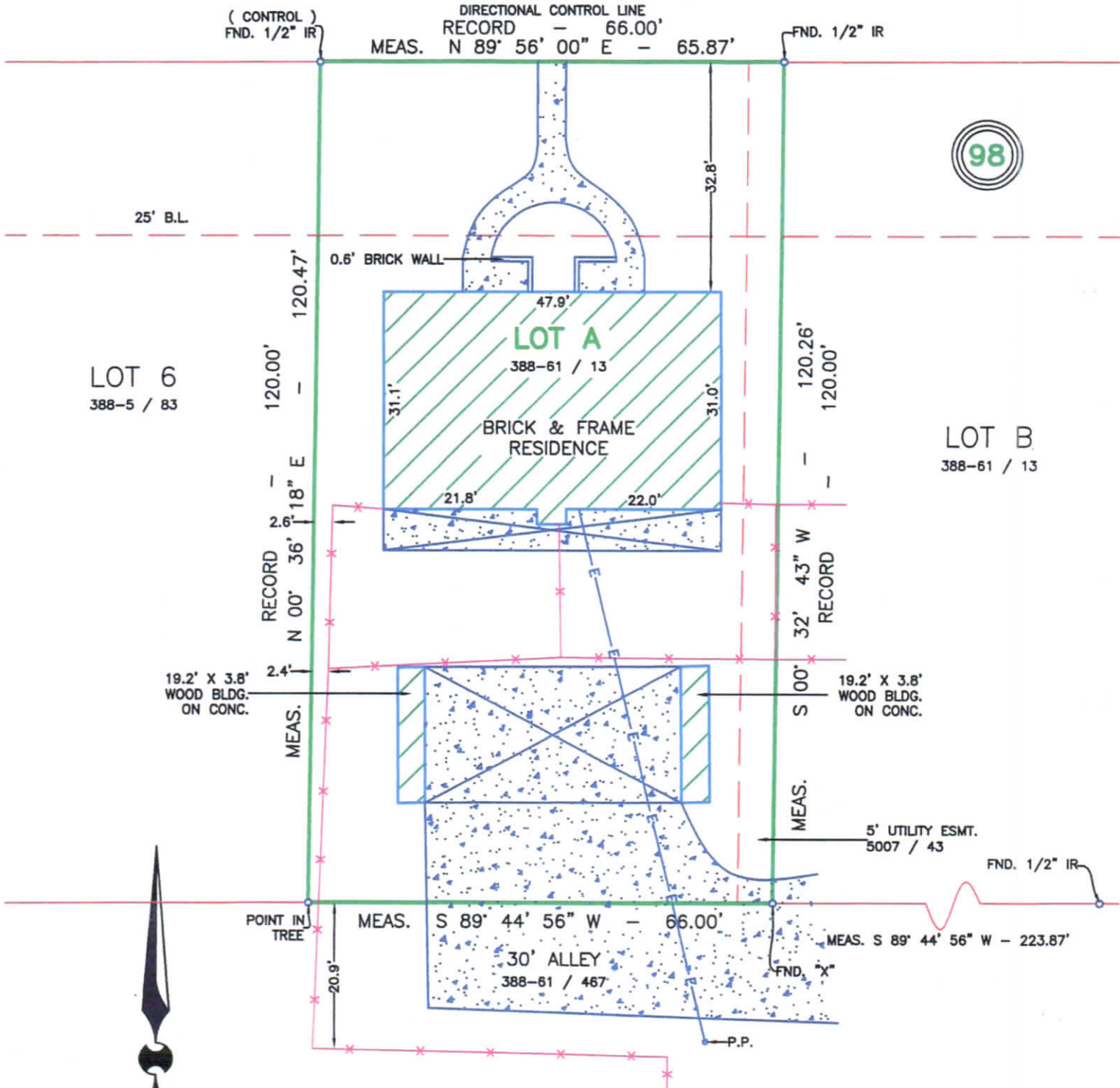
Tax: Calculated in Checkout

Total: \$10,624.50

Deposit to Order: \$1,806.17

Prices subject to change without notice

7600 BRIDGES AVENUE



98

LOT 6
388-5 / 83

LOT B
388-61 / 13



SCALE: 1" = 20'

	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

LEGEND

This survey is hereby
accepted and approved.

Purchaser

Purchaser

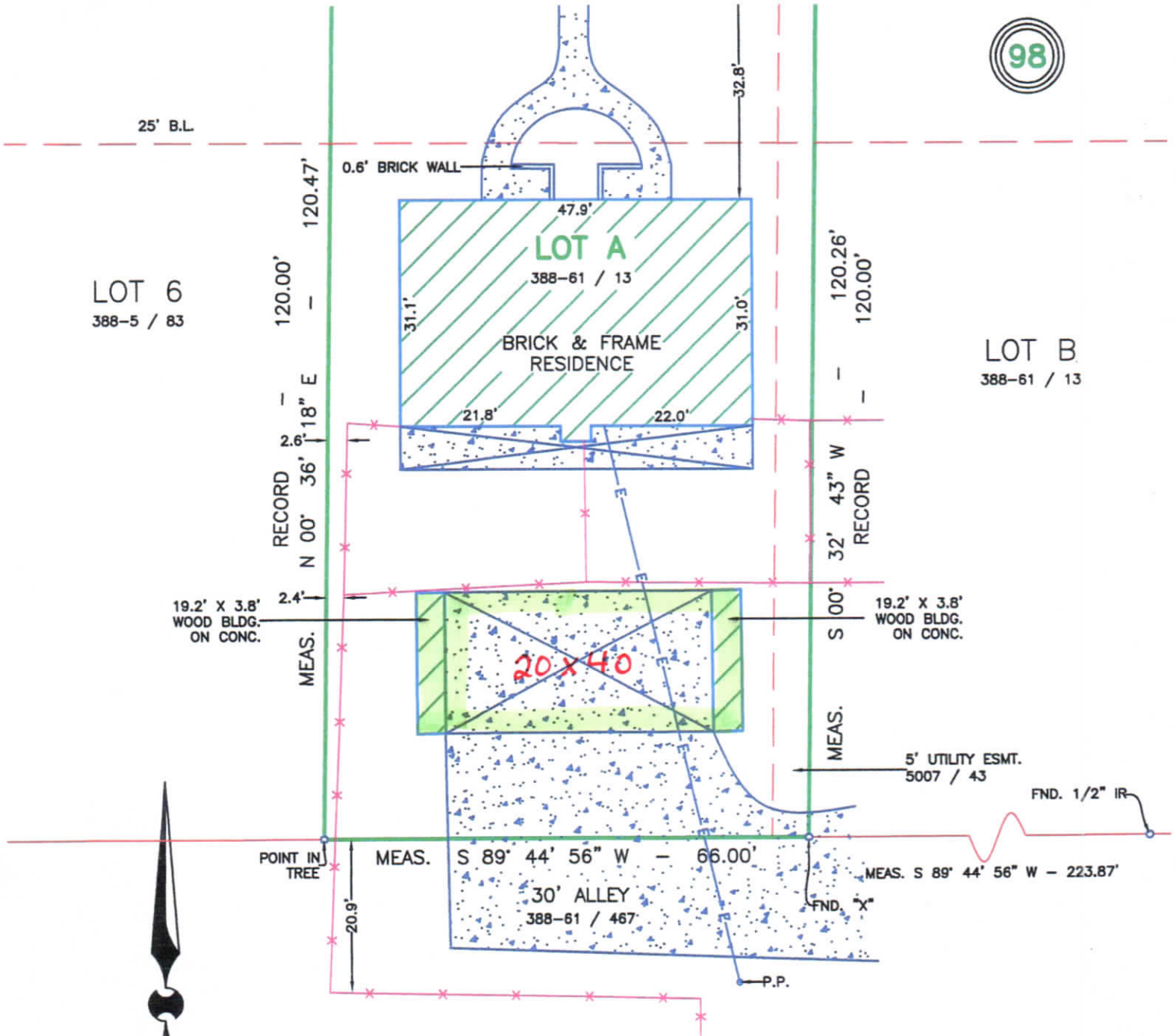
Date

SURVEYORS CERTIFICATION

I, DAVID J. ROSE, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE BOUNDARY LINE, AND DIMENSIONS OF THE LAND INDICATED THEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, SAID PROPERTY BEING SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, AND THAT ONLY THE EASEMENTS SHOWN ON THE REFERENCED PLAT OF RECORD, VISIBLE EASEMENTS AND THOSE OF WHICH THE SURVEYOR HAS BEEN GIVEN WRITTEN NOTICE FROM TITLE COMPANY ARE SHOWN ON THIS PLAT. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE TITLE COMPANY AND PURCHASER SHOWN AND IS LICENSED FOR ONE SINGLE USE. THIS SURVEY WILL BE VOID IF USED BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE. SURVEYOR BEARS NO RESPONSIBILITY FOR SAID USE.

STATE FIRM REGISTRATION NUMBER 10193797





SCALE: 1" = 20'

	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

LEGEND

This survey is hereby accepted and approved.

Purchaser

Purchaser

Date

SURVEYORS CERTIFICATION

I, DAVID J. ROSE, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE BOUNDARY LINE, AND DIMENSIONS OF THE LAND INDICATED THEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, SAID PROPERTY BEING SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, AND THAT ONLY THE EASEMENTS SHOWN ON THE REFERENCED PLAT OF RECORD, VISIBLE EASEMENTS AND THOSE OF WHICH THE SURVEYOR HAS BEEN GIVEN WRITTEN NOTICE FROM TITLE COMPANY ARE SHOWN ON THIS PLAT. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE TITLE COMPANY AND PURCHASER SHOWN AND IS LICENSED FOR ONE SINGLE USE. THIS SURVEY WILL BE VOID IF USED BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE. SURVEYOR BEARS NO RESPONSIBILITY FOR SAID USE.

STATE FIRM REGISTRATION NUMBER 10193797



7600 Bridges Ave

MAX 3,168

Lot 7,920

4 x 66 sidewalk 264

② 4 x 3.5 Porch 38

50 x 31 House 1,550

5 x 19 Porch 95

5 x 22 Porch 110

44 x 19 Pad 836

28 x 42 Drive 1,176

6 x 12 Drive 72

4,132

surpasses lot coverage by 964 //

Section 6.12 - Zoning Variance

6.12.01. Purpose and Applicability

- (A) *Cases for which a zoning variance may be granted.* The zoning board of adjustment may authorize a variance from the development regulations in this Zoning Ordinance such as the height (including number of stories), yard (including setbacks), lot area, lot coverage, structures (including size, density and location), parking requirements, performance standards and other development regulations contained herein.
- (B) *Variance criteria.* No zoning variance shall be granted without first having given public notice and having held a public hearing on the zoning variance request in accordance with section 6.03.02. Public Hearings and Notification Requirements for Zoning Related Applications, and unless the board of adjustment finds all the following criteria are met:
- (1) *Unique circumstances.* That there are special circumstances or conditions affecting the land involved such that the application of the Zoning Ordinance's provisions would deprive the applicant of the reasonable use of his/her land.
 - (2) *Minimum necessary relief required to alleviate the undue hardship.* The zoning variance, if granted, would be the minimum necessary relief required to alleviate the undue hardship.
 - (3) *Preservation of property rights.* That the zoning variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
 - (4) *No substantial detriment to the public good.* That the granting of the zoning variance will not be detrimental to the public health, safety or welfare, impair the purposes and intent of this Zoning Ordinance and the comprehensive plan or be injurious to other property within the area.
 - (5) *Orderly use of land.* That the granting of the zoning variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Zoning Ordinance.
 - (6) *Precedent.* The granting of an individual zoning variance will not set a precedent.
 - (7) *Finding of undue hardship.* In order to grant a zoning variance, the board of adjustment must make findings that an undue hardship exists, using the following criteria:
 - (a) That literal enforcement of the controls will create an undue hardship or practical difficulty in the development of the affected property; and
 - (b) That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and

- (c) That the relief sought will not injure the permitted use of adjacent conforming property; and
- (d) That the granting of a zoning variance will be in harmony with the spirit and purpose of these regulations.
- (e) Financial hardship alone is not an "undue hardship" if the property can be used, meeting the requirements of the zoning district in which the property is located.

(C) *Variance limitations*

- (1) *Completed action required before a variance.* An application or request for a variance shall not be heard or granted with regard to any parcel of property or portion thereof upon which a site plan, preliminary plat, or final plat, when required by the Zoning Ordinance or the subdivision ordinance for any parcel of property or portion thereof, has not been finally acted upon by both the planning and zoning commission and, where required, by the city council.
- (2) *Exhausted all other options.* The administrative procedures and requirements of the Zoning Ordinance, and any amendments thereto, with regard to both the planning and zoning commission and city council consideration and action on site plans, preliminary plats, and final plats, must be exhausted prior to requesting a variance.

(D) *Public hearing required*

- (1) The board of adjustment shall hold a public hearing for each variance applicant and shall provide the notice and public hearing required by this Ordinance.
- (2) At the public hearing, the board of adjustment shall consider public comments, the zoning administrator's recommendation, and other applicable information and shall approve, approve with conditions, or deny the variance application.

(E) *Concurring vote of 75 percent required.* Pursuant to V.T.C.A., Local Government Code § 211.009(c), the concurring vote of 75 percent of the members of the board of adjustment is necessary to grant a zoning variance.

(Ord. No. 1273-14, § 1(Exh. A), 5-6-2014; Ord. No. 1296-15, § 2(Exh. A), 8-18-2015)