

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

The Work Session and Regular Session are open to the public. If Executive Session is required, it will be held in the Conference Room, and is closed to the public. Please note that although the Zoning Board will generally consider the items on the agenda in the order shown below, they may elect to re-order items in order to accommodate the needs of the board members, city staff, presenters, or the public generally. Therefore, members of the public interested in any agenda item are encouraged to be in attendance at the start of the meeting.

ZONING BOARD OF ADJUSTMENT WORK SESSION – 6:00 PM

1. Provide training regarding Zoning Board of Adjustment authority pursuant to the Code of Ordinances and Local Government Code 211.009.

REGULAR SESSION – 7:00 PM

2. CALL TO ORDER

3. 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.

4. 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

5. Approve minutes from the April 2, 2024, Zoning Board of Adjustment meeting.
6. Consider **ZBA 2024-0607**, a special exception request to decrease the side yard and front yard setback requirements for the property described as Lot 5, Block 3,

Richland Park Annex, City of Richland Hills, Tarrant County, Texas otherwise known as 2916 Gumwood Park, Richland Hills, Texas 76118. **PUBLIC HEARING**

7. Consider **ZBA 2024-0594**, a special exception request to decrease the side setback requirements for the property described as Lot 7, Block 20, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 2816 Fir Park, Richland Hills, Texas 76118. **PUBLIC HEARING**

8. ADJOURNMENT

CERTIFICATE

I hereby certify that the above agenda was posted on this the 1st day of August, 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: August 6, 2024

Subject: Minutes from the April 2, 2024 Zoning Board of Adjustment Meeting

Agenda Item:

Approval of April 2, 2024 Zoning Board of Adjustment Meeting Minutes

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

April 2, 2024 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the April 2, 2024 Zoning Board of Adjustment meeting

**ZONING BOARD OF ADJUSTMENT
APRIL 2, 2024
MINUTES**

Roll Call:

Members present

Jorge Cisneros, Chair
Ashly Schilling, Place 3
Lisa Skier, Place 5 (arrived 6:07 p.m.)
Joyce Fiaccone, Alternate 1

Members absent

Athena Campbell, Place 4

Staff present

JP Ducay, Director of Planning and Development Services
Lindsay Rawlinson, City Secretary
Elizabeth Yelverton, City Attorney

ZONING BOARD OF ADJUSTMENT WORK SESSION – 6:03 PM

1. Provide training regarding Zoning Board of Adjustment authority pursuant to the Code of Ordinances and Local Government Code 211.009.

City Attorney Elizabeth Yelverton provided legal training for the Zoning Board of Adjustment and covered topics including the Board's basis for authority, the authority granted under state law, the requirements for an appeal of an administrative decision, and the conditions for granting a variance.

Chairman Cisneros adjourned the worksession at 6:36 p.m.

REGULAR SESSION – 7:00 PM

2. CALL TO ORDER

Chairman Cisneros called the meeting to order at 7:00 p.m.

3. 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 Skier and seconded by Member Schilling to convene into Executive Session. Time: 7:00 p.m.

Motion carried by a vote of 4-0.

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

Chairman Cisneros reconvened into open session. Time 7:21 p.m.

4. PUBLIC COMMENTS

None.

REGULAR AGENDA

5. Approved minutes from the March 5, 2024 Zoning Board of Adjustment meeting.

Motion: Motion was made by Member Skier and seconded by Member Fiaccone to approve the March 5, 2024 Zoning Board of Adjustment meeting minutes.

Motion carried by a vote of 4-0.

6. Approved ZBA 2024-0116, a request for a variance to decrease the front and side yard setback requirement for the property described as Lot 9, Block 6, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3012 Elm Park, Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented ZBA 2024-0116, a request for a variance to decrease the front and side yard setback requirements for the property described as Lot 9, Block 6, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3012 Elm Park, Richland Hills, Texas 76118. The property is a 7,380 square-foot lot with a 1,049 square-foot single-family residence located in the SF-7 zoning district. The applicant for this property is Ivan Hernandez Ramirez.

The applicant is proposing to construct a covered front porch and expand the main living area. During preliminary building plan review, it was determined that the proposed construction would encroach into the front and side yard setback. The applicant is requesting a variance to decrease the front yard setback of 25 feet to 18 feet six inches and the side yard setback of eight feet to six feet one inch. The living area expansion is proposed to line up consistently with the existing building footprint. Subsequently, the subject residence currently encroaches into the side yard setback. This legal non-conforming status is lost, and a variance must be received when proposing to expand a non-conforming structure.

Chairman Cisneros opened the Public Hearing at 7:28 p.m. and asked to hear from any proponents followed by opponents of the case.

Applicant Ivan Hernandez, 3012 Elm Park, Richland Hills, advised that he is needing more space and protection from the rain. He is planning to keep the roof line the same.

Discussion ensued regarding legal nonconforming and property lines as well as the roof line staying the same.

Holly Russey, 3102 Elm Park, Richland Hills, agrees that the applicant needs additional space but asked if they could build a privacy fence between the two properties.

Chairman Cisneros closed the Public Hearing at 7:44 p.m.

Motion: Motion was made by Member Fiaccone and seconded by Member Skier to consider the variance to the front and side yard setbacks separately.

Motion passed by a vote of 4-0.

Motion: Motion was made by Member Skier and seconded by Member Fiaccone to approve ZBA 2024-0116, a variance to decrease the front yard setback requirements from 25 feet to 18 feet six inches for the property described as Lot 9, Block 6, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3012 Elm Park, Richland Hills, Texas 76118.

Motion passed by a vote of 4-0.

Discussion ensued regarding the need for a variance if the rear of the house was expanded as opposed to the side yard.

Mr. Ducay confirmed that a variance would not be needed if the applicant expanded the house into the back rather than the side.

Motion: Motion was made by Member Fiaccone to deny ZBA 2024-0116, a variance to decrease the side yard setback requirements from eight feet to six feet one inch for the property described as Lot 9, Block 6, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3012 Elm Park, Richland Hills, Texas 76118.

Motion failed due to lack of a second.

Motion: Motion was made by Member Schilling and seconded by Member Skier to approve ZBA 2024-0116, a variance to decrease the side yard setback requirements from eight feet to six feet one inch for the property described as Lot 9, Block 6, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 3012 Elm Park, Richland Hills, Texas 76118.

Motion passed by a vote of 4-0.

7. Approved ZBA 2024-0128, a request for a variance to decrease the side yard setback requirement and allow for an oversized carport for the property described as Lot 5, Block 18, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 2821 Elm Park, Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented ZBA 2024-0128, a request for a variance to decrease the side yard setback requirement and allow for an oversized carport for the property described as Lot 5, Block 18, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 2821 Elm Park, Richland Hills, Texas 76118 The property is a 7,500 square-foot lot with a 1,050 square-foot single-family residence located in the SF-7 zoning district. The applicant for this property is Jeremie Bosques Mendez.

According to **Section 4.02(C) Accessory Structure Standards – Carports:**

- (1.b.) A carport shall be setback five feet from the side property line.
- (2.b.) The roof assembly of a carport shall not exceed 25 feet in length or 25 feet in width. The inside vertical clearance of a carport shall not be less than seven feet, nor more than nine feet.

In October 2023, the applicant constructed a carport on the subject property without proper permits. In February 2024, during a routine city assessment, the Code Compliance department recognized the newly constructed carport. After a site inspection, it was determined that the carport was not in compliance with location and size requirements. The subject carport is 10 feet tall with a roof assembly of 36 feet in length and 15 feet in width. The carport was also constructed one foot off the side yard property line. The applicant was informed that the carport would either need to be taken down or variances would need to be granted for any zoning violations.

The applicant is requesting the following variances:

1. Decrease the side yard setback of five feet (5') to one foot (1').
2. Increase the roof assembly length of 25 feet to 36 feet.
3. Increase the vertical clearance maximum of nine feet (9') to 10 feet.

Chairman Cisneros opened the Public Hearing at 8:01 p.m. and asked to hear from any proponents followed by opponents of the case.

Applicant Jeremie Bosques Mendez, 2821 Elm Park, Richland Hills, stated that he was unaware that he needed a permit to build a carport. The last time there was a hailstorm, his vehicles were damaged and he has no garage so he decided to build a 10 foot tall carport.

Discussion ensued regarding lowering the height of the carport to nine feet.

Chairman Cisneros closed the Public Hearing at 8:10 p.m.

Motion: Motion was made by Member Fiaccone and seconded by Member Skier to consider the three variance requests separately.

Motion passed by a vote of 4-0.

Motion: Motion was made by Member Fiaccone and seconded by Member Schilling to approve ZBA 2024-0128, a request for a variance to decrease the side yard setback of five feet (5') to one foot (1') 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.

Motion passed by a vote of 4-0.

Motion: Motion was made by Member Fiaccone and seconded by Member Schilling to approve ZBA 2024-0128, a request for a variance to increase the roof assembly length of 25 feet to 36 feet 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.

The vote was as follows:

For: Chair Cisneros, Members Skier and Fiaccone
Against: Member Schilling

Motion failed by a vote of 3-1.

Discussion ensued regarding the length of the carport.

Motion: Motion was made by Member Fiaccone and seconded by Member Schilling to approve ZBA 2024-0128, a request for a variance to increase the roof assembly length of 25 feet to 36 feet 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.

Motion passed by a vote of 4-0.

Code Compliance Officer Melissa Scheuttig advised that the structure must be built according to the City's Code of Ordinances even if a permit was not applied for and approved.

Mr. Mendez advised that the person who helped construct the carport advised him that a height lower than 10 feet would be susceptible to high winds.

Motion: Motion was made by Member Schilling and seconded by Member Skier to deny ZBA 2024-0128, a request for a variance increase the vertical clearance maximum of nine feet (9') to 10 feet 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.

Motion passed by a vote of 4-0.

8. ADJOURNMENT

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

Motion carried by a vote of 4-0.

There being no further business to come before the Zoning Board of Adjustment, Chairman Cisneros declared the meeting adjourned at 8:36 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: August 6, 2024

Subject: Special Exception Request for 2916 Gumwood Park

Agenda Item:

Consider ZBA 2024-0607, a special exception request to decrease the side yard and front yard setback requirements for the property described as Lot 5, Block 3, Richland Park Annex, City of Richland Hills, Tarrant County, Texas otherwise known as 2916 Gumwood Park, Richland Hills, Texas 76118. **PUBLIC HEARING**

Background Information:

The property at 2916 Gumwood is a 6,836 square-foot lot with a 1,457 square-foot single-family residence located in the SF-7 zoning district. The applicants for this property are John and Janet Hammons.

According to **Section 2.03.03(D) SF-7 Single-Family Residential – Area regulations:**

- The front yard setback shall be a minimum of 25 feet.
- The side yard interior setback shall be a minimum of 8 feet.

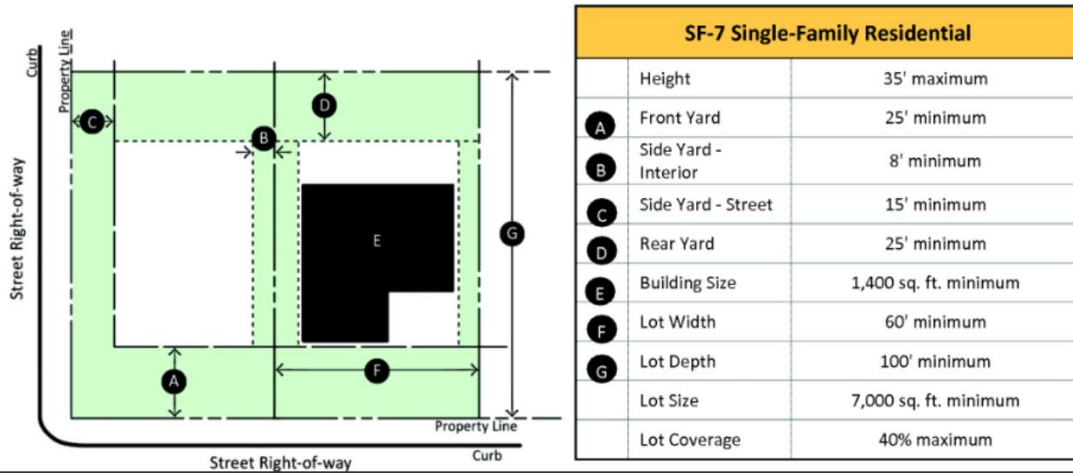
The applicant is proposing to demo a closet wall and expand the space into an additional bedroom. During preliminary building plan review, it was determined that the proposed construction would encroach into the front and side yard setback. However, the addition is proposing to lineup with the structures existing side yard and front yard setback encroachments. The addition will encroach approximately two and a half inches into the front yard setback to align with the front façade. When the home was originally constructed in 1956, it was setback only five feet from the side yard property line. The structure inherently encroaches into the SF-7 side yard setback requirement of eight feet as it is setback five feet from the property line. The addition will align with the existing building footprint and side yard encroachment. The applicant is also proposing to install an awning over the front door. Eaves and roof extensions such as an awning may project into the front yard setback for a distance not to exceed three feet.

The applicant is requesting a special exception to decrease the front yard setback of 25' to 24' 9.5" (24 feet and nine and half inches) and the side yard setback of 8' to 5'. The

proposed expansion will align with existing building footprint and will not further encroach into any setbacks.

Zoning Map:

(D) Area regulations.



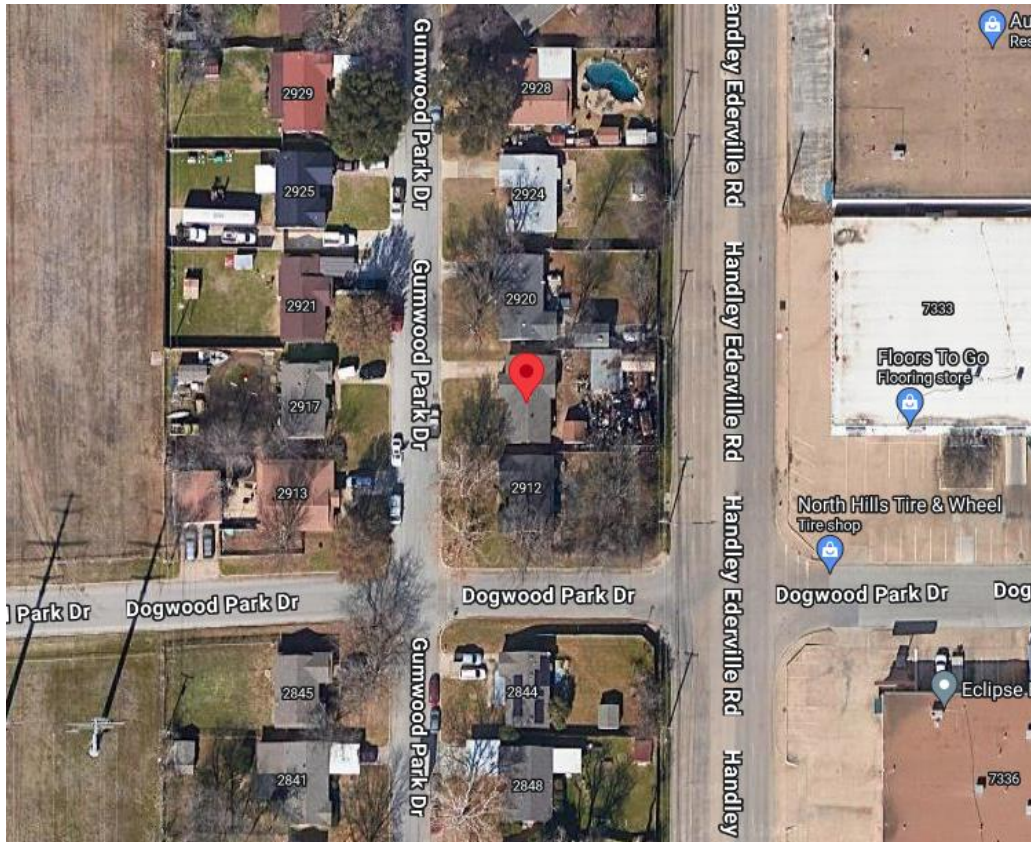
Attachments:

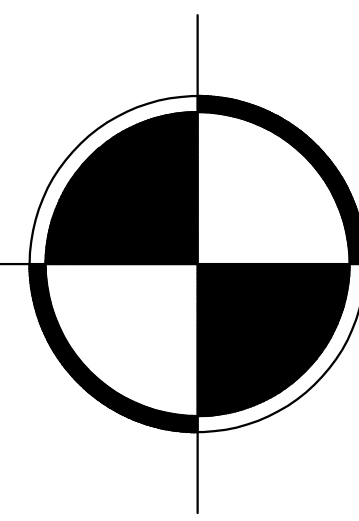
- Property Photos
- Proposed Plans
- Site Plan
- Section 6.13 – Special Exception

Motion:

Motion to *(approve/deny)* ZBA 2024-0607, a special exception request to decrease the side yard and front yard setback requirements for the property described as Lot 5, Block 3, Richland Park Annex, City of Richland Hills, Tarrant County, Texas otherwise known as 2916 Gumwood Park, Richland Hills, Texas 76118.

2916 Gumwood Park Dr Property Photos





HOME - RENOVATION

2916 GUMWOOD DRIVE
RICHLAND, TX 76118

PHASE 2



SCOPE

CODE ANALYSIS: 2018 IBC / ICC & 2017 NEC

Overview

The project at 2916 Gumwood Park Drive involves a whole home renovation and an addition. To expedite the permitting process, the project will be divided into two phases: the renovation phase and the addition phase. Each phase will be treated separately to ensure compliance with the relevant codes and to prevent delays.

Phase 2: Addition

Foundation:

- Construct a new foundation to support the addition, ensuring it meets all structural requirements.

Framing:

- Build the framework for the addition, including walls, floors, and roof structure.

Exterior:

- Install new exterior finishes such as siding, roofing, and windows to match or complement the existing structure.

Interior Build-Out:

- Complete the interior spaces of the addition with appropriate finishes, fixtures, and systems.

Electrical Work:

- Extend the electrical system to the addition, ensuring all new work complies with the 2017 NEC.

Plumbing:

- Extend and connect plumbing systems to the addition, ensuring all new work meets current standards.

HVAC:

- Expand the HVAC system to cover the new addition, ensuring consistent climate control throughout the entire home.

DESIGN & PROJECT MGR: CIVIL ENGINEER:
 H2H PLANS, LLC. ---
 608 E AVE K ---
 GRAND PRAIRIE, TX 75050 ---
 PLAN@H2HPLAN.COM ---
 833.4UR.PLAN (487.7526)
 STRUCTURAL ENGINEER: 3RD PARTY SERVICES:
 GRAHAM-MARTIN, LTD ---
 PO BOX 535097 ---
 GRAND PRAIRIE, TX 7050 ---

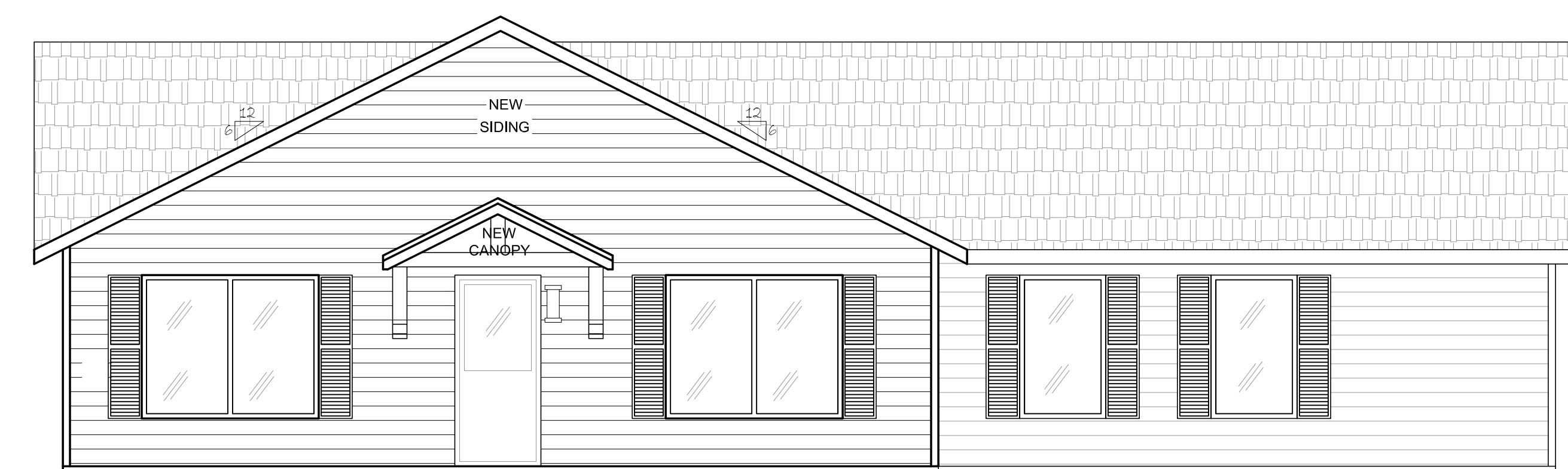
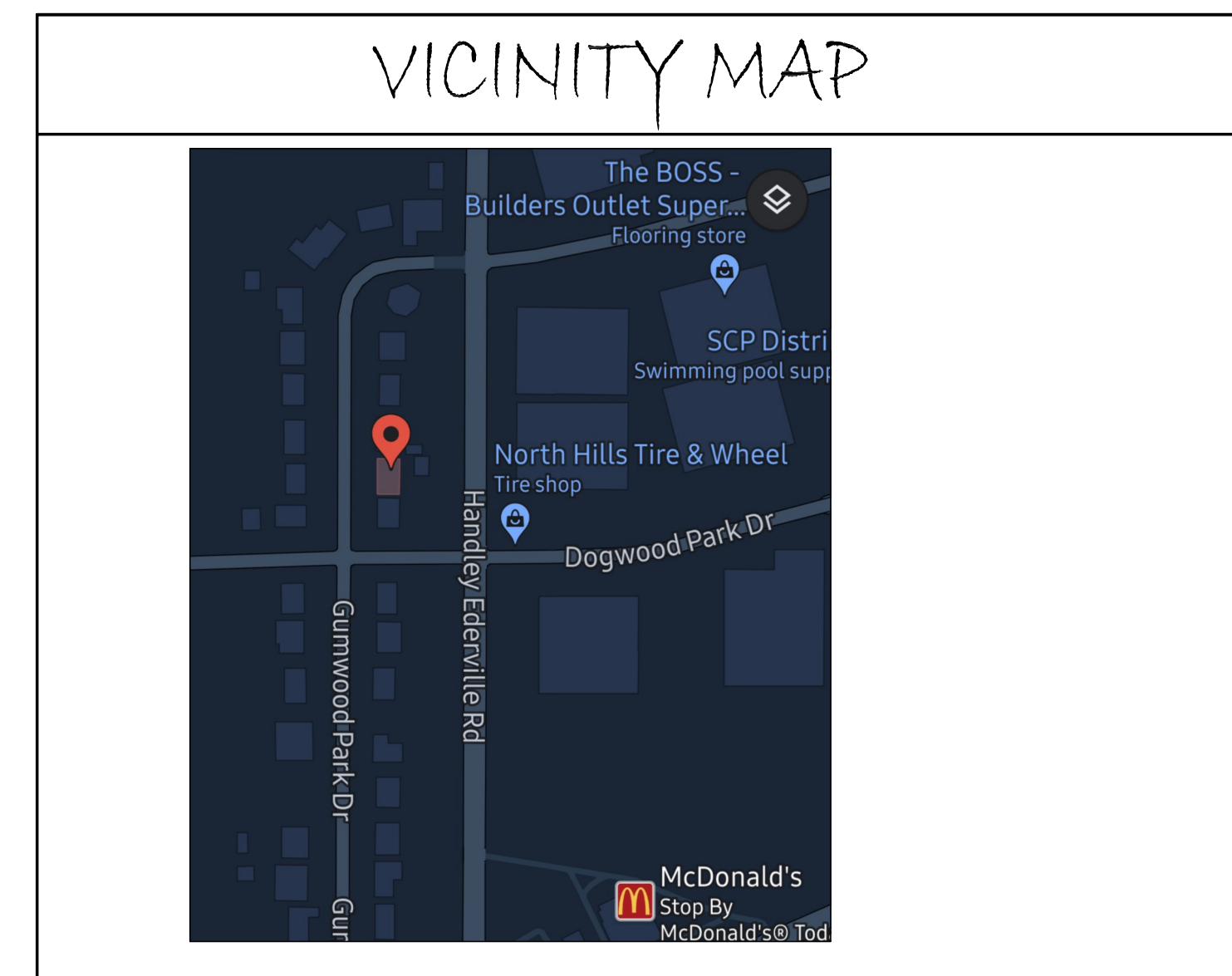
SHEET INDEX - ARCHITECTURAL

SECTION	NUMBER	DESCRIPTION
A	00	COVER
	SITE	SITE PLAN
A	01	AS-BUILT PLAN DEMO PLAN PROPOSED FLOOR PLAN
A	02	PLUMBING DIMENSION PLAN DIMENSION PLAN
A	03	ELECTRIC LAYOUT PLAN
A	04	ROOF PLAN
A	05	FRONT & REAR ELEVATIONS
A	06	SIDE ELEVATIONS
A	07	PARKING COVER

SHEET INDEX - STRUCTURAL

SECTION	NUMBER	DESCRIPTION
S	LETTER	FOUNDATION LETTER
S	1.0	WIND BRACE
S	2.0	WIND BRACE
F	1.0	FOUNDATION STRUCTURE
S	--	---
S	--	---
S	--	---
S	--	---

AREAS:	SQ. FT.
FIRST FLOOR	1,457 [±]
APPROXIMATE TOTAL LIVING	1,457 [±]
GARAGE	0 [±]
COVERED PORCH	85 [±]
APPROXIMATE TOTAL A.U.R.	1,532 [±]



All plans are based on field measurements. Contractors are responsible for adjusting plans to accommodate existing site conditions. Any significant modifications must be promptly reported to the designer for review.

Project Issue / Date:
 Issue Log: Issue Date:
 Sketch Set 04/12/24
 Check Set 04/19/24
 Coordination Set
 Permit Set
 Construction Set

608 E. AVENUE K, TX 75050
 GRAND PRAIRIE, TX 75050
 PLAN@H2HPLAN.COM

House to Home Plans, LLC
 Designing Beautiful Houses That Become Beautiful Homes!

DATE
 APRIL 2024

DRAWN BY
 Ty Howerton

CUSTOMER
 STARK

SHEET
 (A) - (0)

PLAN NUMBER
 2413-2024-15

ADDRESS
 2916 GUMWOOD PARK
 RICHLAND HILLS, TX 76118

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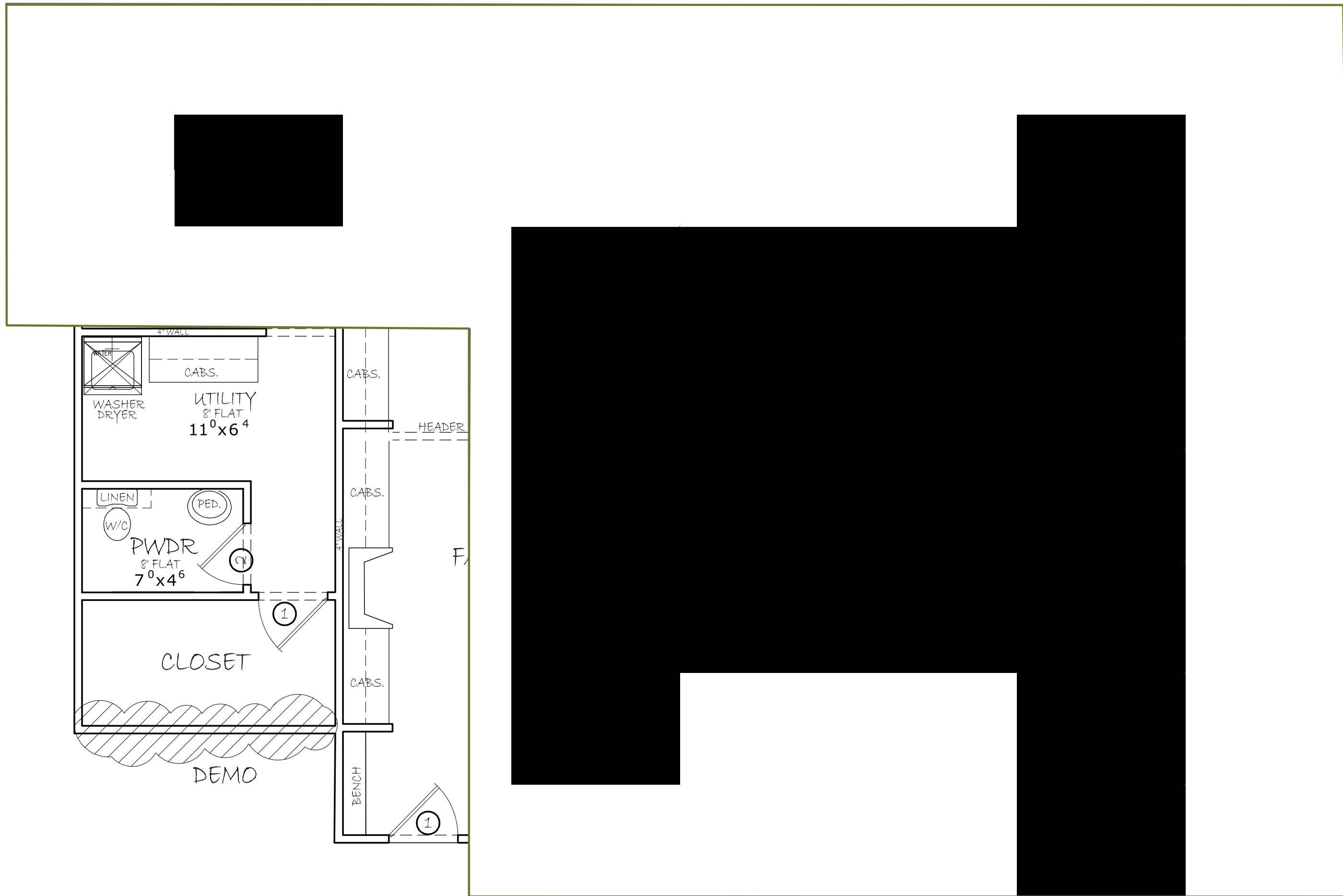


NOTES TO FRAMER:

1. ALL EXTERIOR WALLS TO BE AS DRAWN STUDS SET AT 24" O.C. SEE BUILDER
2. DISCUSS FRAMING OF GARAGE DOOR, WALL AND HEADERS WITH BUILDER PRIOR TO CONSTRUCTION.
3. FRAMER SHALL REFER TO ENGINEERED LUMBER DRAWINGS, REVIEW FRAMING MANUAL, PLANS, LUMBER DETAILS AND ALL SPECS WITH PROJECT MANAGER PRIOR TO STARTING JOB.

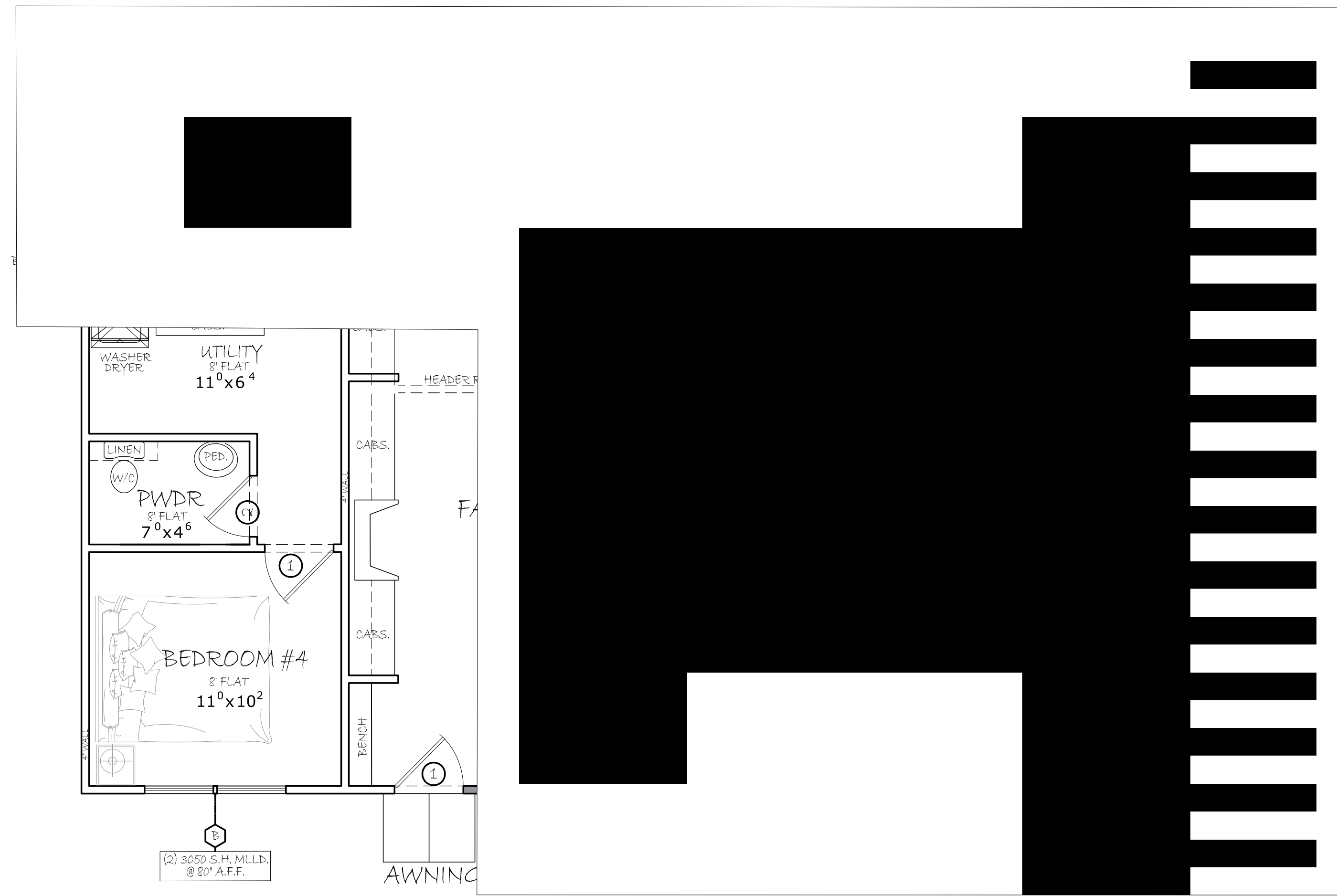
WINDOW SCHEDULE			
QTY.	MARK	SIZE	DESCRIPTION
2	B	(2) 5' 0"	SINGLE HUNG - MULLED
			TOTAL WINDOW COUNT
NOTE: WINDOW / DOOR CALL-OUTS ON PLANS SUPERCEDES SCHEDULE. VERIFY PRIOR TO ANY CONSTRUCTION.			

PHASE 2



AREAS:	SQ. FT.
FIRST FLOOR	1,457 ⁰
APPROXIMATE TOTAL LIVING	1,457 ⁰
GARAGE	0 ⁰
COVERED PORCH	85 ⁰
APPROXIMATE TOTAL A.U.R.	1,532 ⁰

AS-BUILT / DEMO FLOOR PLAN 1/4" = 1'-0"



AREAS:	SQ. FT.
FIRST FLOOR	1,507 ⁰
APPROXIMATE TOTAL LIVING	1,507 ⁰
GARAGE	0 ⁰
COVERED PORCH	85 ⁰
APPROXIMATE TOTAL A.U.R.	1,592 ⁰

FLOOR PLAN 1/4" = 1'-0"

Project Issue / Date:	
Issue Log:	Issue Date:
Sketch Set:	04/12/24
Check Set:	04/19/24
Coordination Set:	-/-/-
Permit Set:	-/-/-
Construction Set:	-/-/-

608 E. AVENUE K, SUITE 200
 RICHLAND HILLS, TEXAS 76118

House to Home Plans, LLC
 Designing Beautiful Houses That Become Beautiful Homes!

DATE	APRIL 2024
DRAWN BY	Ty Howerton
CUSTOMER	STARK
SHEET	(A) - (1)

PLAN NUMBER
 2413-2024-15

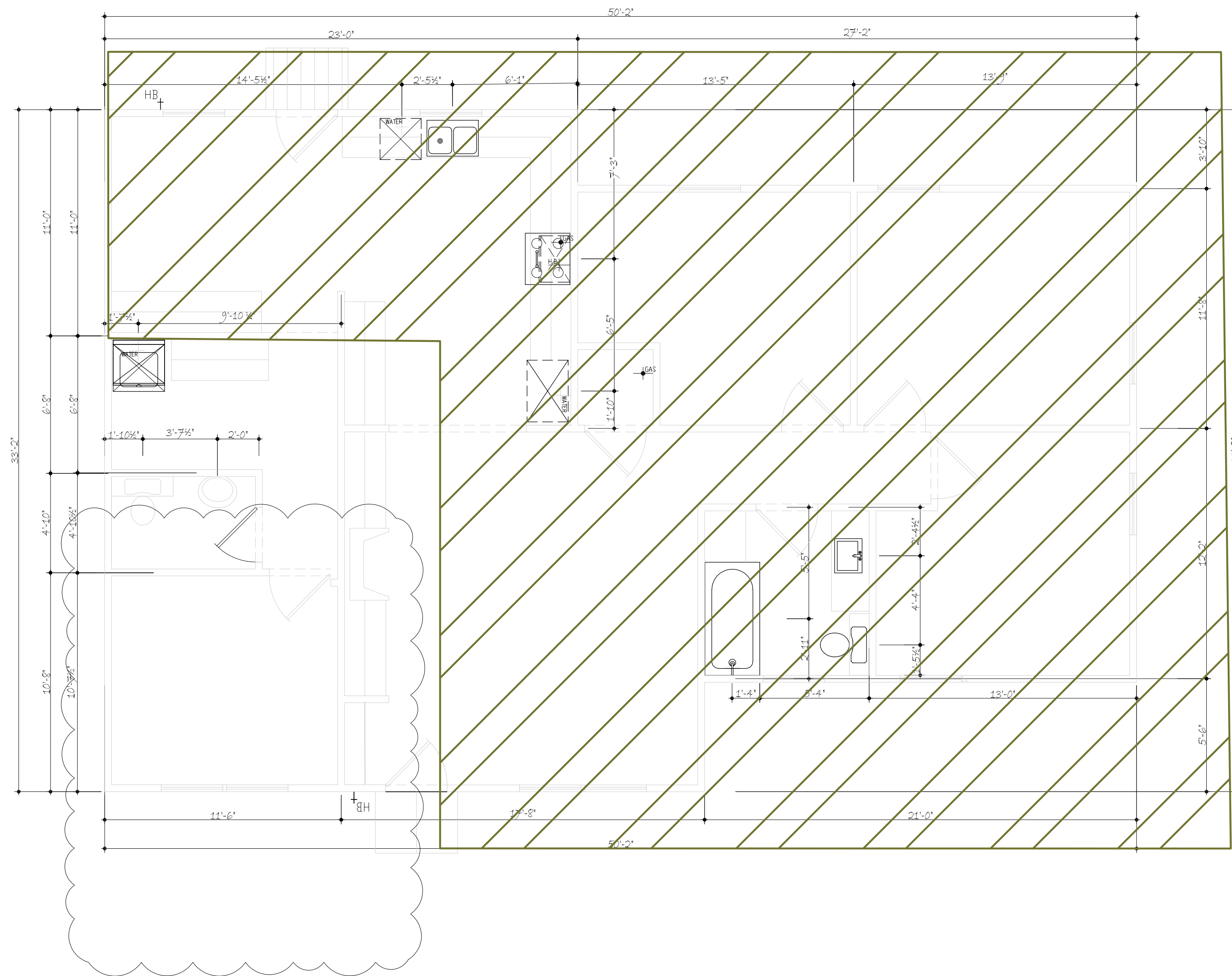
ADDRESS
 2916 GUMWOOD PARK
 RICHLAND HILLS, TX 76118

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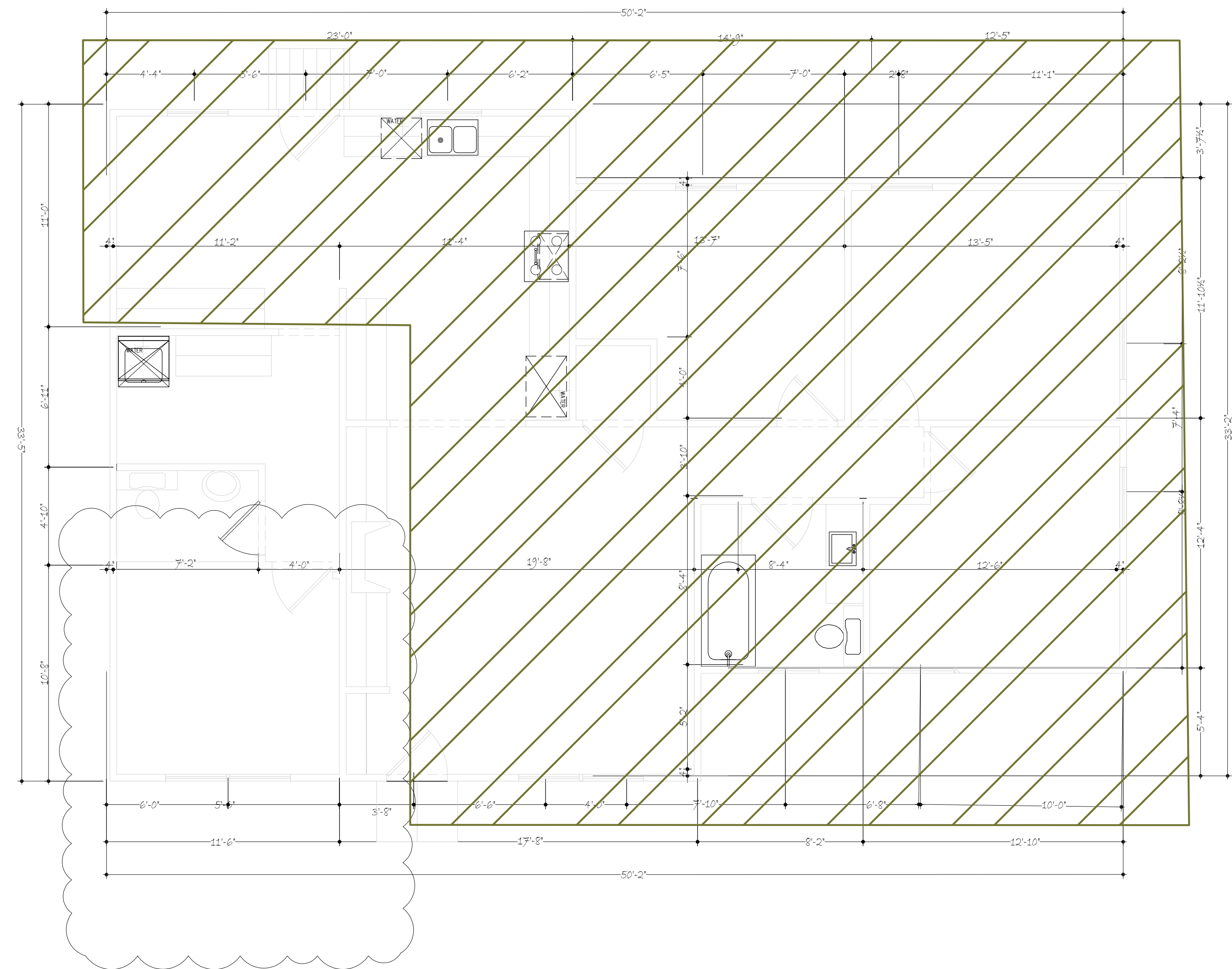
All plans are based on field measurements. Contractors are responsible for adjusting plans to accommodate existing site conditions. Any significant modifications must be promptly reported to the designer for review.



PHASE 2



FIRST FLOOR FOUNDATION & ROUGH PLUMBING DIMENSION PLAN $1/4" = 1'-0"$



FIRST FLOOR DIMENSION PLAN $1/4" = 1'-0"$

Project Issue / Date: 04/09/24
Permit Set 04/09/24

Issue Log:	Issue Date:
Sketch Set:	04/12/24
Check Set:	04/19/24
Coordination Set:	-/-/-
Permit Set:	-/-/-
Construction Set:	-/-/-

608 E. AVENUE K, SUITE 200
RICHLAND HILLS, TEXAS 76118

House to Home Plans, LLC
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DATE: APRIL 2024
DRAWN BY: Ty Howerton
CUSTOMER: STARK
SHEET: (A) - (2)

PLAN NUMBER: 2413-2024-15

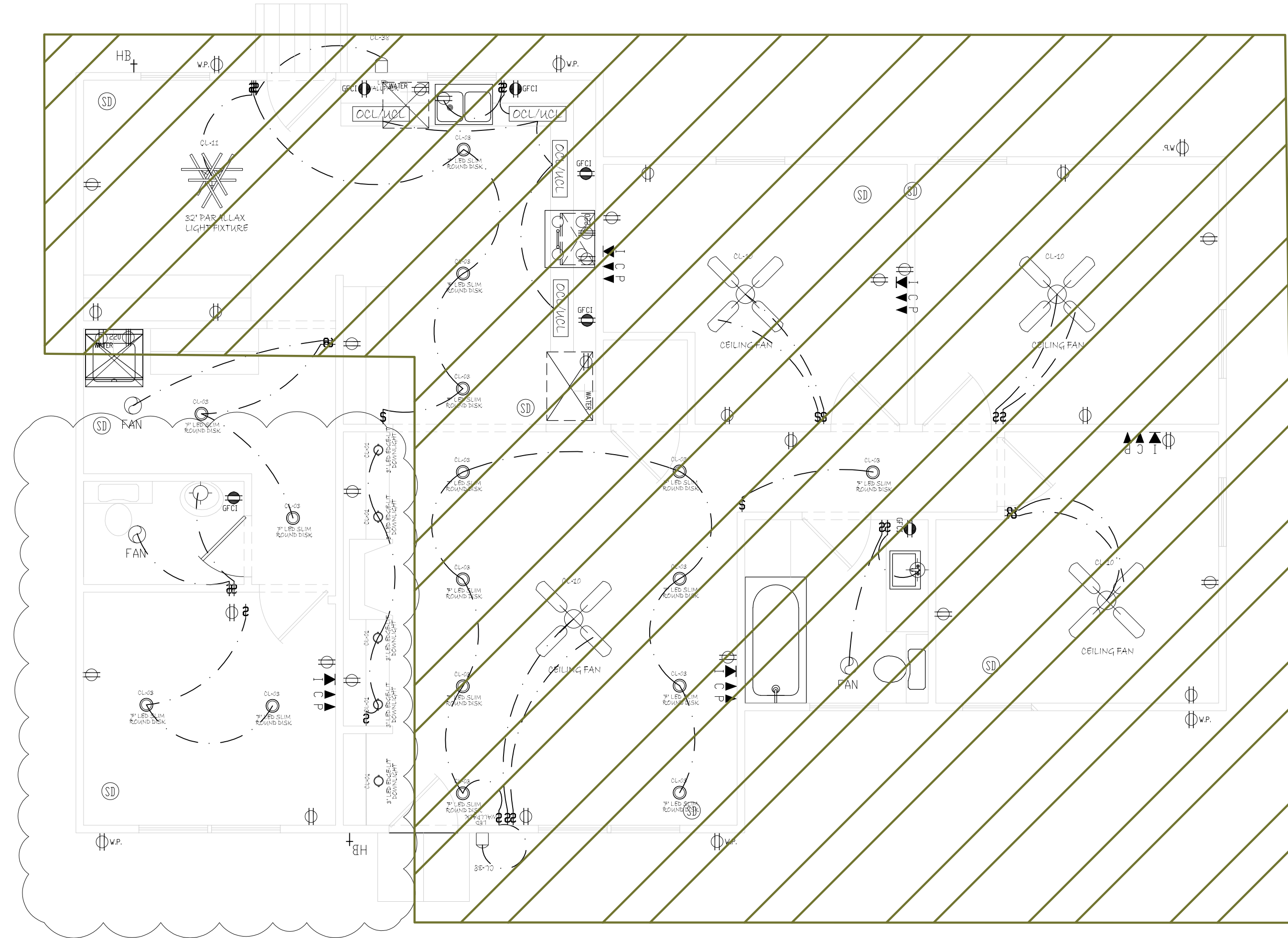
ADDRESS: 2916 GUMWOOD PARK, RICHLAND HILLS, TX 76118

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 Builder / Owner shall verify and check ALL aspects of the plan prior to construction. ANY job site changes will void Designer's liability. Designers liability shall not exceed the cost of the plans.
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PHASE 2



ELECTRICAL LEGEND	
—	WIRE
○	SURFACE MOUNTED LIGHT
○	RECESSED LIGHT
○	RECESSED WALLWASH LIGHT
○	RECESSED MINI SPOT LIGHT
○	RECESSED WATER PROOF
○	CEILING FAN
○	110 V OUTLET
○	220 V OUTLET
○	110 V WATER PROOF OUTLET
○	110 V W/GROUND FAULT INTERRUPTION
○	SOFFIT PLUG
○	FLOOR PLUG
○	WALL SCONCE
○	J-BOX
○	SWITCH
○	2-WAY SWITCH
○	3-WAY SWITCH
○	EXHAUST FAN W/ LIGHT
○	EXHAUST FAN
○	2 X 4 LIGHT FIXTURE
○	1 X 4 LIGHT FIXTURE
○	2 X 2 LIGHT FIXTURE
○	WP LIGHT
○	DOUBLE FLOOD LIGHT SOFFIT MOUNTED
○	INTERNET / DATA CABLE
○	PHONE OUTLET
○	CABLE OUTLET
○	INTERCOM
○	SPEAKER
○	CAMERA
○	SMOKE DETECTOR
○	THERMOSTAT
○	HOSE BIB
○	GAS BIB
○	ELECTRIC METER
○	WATER METER
○	GAS METER
○	CONDENSOR

ELECTRICAL LEGEND		
○	LED DIRECT WIRE EDGE-LIT DOWNLIGHT	CL-01
○	LED SELECTABLE BACK-LIT PANEL	CL-02
○	7" LED SLIM ROUND HIGH OUTPUT DISK	CL-03
○	LED TROFFER LUMEN SELECT	CL-04
○	2 X 2/2 X 4 LED PANEL LIGHT	CL-05
○	3R RECESSED LINEAR LIGHT	CL-06
○	2.5' LOW VOLTAGE DOWNLIGHT TRIM	CL-07
○	LED HIGH BAY LIGHT	CL-08
○	CIRCULAR HIGH BAY LIGHT	CL-09
○	EXTERIOR CEILING FAN	CL-10
○	PARALLAX LIGHT FIXTURE	CL-11
○	DOME LIGHT FIXTURE	CL-12
○	LACEY LIGHT FIXTURE	CL-13
○	SURFACE MOUNTED STEP LIGHT	CL-14
○	SURFACE MOUNTED STEP & WALL LIGHT	CL-15
○	AMHERST OUTDOOR WALL SCONCE	CL-16
○	LATITUDE OUTDOOR WALL SCONCE	CL-17
○	TRACK LINE VOLTAGE LUMINAIRE	CL-18
○	H/L/J TRACK LUMINAIRE	CL-19
○	MONOPOINT LUMINAIRE	CL-20
○	WAC STRUT SILO	CL-21
○	STRUT RECESSED GRID CHANNEL	CL-22
○	STRUT RECESSED TRIM CHANNEL	CL-23
○	RAIL SYSTEM	CL-24
○	LED CABINET & NICHE LIGHTING	CL-25
○	WET RATED LED TAPE	CL-26
○	LED LIGHT SHEET	CL-27
○	TIKKI LED AREA LIGHT	CL-28
○	LANDSCAPE PENDANT LIGHT	CL-29
○	SODOR OUTDOOR WALL SCONCE	CL-30
○	DOUBLE ADJUSTABLE FLOOD LIGHT	CL-31
○	3" INGROUND ROCK GUARD	CL-32
○	3" INGROUND	CL-33
○	LED STREET LIGHT	CL-34
○	LIGHT POLE	CL-35
○	PARKING LOT AREA LIGHT	CL-36
○	PARKING LOT AREA LIGHT	CL-37
○	LED WALLPACK	CL-38
○	ILLUMINATED EXIT SIGN	CL-39
○	INDOOR HIGH LUMEN EMERGENCY LIGHT	CL-40
○	LR-1 SERIES LED EMERGENCY LIGHT	CL-41

ELECTRICAL LEGEND		
○	LED FLOOD LIGHT	CL-42
○	LED FLOOD LIGHT	CL-43
○	BOLLARD COVER	CL-44
○	DOUBLE FLOOD LIGHT	CL-45
○	SINGLE FLOOD LIGHT	CL-46
○	SLICE CEILING MOUNTED LIGHT	RL-01
○	STYX BATHROOM VANITY & SCONCE	RL-02
○	PARALLAX BATHROOM VANITY & SCONCE	RL-03
○	WAVE BATHROOM VANITY & SCONCE	RL-04
○	WAVE (NARROW)	RL-05
○	LED STEP LIGHT	RL-06
○	EERO SWING ARM	RL-07
○	LOTOS DOWNLIGHT	RL-08
○	FITZGERALD WALL SCONCE	RL-09
○	FITZGERALD WALL SCONCE (WIDE)	RL-10
○	LED TAPE LIGHT (RESIDENTIAL)	RL-11
○	LED LIGHT SHEET (RESIDENTIAL)	RL-12
○	SYMMETRICAL RECESSED CHANNEL	RL-13
○	ASYMMETRICAL RECESSED CHANNEL	RL-14
○	COCHERE PENDANT LIGHT	RL-14
○	CHANTILLY PENDANT LIGHT	RL-15
○	52" CEILING FAN	RL-16
○	60" CEILING FAN	RL-17

- ELECTRICAL NOTES:**
- 1.) Exact locations are to be determined by electrical contractor, interior designer, owner or builder unless specific location is noted. Governing codes supersede all notes on plans.
 - 2.) Mechanical / Electrical contractor to verify electrical requirements for all mechanical equipment, appliances, etc.
 - 3.) All outlets above counter height (kitchen & baths) to be G.F.C.I.
 - 4.) Verify, with Owner / Builder, all locations of fixtures, panel boxes, outlet placements, etc.
 - 5.) Smoke detectors to be hard wired with back up battery, located as required by governing codes.
 - 6.) All exterior outlets to be weather proof.
 - 7.) VERIFY AND COORDINATE ALL WORK WITH BUILDER / OWNER!

FIRST FLOOR ELECTRICAL PLAN 1/4" = 1'-0"

Project Issue / Date: 04/09/24
 Permit Set 04/12/24
 Issue Log: Issue Date:
 Sketch Set 04/12/24
 Check Set 04/19/24
 Coordination Set
 Permit Set
 Construction Set

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608 E. AVENUE K, SUITE 200
 GASTROVILLAGE, TX 76032

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DATE
 APRIL 2024

DRAWN BY
 Ty Howerton

CUSTOMER
 STARK

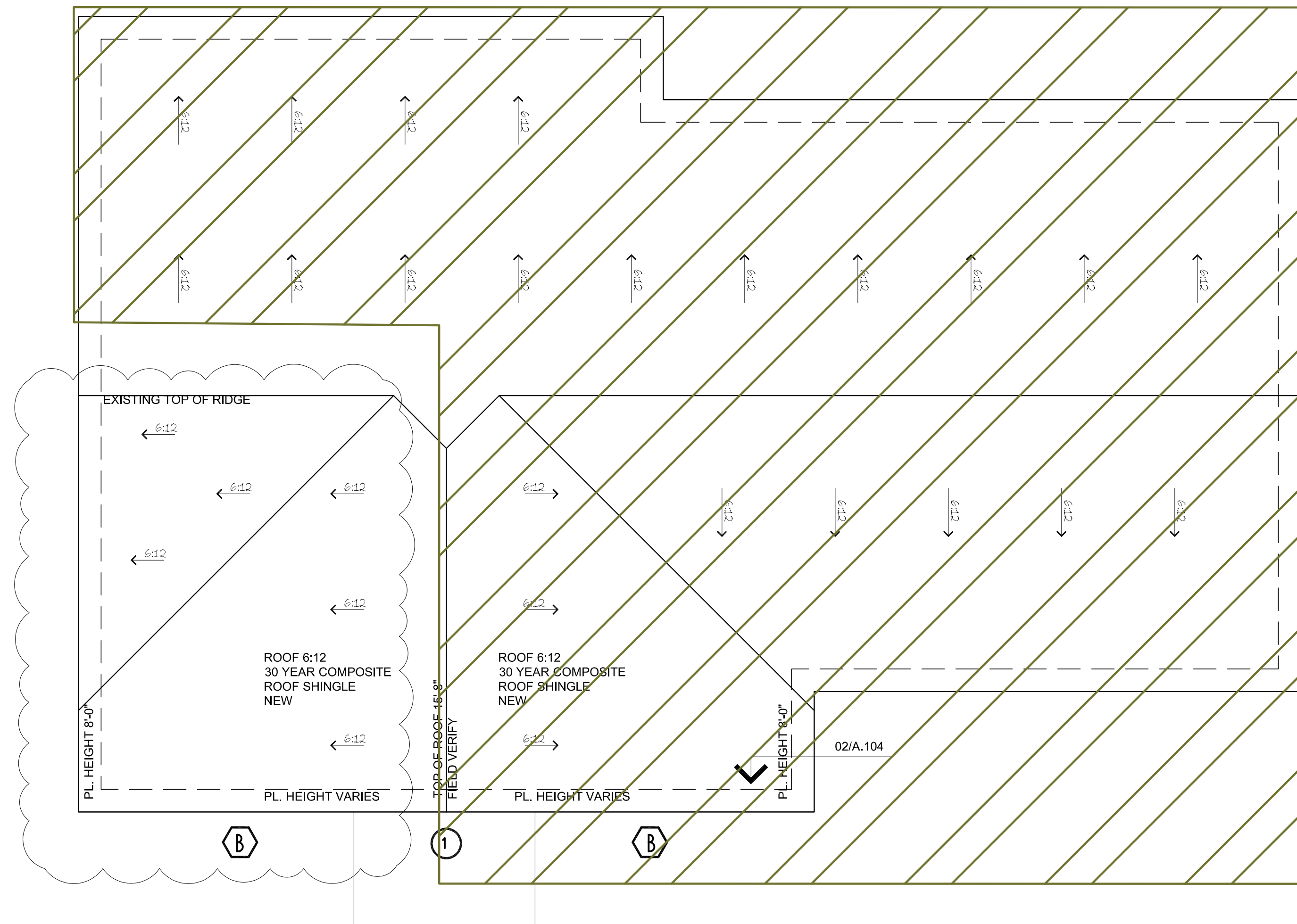
SHEET
 (A) - (3)

PLAN NUMBER
 2413-2024-15

ADDRESS
 2916 GUMWOOD PARK
 RICHLAND HILLS, TX 76118

All plans are based on field measurements. Contractors are responsible for adjusting plans to accommodate existing site conditions. Any significant modifications must be promptly reported to the designer for review.

PHASE 2



ROOF PLAN

1/4" = 1'-0"



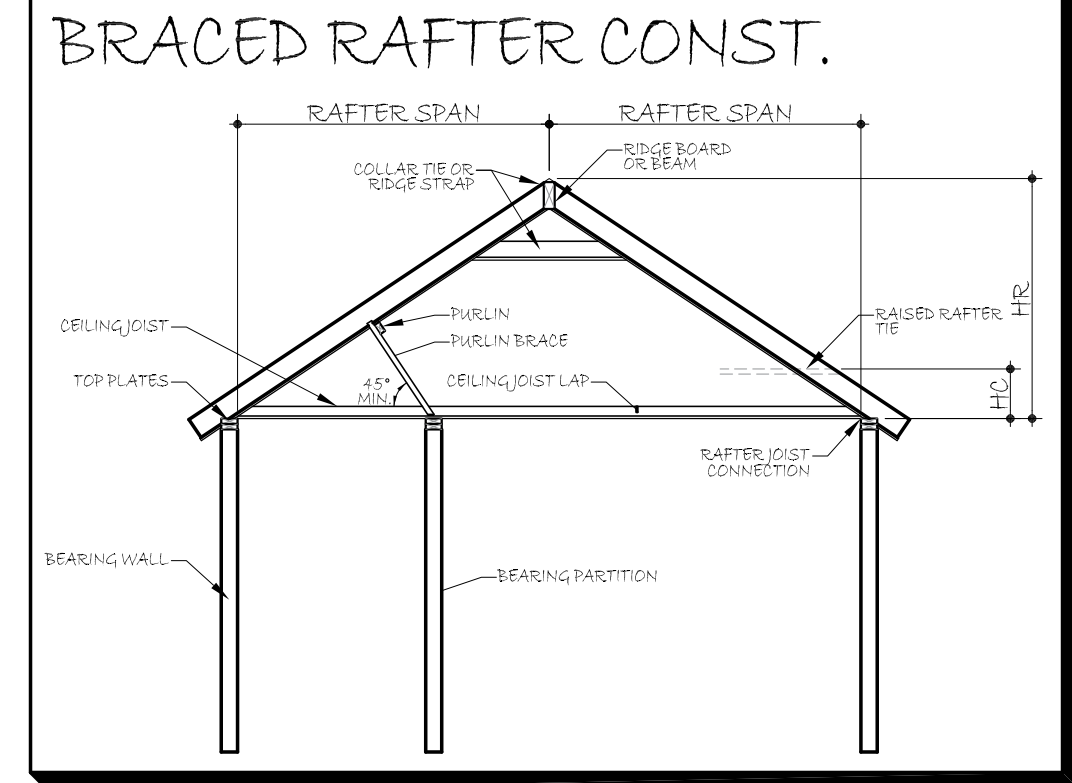
- ROOF FRAMING:**
- LOADS:
DL = 10 PSF ROOF
LL = 20 PSF ROOF
 - USE NO. 2 SOUTHERN PINE
2 x 8 RAFTERS @ 16' O.C. UNLESS NOTED OTHERWISE
12'-0" MAX. UNSUPPORTED SPAN.
 - AT NOTED LOCATIONS USE 2 x 8 RAFTERS
16'-0" MAX. UNSUPPORTED SPAN
 - PURLIN MEMBER GREATER OR EQUAL TO RAFTERS SUPPORTED.
 - RIDGE, HIP AND VALLEY RAFTERS SHALL BE 2' GREATER (NOMINAL DIMENSION) THAN RAFTERS.
 - 2 x 6 COLLAR TIES SET ACROSS RIDGE SPACED @ 4'-0" MIN., SET AS LOW AS PRACTICAL.
 - USE 3-2 x 12 COLUMN IN STUD WALLS UNDER ATTIC BEAMS.
 - PURLIN BRACES SHALL BE 2 x 4 SPACED @ 4'-0" MAX., BEARING ON TOP OF LOAD BEARING WALL OR ATTIC BEAM. PURLINS LONGER THAN 6'-0" SHALL BE SPACED @ 2'-0".
 - DESIGNER'S INTERPRETATION ONLY. BUILDER/ENGINEER TO VERIFY WITH ALL LOCAL BUILDING CODES.

RIDGE/RAFTER BRACED CONST.

- ALL MUST BE SUPPORTED WITH NO LESS THEN 2 X 6 PURLIN BRACE NO MORE THAN 12'.
- LVL BEAMS TO BE PLACED IN ATTIC WITHOUT FUR DOWN FOR RAFTER SUPPORT WHEN NO WALL BEARING PARTITION IS AVAILABLE.

LVL BEAM SIZING - SPAN:

SPAN:	DIMENSION:
UNDER 20'	3 1/2" X 12"
20' TO 24'	3 1/2" X 18"
26'	3 1/2" X 21"
28'	3 1/2" X 24"



- ROOF NOTES:**
- SPLIT PITCH ROOF PITCH AS NOTED ON PLAN
 - RAFTERS:
2' X 8" S.Y.P. OR BETTER @ 16' O.C. (MAX)
UNSUPPORTED CLEAR SPAN OF 12'-0"
PROVIDE PURLINS BRACED TO WALLS.
USE 2' X 8" RAFTERS @ SLOPED CEILINGS TO ALLOW INSUL.
 - HIP, VALLY & RIDGE RAFTERS:
2' X 8" S.Y.P. OR BETTER
PROVIDE HIP, VALLEY & RIDGE BRACING TO WALLS

- NOTES:**
- ROOF PLAN IS DESIGNERS INTERPRETATION. FRAMER TO VERIFY ALL ASPECTS PRIOR TO ANY CONSTRUCTION.
 - ALL SECOND FLOOR PLATE HEIGHTS MAY VARY AS TO TYPE AND SIZE OF FLOOR SYSTEM USED. PLATE HEIGHTS ON PLAN ARE BASED ON 24" FLOOR SYSTEM. SEE BUILDER / ENGINEER.
 - ALL EXTERIOR WALLS TO BE 2' X 6" STUDS SET AT 24" O.C. SEE BUILDER
 - NOTE TO FRAMER: DISCUSS FRAMING OF GARAGE DOOR, WALL AND HEADERS WITH BUILDER PRIOR TO CONSTRUCTION.

Project Issue / Date:
04/09/24
Permit Set
04/12/24

Issue Log:	Issue Date:
Sketch Set	04/12/24
Check Set	04/19/24
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Permit Set	-/-/-
Construction Set	-/-/-

608 E. AVENUE K, SUITE 200
GREATBRAND HEIGHTS, TX 75085

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DATE	APRIL 2024
DRAWN BY	Ty Howerton
CUSTOMER	STARK
SHEET	(A) - (4)

PLAN NUMBER
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RICHLAND HILLS, TX 76118

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NOTES TO FRAMER:

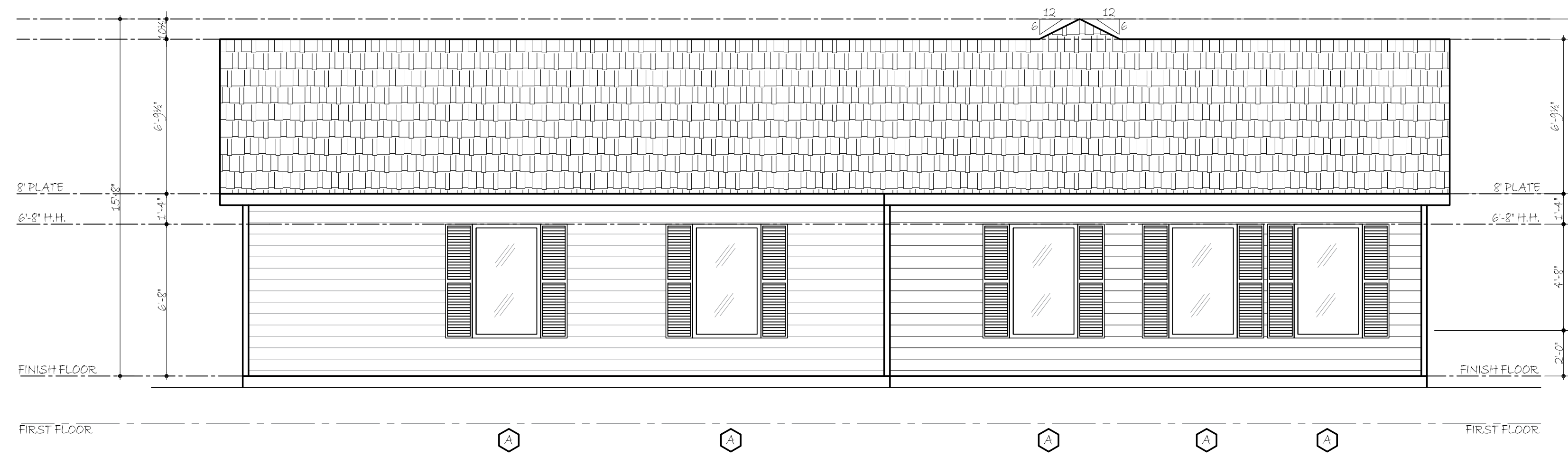
1. ALL EXTERIOR WALLS TO BE AS DRAWN STUDS SET AT 24" O.C. SEE BUILDER
2. DISCUSS FRAMING OF GARAGE DOOR, WALL AND HEADERS WITH BUILDER PRIOR TO CONSTRUCTION.
3. FRAMER SHALL REFER TO ENGINEERED LUMBER DRAWINGS, REVIEW FRAMING MANUAL, PLANS, LUMBER DETAILS AND ALL SPECS WITH PROJECT MANAGER PRIOR TO STARTING JOB.

○ DOOR SCHEDULE			
QTY.	MARK	SIZE	DESCRIPTION
8	1	3' 6"	EXTERIOR ONE LITE
1	2	2' 6"	INTERIOR H.C.
9			TOTAL DOOR COUNT

NOTE: WINDOW / DOOR CALL-OUTS ON PLANS SUPERCEDES SCHEDULE VERIFY PRIOR TO ANY CONSTRUCTION

○ WINDOW SCHEDULE			
QTY.	MARK	SIZE	DESCRIPTION
7	A	3' 5"	FIXED
2	B	(2) 3' 5"	SINGLE HUNG - MULLED
09			TOTAL WINDOW COUNT

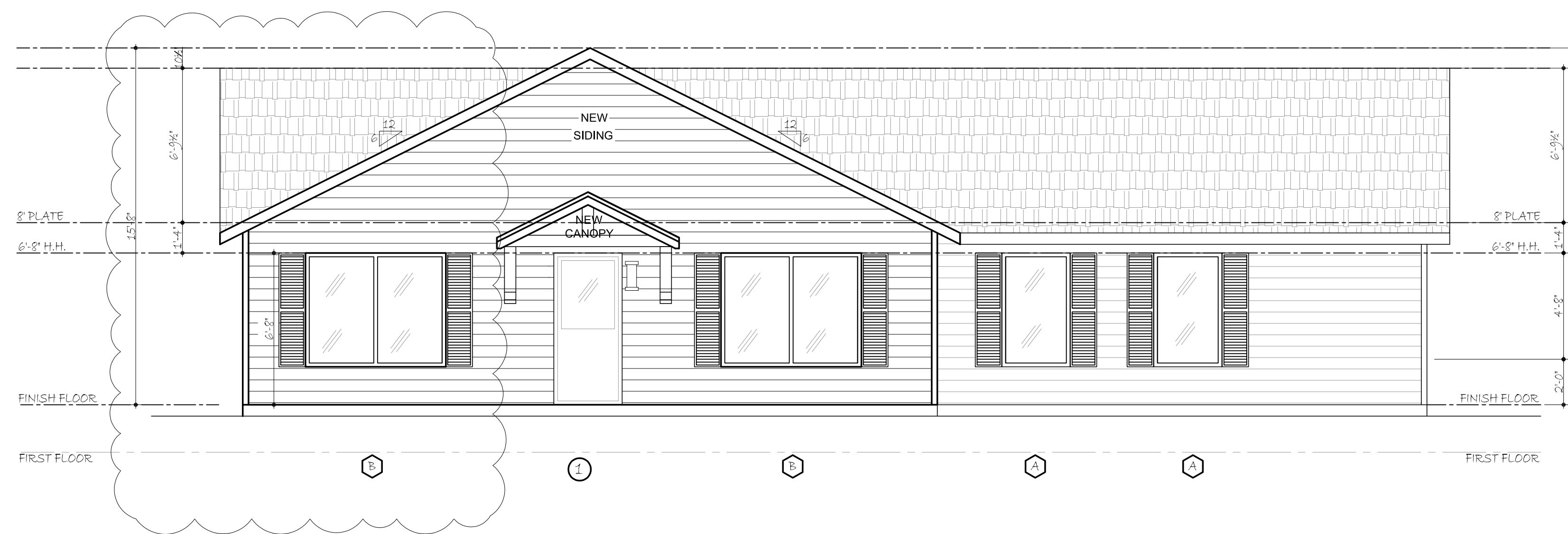
NOTE: WINDOW / DOOR CALL-OUTS ON PLANS SUPERCEDES SCHEDULE VERIFY PRIOR TO ANY CONSTRUCTION



REAR ELEVATION

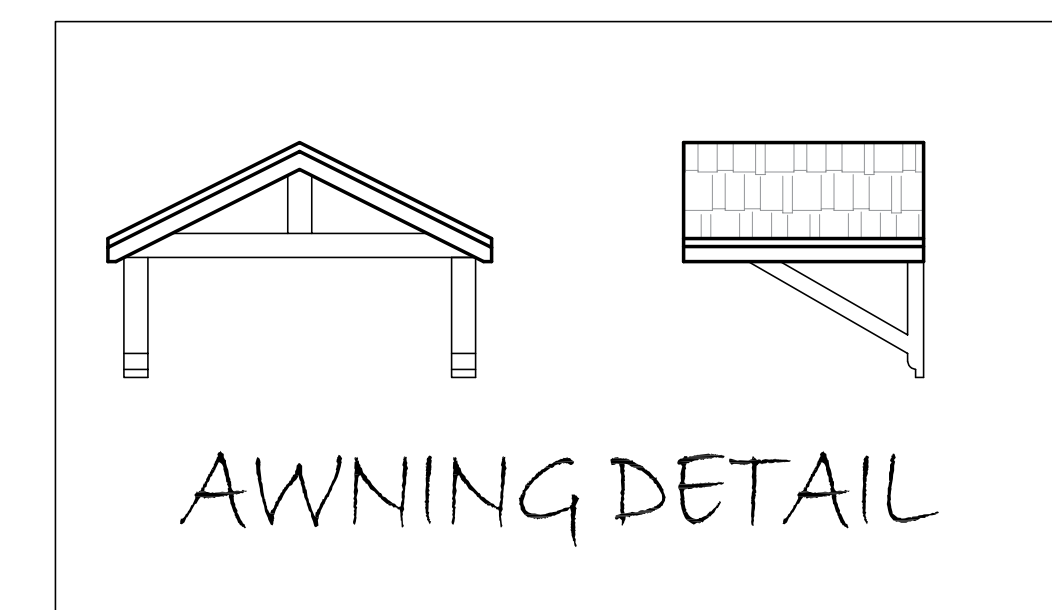
1/4" = 1'-0"

PHASE 2



FRONT ELEVATION

1/4" = 1'-0"



Project Issue / Date: 04/09/24
Permit Set 04/09/24

Issue Log:	Issue Date:
Sketch Set:	04/12/24
Check Set:	04/19/24
Coordination Set:	-/-/-
Permit Set:	-/-/-
Construction Set:	-/-/-

608 E. AVENUE K, SUITE 200
GEOGRAPHIC PLANNING ROOM

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DATE: APRIL 2024
DRAWN BY: Ty Howerton
CUSTOMER: STARK
SHEET: (A) - (5)

PLAN NUMBER
2413-2024-15

ADDRESS
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RICHLAND HILLS, TX 76118

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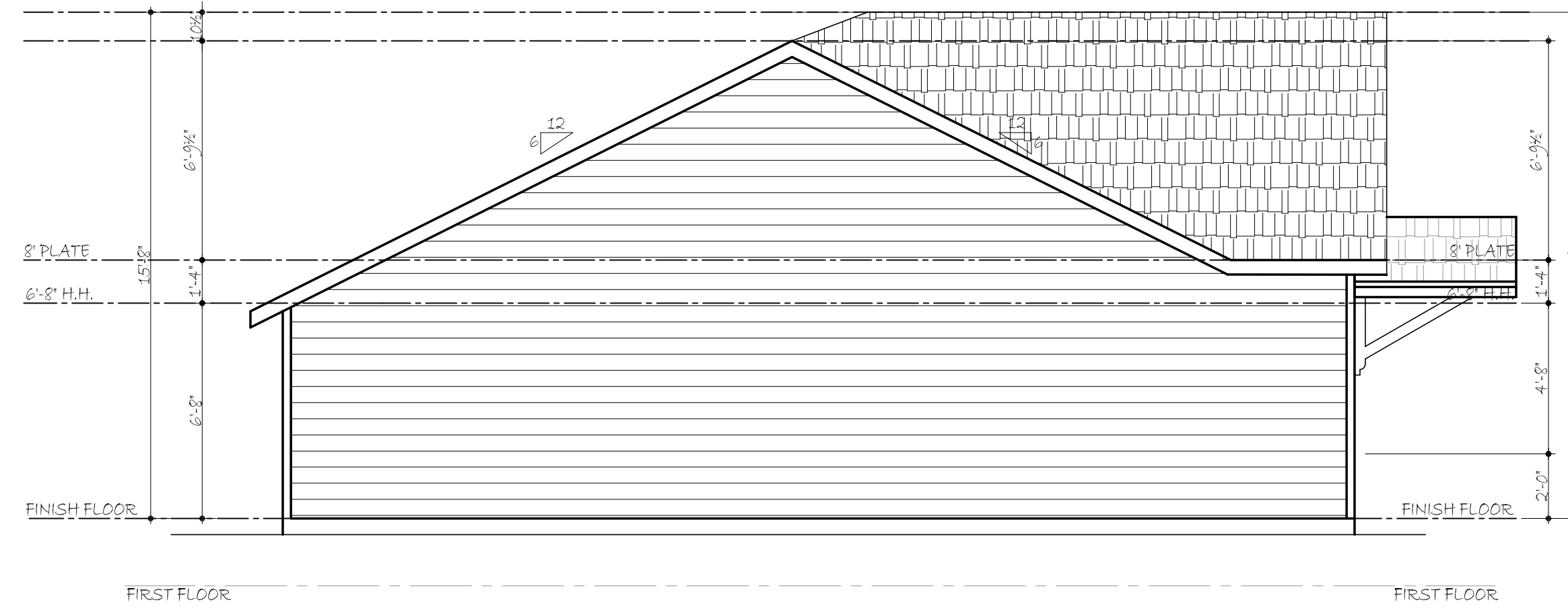


NOTES TO FRAMER:

1. ALL EXTERIOR WALLS TO BE AS DRAWN STUDS SET AT 24" O.C. SEE BUILDER
2. DISCUSS FRAMING OF GARAGE DOOR, WALL AND HEADERS WITH BUILDER PRIOR TO CONSTRUCTION.
3. FRAMER SHALL REFER TO ENGINEERED LUMBER DRAWINGS, REVIEW FRAMING MANUAL, PLANS, LUMBER DETAILS AND ALL SPECS WITH PROJECT MANAGER PRIOR TO STARTING JOB.

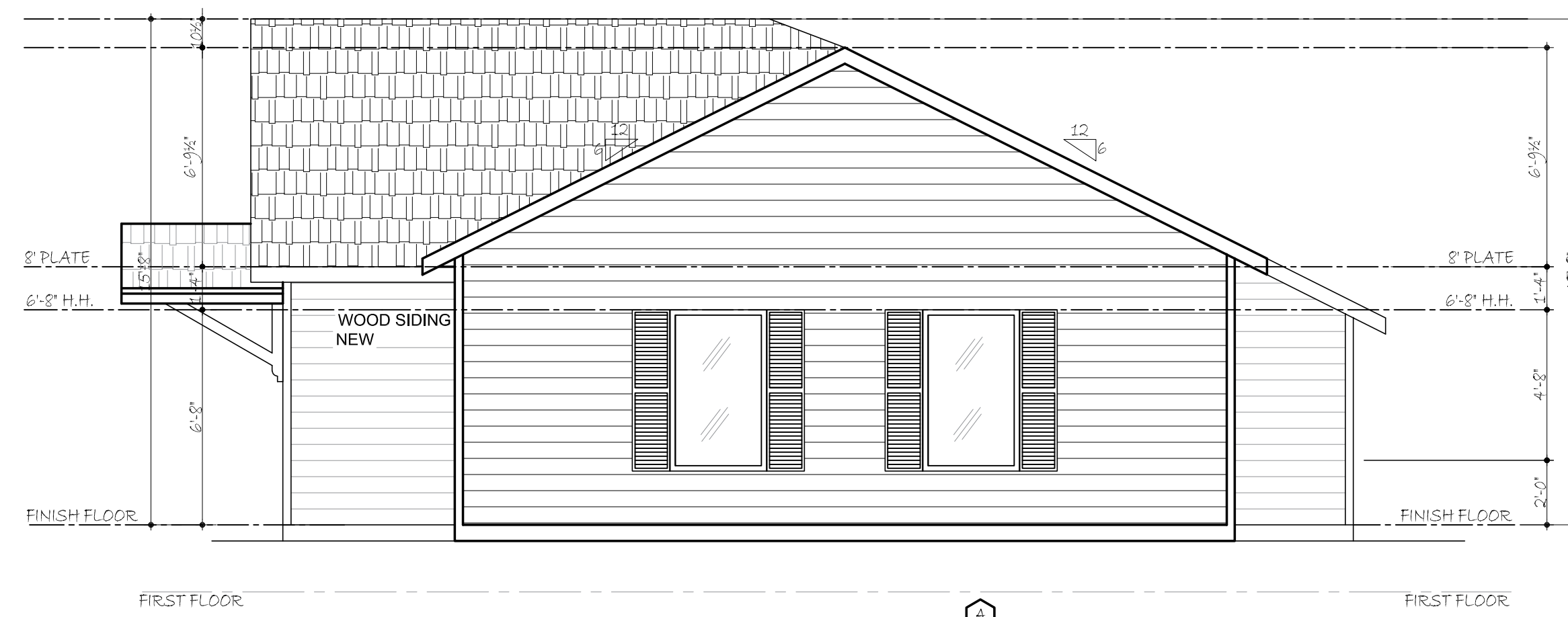
○ DOOR SCHEDULE			
QTY.	MARK	SIZE	DESCRIPTION
8	1	3' 0" 6' 0"	EXTERIOR ONE LITE
1	2	2' 8" 6' 8"	INTERIOR H.C.
8			TOTAL DOOR COUNT
NOTE: WINDOW / DOOR CALL-OUTS ON PLANS SUPERCEDES SCHEDULE. VERIFY PRIOR TO ANY CONSTRUCTION.			

◻ WINDOW SCHEDULE			
QTY.	MARK	SIZE	DESCRIPTION
7	A	3' 0" 5' 0"	FIXED
2	B	(2) 3' 0" 5' 0"	SINGLE HUNG - MULLED
9			TOTAL WINDOW COUNT
NOTE: WINDOW / DOOR CALL-OUTS ON PLANS SUPERCEDES SCHEDULE. VERIFY PRIOR TO ANY CONSTRUCTION.			



LEFT ELEVATION

1/4" = 1'-0"



RIGHT ELEVATION

1/4" = 1'-0"

PHASE 2

Project Issue / Date:	04/09/24
Permit Set	04/09/24
Issue Log:	Issue Date:
Sketch Set	04/12/24
Check Set	04/19/24
Coordination Set	-/-/-
Permit Set	-/-/-
Construction Set	-/-/-

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 RICHLAND HILLS, TEXAS 76118
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DATE	APRIL 2024
DRAWN BY	Ty Howerton
CUSTOMER	STARK
SHEET	(A) - (6)

PLAN NUMBER
2413-2024-15

ADDRESS
2916 GUMWOOD PARK
RICHLAND HILLS, TX 76118



At all rafter locations to the top plate where rafters are not parallel to ceiling joists and where ceiling joists do not rest on top plate at rafters one SIMPSON H2.5 hurricane tie @ rafter/top plate connection

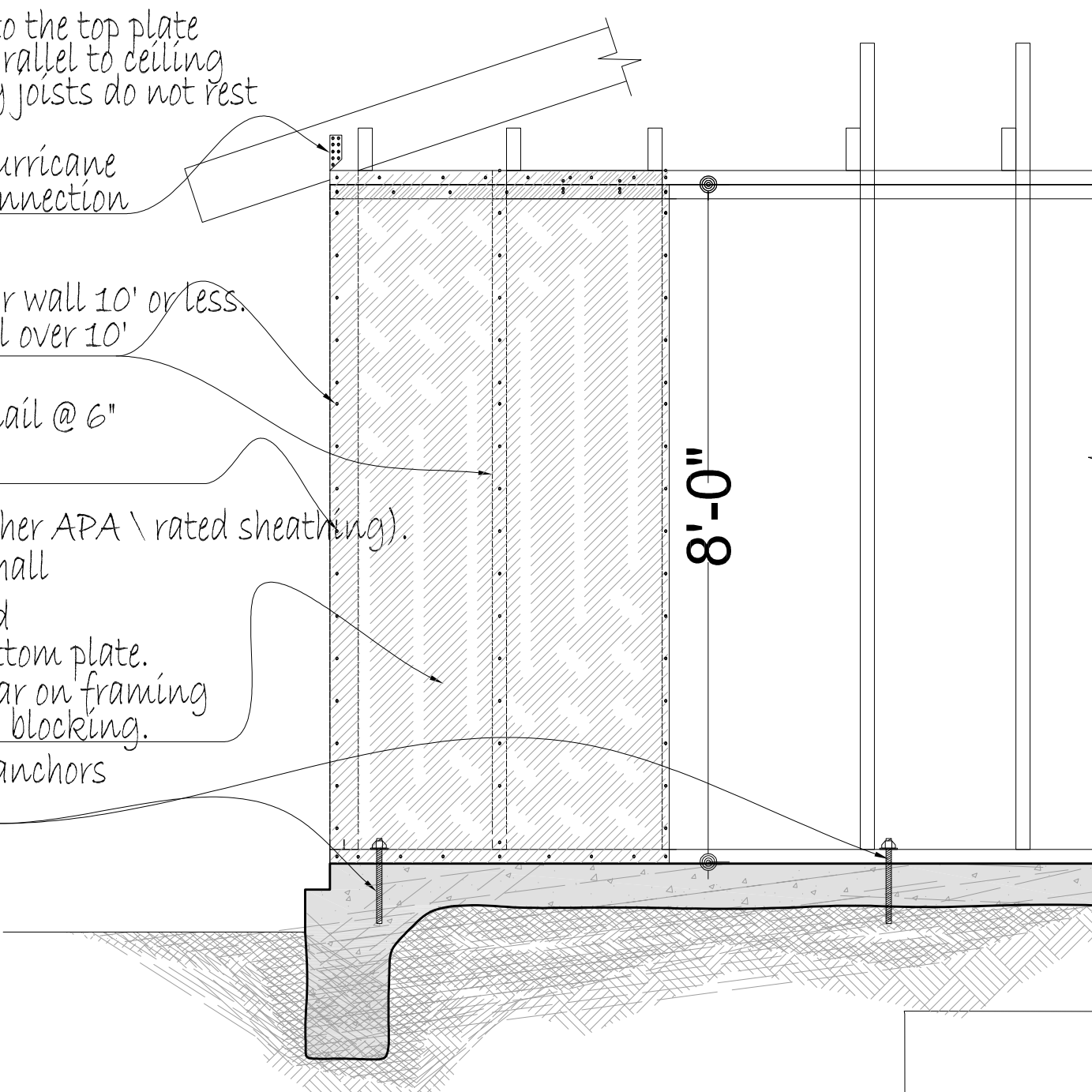
Studs 24" max O.C. for wall 10' or less. Studs 16" max for wall over 10'

Nail to studs with 8d nail @ 6" O.C. at all edges.

($\frac{3}{8}$ " OSB, Plywood, or other APA rated sheathing). Otherwise, all panels shall

be 4' wide and extended from top plate to the bottom plate. All panel edges shall bear on framing members or same depth blocking.

1/2" diameter x 8" sill anchors Spaced @ 48" O.C.



Simpson STHD10 nail per Manf. Rec.

(2) 1/2" DIA. anchor bolts

sheath both sides APA rated sheathing 24/0 EXP 1, $\frac{3}{8}$ " minimum TYP.

3 S-1.0 Braced wall section

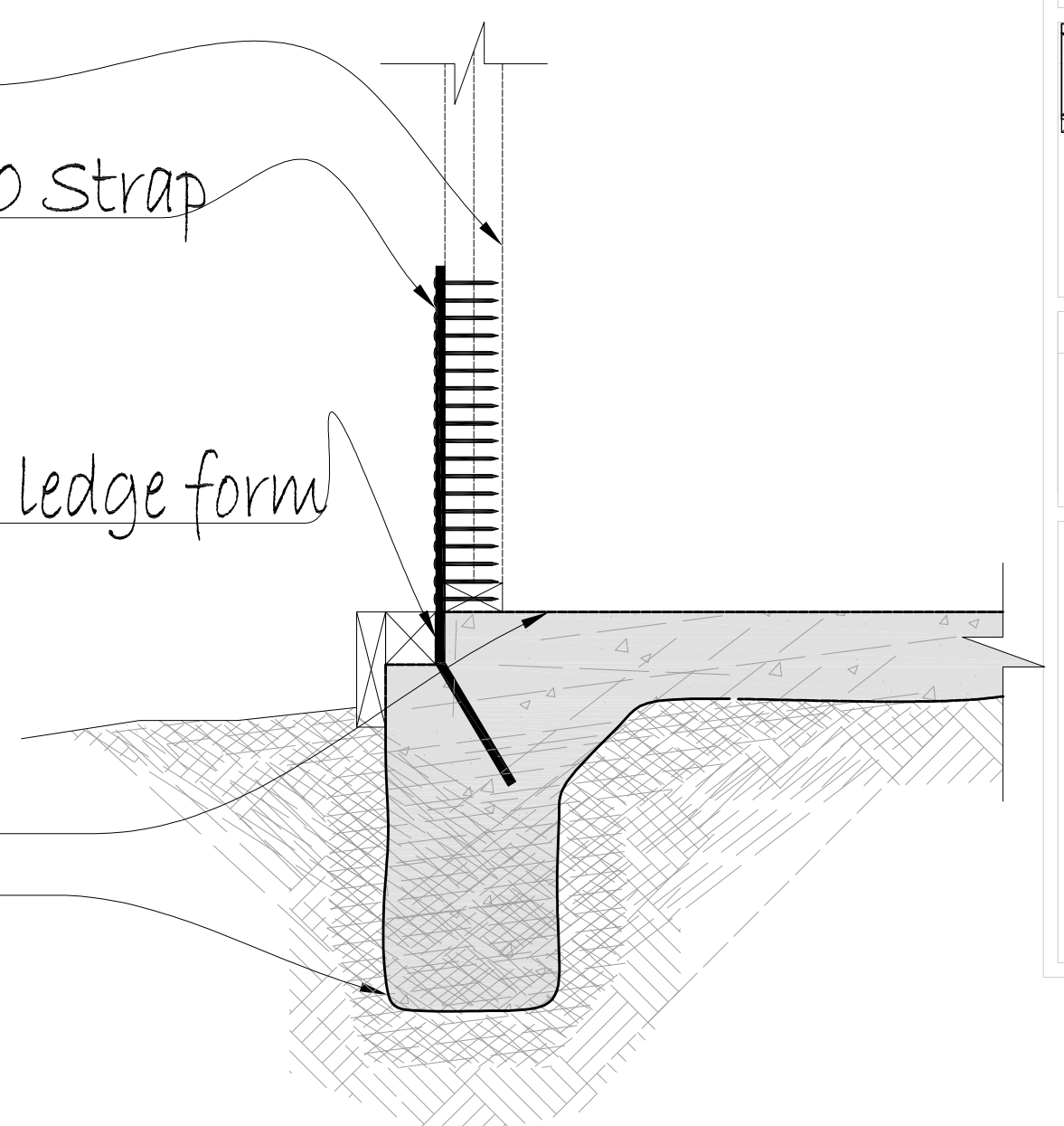
1 TYP. Exterior wall bracing detail S-1.0

Future studs

Simpson STHD10 Strap

Nail stap to brick ledge form

Future top of slab Foundation beam



2 Strapping installation S-1.0

PHASE 2

WIND BRACE & FOUNDATION PLAN 1/4" = 1'-0"

GENERAL NOTES:

Continuous sheathing indicates wood structural panels applies above, around and under if Applicable) All openings of area shown on plan. refer to note below for all requirements except width, which shall be as indicated on plan.

(IF REQUIRED) Second story panels shall extend from top plate of first floor (through joists space) to top plate of second floor.

Foundation anchorage:

1- wood sole plates of all exterior walls and, if required, sole plates of braced wall panels at building interiors shall be anchored to foundation with $\frac{1}{2}$ " diameter anchor bolts extending a Min. 7" into concrete. Anchor bolts shall be placed within 12" of each end of each exterior plate section and at 6" max spacing between ends anchor bolt. A Simpson Titen heavy duty screw anchor (THD50600H), installed per manufacturer's recommendations, may replace above anchor bolts.

2- Cast-in-place Simpson straps (STD10) Shall be required as shown on plan and details. if a stap is omitted at pour, Simpson HTT5, installed with $\frac{3}{8}$ " all thread bar (ASTM F1554 hrade 36 or A36 MIN) expoxied into foundation per manufacture's recommendations may be used as a replacement.

Framing Accessories:

1- Face mount hangers or top flange hangers shall be used for joists and beams where they don't rest on approved load bearing surfaces.

2- Rafter clips (Simpson H2.5 or EQ.) shall be used to attach rafters to plates at exterior walls wherever rafters are not parallel to and nailed to ceiling joists at top plates.

Project Issue / Date:	241324
Permit Set	241324
Issue Log:	Issue Date:
Sketch Set	04/12/24
Check Set	04/19/24
Coordination Set	-
Permit Set	-
Construction Set	-

608 E. AVENUE K, SUITE 200
GREATBRAND PLANNING

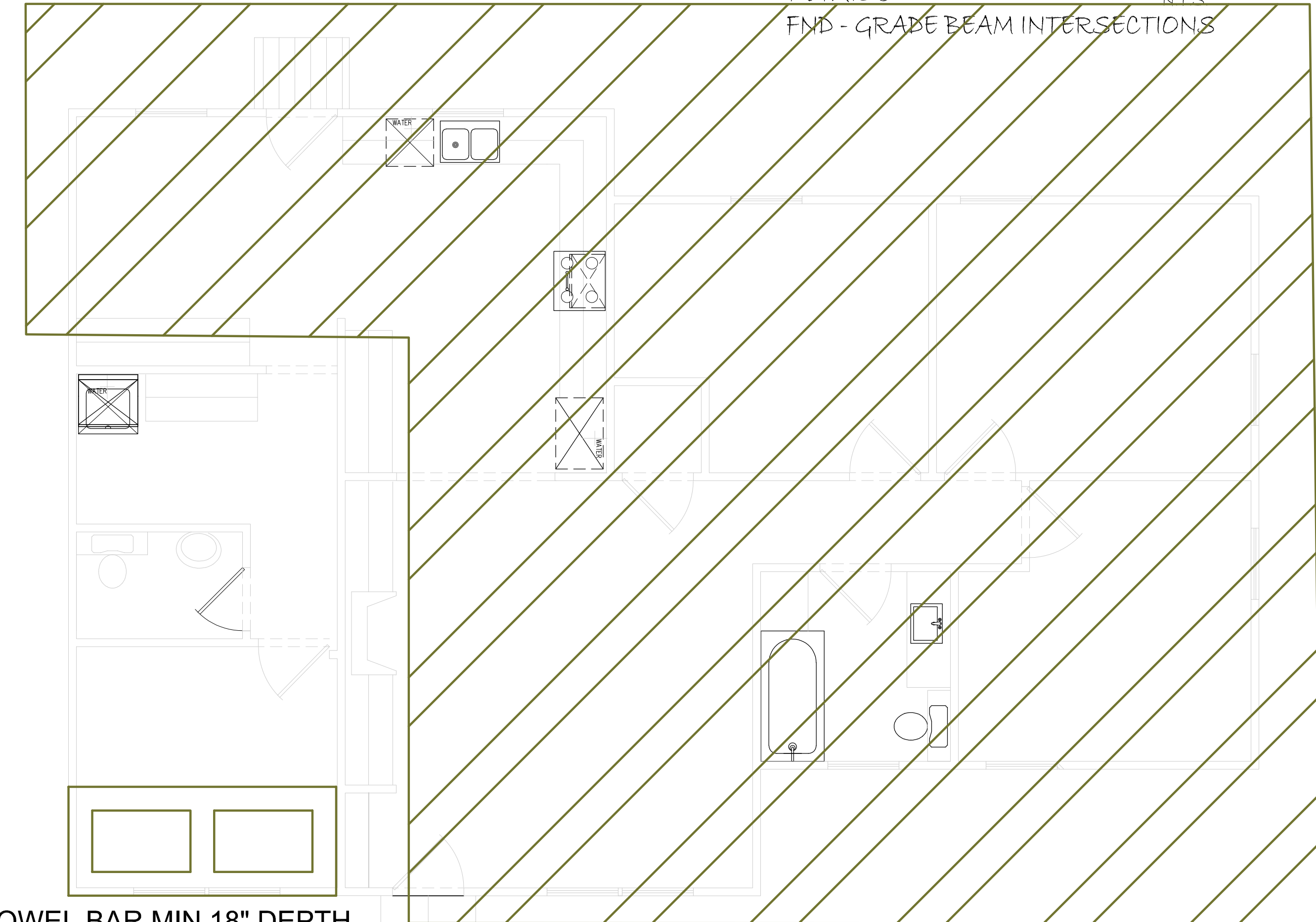
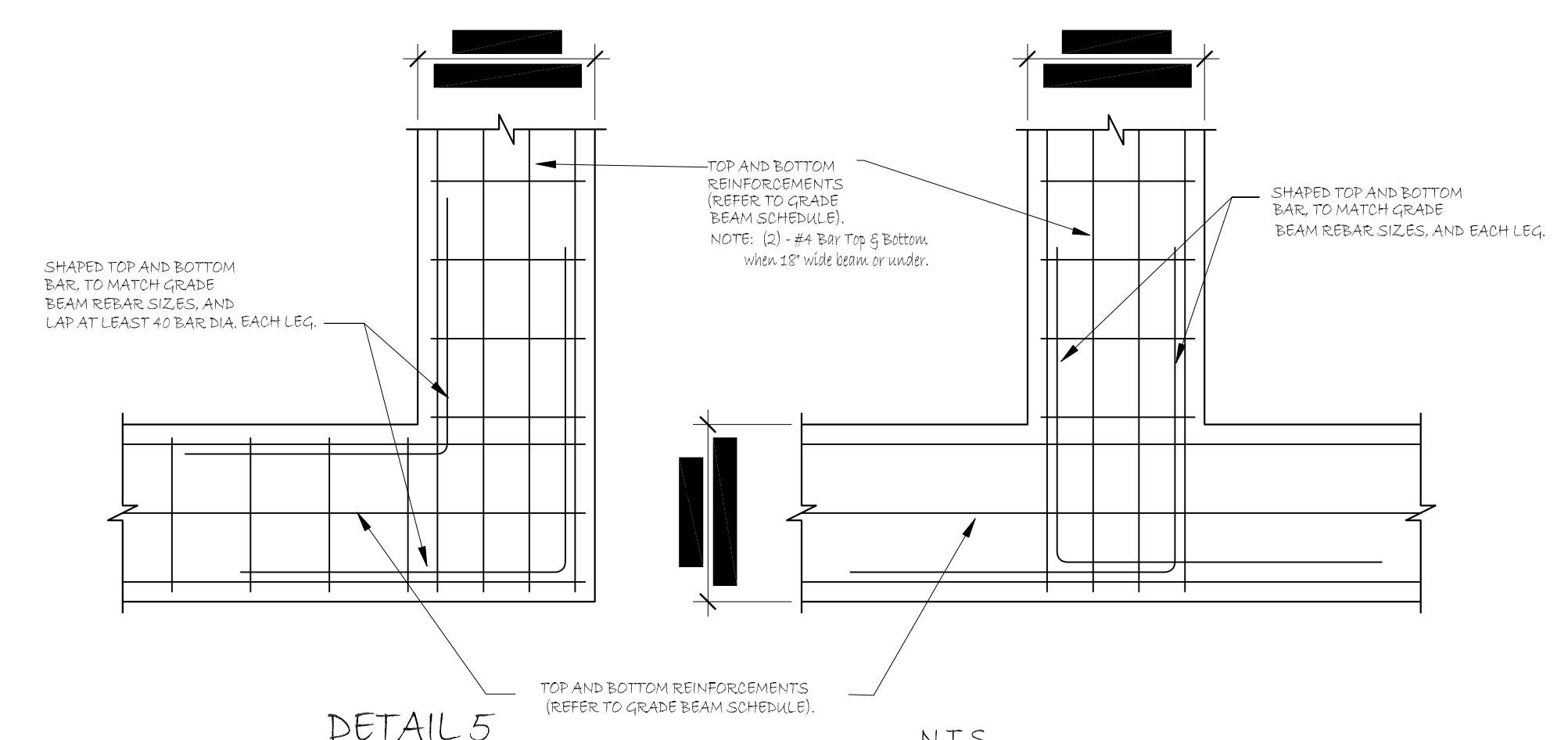
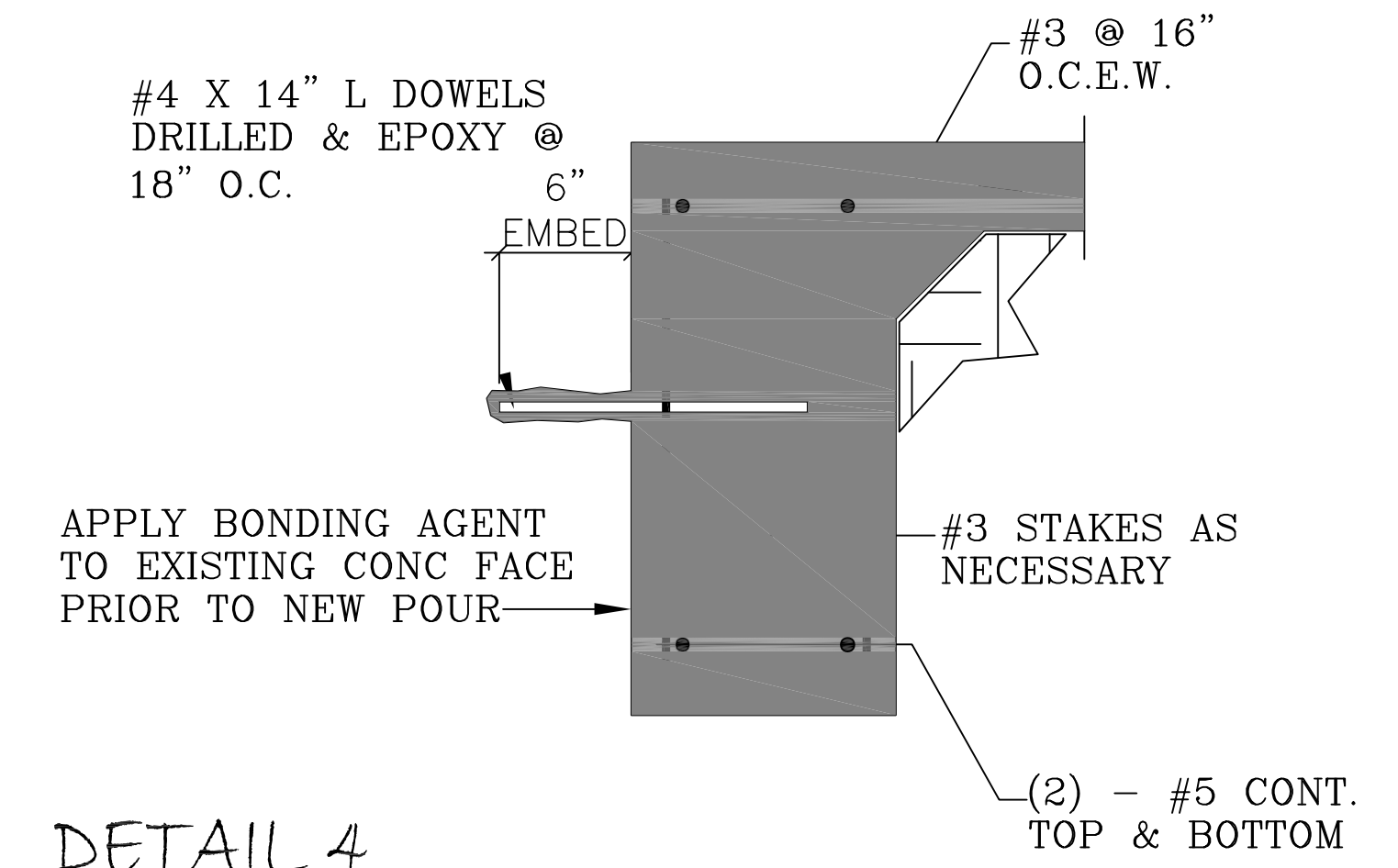
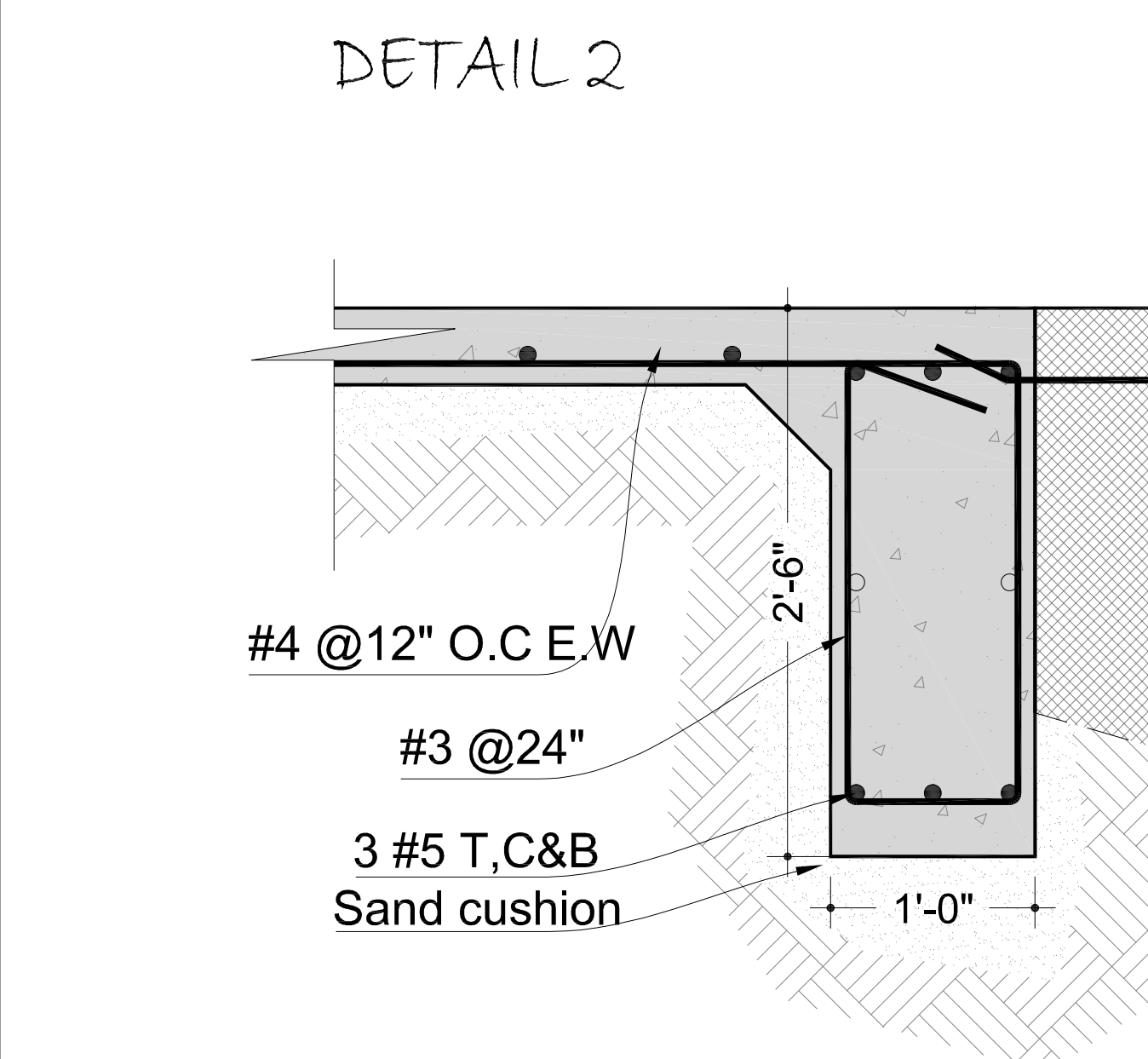
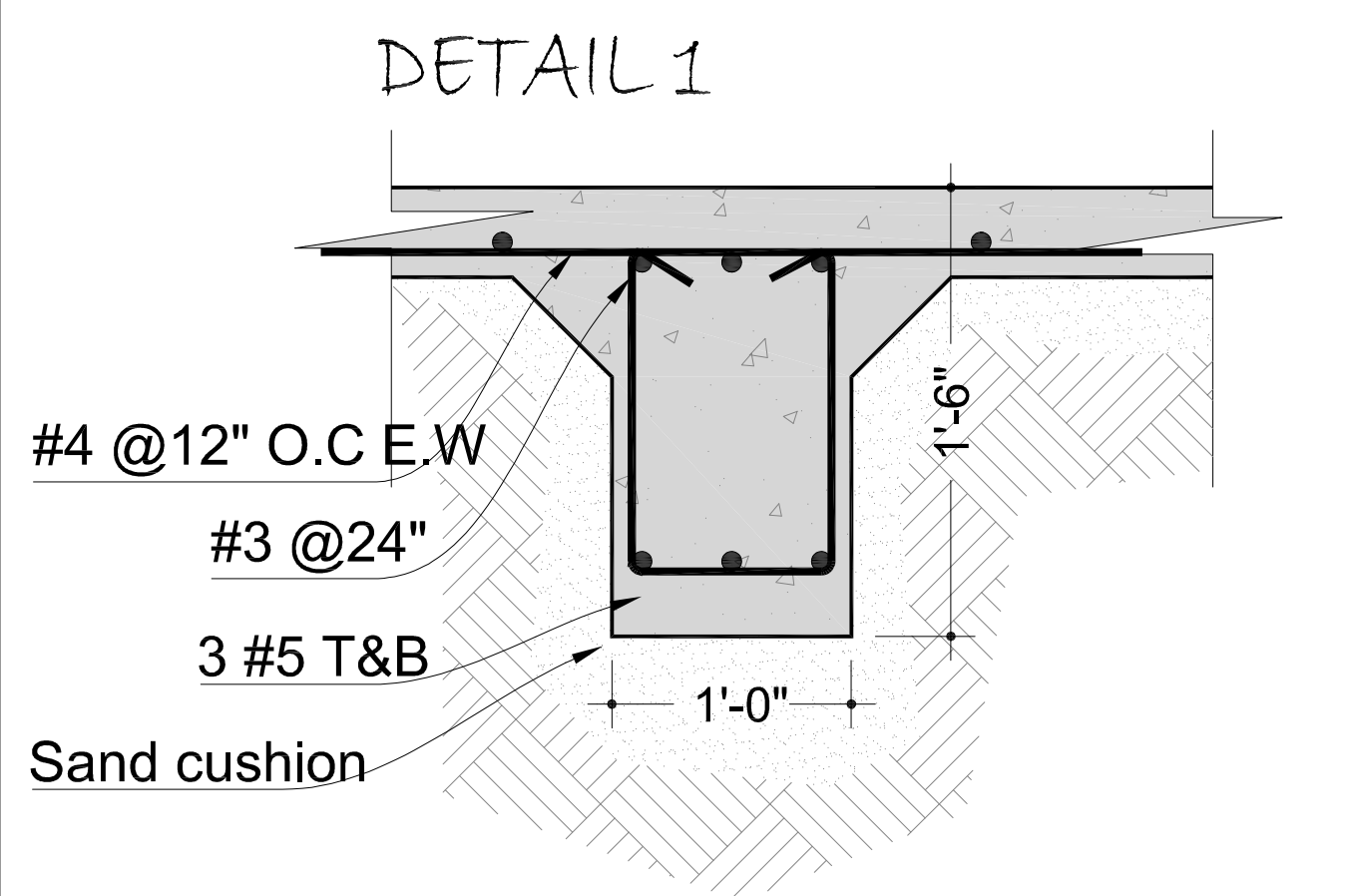
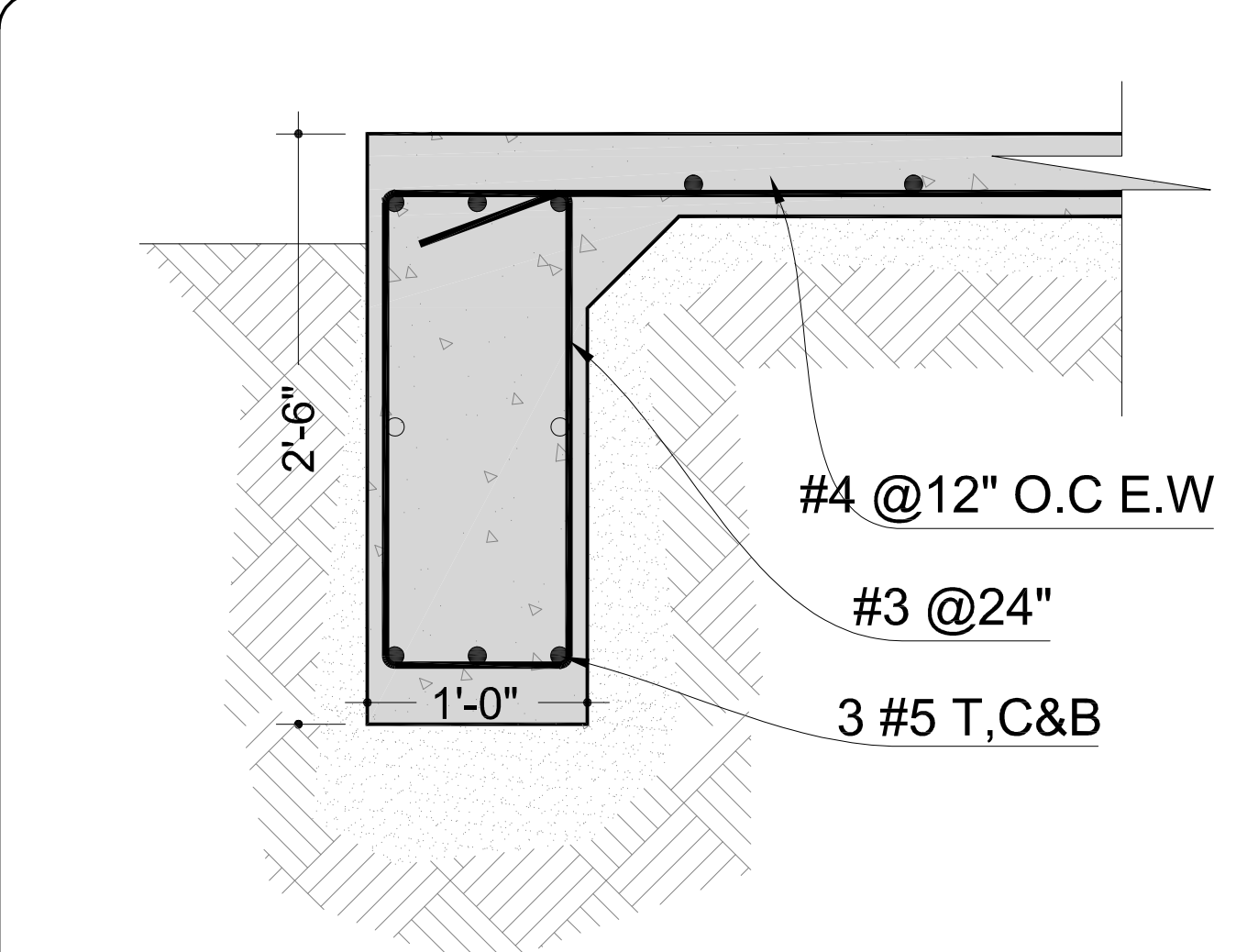
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DRAWN BY	Ty Howerton
CUSTOMER	STARK
SHEET	(S) - (1)

PLAN NUMBER
2413-2024-15

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PHASE 2

WIND BRACE DETAILS 1/4" = 1'-0"

FOUNDATION NOTES MATERIALS

1. We did not conduct geotechnical site investigation, nor any soil and rock testing for this site.
2. Reinforcing bars should conform to ASTM A615, grade 60.
3. All concrete work shall be in accordance with ACI 318-95 or later.
4. Reinforcing bars shall be detailed, and bar supports and spacers shall be provided in accordance with the applicable ACI 318-95 detailing sections.
5. Concrete $f'_c = 3000$ psi @ 28 days normal weight concrete (145 to 150 lb/cu. ft). Use 5% air entrainment in concrete exposed to the weather. Fly-ash is permitted only with mix design approved by Engineer.
6. Concrete slump is 5 inches maximum, or 8 inches maximum at point of placement when concrete containing high-range water-reducing admixture (super-plasticizer) is used.

CONSTRUCTION

1. New Foundation should be attached to the existing one by a dowel rod 18" minimum depth @12".
2. Foundation pad shall be compacted to achieve at least 95% of the maximum dry density at moisture content of 1% below to 2% above the optimum moisture content.
3. A 6 inch sand level cushion or select-fill material shall be placed under the slab. A 6mil-thick moisture barrier shall be installed over the pad before putting concrete works. The Contractor shall verify all grade beams location.
4. All exterior grade beams shall be 30 inch deep and 12 inch wide. all interior grade beams shall be 18" deep and 12 inches wide. Beam reinforcement shall be 3 #4 bars top and bottom. Use #4 ties at 24 inches.
5. The slab should be 4 1/2 -inches thick, and shall be reinforced with #4 rebars spaced at 12 inches each way.
7. The drainage around the foundation shall be sloped to divert water away. The slope should be 2%.

Project Issue / Date:	04/09/24
Permit Set	04/09/24
Issue Log:	
Sketch Set	04/12/24
Check Set	04/19/24
Coordination Set	-/-/-
Permit Set	-/-/-
Construction Set	-/-/-

608 E. AVENUE K, SUITE 200
GROESBECK, TX 75845
817.434.1234

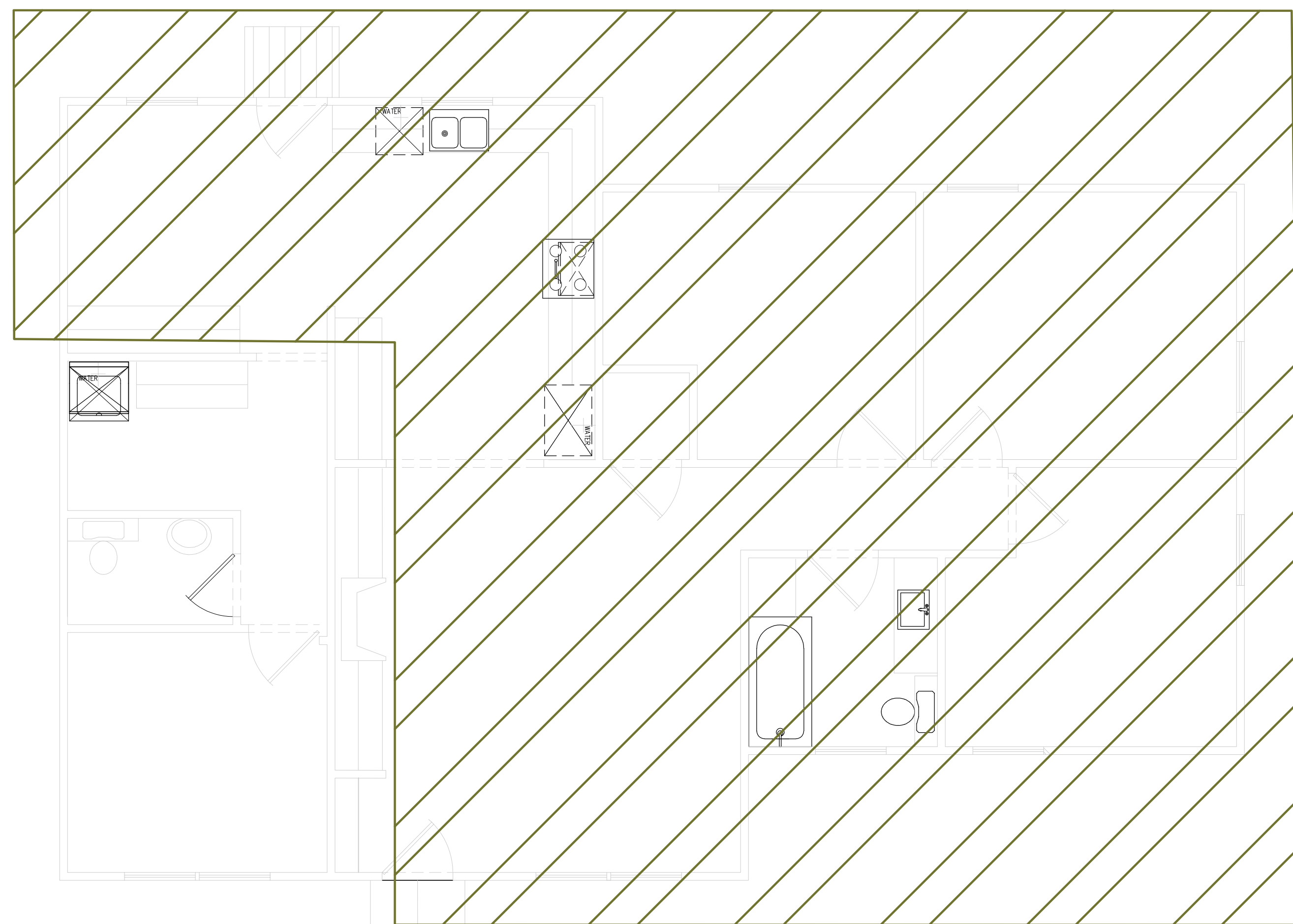
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DRAWN BY	Ty Howerton
CUSTOMER	STARK
SHEET	(S) - (2)

PLAN NUMBER
2413-2024-15

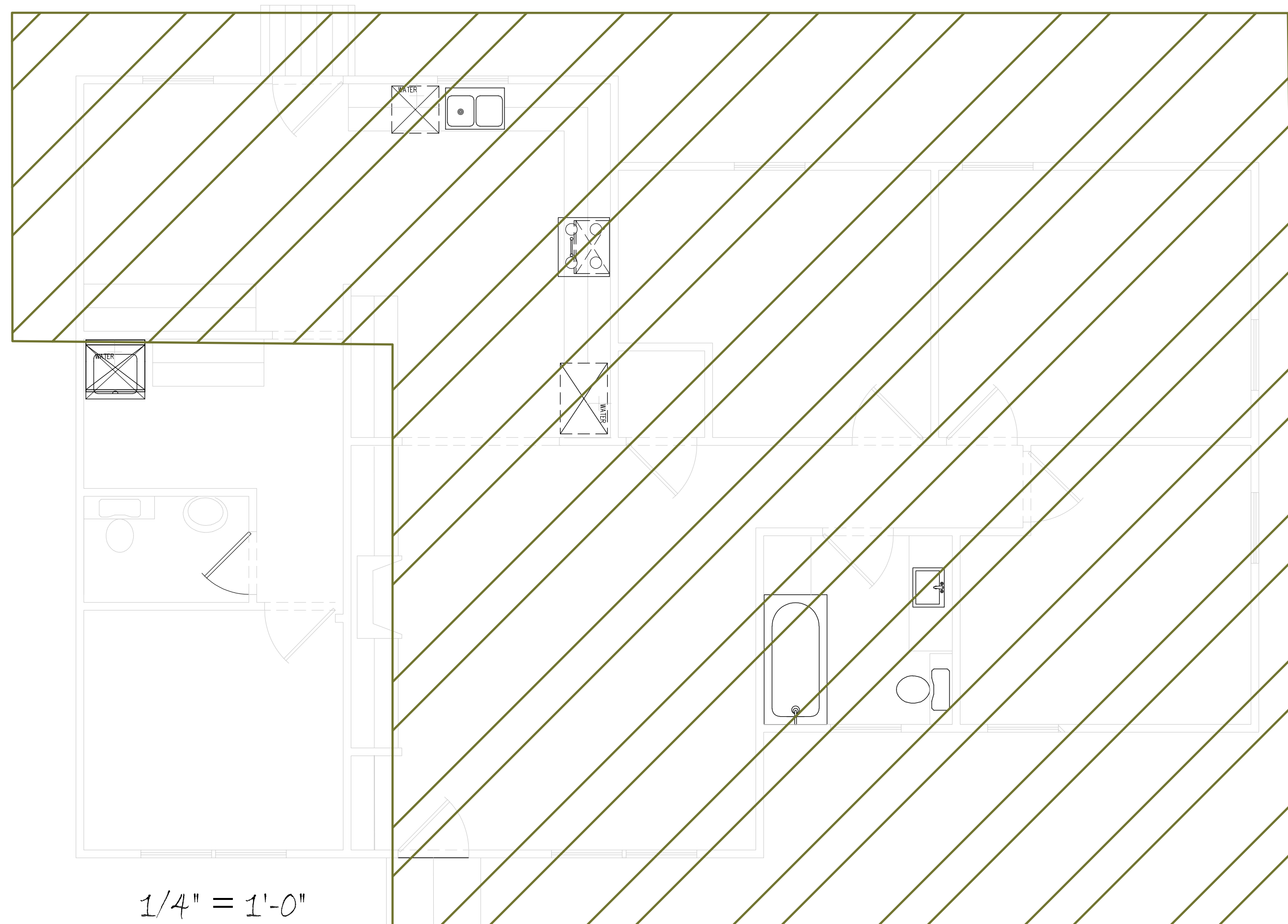
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1/4" = 1'-0"

PLUMBING PLAN



1/4" = 1'-0"

HVAC PLAN

PHASE 2

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Project Issue / Date:	Permit Set
Issue Log:	Issue Date:
Sketch Set	04/12/24
Check Set	04/19/24
Coordination Set	-/-/-
Permit Set	-/-/-
Construction Set	-/-/-

608 E. AVENUE K, TX 75085
 RICHLAND HILLS, TX 76118

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DATE
APRIL 2024

DRAWN BY
Ty Howerton

CUSTOMER
STARK

SHEET
- -

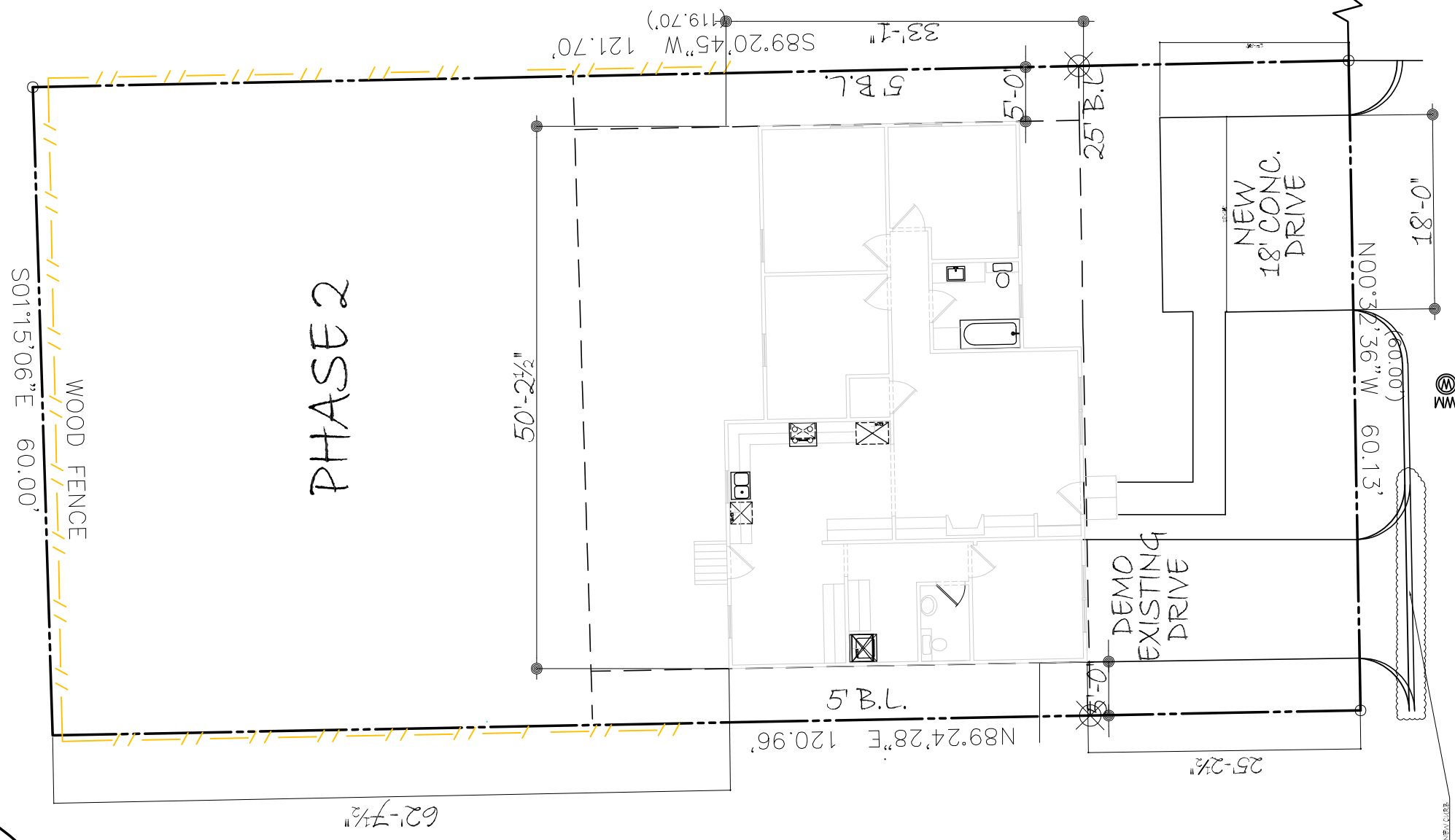
PLAN NUMBER
2413-2024-15

ADDRESS
2916 GUMWOOD PARK
RICHLAND HILLS, TX 76118



SITE PLAN

2413-2024-15



2916 GUMWOOD PARK DRIVE

House to Home Plans, LLC
 608 E. Avenue K
 Grand Prairie, TX 75220
 1.883.414R.PLAN
 H2HPLAN.COM
 plan@h2hplan.com

CLIENT:
 2916 Gumwood Park Drive
 Dallas, TX 76118

SITE INFORMATION:
 2916 Gumwood Park Drive
 Lot 05 Block 3
 Richland Hills, TX 76118

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 1.06 Nonconforming uses, structures and lots.

90-1.06.01 Intent of Provisions.

(A) Existence of nonconformities.

- (1) The purpose of this section is to establish provisions for the allowance and potential alteration of uses, lots, and/or structures that do not conform to currently applicable standards or regulations, but that were in conformance with standards in place at the time of their inception, and have been rendered nonconforming due to a change in the applicable standards and regulations.
 - (a) Nonconformities occur in three general categories, or combinations thereof:
 1. Nonconforming lots as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming lot can be nonconforming as to lot area or dimension requirement.
 2. Nonconforming structures as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming structure can be nonconforming as to a dimension requirement, masonry requirement, or landscaping requirement.
 3. Nonconforming uses are uses as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming use can be the actual use, or the parking requirement associated with that particular use.
- (2) It is the declared intent of this section that nonconforming uses and structures eventually be eliminated and be required to comply with the regulations of the Zoning Ordinance, having due regard for the property rights of the person affected, the public welfare, and the character of the surrounding area.

90-1.06.02 Establishment of Legal Nonconforming Status.

- (A) Existence. For purposes of interpretation of this subsection, any uses, structures, or lots that in whole or part are not in conformance with current zoning standards shall be considered as follows:
 - (1) Legal nonconforming. Those uses, structures, or lots that in whole or part are not in conformance with current zoning standards, but were legally established at a prior date at which time they were in conformance with applicable standards. Such uses, structures or lots may be maintained or potentially altered subject to the provisions of this subsection.
 - (2) Illegal status. Those uses, structures, or lots that in whole or part are not in conformance with current zoning standards and were not in conformance with applicable standards at the time of their inception shall not be considered legal nonconforming, but shall be considered illegal uses, structures, or lots and shall not be approved for any alteration or expansion, and shall undertake necessary remedial measures to reach conformance with current standards, or be discontinued.
- (B) Time of adoption. Any use, platted lot, or structure that is a lawful use at the time of the adoption of any amendment to this Ordinance but by such amendment is placed in a district wherein such use, platted lot, or structure is not otherwise permitted shall be deemed legal nonconforming.

90-1.06.03 Burden of Demonstration. The burden of establishing that any nonconformity is a legal nonconformity as defined in this subsection shall be borne by the owner or proponent of such nonconformity.

90-1.06.04 Continuing Lawful Use of Property and Existence of Structures.

(A) Discontinuance of nonconforming use.

- (1) If a nonconforming use shall cease operations for a period of more than six months, then such nonconforming use shall be deemed to be permanently discontinued. Unless the board of adjustment reinstates the nonconforming rights pursuant to section 6.10 Reinstatement of Nonconforming Rights of this Ordinance, such a use shall not be instituted on that parcel or other parcel in any district that does not permit the discontinued use.
- (2) For the purpose of this paragraph, to "cease operations" shall mean to intentionally terminate operations of the nonconforming use. Any nonconforming use that does not involve a permanent type of structure or operation and that is moved from the premises shall be considered to have been discontinued, regardless of intent.

(B) Reinstatement of nonconforming use rights. An owner and/or operator of a nonconforming use that has been deemed permanently abandoned pursuant to subsection (A) above, may request that the nonconforming rights to the use be reinstated pursuant to section 6.10 Reinstatement of Nonconforming Rights of this Ordinance.

(C) Prohibited expansion or reoccupation. A nonconforming use or structure shall not be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Ordinance except as provided in section 1.06.06. below.

(D) Existing platted lots are conforming lots. Any existing lot platted prior to May 6, 2014, which was legally conforming, shall be deemed a conforming lot.

90-1.06.05 Changing Uses and Nonconforming Rights.

- (A) Nonconforming use to conforming use. Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not be changed back to a nonconforming use.
- (B) Nonconforming use to another nonconforming use. A nonconforming use may not be changed to another nonconforming use.
- (C) Conforming use in a nonconforming structure. Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by the process outlined in section 1.06.06. below.

90-1.06.06 Expansion of Nonconforming Uses and Structures. An expansion of a nonconforming use or structure is allowed in accordance with the following:

(A) Nonconforming use expansion in existing building.

- (1) A nonconforming use located within a building may be extended throughout the existing building, provided:
 - (a) No structural alteration may be made on or in the building except those required by law to preserve such building in a structurally sound condition; and
 - (b) The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing at the time said use became a nonconforming use.
- (2) Nonconforming use within a building shall not be extended to occupy any land outside the

building.

- (B) Off-street loading, parking, and landscaping requirements. Requirements for parking and landscaping for a nonconforming structure shall be as stated in the supplementary ordinances.
- (C) Residential lot exemption. The minimum residential lot areas for the various zoning districts shall be in accordance with their respective districts, except that a lot having less area than herein required that was an official "lot of record" prior to May 6, 2014 may be used for a single-family dwelling.
- (D) Nonconforming building expansion with conforming uses. Buildings or structures **that in whole or part are not in conformance with current zoning standards, but were legally established at a prior date at which they were in conformance with applicable standards may expand the structure in conformance with current area regulations or development standards in this ordinance by right. If the expansion request furthers the nonconformity, a special exception shall be requested in accordance with section 6.13.01.** ~~not increase the gross floor area greater than ten percent from the date when the building became nonconforming. The expansion must be conforming.~~
- (E) Reuse of abandoned or vacant buildings by conforming uses allowed. Buildings or structures that have been vacant or abandoned for more than six months and do not meet the current area regulations or development standards shall be allowed to be reoccupied only by a conforming use.

90-1.06.07 Restoration of Nonconforming Structures.

- (A) Total destruction. If a nonconforming structure is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this Ordinance.
- (B) Partial destruction. In the case of partial destruction of a nonconforming structure up to 51 percent of its total appraised value as determined by the Appraisal District, reconstruction will be permitted, but the existing square footage or function of the nonconforming structure cannot be expanded.

90-1.06.08 Movement of Nonconforming Structures.

- (A) Relocation of a nonconforming structure within a platted lot. Nonconforming structures may be relocated within the same platted lot.
- (B) Compliance. Nonconforming structures shall comply with all setback and screening requirements once relocated.

90-1.06.09 Completion of Structures. Nothing herein contained shall require any change in the plans, construction, or designated use of the following:

- (A) Approved building. A building or structure for which a building permit has been issued or a site plan approved prior to May 6, 2014.
- (B) Building in the approval process. A building or structure for which a complete application for a building permit was accepted by the building official on or before the effective date of these regulations, provided however, that such building permit shall comply with all applicable ordinances in effect on the date such application was filed.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 6.13 Zoning Special Exception.

90-6.13.01 Purpose and Applicability.

- (A) Purpose. The board of adjustment is authorized to hear and decide a special exception to the Zoning Ordinance that are not permitted by right in a particular district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the board of adjustment, where specifically authorized by subsection (D) below, and in accordance with the substantive and procedural standards of the Zoning Ordinance.
- (B) Zoning special exception defined. A special exception is an allowed variation from the Zoning Ordinance, but is differentiated from a variance as the term is used in this Zoning Ordinance by the following:
 - (1) No hardship required. A special exception does not require a finding of an undue hardship.
 - (2) Specifically allowed and pre-determined by the Zoning Ordinance. Approval of a special exception by the board of adjustment is specifically provided for and defined in this Zoning Ordinance.
- (C) Requests for a zoning special exception.
 - (1) The board of adjustment may grant a special exception in accordance to the provisions of subsection (D) below upon written request of the property owner.
 - (2) The zoning administrator shall process and review a special exception.
- (D) Zoning special exception authorized. When in the board of adjustment judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the board of adjustment may, in specific cases, after public notice and public hearing and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:
 - (1) Parking.
 - (a) A reduction in the number of on-site parking spaces may be granted in the nonresidential districts and for all nonresidential uses located in residential districts. Documentation justifying the reduction must be presented.
 - (b) Parking spaces may be located off-site and counted toward the parking requirements if the following requirements are met:
 - 1. Parking spaces are within 300 feet, measured by a straight line from the nearest point of the land on which the use served is located to the nearest point of the separated off-site parking space;
 - 2. A safe and accessible pedestrian connection from the parking area to the use is available; and
 - 3. A written agreement shall be drawn to the satisfaction of the city attorney and executed by all parties concerned assuring the continued availability of the off-site parking facilities for the use they are intended to serve.
 - (2) The board may issue a special exception to grant nonconforming status for a structure that did not

conform to this Ordinance when it was constructed or established, if the board finds:

- (a) The nonconformity was clearly and specifically shown in plans and specifications duly submitted to obtain a city permit;
- (b) Before the work was done, neither the owner, the designer, the surveyor, the contractor nor any other person assisting with the work knew about the nonconformity;
- (c) The nonconformity was clearly covered by the city permit (the same permit for which the plans and specifications were submitted), and the permit was otherwise regularly issued;
- (d) After learning of the nonconformity, the owner promptly conferred with the administrative official and voluntarily halted any further nonconforming work;
- (e) The item will cause no health or safety hazard and no significant impact upon another person or property; and
- (f) The item can be brought into conformity with this Ordinance within the time period specified in the special exception, at a modest or reasonable cost.

1. Exception: Bringing the item into conformity need not be required if the board finds that the impact of the item on other persons or properties is either nil or extremely small.

(3) The board may issue a special exception to buildings or structures that in whole or part are not in conformance with the current zoning standards, but were legally established at a prior date at which they were in conformance with applicable standards that are now requesting to further the nonconformity by way of expansion.

1. Furthering the nonconformity may include but is not limited to encroaching into any existing setbacks or exceeding or further exceeding the minimum lot coverage requirement in attempt to expand a nonconforming structure.
2. At no time may the Board grant this special exception where the requested encroachment into existing setback exceeds the encroachment present at the time the nonconformity was established. Any setback not encroached upon may not be encroached by way of this special exception.
3. At no time may the Board grant this special exception where the requested building height exceeds the building height present at the time the nonconformity was established. A building height in conformance with current zoning standards may not be increased by way of this special exception.
4. A special exception may be issued for a building expansion where the current building size is below the required square footage and the requested expansion will not bring the building size into conformance.

(E) The board of adjustment may impose conditions. In granting special exceptions under this section, the board of adjustment may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including but not limited to conditions specifying the period during which the nonconforming use may continue to operate or exist before being brought into conformance with the provisions of this Ordinance.

(F) 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 special exception.

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

Memorandum

To: Richland Hills Zoning Board of Adjustment

From: JP Ducay, Director of Planning & Development Services

Date: August 6, 2024

Subject: Special Exception Request for 2816 Fir Park

Agenda Item:

Consider ZBA 2024-0594, a special exception request to decrease the side setback requirements for the property described as Lot 7, Block 20, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 2816 Fir Park, Richland Hills, Texas 76118. **PUBLIC HEARING**

Background Information:

The property at 2816 Fir Park is a 7,500 square-foot lot with an 880 square-foot single-family residence located in the SF-7 zoning district. The applicant for this property is Brian Mathis.

According to **Section 2.03.03(D) SF-7 Single-Family Residential – Area regulations:**

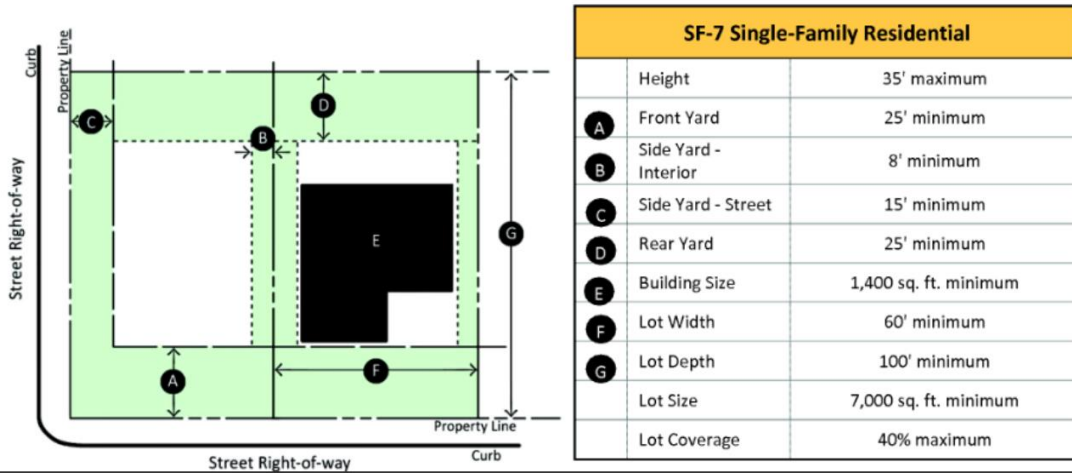
- The side yard interior setback shall be a minimum of 8 feet.

The applicant is proposing to enclose a pre-existing carport attached to the primary residence. The carport will be converted into an internal airconditioned master bedroom. During preliminary building plan review, it was determined that the proposed construction would encroach into the side yard setback. However, the addition is proposing to lineup with the structures existing side yard encroachments. When the home was originally constructed in 1953, it was likely setback only five feet and two inches (5'2") from the side yard property line. The structure inherently encroaches into the SF-7 side yard setback requirement of eight feet as it is setback only five feet and two inches from the property line. The enclosure of the carport will align with the existing building/carport footprint and side yard encroachment.

The applicant is requesting a special exception to decrease the side yard setback of 8' to 5'2". The proposed expansion will align with existing building footprint and will not further encroach into any setbacks.

Zoning Map:

(D) Area regulations.



Attachments:

- Property Photos
- Proposed Plans
- Section 6.13 – Special Exception

Motion:

Motion to *(approve/deny)* ZBA 2024-0594, a special exception request to decrease the side setback requirements for the property described as Lot 7, Block 20, Richland Park Addition, City of Richland Hills, Tarrant County, Texas otherwise known as 2816 Fir Park, Richland Hills, Texas 76118.

2816 Fir Park Property Photos





Richland Hills Development Services

3200 Diana Drive | Richland Hills, TX, 76118

817-616-3800 | richlandhills.com

Zoning Board of Adjustment Application

Application Type

Special Exception - Zoning

Special Exception - Sign

Variance

Property Owner Information

Name: Brian Mathis

Address: 2816 Fir Park

Phone: 214-734-6382

Email Address: brian.e.mathis@gmail.com

I, the undersigned owner or authorized agent of the following described real property, located in the City of Richland Hills, Texas, hereby make application for a request for a special exception/variance from Section 90-1.06.06 D of the Richland Hills Code of Ordinances.

Signature: Brian E. Mathis

Date: 07-10-2024

Applicant/Tenant Information

Name: Brian Mathis

Address: 5205 Saint Croix Ln., Fort Worth, TX 76137

Phone: 214-734-6382

Email Address: brian.e.mathis@gmail.com

Detailed description of request: Request to infill existing carport to create master bedroom.

Acknowledgement

I have read this application form and understand that filing the application does not guarantee an affirmative action by the Zoning Board of Adjustment. I further understand that at least four (4) affirmative votes must be cast in order to receive a special exception or variance.

Signature: Brian E. Mathis

Date: 07-10-2024

For Office Use Only

Received by: Wanajel

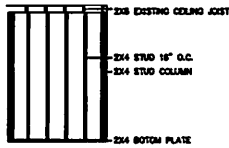
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Case Number: 20240594

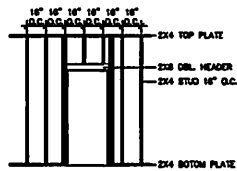
Approved by: Wanajel

Date: 7/15/2024

Comments: Receipt # 411852cc 7/15/24



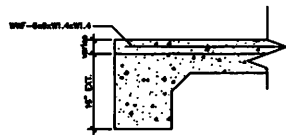
2 WALL FRAMING DETAIL
SCALE: N.T.S.



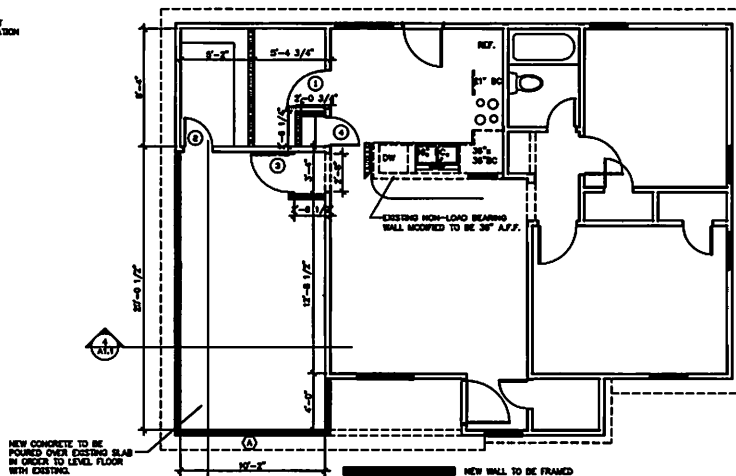
3 INTERIOR WALL FRAMING DETAIL TYP.
SCALE: N.T.S.

DOOR SCHEDULE			
DOOR	FRAME	REMARKS	
1	2'-0\"/>		

WINDOW SCHEDULE		
WINDOW	REMARKS	
1	2'-0\"/>	



4 FOUNDATION DETAILS TYP.
SCALE: N.T.S.



1 FLOOR/ FOUNDATION PLAN
SCALE: 1/4\"/>



FWN&A
Structural Engineering
Frank W. Neal & Assoc., Inc.
1015 W. Broadway Ave.
Fort Worth, TX 76104

817-332-1944
fwna-eng.com
Texas Firm Reg. No. F-256

ARC DESIGN STUDIO

5205 Saint Croix Ln.
Fort Worth, TX 76137
214-734-8382

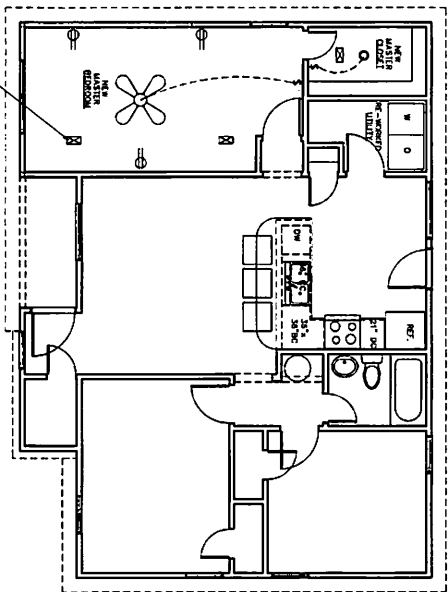
RESIDENTIAL PLANS

2816 FIR PARK
RICHLAND HILLS, TEXAS 76118

SHEET
A1.1

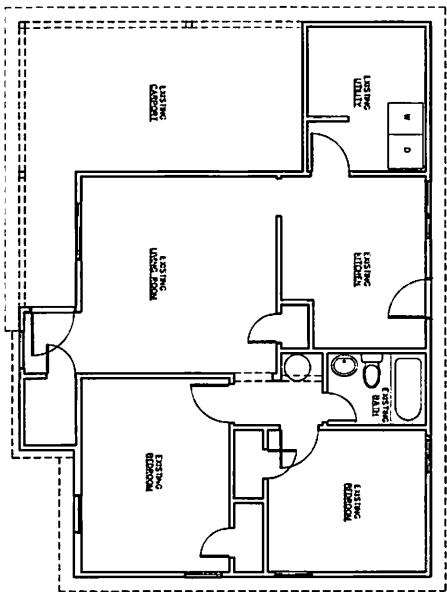
FLOOR/ FOUNDATION
PLAN

NEW SUPPLY AND RETURN AIR FROM SYSTEM (P. OF 3)



1 M/E PLAN
SCALE 1/8" = 1'-0"

2 AS-BUILT PLAN
SCALE 1/8" = 1'-0"



28112 Fir Park



Sold: (2 beds, 1 bath, 880 Square Feet)

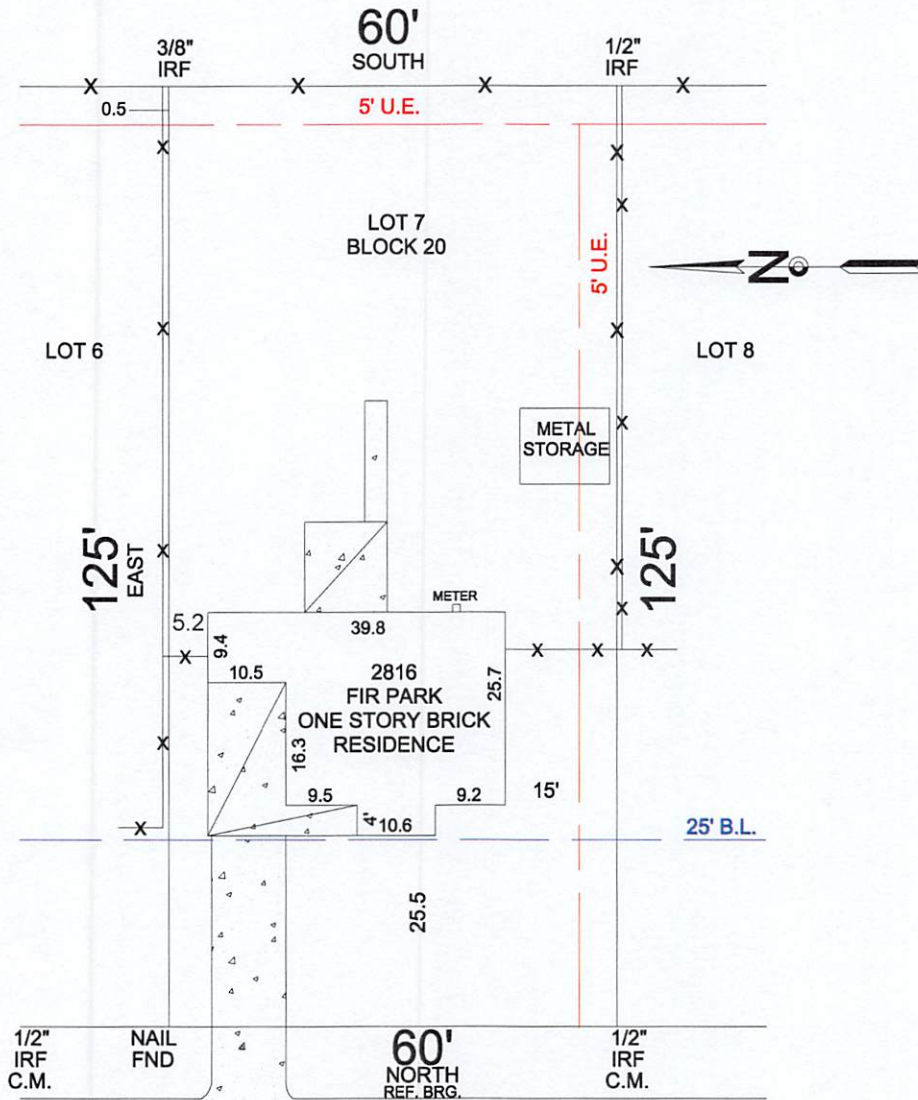
STADIA LAND SURVEYING INC.

COPYRIGHT DATE
04 / 02 / 24

PROPERTY ADDRESS / 2816 FIR PARK
RICHLAND HILLS, TEXAS

LEGAL DESCRIPTION OF LAND:

Lot 7, Block 20, Richland Park Addition, to the City of Richland Hills, Tarrant County, Texas, according to the Plat recorded in Volume 388-G, Page 163, Plat Records, Tarrant County, Texas.



LEGEND		
CONCRETE	FENCING	C.M. - CONTROL MONUMENT
COVERED	AC PAD	B.L. - BUILDING LINE
BRICK	ASPHALT	U.E. - UTILITY EASEMENT
WOOD DECK	WOOD DECK	IRF - IRON ROD FOUND
STONE	STONE	IRS - IRON ROD SET
		R.O.W. - RIGHT OF WAY



Jimmy E. Pogue

SURVEY ONLY VALID WITH ORIGINAL SEAL AND SIGNATURE

THE PLAT HEREON IS A REPRESENTATION OF THE PROPERTY, AS DETERMINED BY ON THE GROUND SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND TYPE OF ABOVE GROUND BUILDINGS AND ABOVE GROUND IMPROVEMENTS ARE AS SHOWN, ALL ABOVE GROUND IMPROVEMENTS BEING WITHIN THE BOUNDARIES OF THE PROPERTY AS SHOWN.

EXCEPT AS SHOWN ON SURVEY, THERE ARE NO ABOVE GROUND ENCROACHMENTS OR ABOVE GROUND PROTRUSIONS.

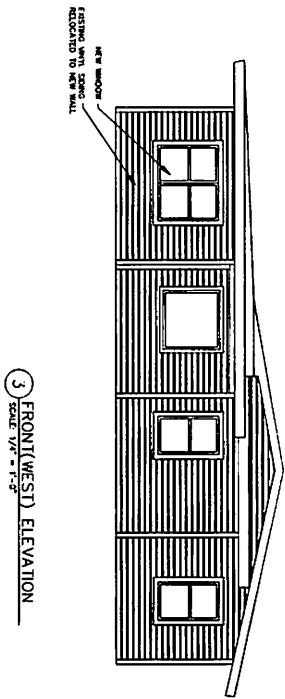
This survey was performed EXCLUSIVELY for and in connection with the transaction described in G.F. No. ATD-15-6000152400460M of ALAMO Title Company. Use of this survey for any other purpose or by any other parties shall be strictly prohibited as this survey is a copyright owned by STADIA LAND SURVEYING, Inc., and all other uses are forbidden, without prior written consent of STADIA LAND SURVEYING, Inc. C

Scale 1" = 20'

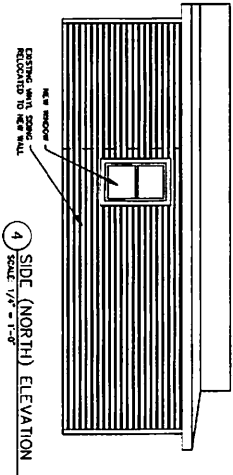
Date 04 / 02 / 24

JOB No: 7749-24

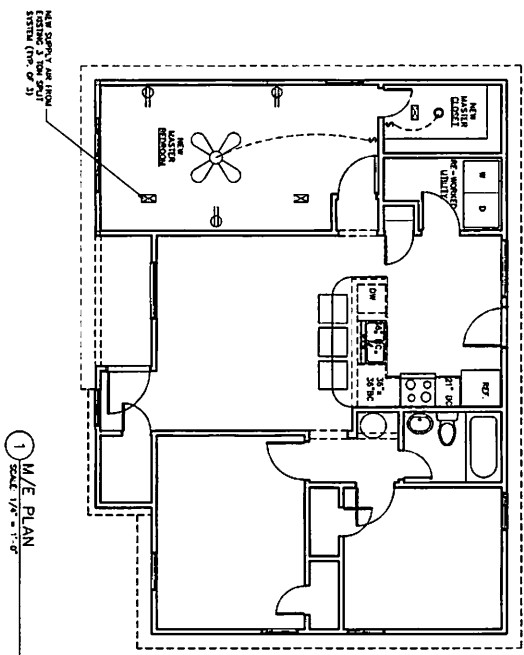
STADIA LAND SURVEYING, INC.
P.O. BOX 1886
RED OAK, TEXAS 75154
PHONE (972) 617 - 9988
FAX: (972) 617 - 6809
stadiasurveying@sbcglobal.net
JIMMY E. POGUE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5592
FIRM #100193-0



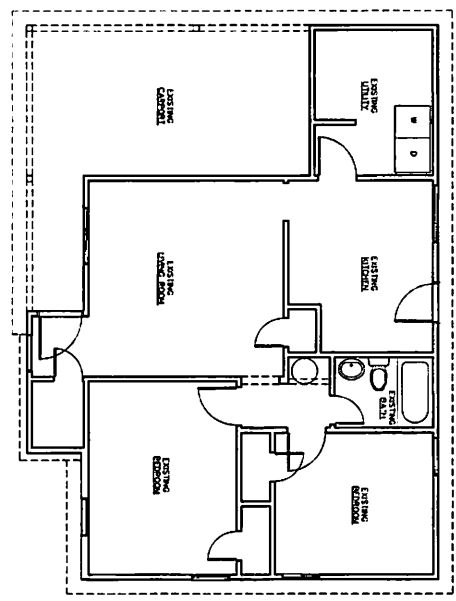
3 FRONT (WEST) ELEVATION
SCALE 1/8" = 1'-0"



4 SIDE (NORTH) ELEVATION
SCALE 1/8" = 1'-0"



1 M/E PLAN
SCALE 1/8" = 1'-0"



2 AS-BUILT PLAN
SCALE 1/8" = 1'-0"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 1.06 Nonconforming uses, structures and lots.

90-1.06.01 Intent of Provisions.

(A) Existence of nonconformities.

- (1) The purpose of this section is to establish provisions for the allowance and potential alteration of uses, lots, and/or structures that do not conform to currently applicable standards or regulations, but that were in conformance with standards in place at the time of their inception, and have been rendered nonconforming due to a change in the applicable standards and regulations.
 - (a) Nonconformities occur in three general categories, or combinations thereof:
 1. Nonconforming lots as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming lot can be nonconforming as to lot area or dimension requirement.
 2. Nonconforming structures as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming structure can be nonconforming as to a dimension requirement, masonry requirement, or landscaping requirement.
 3. Nonconforming uses are uses as described in subsection 1.06.02.(A)(1) below. For example, a nonconforming use can be the actual use, or the parking requirement associated with that particular use.
- (2) It is the declared intent of this section that nonconforming uses and structures eventually be eliminated and be required to comply with the regulations of the Zoning Ordinance, having due regard for the property rights of the person affected, the public welfare, and the character of the surrounding area.

90-1.06.02 Establishment of Legal Nonconforming Status.

- (A) Existence. For purposes of interpretation of this subsection, any uses, structures, or lots that in whole or part are not in conformance with current zoning standards shall be considered as follows:
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 - (2) Illegal status. Those uses, structures, or lots that in whole or part are not in conformance with current zoning standards and were not in conformance with applicable standards at the time of their inception shall not be considered legal nonconforming, but shall be considered illegal uses, structures, or lots and shall not be approved for any alteration or expansion, and shall undertake necessary remedial measures to reach conformance with current standards, or be discontinued.
- (B) Time of adoption. Any use, platted lot, or structure that is a lawful use at the time of the adoption of any amendment to this Ordinance but by such amendment is placed in a district wherein such use, platted lot, or structure is not otherwise permitted shall be deemed legal nonconforming.

90-1.06.03 Burden of Demonstration. The burden of establishing that any nonconformity is a legal nonconformity as defined in this subsection shall be borne by the owner or proponent of such nonconformity.

90-1.06.04 Continuing Lawful Use of Property and Existence of Structures.

(A) Discontinuance of nonconforming use.

- (1) If a nonconforming use shall cease operations for a period of more than six months, then such nonconforming use shall be deemed to be permanently discontinued. Unless the board of adjustment reinstates the nonconforming rights pursuant to section 6.10 Reinstatement of Nonconforming Rights of this Ordinance, such a use shall not be instituted on that parcel or other parcel in any district that does not permit the discontinued use.
- (2) For the purpose of this paragraph, to "cease operations" shall mean to intentionally terminate operations of the nonconforming use. Any nonconforming use that does not involve a permanent type of structure or operation and that is moved from the premises shall be considered to have been discontinued, regardless of intent.

(B) Reinstatement of nonconforming use rights. An owner and/or operator of a nonconforming use that has been deemed permanently abandoned pursuant to subsection (A) above, may request that the nonconforming rights to the use be reinstated pursuant to section 6.10 Reinstatement of Nonconforming Rights of this Ordinance.

(C) Prohibited expansion or reoccupation. A nonconforming use or structure shall not be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Ordinance except as provided in section 1.06.06. below.

(D) Existing platted lots are conforming lots. Any existing lot platted prior to May 6, 2014, which was legally conforming, shall be deemed a conforming lot.

90-1.06.05 Changing Uses and Nonconforming Rights.

- (A) Nonconforming use to conforming use. Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not be changed back to a nonconforming use.
- (B) Nonconforming use to another nonconforming use. A nonconforming use may not be changed to another nonconforming use.
- (C) Conforming use in a nonconforming structure. Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by the process outlined in section 1.06.06. below.

90-1.06.06 Expansion of Nonconforming Uses and Structures. An expansion of a nonconforming use or structure is allowed in accordance with the following:

(A) Nonconforming use expansion in existing building.

- (1) A nonconforming use located within a building may be extended throughout the existing building, provided:
 - (a) No structural alteration may be made on or in the building except those required by law to preserve such building in a structurally sound condition; and
 - (b) The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing at the time said use became a nonconforming use.
- (2) Nonconforming use within a building shall not be extended to occupy any land outside the

building.

- (B) Off-street loading, parking, and landscaping requirements. Requirements for parking and landscaping for a nonconforming structure shall be as stated in the supplementary ordinances.
- (C) Residential lot exemption. The minimum residential lot areas for the various zoning districts shall be in accordance with their respective districts, except that a lot having less area than herein required that was an official "lot of record" prior to May 6, 2014 may be used for a single-family dwelling.
- (D) Nonconforming building expansion with conforming uses. Buildings or structures **that in whole or part are not in conformance with current zoning standards, but were legally established at a prior date at which they were in conformance with applicable standards may expand the structure in conformance with current area regulations or development standards in this ordinance by right. If the expansion request furthers the nonconformity, a special exception shall be requested in accordance with section 6.13.01.** ~~not increase the gross floor area greater than ten percent from the date when the building became nonconforming. The expansion must be conforming.~~
- (E) Reuse of abandoned or vacant buildings by conforming uses allowed. Buildings or structures that have been vacant or abandoned for more than six months and do not meet the current area regulations or development standards shall be allowed to be reoccupied only by a conforming use.

90-1.06.07 Restoration of Nonconforming Structures.

- (A) Total destruction. If a nonconforming structure is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this Ordinance.
- (B) Partial destruction. In the case of partial destruction of a nonconforming structure up to 51 percent of its total appraised value as determined by the Appraisal District, reconstruction will be permitted, but the existing square footage or function of the nonconforming structure cannot be expanded.

90-1.06.08 Movement of Nonconforming Structures.

- (A) Relocation of a nonconforming structure within a platted lot. Nonconforming structures may be relocated within the same platted lot.
- (B) Compliance. Nonconforming structures shall comply with all setback and screening requirements once relocated.

90-1.06.09 Completion of Structures. Nothing herein contained shall require any change in the plans, construction, or designated use of the following:

- (A) Approved building. A building or structure for which a building permit has been issued or a site plan approved prior to May 6, 2014.
- (B) Building in the approval process. A building or structure for which a complete application for a building permit was accepted by the building official on or before the effective date of these regulations, provided however, that such building permit shall comply with all applicable ordinances in effect on the date such application was filed.

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§ 6.13 Zoning Special Exception.

90-6.13.01 Purpose and Applicability.

- (A) Purpose. The board of adjustment is authorized to hear and decide a special exception to the Zoning Ordinance that are not permitted by right in a particular district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the board of adjustment, where specifically authorized by subsection (D) below, and in accordance with the substantive and procedural standards of the Zoning Ordinance.
- (B) Zoning special exception defined. A special exception is an allowed variation from the Zoning Ordinance, but is differentiated from a variance as the term is used in this Zoning Ordinance by the following:
 - (1) No hardship required. A special exception does not require a finding of an undue hardship.
 - (2) Specifically allowed and pre-determined by the Zoning Ordinance. Approval of a special exception by the board of adjustment is specifically provided for and defined in this Zoning Ordinance.
- (C) Requests for a zoning special exception.
 - (1) The board of adjustment may grant a special exception in accordance to the provisions of subsection (D) below upon written request of the property owner.
 - (2) The zoning administrator shall process and review a special exception.
- (D) Zoning special exception authorized. When in the board of adjustment judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the board of adjustment may, in specific cases, after public notice and public hearing and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:
 - (1) Parking.
 - (a) A reduction in the number of on-site parking spaces may be granted in the nonresidential districts and for all nonresidential uses located in residential districts. Documentation justifying the reduction must be presented.
 - (b) Parking spaces may be located off-site and counted toward the parking requirements if the following requirements are met:
 - 1. Parking spaces are within 300 feet, measured by a straight line from the nearest point of the land on which the use served is located to the nearest point of the separated off-site parking space;
 - 2. A safe and accessible pedestrian connection from the parking area to the use is available; and
 - 3. A written agreement shall be drawn to the satisfaction of the city attorney and executed by all parties concerned assuring the continued availability of the off-site parking facilities for the use they are intended to serve.
 - (2) The board may issue a special exception to grant nonconforming status for a structure that did not

conform to this Ordinance when it was constructed or established, if the board finds:

- (a) The nonconformity was clearly and specifically shown in plans and specifications duly submitted to obtain a city permit;
- (b) Before the work was done, neither the owner, the designer, the surveyor, the contractor nor any other person assisting with the work knew about the nonconformity;
- (c) The nonconformity was clearly covered by the city permit (the same permit for which the plans and specifications were submitted), and the permit was otherwise regularly issued;
- (d) After learning of the nonconformity, the owner promptly conferred with the administrative official and voluntarily halted any further nonconforming work;
- (e) The item will cause no health or safety hazard and no significant impact upon another person or property; and
- (f) The item can be brought into conformity with this Ordinance within the time period specified in the special exception, at a modest or reasonable cost.

1. Exception: Bringing the item into conformity need not be required if the board finds that the impact of the item on other persons or properties is either nil or extremely small.

(3) The board may issue a special exception to buildings or structures that in whole or part are not in conformance with the current zoning standards, but were legally established at a prior date at which they were in conformance with applicable standards that are now requesting to further the nonconformity by way of expansion.

1. Furthering the nonconformity may include but is not limited to encroaching into any existing setbacks or exceeding or further exceeding the minimum lot coverage requirement in attempt to expand a nonconforming structure.
2. At no time may the Board grant this special exception where the requested encroachment into existing setback exceeds the encroachment present at the time the nonconformity was established. Any setback not encroached upon may not be encroached by way of this special exception.
3. At no time may the Board grant this special exception where the requested building height exceeds the building height present at the time the nonconformity was established. A building height in conformance with current zoning standards may not be increased by way of this special exception.
4. A special exception may be issued for a building expansion where the current building size is below the required square footage and the requested expansion will not bring the building size into conformance.

(E) The board of adjustment may impose conditions. In granting special exceptions under this section, the board of adjustment may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including but not limited to conditions specifying the period during which the nonconforming use may continue to operate or exist before being brought into conformance with the provisions of this Ordinance.

(F) 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 special exception.

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