TOWN OF SHADY SHORES
ZONING BOARD OF ADJUSTMENTS
CALLED MEETING
JUNE 13, 2016 6:30 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD, SHADY SHORES TX

1. CALL TO ORDER

2. ROLL CALL
   Establish a Quorum.

3. MINUTES:
   Consider and act upon approval of the Zoning Board of Adjustment Minutes from January 11, 2016.

4. PUBLIC HEARING: TAFT
   Conduct a public hearing relative to a request made by Doug Taft for a variance to the minimum side yard setback lines for 102 Olive's Branch
   A. Open Public Hearing
   B. Applicant
   C. Those in Favor
   D. Those Opposed
   E. Rebuttal if Desired
   F. Close Public Hearing

5. TAFT REQUEST
   Consider and take action relative to a request made by Doug Taft for a variance to the side yard setback at 102 Olives Branch.

   Documents: AGENDA MEMO TAFT.PDF, TAFT REDACTED.PDF

6. PUBLIC HEARING: WELLS
   Conduct a Public Hearing relative to a request made by Kenneth Wells for a variance to the masonry requirement for accessory buildings to be constructed at 144 Chaparral Estates.
   A. Open Public Hearing
   B. Applicant
   C. Those in Favor
   D. Those Opposed
   E. Rebuttal, if Desired
   F. Close Public Hearing.

7. WELLS REQUEST
   Consider and take action relative to a request made by Kenneth Wells for a variance to the masonry requirement for an accessory structure at 144 Chaparral.

   Documents: AGENDA MEMO WELLS.PDF,

SKMBT_C36016060910190_REDACTED.PDF

8. ADJOURN

I,Wendy Withers, Town Secretary, do hereby certify that a true and correct copy of this agenda was duly posted on _____ _____, 2016 at _____.

_____
Wendy Withers, Town Secretary

To: Mayor Pro Tem Cindy Aughinbaugh and Councilmembers
From: Wendy Withers, Town Secretary
CC: Jim Shepherd, Town Attorney
Date: 06/13/2016
Re: TAFT REQUEST

ACTION REQUESTED: Consider a request made by Doug Taft for a variance to the side yard setback for the property known as 102 Olives Branch.

BACKGROUND INFORMATION: Mr. Taft is requesting a variance to the side yard setback from 10' to 1' on the north side of his property. Mr. Taft has plans to build an accessory building.

The current ordinance requires a side yard setbacks of 10'. In addition Ordinance 279-07-2015 regulates the building size in the following way

½ acre to 1 acre lots- One (1) Type II accessory building (not to exceed 1500 square feet and 16' in height) or one Type 3 building.

VARIANCE APPLICATION

TO THE HONORABLE BOARD OF ADJUSTMENTS OF THE TOWN OF SHADY SHORES, TEXAS:

I/WE, the undersigned owner(s) (Print) Doug Tast
of all property within described do hereby file this, my/our Application for a Variance under the provisions of the Zoning Ordinance of the Town of Shady Shores, Texas on said property, so there may be permitted on said property the following Variance:
Change Building Set Back - for Proposed Detached Building

The said property is located at: (Address) 102 Olives Dr
in the Town of Shady Shores and in more particularly described as follows: (Legal Description)

Said property is currently zoned: Residential

Proposed development plans are/~~are not~~ submitted herewith, explanation if any.

Build Detached Garage on N. Side of Property

Explanation of hardship:
Set Back on Building line on S. Side - change to 1 Ft. Because you can Not Access a Detached garage from the middle of the Yard - Need access From Side to Put Vehicles in. And a Building would Not be Aesthetical Pleasing

I/We REPRESENT AND CERTIFY that I/We own said property and have full authority to make and file this application. I/We have read in full the attached Variance Request Packet and acknowledge that the variance application fee is non-refundable.

SIGNATURE(S) — DATE: 5/3/16

E-MAIL ADDRESS — PHONE NUMBER

OFFICE USE ONLY BELOW

☑ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no more than 10-days prior 6/2/2016

☐ Legal notice published in official newspaper 10-days prior to meeting but no more than 10-days prior

Date Received: 5/3/2016

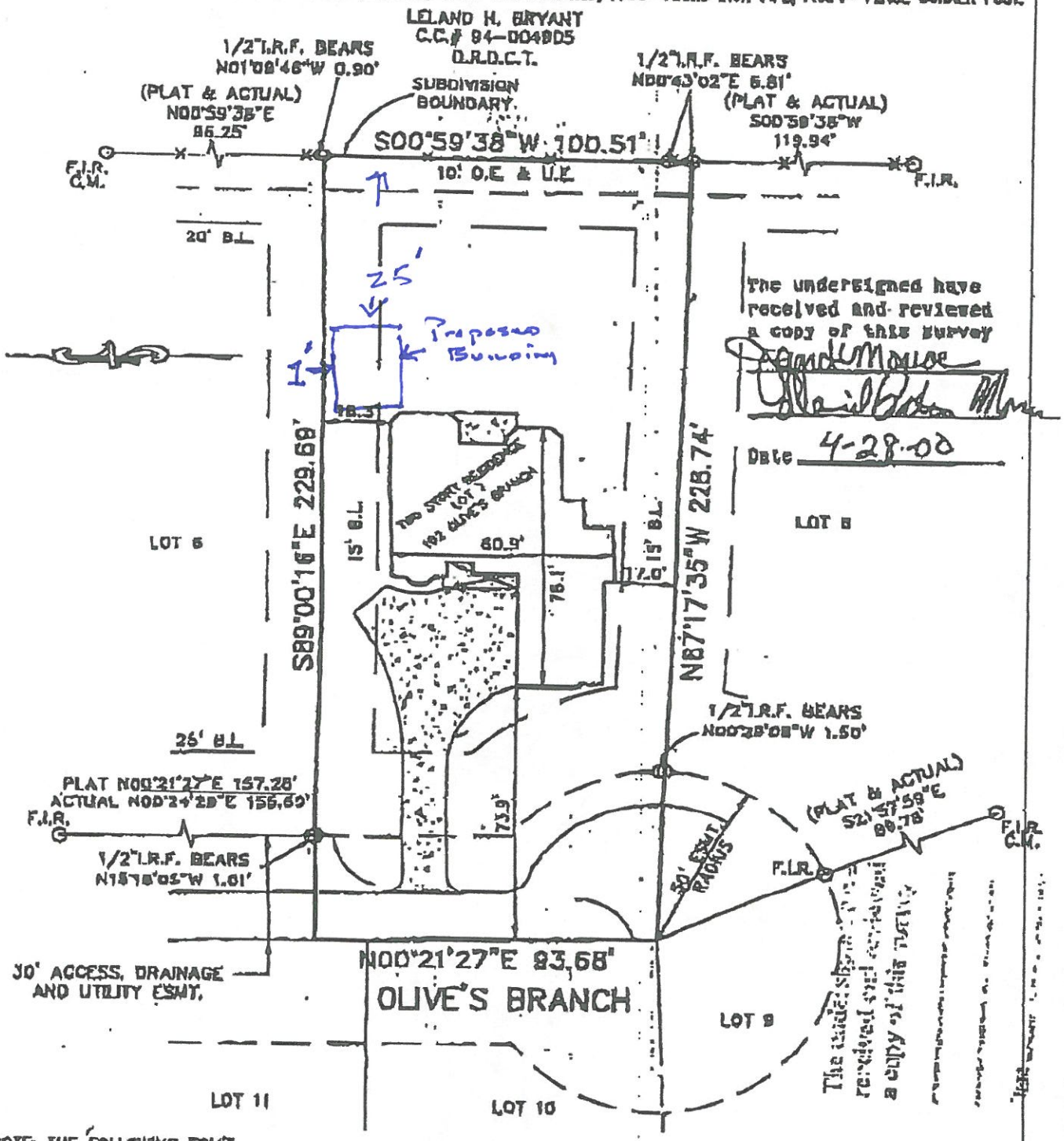
Receipt #:

Check #:

Received by: Wendy Wiley

IN CABINET P, PAGE 234 PLAT RECORDS, DENTON COUNTY, TEXAS.

BEARING BASIS NOTE: THE BEARINGS SHOWN HEREON ARE BASED ON THE ABOVE-REFERENCED, RECORDED MAP OR PLAT.
C.M.= CONTROLLING MONUMENT; F.I.R.= FOUND IRON ROD; S.I.R.= SET IRON ROD; F.I.P.= FOUND IRON PIPE; F.C.P.= FENCE CORNER POST.



NOTE: THE FOLLOWING ESM'T. DOES NOT AFFECT THIS LOT: VOL. 509, PG. 394.

TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO AMERICAN TITLE COMPANY G.F. NO. 2000 LW 57678J-U (00189)
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND TO THE BEST OF MY KNOWLEDGE, THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHT OF WAY THAT I HAVE BEEN ADVISED OF EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.
FLOOD NOTE: IT IS MY OPINION THAT THE RESIDENCE DESCRIBED HEREON IS NOT WITHIN THE 100-YEAR FLOOD ZONE AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 481139 0381 E PRESENT EFFECTIVE DATE OF MAP APRIL 2, 1997, HEREIN PROPERTY SITUATED WITHIN ZONE X (UNSHADED)

DATE: APRIL 27, 2000 SCALE: 1" = 40' A.S.C. NO.: 2004361 DRAWN BY: JAY CHECKED BY: _____

ARTHUR SURVEYING COMPANY, INC.
Registered Professional Land Surveyors
P.O.Box 54 - Lewisville, Texas 75067
Office: (972) 221-0439 Fax: (972) 221-4675

STATE OF TEXAS
REGISTERED
DOUGLAS C. ARTHUR

To: Mayor Pro Tem Cindy Aughinbaugh and Councilmembers

From: Wendy Withers, Town Secretary

CC: Jim Shepherd, Town Attorney

Date: 06/13/2016

Re: Wells Request

ACTION REQUESTED: Consider a request made by Kenneth Wells for a variance to the masonry requirement for accessory structures.

BACKGROUND INFORMATION: The Town of Shady Shores Zoning Ordinance requires the following standards for accessory structures

(4) Construction: The building's construction materials must be substantially similar in color, composition and design as that of the residential building, the lower 1/3 of each wall excluding doorways must be brick or masonry, and generally meet the requirements for the principal residential building. Corrugated sheet metal siding is expressly prohibited. Roofing material must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's building codes. For accessory buildings in excess of 300 square feet, including, but not limited to, detached garages each exterior wall shall be constructed with not less than the lower one third (1/3) of the wall as masonry construction[.]

Mr. Wells currently has a non-conforming accessory structure on his property and would like to replace with a newer building. The maximum allowable size accessory building for Mr. Well's lot size is

2 to less than 5 acres: The total of all accessory structures should not to exceed 4500 square feet and 16 feet in height with a maximum of three (3) accessory structures of Type 1, 2 and/or 3.

This property does not qualify for a Type 1 structure which would be exempt for the masonry requirement.

ZONING VARIANCE APPLICATION

TO THE HONORABLE ZONING BOARD OF ADJUSTMENTS OF THE
TOWN OF SHADY SHORES, TEXAS:

I/WE, the undersigned owner(s) (Print) KENNETH WELLS
of all property within described do hereby file this, my/our Application for a Zoning Variance under the provisions of the Zoning Ordinance of the Town of Shady Shores, Texas on said property, so there may be permitted on said property the following Zoning Variance:

The said property is located at: (Address) 144 CHAPARRAL ESTATES

Legal description: Survey _____ Abstract _____

Lot _____ Block _____ Total Acreage _____

Said property is currently zoned: _____

Proposed development plans are/are not submitted herewith, explanation if any.
UPDATING CURRENT BUILDING

Explanation of hardship:
UPDATING CURRENT BUILDING - USING SAME MATERIALS AS ALREADY THERE. CONGRUENT WITH NEIGHBORS

I/We REPRESENT AND CERTIFY that I/We own said property and have full authority to make and file this application. I/We have read in full the attached Zoning Variance Request Packet and acknowledge that the variance application fee is non-refundable.

Kenneth Wells
SIGNATURE(S)

6-1-16
DATE

E-MAIL ADDRESS

PHONE NUMBER

OFFICE USE ONLY BELOW

- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no more than 20-days prior
- ☐ Legal notice published in official newspaper 10-days prior to meeting but no more than 20-days prior

Date Received: _____

Receipt #: _____

Check #: _____

Received by: _____

Kenneth Wells
144 Chaparral Estates
Shady Shores, TX 76208

Dear Ms. Withers and Town of Shady Shores,

I respectfully request your consideration of my proposal to spruce up the existing shop on my property located at 144 Chaparral Estates, Shady Shores. Our property is over two (2) acres in size. As we discussed, my goal is to update the existing structure while using the basic current footprint refreshing the exterior in a manner that is more aesthetically pleasing than the aging building. The proposed improvement will be professionally designed for appearance, safety, and durability and will be commensurate with or superior to other similar buildings in the neighborhood. Rather than allow the existing structure to continue to fall into disrepair, I intend to enhance its desirability, for our benefit and that of the Town, using the same materials as now exist and to continue to use the structure in its present function, thereby extending its non-conforming use status.

While I am seeking to have my shop "grandfathered", so to speak, I am not seeking to undermine the Zoning Ordinances of the Town nor erect any sort of substandard or visually displeasing structure. I believe my project will be of benefit to my family and will be in conformity with the Town's plan for our neighborhood.

In fact, after discussing this project with my neighbors, they are in favor of the update to our property.

Please let me know what other items you may need to allow this project to precede.

Thank you,

Kenneth Wells

Kenneth Wells

Kenneth Wells
144 Chaparral Estates
Shady Shores, TX 76208

Pictures of current shop. Plan to replace with updated and nicer version.
Also included are photos of neighbors similar shop buildings.

Current shop - Built in 1987 by my grandparents.
Will use current slab and add approximately 10 feet to make it a 30X40 building.

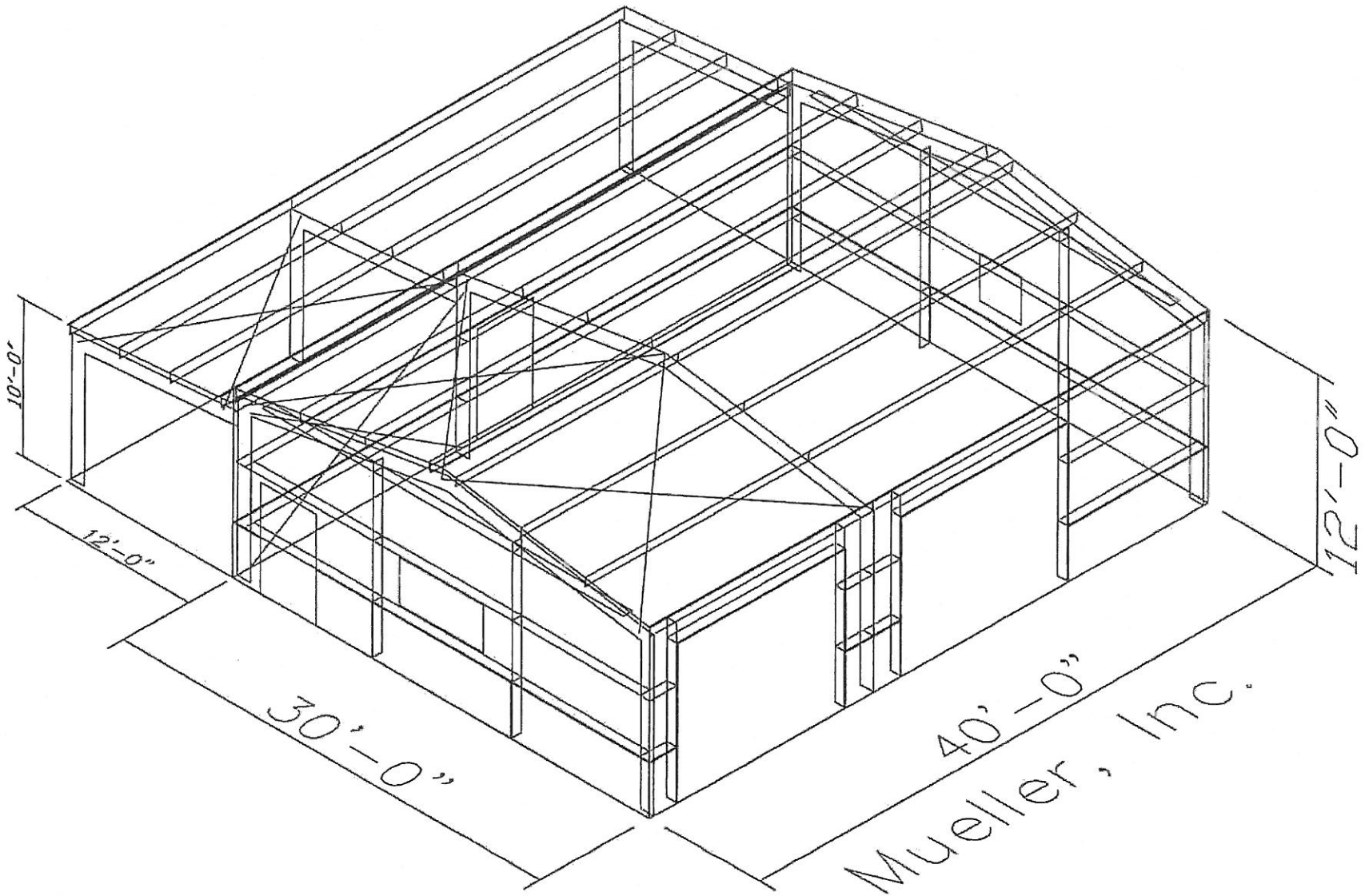
These are shops of neighbors down the street.

Subj: **Wells shop picture**
Date: 3/3/2016 7:55:43 A.M. Central Standard Time
From: kwilliamson@linksconstruction.biz
To: !

Good Moring,

FYI – I found the building

Thank you,


10'-0"
12'-0"
30'-0"
40'-0"
12'-0"
Mueller, Inc.

Google Maps

UPDATED BLDG to BE PLACED ON EXISTING FOOTPRINT