



City of Farmers Branch

City Hall
13000 Wm. Dodson Pkwy
Farmers Branch, TX 75234

Meeting Minutes - Final

ZBA & BCBA

Tuesday, December 3, 2019

6:00 PM

City Hall

Dinner break at 5:00 PM in the Study Session Room and Meeting to be held at 6:00 PM in the Council Chambers.

Call to Order - Council Chambers - 6:00 PM

Chairman Rogan stated that all persons planning to testify to please stand to take the oath. They did so.

Absent 1 - Alternate Jake Gigl

Present 6 - Chair Michael Rogan, Vice Chair Mike Del Valle, Member Glenn Douglass, Member Beverly Nelson, Member Tommie Hylkema, and Alternate Matthew Kelley

Staff 5 - Building Official Hugh Pender, Paul Mattson Deputy Building Official, Danielle Summers Plans Examiner, Rebecca Albin Recording Secretary, and Louise Means Administrative Assistant I

A. CITIZEN COMMENTS

This agenda item provides an opportunity for citizens to address the Zoning Board of Adjustment on any matter that is not posted on the agenda. Anyone wishing to address the Board should complete a Citizen Comments Registration Form and submit it to the Chairman prior to the start of the meeting. There is a three (3) minute time limit for each citizen to speak with a reasonable limitation on speakers on one topic or item with a maximum of fifteen total minutes on the same topic item. Anyone wishing to speak shall be courteous and cordial.

The Board is not permitted to take action on any subject raised by a speaker during Citizen Comments. However, the Board may have the item placed on a future agenda for action; refer the item to the Building Official for further study or action; briefly state existing City policy; or provide a brief statement of factual information in response to the inquiry.

B. REGULAR AGENDA ITEMS

B.1 19 ZBA-11

Consider approval of the October 29, 2019 Zoning Board of Adjustment Minutes; and take appropriate action.

Chairman asked the Board if they had read the minutes of the October 29, 2019 meeting and if anyone had changes to the minutes.

A motion was made by Vice Chairman Del Valle, seconded by Member

Hylkema, that the minutes be approved as drafted. The motion carried by the following vote:

Aye: 5 - Chair Rogan, Vice Chair Del Valle, Member Douglass, Member Nelson and Member Hylkema

C. PUBLIC HEARING

C.1 [19 ZBA-07](#)

Conduct a public hearing and consider a variance request at 14310 Valley Hi Circle to construct a 3-car garage with doors facing the street where other garages do not; and take appropriate action.

Chairman Rogan swore in latecomers to the meeting. Mr. Rogan then opened the public hearing and read the case into the record.

Building Official Hugh Pender presented the case.

The applicant, Tom Cusick of 13901 Midway Road, Suite 102-274, Dallas, TX, came forward and spoke in regards to the request.

Member Hylkema asked if the golf cart garage area could be eliminated and there would not be a need for the variance. Mr. Cusick stated that even if the golf cart garage was eliminated there would not be enough space with set backs to allow for vehicles to enter a garage from the rear of the property.

Member Hylkema asked what the garage doors were going to look like. Mr. Cusick stated that there wasn't a final decision on the doors but that the plan was to have a contemporary style metal door with frosted glass windows across the top panel.

Chairman Rogan asked for any correspondence received to be read into the record. Mr. Pender stated that out of eight (8) letters, three (3) had responded back. One in favor and two against the variance.

No one else came forward to address this agenda item. Mr. Rogan requested a motion to close the public hearing; the motion was made by Member Hylkema, seconded by Vice Chair Del Valle. Approved unanimously.

After deliberation between the Board members, Chairman Rogan requested to re-open the public hearing, a motion was made by Vice Chair Del Valle and seconded by Member Hylkema. Approved unanimously.

Mr. Cusick came forward to comment on the two letters received against the variance.

With no other comments on the case, Chairman Rogan requested a motion to close the public hearing. The motion to close the public hearing was made by Vice Chair Del Valle, seconded by Member Nelson. Approved unanimously.

A motion was made by Member Nelson, seconded by Member Douglass, to grant a variance allowing the use of the Comprehensive Zoning Ordinance, Article 3, Section 3.3, H.2.h, in the the R-2 Zoning District, because determination from the facts and evidence presented at the public hearing indicated that literal enforcement of the Comprehensive Zoning Ordinance would be contrary to public interest and will result in an unnecessary hardship.

The motion failed by the following vote, and therefore the variance request is subsequently denied.

Nay: 3 - Chair Rogan, Vice Chair Del Valle and Member Hylkema

Aye: 2 - Member Douglass and Member Nelson

D. ADJOURNMENT

With no other business before the board, Chairman Rogan called for a motion to close the meeting at 7:18 PM.

A motion was made by Vice Chair Del Valle, seconded by Member Douglass, that the meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Chair Rogan, Vice Chair Del Valle, Member Douglass, Member Nelson and Member Hylkema