



**TOWN OF LAKESIDE  
BOARD OF ADJUSTMENT MEETING  
&  
PUBLIC HEARING  
9830 CONFEDERATE PARK ROAD  
LAKESIDE, TX 76108**



Place 1 Tommy Roberts - 2017  
Place 2 Ann Hinshaw – 2018  
Place 3 Michelle Martin - 2017  
Place 4 Wesley Hearn - 2018

Place 5 John Tompkins - 2017  
Alternate Place 1 Walter Prasifka – 2017  
Alternate Place 2 Jeanneane Keene - 2018

***Pursuant to the provisions of Chapter 551 Texas Government Code, **NOTICE** is hereby given of the Monthly Meeting of the Town of Lakeside Zoning Board of Adjustment, to be held on Monday November 6, 2017 at 6:30 P.M. in the Town Hall Chamber Room, 9830 Confederate Park Road, Lakeside, Texas, 76108, for the purpose of considering the following items.***

**I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT**

**II. STAFF REPORTS**

None

**III. PUBLIC HEARING**

***SPEAKER REGULATIONS: ANYONE WISHING TO SPEAK FOR OR AGAINST THE PUBLIC HEARING MUST FILL OUT THE SPEAKER SHEET AT THE ENTRANCE TO THE COUNCIL CHAMBER AND SUBMIT TO STAFF PRIOR TO THE MEETING BEING CALLED TO ORDER.***

The Town of Lakeside Board of Adjustment will hold a public hearing on Monday, November 6, 2017 at 6:30 p.m. at Lakeside Town Hall, 9830 Confederate Park Road, Lakeside, to consider an exception to Ordinance 399 Section 151.025 A; "All Accessory Buildings/Structures, Detached Garages, RV Buildings shall be behind the rear building line of the main dwelling". 207 Crest Ridge Cir., lot 1 block 10 of Van Zandt Place Addition.

**IV. CONSENT AGENDA**

1. Board to consider approving minutes from Monday June 5, 2017 meeting.

**V. REGULAR AGENDA**

**ITEM 1.** BOA Case 2017-004 a request by David Dill seeking a special exception to Ordinance 399 Section 151.025 A; "All Accessory Buildings/Structures, Detached Garages, RV Buildings shall be behind the rear building line of the main dwelling". 207 Crest Ridge Cir., lot 1 block 10 of Van Zandt Place Addition.

**VI. FUTURE AGENDA ITEMS**

**VII. ADJOURNMENT**



This is to certify that a copy of the Notice of the Zoning Board of Adjustment agenda for Monday November 6, 2017, was posted on the bulletin board at Town Hall, in compliance with Chapter 551, of the Texas Government Code on Thursday October 26, 2017 prior to 6:30 p.m.



Norman Craven  
Town Administrator  
City Secretary





Town of Lakeside  
**REQUEST FOR A VARIANCE TO THE BOARD OF ADJUSTMENT  
TO THE HONORABLE BOARD OF ADJUSTMENT:**

Property description (Attach field notes if necessary):

Lot No.: 1	Block No.: 10 OF VAN ZANDT G
Zoning:	Property Address: 207 CRSTRIKE RD

The Applicant, requests the Lakeside Board of Adjustment consider the following variance  
**(below, please describe in detail the variance you are seeking, including a description of  
existing and/or proposed improvements relative to this case): \***

*(Attach additional pages if necessary and label "Attachment A")*

\*Note: Local Government Code §211.010 (b) require that an applicant give notice of the type of variance that is requested and that the specific conditions necessary for granting the variance exist. Failure to do so may result in the return of your application.



## REQUIRED MATERIAL FOR FILING A REQUEST FOR A VARIANCE OR SPECIAL EXCEPTION

- ☐ Original "Variance Request" form, filled out and signed, stating the specific nature of the variance requested and how the request meets all of the necessary conditions.
- ☐ Original "Required Acknowledgements" form, initialed to acknowledge adherence.
- ☐ At least one copy of the site plan, **drawn to scale, including an 8 ½" x 11" size** copy, must be submitted with this application. Any additional site plans submitted must not exceed 11-inches by 17-inches in size. (If possible, please submit a copy of the site plan in a digital format)
- ☐ Site plan must include, at minimum, the following:
  - a. A north arrow and scale.
  - b. The boundaries of the property, with all dimensions, and square footage of the lot.
  - c. The location and dimensions of all existing and proposed buildings and structures, and all required setbacks.
  - d. All walls, fences, walkways (including sidewalks) and off-street parking areas or garages, their dimensions, and distance from all property lines.
  - e. Parking lot layout and circulation showing dimensions of parking spaces and driving isles, if applicable.
  - f. The location and dimensions of all paved areas, including driveways and patios.
- ☐ One copy of Warranty Deed for the subject property.
- ☐ One copy of current tax appraisal details (available from Tarrant County Appraisal District).
- ☐ Appropriate fees must be paid at the time of filing \$ 150.00

\* Failure to provide any of the required material indicated above will result in the application being be deemed incomplete and will be returned to the applicant.





Respectfully submitted:

Name of Applicant: <u>DAVID DILL</u>		Status: Owner <input checked="" type="checkbox"/> Agent <input type="checkbox"/>	
Mailing Address:	Street <u>207 CRB+RIDGE CIR</u>	City <u>LAKESIDE</u>	State <u>TX</u> Zip Code <u>76088</u>
Hm Ph.:	<u>817-368-0302</u>	Wk Ph.:	<u>972-5981700</u> Cell Ph.:
Email Address: <u>DMMS.DILL@MSN.COM</u>			
Applicant's Signature: <u>[Signature]</u>		Date: <u>11/22/17</u>	

Name of Representative:			
Mailing Address:	Street	City	State Zip Code
Hm Ph.:	Wk Ph.:	Cell Ph.:	
Email Address:			

Name of Property Owner:			
Mailing Address:	Street	City	State Zip Code
Hm Ph.:	Wk Ph.:	Cell Ph.:	
Email Address:			

**OFFICE USE ONLY**

Case No.:	Case Manager:
Date Submitted:	Tentative Hearing Date:

**AUTHORIZATION BY PROPERTY OWNER(S)**

I, DAVID DILL, the owner of the subject property, authorize  
 \_\_\_\_\_ to file this request for a variance from the  
 (Applicant)

requirements of the Unified Code of the Town of Lakeside on my/our behalf.

I also authorize \_\_\_\_\_ to represent me in this  
 (Person or persons you would have represent you at the hearing)  
 variance request before the Board of Adjustment.

\_\_\_\_\_  
 Property Owner's Signature

\_\_\_\_\_  
 Date



## Required Acknowledgements

Please read the following statements carefully and initial on the respective line. By placing your initials next to the statements below, you, **the property owner**, are stating that you agree with and will abide by these requirements (please initial acknowledging adherence).

  
Initial

By filing this request for a variance, I understand that any construction that requires said variance shall cease until such time that the variance is approved, if applicable. Should the Board of Adjustment deny the request, I may pursue an appeal or bring my property into compliance in accordance with any all City codes **within 30 days**.

  
Initial

I understand that prior to the hearing of this case by the Board of Adjustment staff will conduct a thorough site visit in order to take photographs of the property for use at the public hearing. This site visit may necessitate complete access to the subject property. staff will make a reasonable attempt to contact the property owner 24 hours prior to visiting the site. I understand that it is my responsibility to ensure that conditions at the subject site will not create a hindrance to city staff. If site conditions are not conducive to staff completing the necessary task during the site visit, your case may be delayed.

  
Initial

Any exhibits submitted by the applicant (audio, visual, document, or otherwise) must be submitted to staff at least 24 hours prior to the public hearing and must be made part of the official record and will not be returned.

  
Initial

Refunds will be issued in accordance with the department cash handling policy and will be subject to a \$50 processing fee. This fee is charged for all refund requests. Refunds may only be issued if request is submitted prior to the case being published in a newspaper of general circulation. It is the responsibility of the applicant to provide a translator, if necessary. If the applicant cannot provide a translator on the date of the public hearing, the case will be re-scheduled to the next available Board of Adjustment meeting date, in order meet the applicant's requirements.

In case of conflict, the English version of all documentation will govern. You acknowledge receipt of this application written in the English language, with the Spanish language text where applicable, and the important terms herein. Some future correspondence may only be available/provided in English. **(En caso de un conflict de interpretación, la versión en inglés de toda documentación gobernará. usted reconoce el recibo de esta solicitud escrita en el idioma ingles, con texto en espanol donde aplica y de los terminos importantes. Algúna correspondencia futura podría ser disponible/proveado a solamente en inglés.)**



**TOWN OF LAKESIDE  
9830 CONFEDERATE PARKROAD  
LAKESIDE, TEXAS 76108  
(817)237-1234, ext. 307**

**BOARD OF ADJUSTMENT VARIANCE REQUEST APPLICATION**

**INSTRUCTIONS FOR COMPLETING THE REQUEST FOR ZONING VARIANCE TO  
THE TOWN OF LAKESIDE BOARD OF ADJUSTMENT**

This coversheet is designed to provide you with general information about completing the attached application and should not be considered legal advice. If you have any questions, or do not understand these instructions, you are advised to seek help from a qualified attorney or land use planning expert.

Section 151.035 of the Unified Code of the Town of Lakeside outlines the approval criteria that must be met for a variance request to be granted.

*Variances.* To authorize upon appeal in specific cases such variance from the height, yard area, coverage, and parking regulations set forth in this chapter as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification. A variance from the terms of this chapter shall not be granted by the Zoning Board of Adjustment unless and until it finds that:

1. *The variance is necessary because special conditions exist.*

Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the *same district*.

2. *That literal interpretation deprives Applicant's rights.*

That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.

3. *That the special conditions and circumstances do not result from the actions of the applicant.*





4. *That granting the variance requested will not confer on the applicant any special privilege.*

That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures or buildings in the same district.

5. *The Board shall further make a finding that the reasons set forth in the application justify the variance.*

The Board shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

6. *The variance is not contrary to the public interest.*

The Zoning Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

7. *Variance must be permissible use.*

Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

**All seven conditions are required to be met in order for the Board of Adjustment to grant a variance. The burden of proving that these seven conditions apply to the subject property is solely the responsibility of the applicant.** At the Board of Adjustment hearing, you will be expected to submit evidence proving that the above stated conditions exist. Evidence can be presented by testimony and/or through documents. (Be advised that all documents submitted during the public hearing must be retained by City Staff for the official case file.)

Failure to state in your application how your variance request meets these conditions will result in your application being deemed incomplete, and will necessitate its return to the applicant without being submitted to the Board of Adjustment.

An application can be accepted by mail only if it is complete. However, incomplete applications, along with the required fees, will be mailed back to the applicant in accordance with City cash handling policies.



### CONDITIONS NECESSARY FOR GRANTING A VARIANCE

Below are the conditions that are required to exist in order for the Board of Adjustment to grant a variance request. Describe in detail how the requested variance meets these conditions.

*(Attach additional pages if necessary and label "Attachment B")*

1. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

ATTACHED

2. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

3. The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.



- 4. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.**

- 5. The Board shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.**

- 6. The variance is not contrary to the public interest.**

- 7. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.**

1. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

207 Crest Ridge Circle is the only home in Lakeside with an exterior circle frontage, and with road frontage on 3 sides. This unusual layout defines the special condition that limits the defined area described as the "rear of the home" and limits the functionality enjoyed by our neighbors. Exhibit 1

2. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

207 Crest Ridge Circle is in the original foot print of Lakeside and there are numerous homes in this area that enjoy the use of storage buildings on the side parameter of the property. Exhibit2

3. The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

207 Crest Ridge Circle is the only home on the circle with road frontage on 3 sides, defining the rear of the home in a traditional setting is clear. The triangle shape of our lot allows for expanded rear definition. Exhibit 3

4. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

As referenced in question 2, storage buildings and side garages exist in and around our neighborhood today. With this section of Lakeside being an established area the addition of the storage building would not impact the current character. Buildings currently exist in the newer divisions of Lakeside as well.

5. The Board shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.



We have proposed our future fence line for the property and this building would be behind the 6 ft. fenced area we would define as part of our back-yard area. Please see the location diagram. Exhibit 4

6. The variance is not contrary to the public interest.

We have communicated our intent with our neighbors and there are not any contrary opinions.

7. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.

The use of this building is for Storage, and not subject to any work from home or extended living facility, and complies with other general uses in the neighborhood.



## Exhibit 2

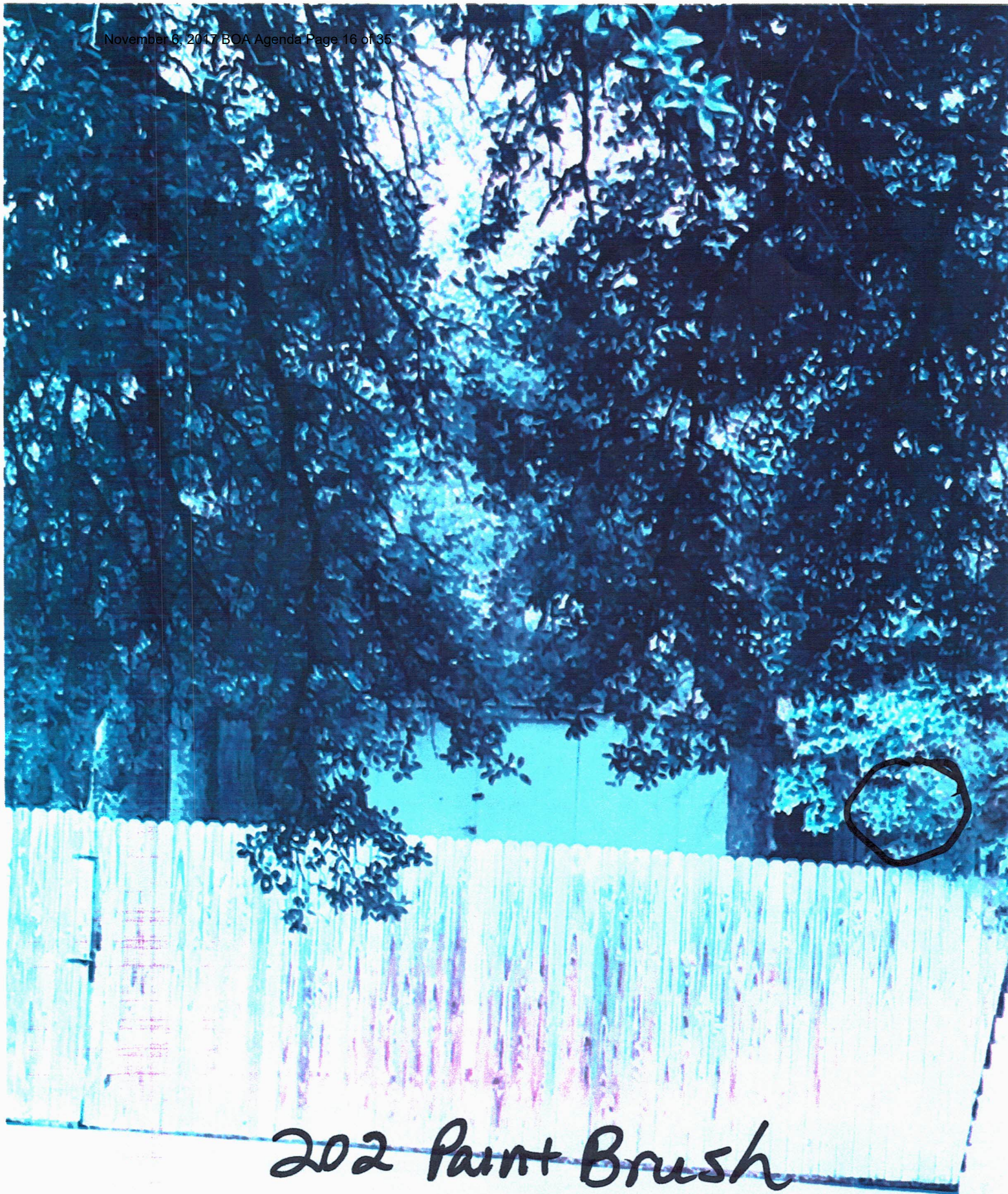
Photo's + Address  
of homeowners with sheds  
on side of house





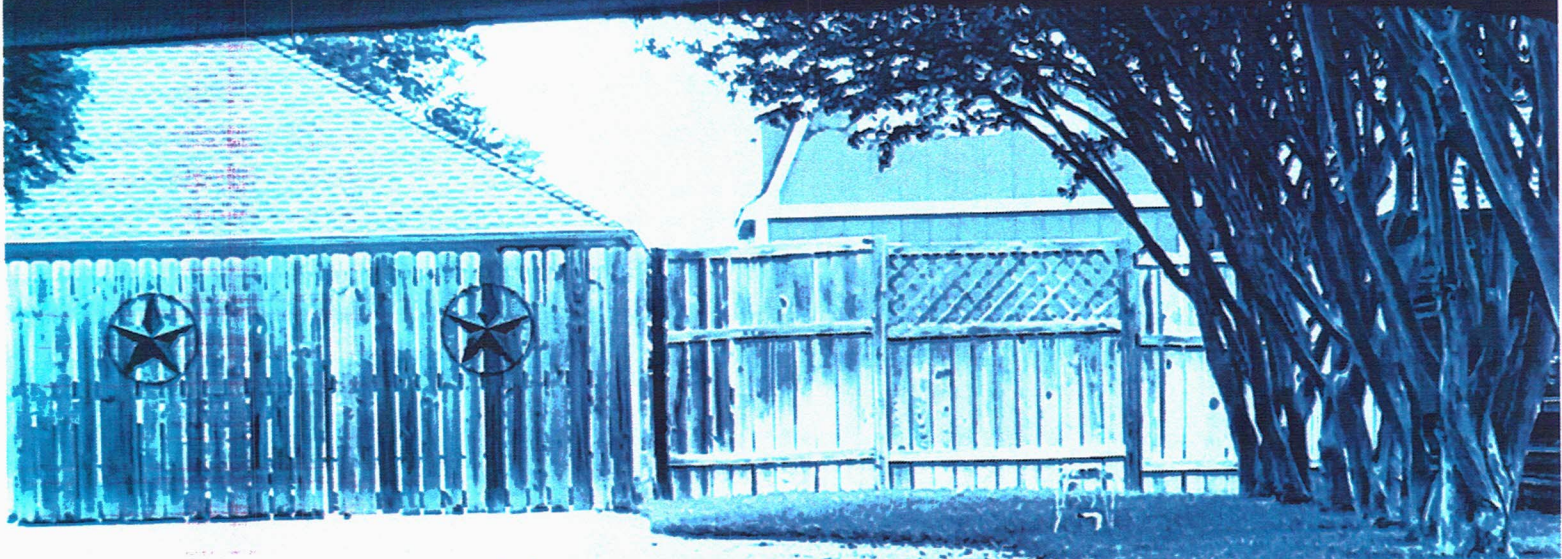
206 CREST RIDGE CIRCLE





202 Paint Brush





204 Tamarro





109  
Tamarroon



116 Tamarron





145 Tamarron





312 Crest Ridge Circle





314 Crest Ridge Circle





105 Lakeridge





100 Townes





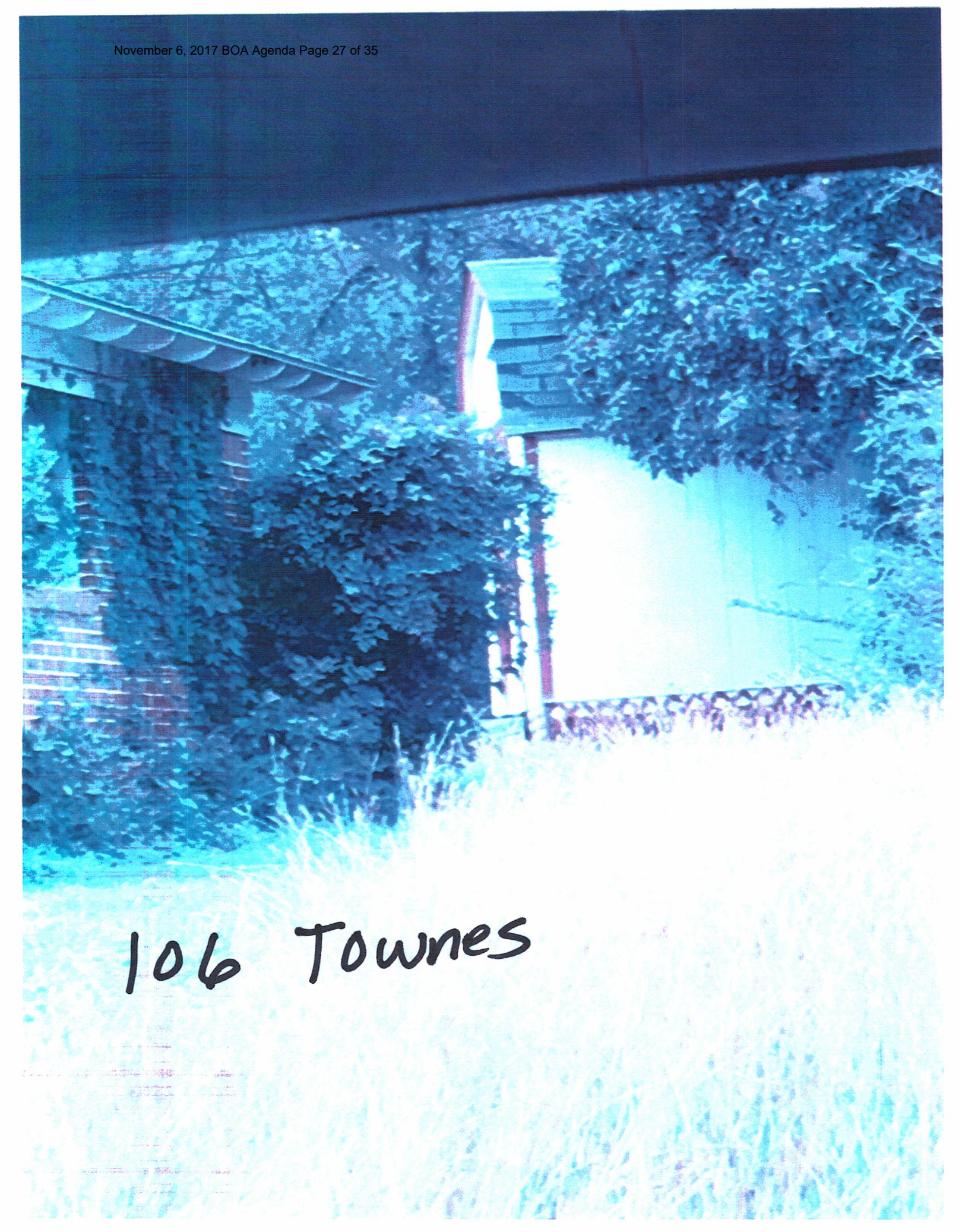
101 Townes





102 Townes





106 Townes





111 Townes



A photograph of a residential property. In the foreground, a large, mature tree with dense green foliage stands prominently. To the left of the tree, a smaller, bare tree is visible. In the background, a two-story house with a light-colored exterior and a dark roof is partially obscured by the tree. A white fence runs across the middle ground. The ground in the foreground is covered with fallen leaves and some green plants.

110 Lakeridge





2 Sheds on side  
of house

206 Lake ridge









403 Emily



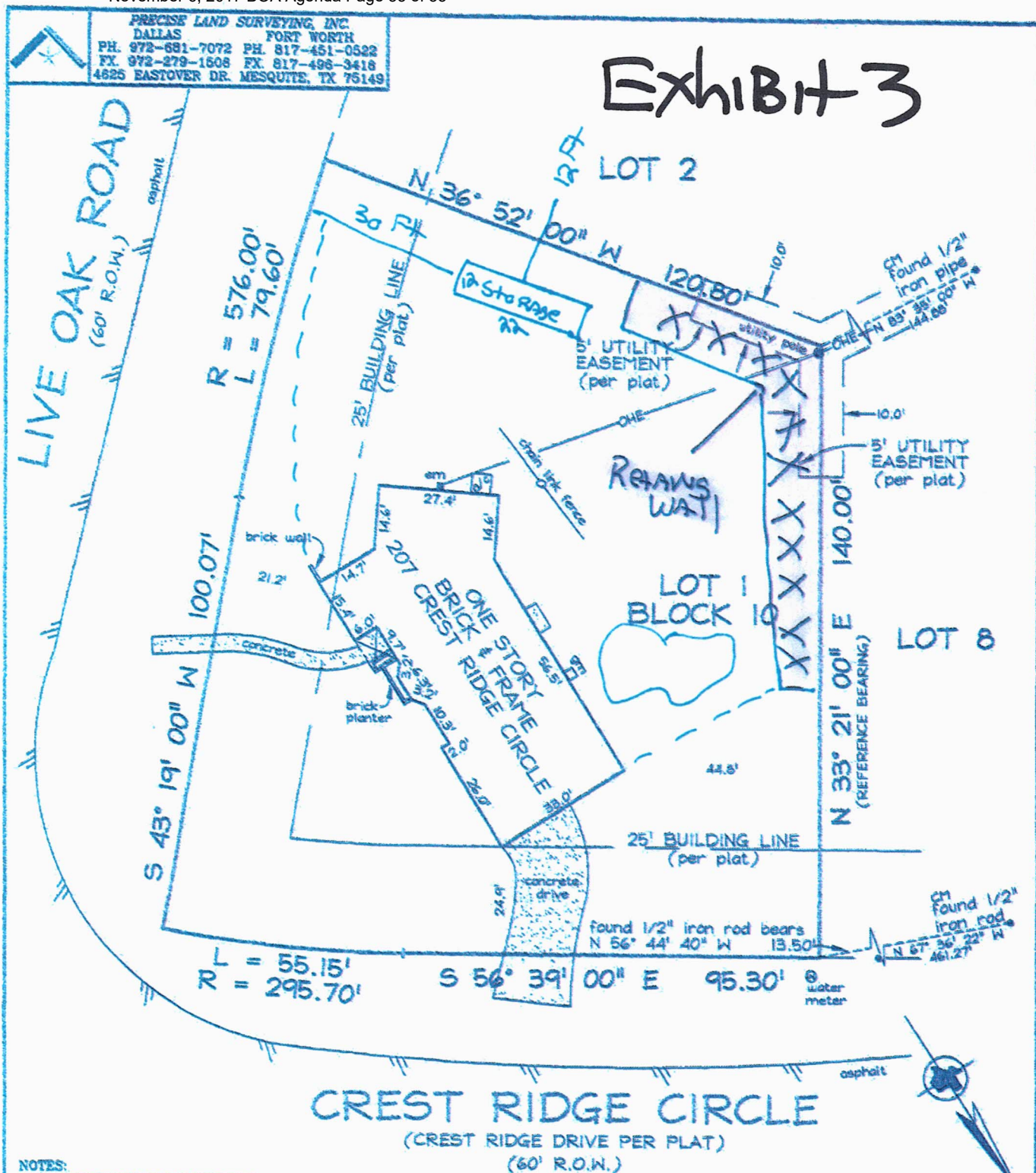
A photograph of a residential property. In the foreground, there is a grassy area with some fallen leaves. A concrete driveway leads from the bottom center towards a small, light-colored wooden shed in the background. The shed has two doors and is surrounded by trees. A large, mature tree with a thick trunk is on the right side of the frame. To the left, there is a small structure with a satellite dish on its roof. A black metal fence runs across the middle ground, separating the driveway from the shed area. The overall scene is a typical suburban backyard or driveway.

218 Paintbrush









THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the property located at 207 CREST RIDGE CIRCLE, and Being Lot 1 in Block 10 of VAN ZANDT PLACE, an Addition to Tarrant County, Texas, according to the plat thereof recorded in Volume 388-Y, Page 98, Plat Records, Tarrant County, Texas, now in the City of Lakeside.

There are no visible conflicts or protrusions, except as shown.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 48439C0155 K, dated SEPTEMBER 25, 2009. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of the hereon named purchaser, mortgage company, and title company only and this survey is made pursuant to that one certain title commitment under the GF number shown hereon, provided by the title company named hereon and that on this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon. This survey is subject to any and all covenants and restrictions of record pertaining to the recorded plat.