



City of Sachse, Texas

Meeting Agenda

Board of Adjustments

Tuesday, November 29, 2016

7:00 PM

Council Chambers

The Board of Adjustments of the City of Sachse will hold a Regular Meeting on Tuesday, November 29, 2016, at 7:00 p.m. at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

1. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
2. Consider approval of the June 16, 2016 Board of Adjustment meeting minutes.
3. Conduct a public hearing to consider the application of Frank Millsap to appeal the decision of the Fire Marshal's office, in regards to the interpretation by Staff of the 2009 Fire Code, more particularly the requirement for an automatic sprinkler system, on his property at 3904 Miles Road, within Sachse city limits.
4. Adjournment.

Posted: November 22, 2016; 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Michelle Lewis Sirianni, City Secretary at (972) 495-1212, 48 business hours prior to the scheduled meeting date.



City of Sachse, Texas
Minutes of the Zoning Board of Adjustments
Monday, June 16, 2016

Members Present:

David Zukosky
Aaron McCarty
David Landis
Michelle Howarth

Members Absent:

Jeremy Staab
Jeremy Hallock

Staff Present:

Dusty McAfee, AICP - Community Development Director
Charlotte Youngblood - Community Development Technician

7:00 PM Regular Meeting

Community Development Director, Dusty McAfee opened the meeting of the Zoning Board of Adjustments and declared a quorum.

1. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags.

McAfee offered the invocation and led the pledges.

2. Consider election of a Chairman and Vice-Chairman.

With a motion by Howarth, and a second by Landis, the nomination for Zukosky to Chairman passed unanimously. With a nomination by Zukosky and a second by Landis, the nomination for Howarth to Vice-Chairman passed unanimously.

3. 16-3381 Consider approval of the minutes from the October 15, 2015 Board of Adjustments meeting.

With a motion by McCarty, and a second by Landis, the Zoning Board of Adjustments, adopted the October 15, 2015 minutes unanimously.

4. 16-3380 Conduct a public hearing to consider the application of Juan Padilla requesting a variance to reduce the required lot width at building line from 130 feet to 105 feet and to reduce the minimum lot size from 39,000 square feet to 32,790 on property zoned Residential-1 (R-1).

Staff presented the case outlined in the staff report. Padilla, applicant, stated that he has reached out to his neighbors and they are not opposed to his request. With a motion by McCarty, and a second by Landis, the recommendation to approve the variance passed unanimously 4-0.

Adjourn: With a motion by Landis, the meeting was adjourned at 7:41 PM.

Chairperson

Secretary



3904 MILES ROAD

BOARD OF ADJUSTMENT

NOVEMBER 29, 2016

BOA OVERVIEW

- Quasi-judicial board (district/county court for appeals)
- Composed of 5 members; alternates allowed
- 75% constitutes a quorum & approval (4 of 5 typically)
- 2 year terms
- Purpose & Typical duties
 - Variance to zoning ordinance (finding of hardship)
 - Appeals of administrative error or decision (tonight)
 - Other matters (e.g. substandard structures; signage)
 - Cannot grant use variances (i.e. zoning)
 - Special exceptions

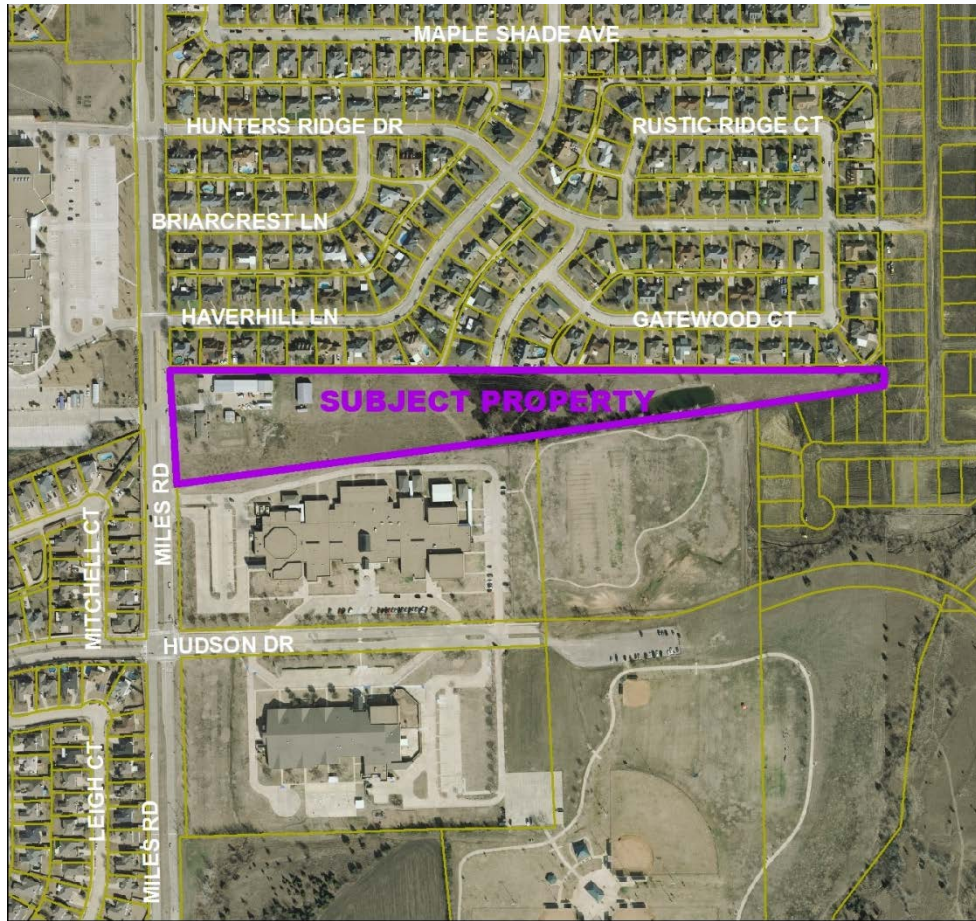
APPLICANT REQUEST

Conduct a public hearing to consider the application of Frank Millsap to appeal the decision of the Fire Marshal's office, in regards to the interpretation by Staff of the 2009 Fire Code, more particularly the requirement for an automatic sprinkler system, on his property at 3904 Miles Road, within Sachse city limits.

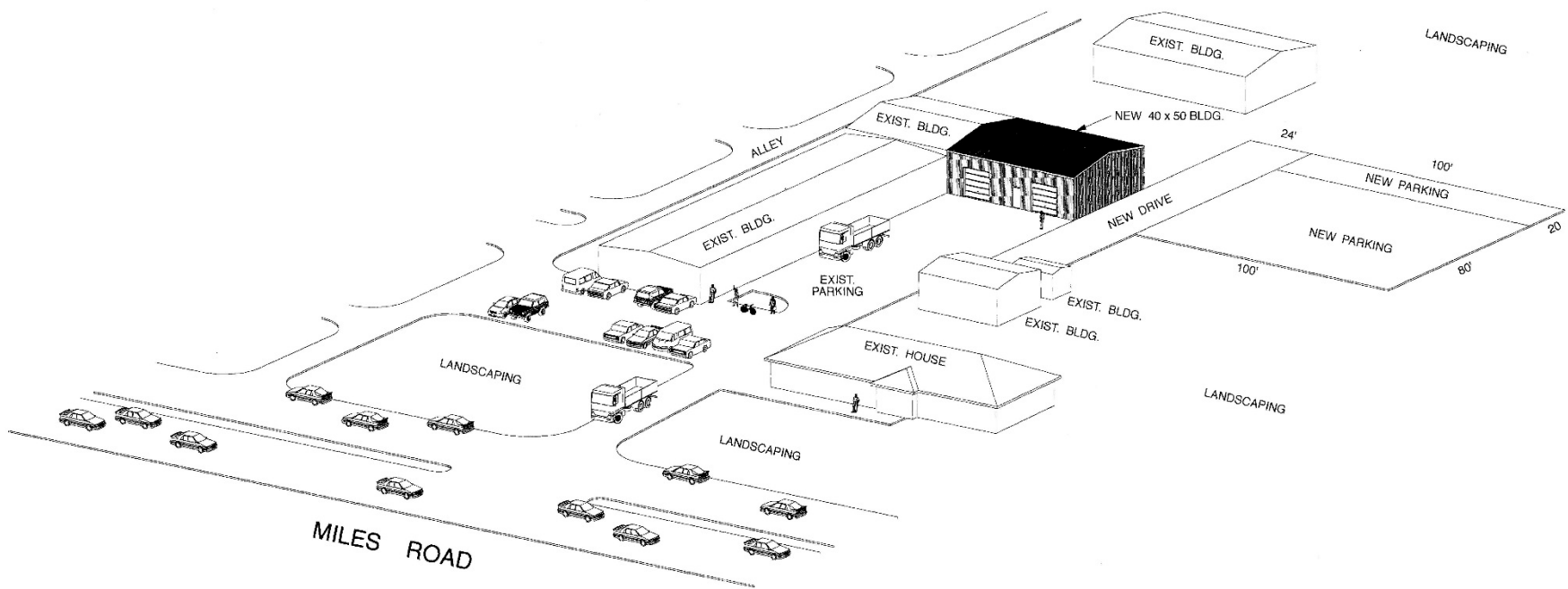
BACKGROUND

- The applicant recently applied for a rezoning of his property to allow for a 2,000 square foot expansion of his existing mechanic shop (P&Z 11-14; CC 12-05)
- While reviewing the application, the Fire Dept informed the applicant of various Fire Code provisions that would impact his proposed expansion
- The applicant disagrees that these Fire Code provisions apply to his expansion project and is appealing the Fire Dept's interpretation that the Fire Code applies in this instance
- The applicant is not requesting a variance, but is instead appealing the administrative decision of the City (a true variance requires the finding of a *hardship*, which cannot be self-imposed nor financial)

AERIAL MAP



- The subject property is located at 3904 Miles, generally north of Hudson Middle school and east of Miles Road with residential adjacency to the north and east.



NEW SITE PLAN

Sachse Rod Shop, Inc.
3904 Miles Road
Sachse, TX 75048
Phone: 972-495-1557

Justification for Appeal of an Administrative Decision Request

1. Sachse Rod Shop, S.U.P. 1982 is based on “Home Occupation Guideline” and requirement does not apply.
2. Cost requirement is 50% increase, cost prohibitive.
3. Without growth, Sachse Rod Shop’s future is in jeopardy.
4. Fire Marshal’s office has authority and discretion to authorize exemption (Sachse Fire Code 903.3.1.1.1 item 2).
5. Occupational safety. Safe working space for new employees.
6. Fire chief has said: “Fire Dept will let shop burn if fire occurs anyway.”

- This is the Applicant’s letter of intent or narrative.
- The applicant will be available to share his testimony.

STAFF RECOMMENDATION

X - Staff recommends denying the applicant's appeal. The Fire Department will provide a more technical presentation on the 2009 IFC and its application to this project and property.