

CITY OF SULPHUR SPRINGS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MEETING MINUTES
MARCH 17, 2020
5:30 P.M.

Present: Vice-Chairman Matt Johnson, Board Member Jay Julian, Board Member Kevin Mohl, Alternate Board Member James Litzler, Alternate Board Member Janet Martin

Absent: Chairman Brad Burgin, Board Member Kyle Robinson

Staff: Tory Niewiadomski, Community Development Director, Jennifer Graham, Admin Asst., Community Development

Others: Donna Nelson, LB. Jordan, Penny West, Steve Hudson, Todd Weibeer, Carrie Nuckolls, Larry Jordan

CALL MEETING TO ORDER:

Vice –Chairman Matthew Johnson called the Zoning Board of Adjustments and Appeals Meeting to order at 5:35 P.M.

DISCUSSION/ACTION ON ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING MINUTES OF JANUARY 21, 2020.

Consider for approval the Zoning Board of Adjustments and Appeals meeting minutes of January 21, 2020. Board Member Jay Julian moved to approve the meeting minutes. Board Member Kevin Mohl seconded. Motion carried, all voting aye.

DISCUSSION/ACTION ON A SPECIAL USE PERMIT AND EXCEPTION TO THE ZONING ORDINANCE TO PROVIDE A TEMPORARY RESIDENCE (ACCESSORY DWELLING UNIT)

A request by Larry Jordan to be allowed to provide a temporary residence (accessory dwelling unit) for an elderly parent at 1409 W. Houston Street. Based on the fact that the dwelling it is moveable it is considered a mobile or HUD home which requires a Special Use Permit. They are also asking for an exemption to the Zoning Ordinance so that it can be placed in a single family zone, which at this time it is not eligible. The Planning and Zoning Commission is working to draft an ordinance that would allow this type of dwelling in this type of zoning.

It will be on a property that is approximately 1.7 acres. They also own the property to the left and combined it is about 2 ½ acres. The dwelling would be about 200 ft. to the closest adjacent home and 350 ft. from the roadway.

This dwelling will be used by the family member and will be removed when he no longer resides there. The property will not be rented out. Being so far from the road it will not be visible, it is not close to any home and backs up to a pasture.

The Planning and Zoning Commission unanimously voted to approve with the following conditions:

- The unit be removed within one (1) year after the family member leaves the property.
- The structure be properly inspected by the Building Official including sewer and water connections.
- The unit be annually certified by staff for proof that the family member resides at the dwelling.

Mr. Jordan spoke on behalf of the family. The family agreed to follow the above conditions.

The Board debated the request. Board Member Jay Julian moved to approve the request to allow an Accessory Dwelling Unit (ADU) at 1409 W. Houston St.. Board Member Kevin Mohl seconded. Motion carried, Vice-Chairman Matthew Johnson, Board Member Kevin Mohl, Alternate Board Member James Litzler and Alternate Board Member Janet Martin voting aye and Board Member Jay Julian voting nay

DISCUSSION/ACTION ON A VARIANCE TO THE SETBACK REQUIREMENTS, AN EXCEPTION TO THE ZONING ORDINANCE TO ALLOW AN ACCESSORY DWELLING UNIT AND ALLEY STANDARDS LISTED IN THE SUBDIVISION ORDINANCE.

The applicant wants to create six single family lots with a dedicated alley down the middle of the property and provide rear access to the garages which may also be used as accessory dwelling units. The property is located on the corner Connally St, Easy St. and Atkins St. Easy and Atkins Streets will need a front yard setback as well as side yard setbacks between the buildings. In order to keep a uniformed development the applicant is putting a building envelope on the plat so all the homes will be placed on a similar setback on the property. In 2018, the property was rezoned from Single Family to Single Family Attached. This allows for medium density housing, such as townhomes, garden homes and zero lot line development.

There is a concern this could become rental housing. After speaking with the owner it was agreed that at least one of the units would be owner occupied. There was also talk of how the units would look like the principle structure. There will be a Homeowners Association. There will also be deed restrictions, covenants and an architectural review committee.

The Planning and Zoning Commission unanimously agreed to recommend approval with the following conditions. At least one of the dwelling units be owner occupied, the accessory dwelling match the character and materials of the primary structure, that the final plat be based on the March 13, 2020, plat design, and that all engineering be accepted by the City Engineer prior to submitting the final plat.

The housing unit will be about 1800 to 1850 sq. ft. and the garage will be the standard two car garage with about 600 sq. ft. of living space above it. These would resemble the housing on Connally St. The garages will be similar to an efficiency apartments and will be

finished out as the owner's request. The look will be a Charleston look. Some siding and brick but no heavy stone or stucco. The lower section of the main house will have a covered porch.

The alley will be 15 ft. with a 25 ft. easement for the City instead of the normal alley size of 20 ft. Staff does not believe this will be an issue since the City will ultimately maintain the alley.

After debating the request, Board Member James Litzler moved to approve the variance subject to the four P&Z Commission conditions Board Member Kevin Mohl seconded. Motion carried, Vice-Chairman Matthew Johnson, Board Member Kevin Mohl, Alternate Board Member James Litzler and Alternate Board Member Janet Martin voting aye and Board Member Jay Julian voting nay

ADJOURN

With no further business the meeting was adjourned at 6:59 P.M.