

MAYOR
Margo Goodwin
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MAYOR PRO TEM
David Dowler
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TOWN COUNCIL MEMBERS
Jimmy Grisham
Marc Myers
Lydia Novakov
Craig Penfold
--
TOWN ATTORNEY
Matthew C.G. Boyle
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TOWN JUDGE
Albert D. Hammack
--
LOCAL HEALTH AUTHORITY
Michael L. McCullough, M.D.



4700 DREXEL DRIVE, HIGHLAND PARK, TEXAS 75205
Telephone 214-521-4161

TOWN ADMINISTRATOR
Bill Lindley
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DIRECTOR OF PUBLIC SAFETY
Paul Sandman
--
DIRECTOR OF ADMINISTRATIVE SERVICES
&
CHIEF FINANCIAL OFFICER
Steven J. Alexander, CPA
--
DIRECTOR OF TOWN SERVICES
Kathleen G. Stewart
--
DIRECTOR OF ENGINEERING
Lori Chapin, P.E.

September 1, 2020

BOARD OF ADJUSTMENT MEMBERS

Chuck Reeder, Chairman
Sherri Baer
Stacey Furst
Don Snell
Steve Swenson
Cynthia Beaird, Alternate Member
Joan Clark, Alternate Member

Dear Board Members,

The Board of Adjustment will conduct a public hearing at 8:30 a.m. on Wednesday, September 16, 2020, to consider a variance from Section 12-101 (2)(b) and Section 13-103(d) of the Town's Zoning Ordinance to permit a reduced side yard setback on a proposed detached garage and proposed swimming pool in the rear yard at 4300 Lorraine Avenue, Lot 11R, Block 120, Highland Park West Addition, First Installment. The official meeting place of the Board of Adjustment is 4700 Drexel Drive, Highland Park, Texas. However, due to the need for social distancing, this meeting will be held via video conference and telephone which will allow the Board of Adjustment Members and the public to meet online while practicing social distancing.

The agenda, application, and online meeting details are available on the Town's website www.hptx.org by clicking on the "Board of Adjustment" webpage.

The public may make a comment during the meeting by calling 1-646-749-3129, or (Toll Free) 1-877-309-2073, Access Code 949-308-261, or both watch and provide comment by accessing the video conference using the www.GoToMeeting.com/meeting/join-meeting platform and referencing the same access code. The caller shall mute their telephone/microphone until the Board Chairman asks for public comment on the agenda item.

The property owner applied to construct a new single-family residence on a combined building site which includes a detached three-car garage located 3-feet from the west side property line and a swimming pool 3-feet from the east side property line, both in the rear yard. Section 12-101(2)(b) of the Zoning Ordinance states that detached accessory buildings

shall be located 10-feet from a side property line on a combined building site. Section 13-103(d) of the Zoning Ordinance states swimming pools shall be located 10-feet from a side property line on combined building sites. This combined building site was created in May 2020. A 7-foot side yard setback variance is requested for both the detached garage and swimming pool.

Enclosed is a copy of: (i.) the application to the Board, (ii.) the site plan and elevations, (iii.) the public hearing notice, and (iv.) a map of the block indicating the location of the property.

Feel free to contact me at your convenience if you have any questions.

Sincerely,



Kirk Smith
Assistant Director of Town Services
ksmith@hptx.org or 972-951-9106 cell

cc: Margo Goodwin, Mayor, via e-mail
Bill Lindley, Town Administrator, via e-mail
Matthew C.G. Boyle, Town Attorney, via e-mail
Tempest Brunson, Interim Town Secretary, via e-mail
Kathleen Stewart, Director of Town Services, via e-mail
Don Young, Senior Building Inspector, via e-mail

APPEAL TO THE BOARD OF ADJUSTMENT
TOWN OF HIGHLAND PARK

(Please Type or Print)

ADDRESS 4300 Lorraine Owner's Name Kenneth Aboussie

LEGAL DESCRIPTION: Lot(s) 11 & 12 Block 120 Addition Highland Park

Mailing Address 4425 Lorraine Ave.

City Highland Park State TX Zip Code 75205

1. Request:

1. 3' side yard set back @ detached garage and pool

New house plans for single family residence are in production.

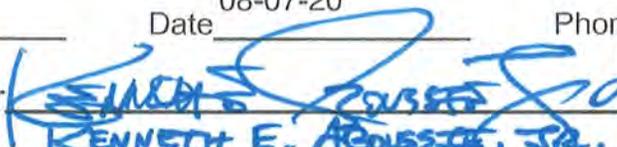
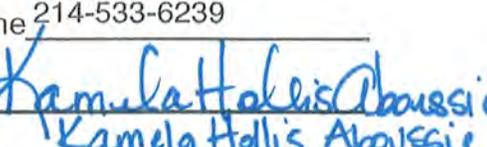
Estimated ready for construction early 2021.

2. Jurisdiction: [Applicant has reviewed Section 17-200 a,b, and c of the Highland Park Zoning Ordinance (copy attached) and is of the opinion that the Board of Adjustment has jurisdiction for the following reason(s)]

There are many half acre lots in the same zoning district where detached garages & pools have 3' side yard setbacks. 17-200-B would apply here and allows for a variance in cases such as this. In our opinion the 10' setback rule was for when full 2 story detached accessory structures were allowed which are no longer allowed with the current 12'-6" height restriction. If this variance is granted it will allow us to have a 3 car garage instead of a 2 car garage. This will further reduce vehicular street parking since this lot is located on the corner of Douglas & Lorraine (a busy intersection).

Additional information submitted by applicant Home Owner's Letter,
Site Survey, Site Plan, Building Elevations & Floor Plans

Fee Paid \$200.00 Date 08-07-20 Phone 214-533-6239

3. Signature of Owner  
(To be completed by Building Inspection Department)

Reason for denial: Section 12-101(2)(b) Accessory Buildings, 13-102(d) Swimming Pools

Explanation:

The property owner applied to construct a new single-family residence on a combined building site which includes a detached three-car garage located 3-feet from the west side property line and a swimming pool 3-feet from the east side property line, both in the rear yard. Section 12-101(2)(b) of the Zoning Ordinance states that detached accessory buildings shall be located 10-feet from a side property line on a combined building site. Section 13 103(d) of the Zoning Ordinance states swimming pools shall be located 10-feet from a side property line on combined building sites. The property owner requests an appearance before the Board to seek a 7-foot side yard setback variance for both the swimming pool and the detached garage.



Building Inspector

8-31-2020

Date

Kenneth and Kamela Aboussie
4425 Lorraine Avenue
Highland Park, Texas 75205

August 7, 2020

BOARD OF ADJUSTMENT MEMBERS

Chuck Reeder, Chairman
Sherri Baer
Stacey Furst
Don Snell
Steve Swenson
Cynthia Beaird
Joan Clark

Dear Board Members:

Thank you for your time and consideration for our variance request as presented within our BOA application package and stated within this letter.

We have lived at 4425 Lorraine for the past seven (7) years and we love this neighborhood. My wife actually lived at 4428 Lorraine at one point during her childhood as well.

We have three (3) young children and have outgrown our current home at 4425 Lorraine and we have been looking for a new property to build our family. We purchased and re-platted Lots 11 & 12 of the 4300 block of Lorraine (4300 and 4304 Lorraine) with the goal of building our dream home. During the last 12 months we have been working extensively with our architect, Wilson Fuqua, to design our family home, with traditional architecture, where we intend to raise our children and (God willing) live for a very long time.

Since we have combined Lots 11 & 12, we are complying with the standards for a Combined Building Site, specifically, 30% lot coverage (instead of 40% lot coverage) and no maximum side yard limitation, which means our side yard setback is 10% of the width of the lot or 15 feet (150 feet * 10%).

We are in compliance with both of those standards. In fact, our house is setback approximately 30 feet from our western property line where we neighbor 4308 Lorraine. Additionally, we have adhered to the 15 foot setback on the east side of our house, where we have no adjacent neighbor since this is the corner of Douglas and Lorraine.

However, the building standard which is problematic is the requirement for a detached accessory building on a Combined Building Site. Specifically, the 10 foot side yard setback for a detached accessory building (i.e. garage).

Currently, we are only able to fit a 2-car garage on the property. Our goal is to have a 3-car garage to eliminate street congestion in front of our house. Eliminating street parking is especially important since we are at the corner of Douglas and Lorraine.

For context, in 2005, the side yard setback for an accessory building on a Combined Building Site was increased from 3 feet to 10 feet. Then, in 2009, a restriction on the height of a detached accessory building was passed to lower the allowable height for an accessory building from 26 feet to 12 feet 6 inches.

It is our opinion that meeting both the 10 foot side yard setback and the 12 foot 6 inch height restriction is an undue hardship.

Our request is to adhere to a 3 foot side yard setback for our detached 3-car garage. Additionally, we are requesting a 3 foot side yard setback on the eastern side of our property which is along Douglas Avenue (where we have no immediate adjacent neighbor) to allow for a pool or pool equipment.

It is important to note the previous accessory building at 4304 Lorraine (which we recently demolished) had a 1 foot side yard setback from 4308 Lorraine.

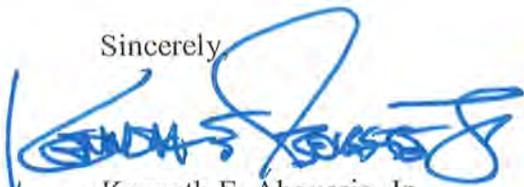
In summary, we believe a Combined Building Site is being “double penalized” with both (i) a 10 foot side yard setback (instead of 3 feet) and (ii) a height limitation on the garage.

We are fine with the 12 foot 6 inch height limit of the garage, and since a full 2-story garage structure is no longer allowed, we are requesting your consideration for our garage to have a 3 foot side yard setback which still meet the current zoning requirements for a non-Combined Building Site.

In granting this variance we believe we are helping to accomplish the Town’s initiative to reduce on street parking.

Again, thank you for your time and consideration to help us make 4300 Lorraine a great home for our family.

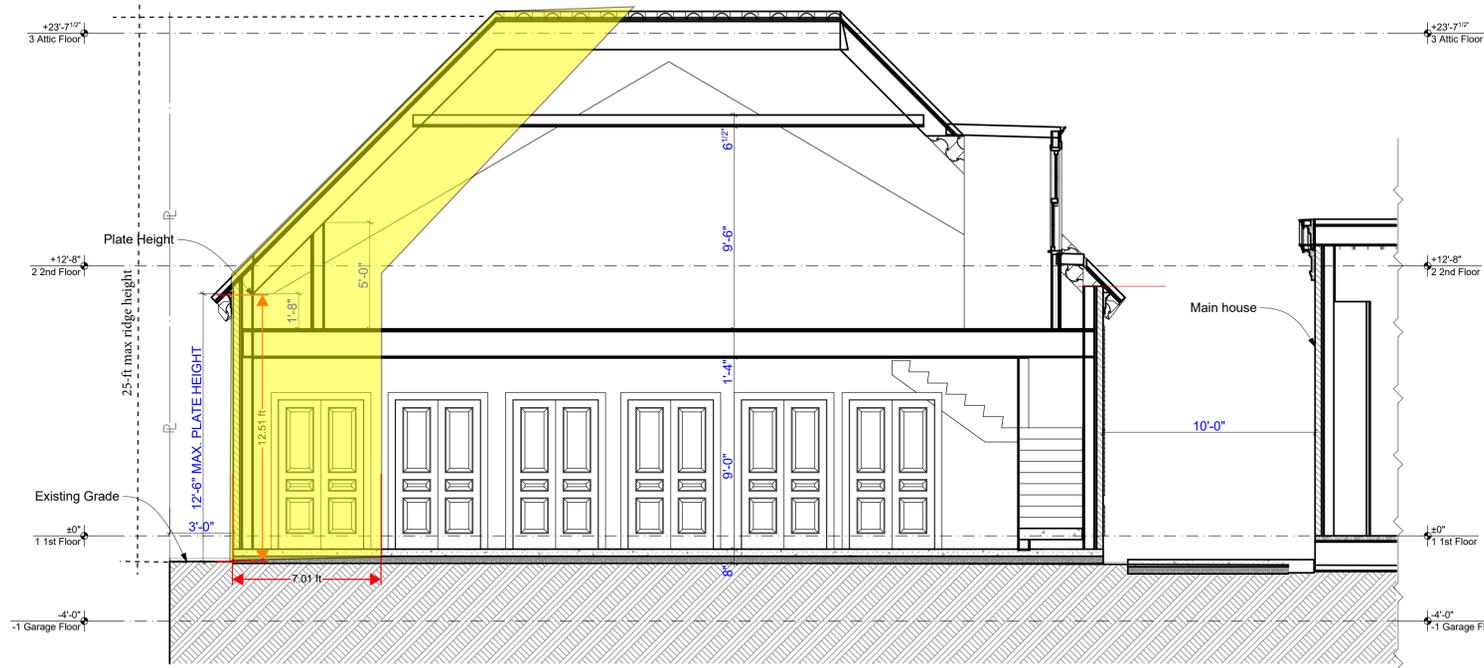
Sincerely



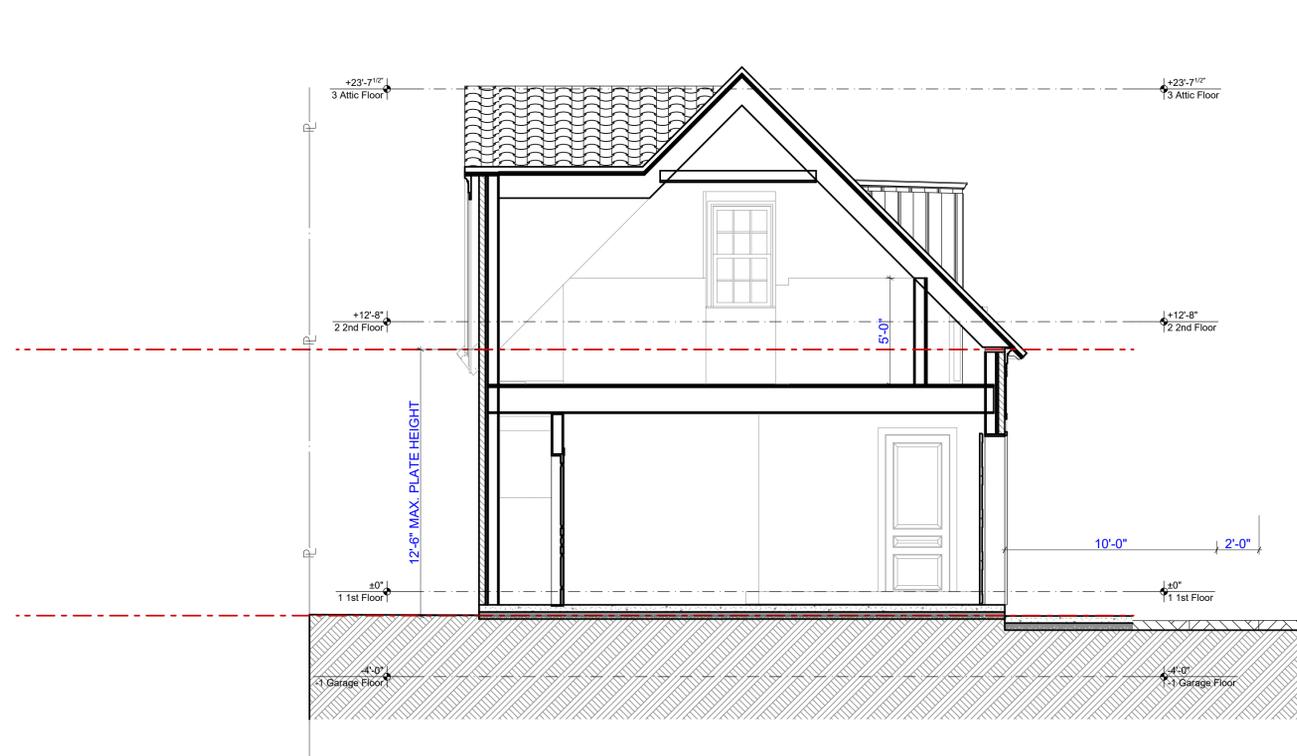
Kenneth E. Aboussie, Jr.



Kamela Hollis Aboussie



1 Garage B
SCALE: 1/4" = 1'-0"



2 Garage
SCALE: 1/4" = 1'-0"



BIMcloud: WFDC01 - BIMcloud Basic for ARCHICAD 22/Aboussie

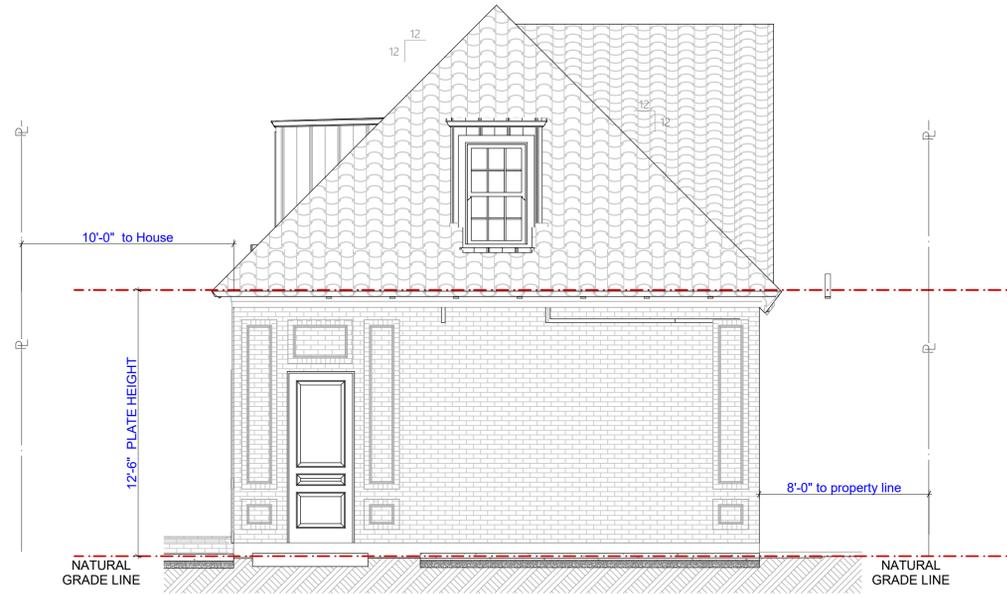


ISSUE	DATE	REMARKS
Pricing Set		
Permit Set		
Cost. Doc's		

Garage Sections	Architectural Services for:	A4.03
	Kenneth & Kamela Aboussie 4500 Lorraine Dallas Texas 75205	
J Wilson Fuqua & Associates Architects, (214) 528-4665		8/18/2020

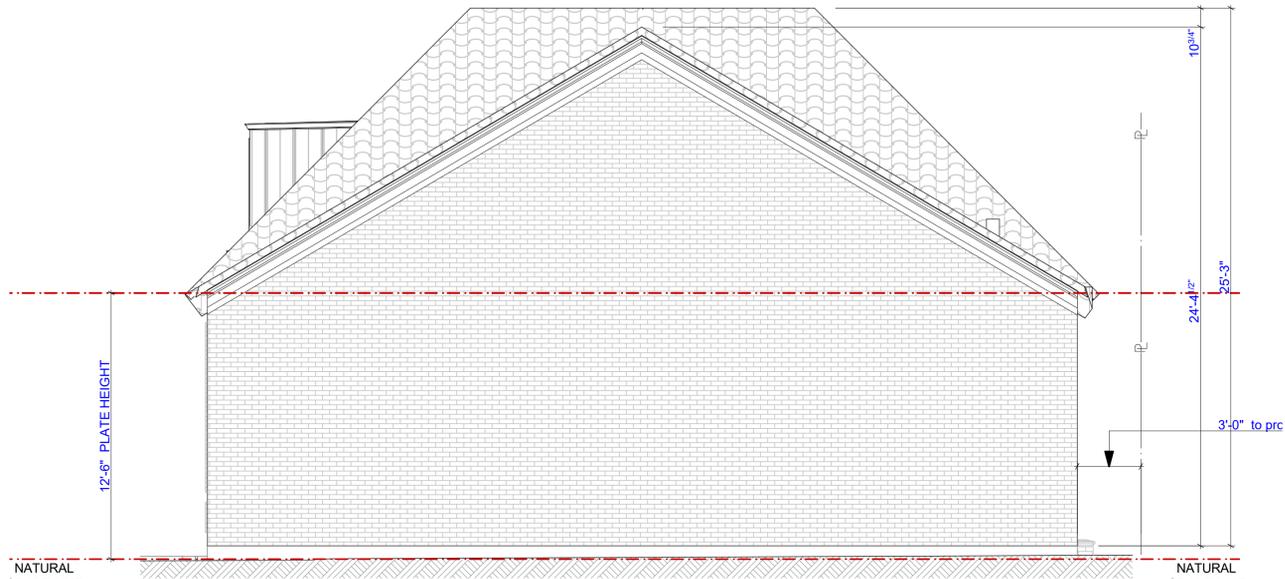


1 Garage South Elevation
SCALE: 1/4" = 1'-0"

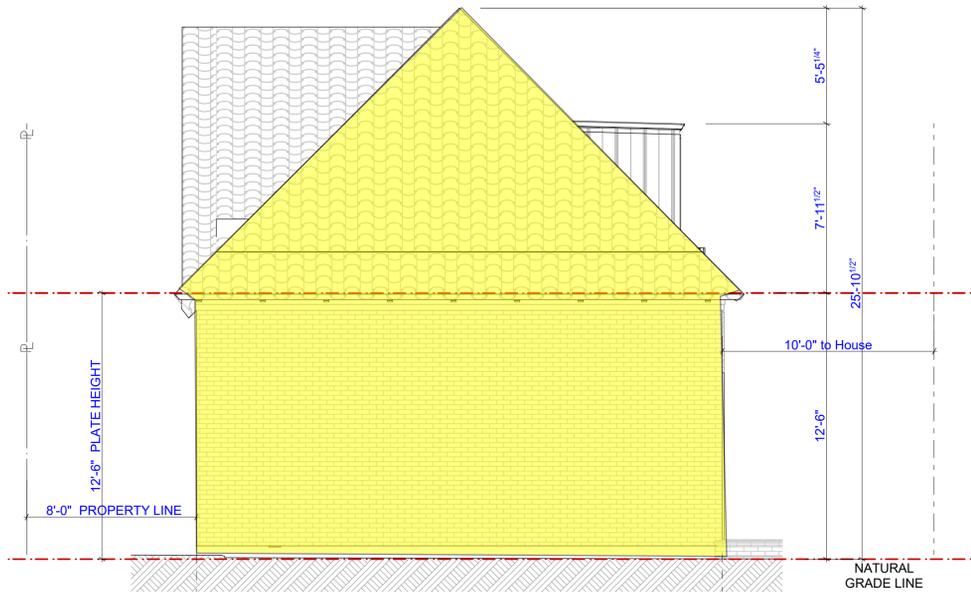


2 Garage East Elevation
SCALE: 1/4" = 1'-0"

PLATE HEIGHT AT 12'-6" ABOVE
AVERAGE NATURAL GRADE HEIGHT



3 Garage North Elevation
SCALE: 1/4" = 1'-0"



4 Garage West Elevation
SCALE: 1/4" = 1'-0"

BIMcloud: WFDC01 - BIMcloud Basic for ARCHICAD 22/Aboussie



ISSUE	DATE	REMARKS
Pricing Set		
Permit Set		
Cost. Doc's		

Garage Elevations	Architectural Services for: Kenneth & Kamela Aboussie 4500 Lorraine Dallas Texas 75205	A3.04
	J Wilson Fuqua & Associates Architects, (214) 528-4665	

AFFIXED: 8/18/2020

8/18/2020

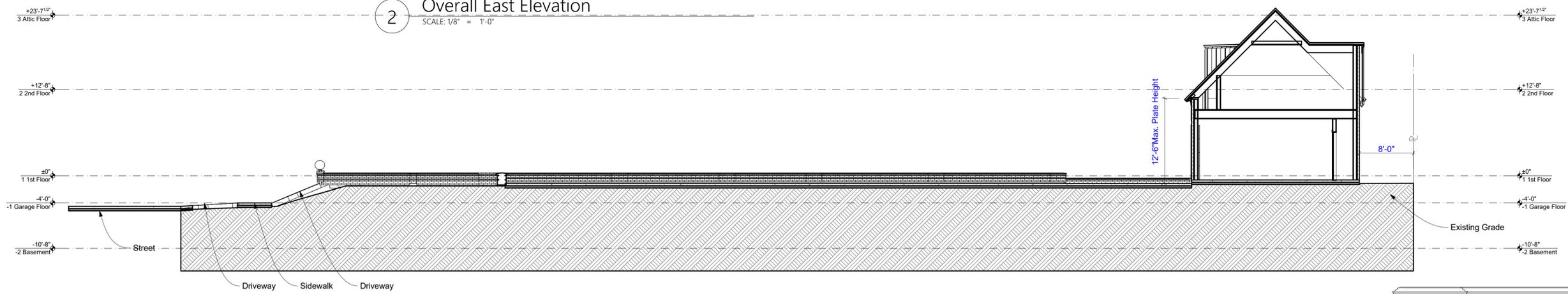
BIMcloud: WFDC01 - BIMcloud Basic for ARCHICAD 22/Aboussie



1 Overall West Elevation
SCALE: 1/8" = 1'-0"



2 Overall East Elevation
SCALE: 1/8" = 1'-0"



3 Section Thru Driveway East
SCALE: 1/8" = 1'-0"



AFFIXED: 8/18/2020

ISSUE	DATE	REMARKS
Pricing Set		
Permit Set		
Cost. Doc's		

Overall Elevations East & West	Architectural Services for:	A3.05
	Kenneth & Kamela Aboussie 4500 Lorraine Dallas Texas 75205	
J Wilson Fuqua & Associates Architects, (214) 528-4665		8/18/2020



ISSUE	DATE	REMARKS
Pricing Set		
Permit Set		
Cost. Doc's		

Garage 3D Views	Architectural Services for: Kenneth & Kamela Aboussie 4500 Lorraine Dallas Texas 75205	16
J Wilson Fuqua & Associates Architects, (214) 528-4663		

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September 1, 2020

**TOWN OF HIGHLAND PARK
LEGAL NOTICE
BOARD OF ADJUSTMENT PUBLIC HEARING**

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For additional information regarding this application, contact Kirk Smith at (214) 521-4161 or ksmith@hptx.org. All interested parties are invited to attend the public hearing.

Kirk Smith
Assistant Director of Town Services

4332 4328 4324 4320 4316 4312 4308 4304 4300

BELCLAIRE

AVENUE

4230 4224 4220 4212

4335	4331	4323	4319	4311	4305	4301		
120								
4336	4332	4328	4320	4318	4316	4312	4308	4300

LORRAINE

AVENUE

4231	4225	4221	4217
4236	4228	4220	4212

4335	4331	4329	4323	4319	4315	4311	4305	4301
117								
4332	4328	4324	4320	4316	4312	4308	4304	4300

DOUGLAS

4241	4231	4221	4217
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LORRAINE