

MINUTES OF A MEETING OF THE BOARD OF ADJUSTMENT OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT TOWN HALL, 4700 DREXEL DRIVE ON WEDNESDAY, NOVEMBER 10, 2021, AT 8:30 A.M. TO CONSIDER A REQUEST FROM THE OWNER OF THE PROPERTY AT 4701 DREXEL DRIVE TO ALLOW CONSTRUCTION OF A NEW RETAINING WALL, AND ALLOW RECONSTRUCTION OF A RECENTLY DEMOLISHED FREESTANDING WALL IN THE REQUIRED FRONT YARD.

Present at the meeting were: Chairman Chuck Reeder and Board Members, Stacey Furst, Don Snell, and Alternate Board Member Burton Rhodes. Board Members Steve Swenson and Joan Clark were absent from the meeting. Alternate Board Member Cynthia Beard was absent from the meeting.

Chairman Chuck Reeder called the meeting to order and introduced the members of the Board, Mr. Pender, and explained the procedure the Board would follow in considering the request.

Hugh Pender, Director of Development Services, explained that the property owner of 4701 Drexel Drive received a building permit for the proposed improvements in the front yard, however; during inspection, it was noticed that the retaining wall was being built taller than allowed per the Zoning Ordinance. Photographs, images, and the property survey with visible contour lines were presented to show the sloping grade of the property. He stated that the retaining wall is compliant at the sides because the wall and the natural grade are relatively similar in height, however; the wall becomes noncompliant as it turns into the middle of the yard, because the grade there is naturally lower, and no change to wall height was observed to match the grade. Mr. Pender said that the designer is trying to alleviate drainage issues with the retaining wall proposal. The other freestanding wall that is being proposed was said to have been approved by staff to rebuild before its demolition, however; to replace a nonconforming wall, a variance would be required. He finished by stating that two variances are requested and require approval by the Board.

Mr. Pender stated that the requisite notice of the meeting was mailed to property owners located within two hundred feet (200') of the subject property on October 27, 2021, published in the Daily Commercial Record on October 29, 2021, and the agenda was posted on the bulletin boards at Town Hall on November 5, 2021.

Chairman Reeder asked for questions and/or comments for Mr. Pender from the Board Members.

Burton Rhodes said there are many properties around Town that have similar walls.

Mr. Pender said that multiple existing properties have been showed to him and it is a struggle to differentiate the conforming with the nonconforming, however; the Zoning Ordinance states that grade cannot be filled to match any new retaining wall.

Chairman Reeder referred to the language in the Zoning Ordinance and asked which side of the wall is the enclosed side.

Mr. Pender responded that the enclosed side is closer to the residence.

Chairman Reeder asked if the grade drops lower on the other side of the wall.

Mr. Pender responded the grade is lower on the street-side, and the top of the new retaining wall is two feet higher than the existing grade.

Next, Chairman Reeder asked if the applicant would like to address the Board or make a presentation.

Amy Bartell, designer, claimed a design problem she noticed at the site when she first visited it was the erosion of soil onto the public sidewalk due to the slope of the property. She stated that the design tries to slow the water down by proposing this retaining wall, and by proposing a hedge lining the front of the property near the sidewalk. She also stated that the hedge will be blocking the retaining wall from public view.

Chairman Reeder asked if anyone on the Board had questions or comments.

Chairman Reeder asked how the retaining wall helps with drainage.

Amy Bartell explained that there are linear pipes wrapped with a filter that will clean the water before discharge onto the street.

Burton Rhodes asked if the retaining wall will be between 24 to 26 inches tall.

Amy Bartell confirmed that the custom handcrafted retaining wall will be around 24 inches in height, however; no more than 30 inches per building code.

Chairman Reeder asked if any letters of support were received to which Mr. Pender responded there were not.

Chairman Reeder asked if anyone in the audience would like to speak in support to the proposal.

Thomas McCullough, 3801 Gillon, said that he is in favor of the request.

Bob Scott, 4709 Drexel, said that if they can solve the existing drainage issues which make the public sidewalk slippery, then he is also in favor of the request.

Chairman Reeder asked Mr. Pender if any correspondence had been received in opposition of this request, to which Mr. Pender replied there were not.

Chairman Reeder asked if anyone in the audience wanted to speak in opposition to the request, to which there was no response.

Chairman Reeder asked if anyone on the Board had any further questions or comments, to which there was no response.

Don Snell stated the motion to approve a request from the owner of the property at 4701 Drexel Drive to construct a retaining wall no higher than 26 inches in height and to allow reconstruction of the recently demolished freestanding wall in the required front yard.

The motion was seconded by Stacey Furst and the Board of Adjustment voted unanimously to approve the request.

On a motion by Stacey Furst, seconded by Don Snell, the Board of Adjustment voted unanimously to adjourn. There being no further business to come before the Board of Adjustment the meeting was adjourned at 8:48 a.m.

APPROVED on this 23rd day of July 2022.

BY:



Chuck Reeder
Chairman

ATTEST:



Hugh Pender