

MINUTES OF A MEETING OF THE BOARD OF ADJUSTMENT OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, HIGHLAND PARK, TEXAS, 75205, AT 8:30 A.M. ON WEDNESDAY, OCTOBER 11, 2023.

Present at the meeting were Chuck Reeder, Chair; Board Members Stacey Furst, and Alternates Nancy Rogers and Jim Yoder. Board Members Robert McCulloch, Joan Clark and Alison Hunsicker were not able to attend. Matthew Boyle, Town Attorney, was also present.

Chuck Reeder introduced himself, and called the meeting to order at 8:30 a.m. Hugh Pender, Director of Development Services, introduced himself and any Town staff present for the meeting.

CONSENT AGENDA

On a motion by Stacey Furst, seconded by Nancy Rogers, the Board voted unanimously to approve Item A. Prior to the vote, Mr. Reeder explained that the Board reviewed the item prior to the meeting.

- A. Consider approval of the minutes of the Board of Adjustment meeting held on September 27, 2023.*

PUBLIC HEARING - 3656 Maplewood Avenue

A public hearing was conducted to consider a variance from Section 12-102 (3) to construct a patio cover that will exceed the maximum separation for detached accessory structures in the C zoning district on a lot located at 3656 Maplewood Avenue. Property owners Mr. and Mrs. Jason Garrett, and architect Christy Luter were in attendance. Hugh Pender, Director of Development Services, explained Section 12-102 (3) of the Zoning Ordinance states...“Carports, garages or other detached accessory buildings located within the rear portion of the lot as heretofore described shall not be located closer than ten (10) feet to the main building, nor nearer than three (3) feet to any side lot line, except that a breezeway not exceeding fifteen (15) feet in height and six (6) feet in width, as measured to the outside face of support posts and exclusive of a maximum eighteen (18) inch roof overhang, shall be permitted connecting the dwelling structure to an accessory building, provided it is open on all sides from the eaves of the roof to the ground.” The property owners are requesting to construct an open sided patio cover connecting the main structure and detached accessory structure that would exceed the 10-foot separation distance from the main building. The exact variance they are seeking from the Board of Adjustment is a variance of three-feet extra in height and a total width of 22-feet to allow for the construction of the covered patio area. Mr. Pender also presented a sample design that would be in compliance with the current ordinance, and noted that there would be an issue with water runoff as opposed to using the proposed design of the architect. Mr. Garrett explained that several architects and builders were consulted for the project, and all agreed that it would be less of an environmental impact and disruption to the neighbors if the existing breezeway was expanded into a covered patio space rather than removing trees and building a separate pool house. The property owners also inquired of their direct neighbors if the current plans would be obtrusive or disruptive to their views or property, and Mr.

Garrett reported that they were all supportive of the open patio design. Stacey Furst asked what the history behind the rule requiring a 10-foot distance between structures, to which Mr. Pender noted that multiple municipalities have this exact same ordinance and was perhaps made in the 1960's by a company that provided zoning ordinances for cities to adopt. The Town of Highland Park adopted the ordinance in 1965. There were questions from the Board concerning how granting the ordinance now would affect the possibility of a future owner of the property wanting to enclose the patio, to which Matthew Boyle advised on several options the board could rule on the current matter. Chairman Reeder expressed concern over approving the variance and then seeing more requests of the same from other property owners.

There were five letters received in support of the variance request.

- Janet Tenery of 3660 Maplewood Avenue
- Karen and Michael Stroup of 3652 Maplewood Avenue
- Ellen Welch of 3661 Mockingbird Lane
- Susan and Bob Kaminski of 3657 Maplewood Avenue
- Heidi Fristoe of 3657 Mockingbird Lane

There were no letters in opposition to this request received by the Town.

No one present at the meeting spoke in support or opposition of this request.

Board Member Jim Yoder motioned to accept the variance request, and Stacey Furst seconded the motion.

BOARD DISCUSSION

Discussion on the matter showed that several of the Board Members approved of the design plan, and were concerned that alternative plans that comply with the ordinance are more disruptive and destructive. Another concern that remains is the chance of future requests for the same variance should this one be approved. Matthew Boyle, Town Attorney, suggested the Board consider revising the motion to approve a special exception to allow for the expansion and reconstruction of the existing nonconforming structures on this lot, subject to and conditioned upon the improvements being limited to the applicant's submittal, to include open porches (not enclosed), a maximum plate height of 12.5 feet, and no greater than one-story in height with a roof peak no greater than 18 feet.

Board Member Jim Yoder amended his original motion to make the "motion to approve a special exception to allow for the expansion and reconstruction of the existing nonconforming structures on this lot, subject to and conditioned upon the improvements being limited to the applicant's submittal, to include open porches (not enclosed), a maximum plate height of 12.5 feet, and no greater than one-story in height with a roof peak no greater than 18 feet." Board Member Stacy Furst seconded the amended motion, and all Board Members unanimously agreed to approve the motion.

ADJOURNMENT

Stacey First motioned to adjourn the meeting, and Jim Yoder seconded the motion. The Board voted unanimously to end the meeting, and adjourned at 9:19 a.m.

Approved on this the 8th day of November 2023.

APPROVED:



Chuck Reeder
Chair

ATTEST:



Holly Russell
Management Assistant