

**RICHLAND HILLS ZONING BOARD OF ADJUSTMENT
MARCH 26, 2019
MINUTES**

Members present:

Jorge Cisneros, Chair
Sanjay Mathews, Place 2
Ashly Schilling, Place 3
Chris Utchell, Place 4
Corrie Hayward, Place 5

Staff

Kay Duffy, Development Manager
Candice Edmondson, Assistant City Manager
James Donovan, City Attorney

1. CALL TO ORDER

Chairman Cisneros called the meeting to order at 6:30 p.m.

2. APPROVAL OF THE FEBRUARY 28, 2019 MEETING MINUTES

Chris Utchell motioned to approve the minutes, Ashly Schilling made a second and all approved.

3. EXECUTIVE SESSION

Corrie Hayward made a motion to move to executive session and Chris Utchell seconded. All approved and board members went into executive session at 6:31pm. Chairman Cisneros reconvened the public meeting at 6:44pm.

4. Public Hearing and consideration of a request for a variance under Sec. 6.12 of Chapter 90 of the Code of Ordinances, City of Richland Hills, Texas, to allow for an encroachment of the building into the required side yard setback on the east side of the property located at 6723 Brooks Avenue. (Case# ZBA 2019-0155).

Staff made a short introduction to this case, which had been presented as a request for a special exception in February. Staff noted that at least 3 similar variance cases, including one for an addition at 6731 Brooks Avenue, had been approved in recent years.

Chairman Cisneros opened the Public Hearing and there were several speakers.

Jeremy Lowe, the homeowner at 6723 Brooks Avenue, explained that he wasn't aware there was an issue with the setbacks and pointed out that the work had already passed two inspections by the city before the problem was brought to his attention.

Sawyer Hudson, the contractor building the addition at this property stated that he mistakenly thought the required setback was five feet.

Martin Ott, the next-door neighbor at 6731 Brooks Avenue spoke against the variance.

Troy Kunkle, across the street at 6740 Brooks Avenue, also spoke against the variance and stated that did not believe the code enforcement officer's measurement of the distance

between the addition and the property line. He would prefer that the city hire a surveyor to do the measurements.

Andrew Eagleson, the next-door neighbor on the east at 6715 Brooks spoke in favor of the variance and stated he didn't feel approving it would affect his property value.

Heather Lowe, Jeremy's wife, was the final speaker. She pointed out that the variance should not affect Mr. Ott as he has three accessory structures lined up within 2 feet of the fence that completely obstruct the view of her property.

Chris Utchell made a motion to approve the variance to allow for encroachment into the side yard setback on the east side of the property. Ashley Shilling added a second and the motion passed 4-1 with Mr. Hayward voting no.

1. ADJOURNMENT

Corrie Hayward motioned to adjourn. With a second from Mr. Utchall and approval by all Chairman Cisneros adjourned the meeting at 8.:21 p.m.

ATTEST

APPROVED

Kay Duffy, Development Manager

Jorge Cisneros, Chairman