

**RICHLAND HILLS ZONING BOARD OF ADJUSTMENT
SEPTEMBER 26, 2019
DRAFT MINUTES**

Members present

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

Members absent

Chris Utchell, Place 4

Staff

Kay Duffy, Development Manager
Candice Edmondson, Assistant City Manager
Alecia Kreh, City Attorney

1. CALL TO ORDER

Chairman Cisneros called the meeting to order at 6:35 p.m.

2. APPROVAL OF THE AUGUST 5, 2019 MEETING MINUTES

Corrie Hayward motioned to approve the minutes, Ashley Schilling made a second and all approved.

3. EXECUTIVE SESSION

Ms. Schilling motioned to move to executive session at 6:36 p.m. Ms. Hayward seconded and all approved. The board reconvened at 6:47 p.m.

1. 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 SWIMMING POOL INTO THE REQUIRED SIDE-YARD SETBACK ON THE WEST SIDE OF THE OF THE PROPERTY LOCATED AT 3801 VANCE ROAD. (CASE# ZBA 2019-0460).

Staff presented the case which is a 6.395 square foot single-family home, zoned SF-10. The owners are proposing a swimming pool with decking that extends into the side-yard setback.

The public hearing was opened at 6:53pm. Jennifer Thomas who resides at 3801 Vance Road spoke for the applicant, her grandmother. She brought a new drawing for a proposed pool, with the decking removed, thus the only part of the construction that would encroach on the setback would be the hot tub. Ms. Thomas mentioned that the initial site plan for the pool showed five feet more space than is actually available in the yard.

Sanjay Mathews asked whether drainage had been considered in the construction plans and Ms. Thomas said they are trying to correct some existing drainage issues while constructing the pool.

Ashley Schilling asked about landscaping plans for the pool area, particularly trees. Ms. Thomas says there are some older large trees in the backyard.

Corrie Hayward inquired about some elements shown on the survey, which Ms. Thomas says no longer exist on the property.

Ms. Thomas says there is no place else to put the pool in the yard due to other amenities already existing in the yard.

Ms. Schilling asked what is preventing them from designing the pool on a different spot in the yard and Ms. Thomas explained the obstacles. Mr. Cisneros asked about the difficulties involved in moving the playground.

Ms. Hayward verified the dimensions of the pool. Ms. Thomas said the decking of the patio would be 2.5 feet on each side and the pool would be 35 feet wide.

Ms. Schilling asked if there was anything preventing them from changing the design of the pool and Ms. Thomas said they had paid the contractor for this design.

Richard McDade, the next door neighbor at 6973 Glen Hills, spoke in favor of the variance, and said the distance to the property line doesn't matter to him.

Public hearing was closed at 7:18 pm.

Sanjay Matthews motioned to grant the variance; there was not a second on this motion. Corrie Hayward then motioned to deny the requested variance. Ashley Schilling seconded the motion. The vote was 3 to 1, thus failing to meet the 75% approval required, and the request was denied.

4. Adjournment

Ms. Hayward motioned to adjourn. With a second from Ms. Shilling and approval by all, Chairman Cisneros adjourned the meeting at 7:21 p.m.

ATTEST

APPROVED

Kay Duffy, Development Manager

Jorge Cisneros, Chairman