



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629

AGENDA

(Zoning) Board of Adjustment Meeting
Decatur City Hall – 201 E. Walnut St., Decatur, TX
Monday, September 19, 2022, at 3:30 P.M.

AND VIA VIDEOCONFERENCE/TELECONFERENCE

Call to Order

ITEM 1: Discuss and take appropriate action regarding August 15, 2022, Minutes.

General Agenda Comments

*This is an in person and videoconference meeting. Videoconferencing is being used to allow staff and members of the public to join the meeting in the following manner**:*

Anyone may join the meeting via videoconference at www.zoom.us/join or via telephone by calling **1-346-248-7799; meeting ID **912 5595 2930**; and Password **976527**.**

If you join the meeting via videoconferencing and want to address the Board on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Board and will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and you may speak during this item or during the Board's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: wsmith@decaturtx.org or cfuss@decaturtx.org before and during the meeting on Monday, September 19th. Please provide your name, address and the agenda item number.

Public Hearing Items:

ITEM 2: The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding rear yards for the property proposed as Lot 1R, Block 8, Lipsey Addition and more commonly referred to as 3002 S. FM 51, City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 7, "Development Standards," Section 7.6, "Accessory Structure Regulations," Subsection 7.6.1, "Accessory Structures in Residential Districts," Item C., "Rear Yard." That provision states that "there shall be a rear yard for accessory buildings of not less than three (3) feet from any lot line, alley line or easement line, except that if no alley exists, the rear yard shall not be less than ten (10) feet as measured from the rear lot line." Applicant is requesting a setback encroachment special exception from the City's Zoning Ordinance to allow an existing detached accessory structure, as identified in Attachment 3 of the staff report, to encroach one and one tenths (1.1) feet into the required ten (10) foot rear yard setback along the western property line. **(ZBA Application 2022-06 – Allen Arnold)**

ITEM 3: The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding front yards for the property proposed as Lot 14R, Block 6, Lipsey Addition and more commonly referred to as 3109 S. Murvil St., City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 7, "Development Standards," Section 7.6, "Accessory Structure Regulations," Subsection 7.6.1, "Accessory Structures in Residential Districts," Item A, "Front Yard." That provision states that "detached accessory buildings shall be located in the area defined as the rear yard." Applicant is requesting a setback encroachment special exception from the City's Zoning Ordinance to allow an existing detached accessory structure, as identified in

Attachment 3 of the staff report, to encroach twenty-three and six tenths feet (23.6') into the required twenty-five foot (25') front yard setback along south Garland Street. **(ZBA Application 2022-07 – Kim Chambers)**

ITEM 4: The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding front yards for the property proposed as Lot 13R, Block 6, Lipsey Addition and more commonly referred to as 3107 S. Murvil St., City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 7, "Development Standards," Section 7.6, "Accessory Structure Regulations," Subsection 7.6.1, "Accessory Structures in Residential Districts," Item B., "Side Yard". That provision states that "there shall be a side yard for any detached accessory building of not less than three (3) feet from any side lot line when such detached accessory building is located in the rear of the lot (the rear of a line erected connecting the midpoints on the two (2) opposite side lot lines of any lot, tract or plot)". Applicant is requesting a setback encroachment special exception from the City's Zoning Ordinance to allow an existing detached accessory structure, as identified in Attachment 3 of the staff report, to encroach three feet (3') into the required three foot (3') side yard setback along the southern property line. **(ZBA Application 2022-08 – Kim Chambers, on behalf of Keitha D'Ann Stone)**

ITEM 5: The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding front yards for the property proposed as Lot 13R, Block 6, Lipsey Addition and more commonly referred to as 3107 S. Murvil St., City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 7, "Development Standards," Section 7.6, "Accessory Structure Regulations," Subsection 7.6.1, "Accessory Structures in Residential Districts," Item A, "Front Yard." That provision states "detached accessory buildings shall be located in the area defined as the rear yard." Applicant is requesting a setback encroachment special exception from the City's Zoning Ordinance to allow an existing detached accessory structure, as identified in Attachment 3 of the staff report, to encroach two and fifty-five hundredths feet (2.55') into the required twenty-five foot (25') front yard setback along south Garland Street. **(ZBA Application 2022-09 – Kim Chambers, on behalf of Keitha D'Ann Stone)**

For Your Information Items:

ITEM 6: New and/or future business items.

a. As of agenda posting, the October 17, 2022, meeting currently has no (0) ZBA Planning applications. Application submittal deadline is Monday, September 19, 2022, by 5 p.m. **(The meeting will be an in person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)**

Adjournment:

Prepared and posted this 16th day of September 2022, in accordance with Chapter 551, Texas Government Code.

Wayne Smith
"Interim" Planning Director

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COMMISSIONERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING.**

***NOTE: THE (ZONING) BOARD OF ADJUSTMENT RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA TO SEEK THE ADVICE OF ITS ATTORNEY UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071 "CONSULTATION WITH ATTORNEY".**