

PUBLIC NOTICE
BOARD OF ADJUSTMENT
TOWN OF DOUBLE OAK
320 WAKETON ROAD, DOUBLE OAK TX 75077
SEPTEMBER 27, 2021
7: 00 PM

1. Call to order
Roll call
Establish a quorum
Opening announcements and comments
2. Consider and act: on the minutes of February 23, 2021
3. Citizen Comments
4. Consider and act: on a zoning variance request from Sean Fleming, 720 Cross Timbers Drive, to construct an attached front entry 2-car garage, which would be a variance from sec. 11-2(1), which requires an attached garage to be side or rear entry, or front entry if the door opens to an enclosed courtyard that is separated from the main residence by another garage, building or wall.
5. Adjourn

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney, or on any other item covered under the code, on any agenda item listed herein

Posted this 21st day of September 2021 at 2:00 p.m.



Lynn Jones Assistant Town Secretary

PUBLIC PARTICIPATION

If you wish to address the Zoning Board of Adjustment please sign the sign in sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Zoning Board of Adjustment for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Zoning Board of Adjustments during the Citizen Comments portion of the meeting or when the item is considered by the Zoning Board of Adjustment.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior meeting. Please contact the Town Secretary's office at 972.539.9464 or fax 972.539.9613 for additional information.

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Zoning Board of Adjustments met at 7:00 p.m. February 23, 2021 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Phyllis Meyerson	Chairperson
Candy Lamel	Co-Chairperson
Marty Robbins	Board Member
Art Fleming	Board Member
Karen Smith	Board Member
Jeff Hardgrave	Alternate Board Member
Jeff Graves	Alternate Board Member
Dirk Meilinger	Alternate Board Member

constituting a quorum. Alternate Board Members Curtis Glover, Richard Ulrich and Devin Gorman were absent. Assistant Town Secretary Lynn Jones was also present and town attorney David Berman was present via telephone.

Chairperson Meyerson called the meeting to order at 7:00 p.m.

2. Consideration and action on the minutes of June 9, 2020.

Fleming said that he was not at the June 9, 2020 meeting.

Smith motioned to approve the minutes of June 9, 2020 with a change to reflect Mr. Flemings absense at the meeting, Robbins seconded.

Aye: Meyerson, Smith, Lamel, Fleming and Robbins.

Abstain: None

Nay: None

Motion Carried

3. Citizen Comments.

There were no comments.

4. Consideration and action on a zoning variance request from Katie Saldivar, 250 Whispering Oaks Drive, to construct a detached structure from the house that will be living quarters.

Miguel and Katie Saldivar 250 Whispering Oaks spoke.

Mr. Saldivar said they moved his parents into their home. The hardship they want to present is their house is single story but has step ups and they would like to provide a ADA friendly structure. We are proposing minimal disruption of landscape to add a building at 1,000 square feet. Where the property allows a structure to be built they would be looking at a 60-70 foot breezeway to attach it to the house.

Mrs. Saldivar stated there is no other practical spot on the property to do it. With our house being multi-tiered it does have its challenges. We would need to move the entire driveway to attach the structure to the house.

Fleming stated that town ordinances say that accessory buildings cannot be used as servants quarters or guest houses. It would need to be directly attached to the house. We look at hardship to the property not the owners.

Lamel said that moving the driveway is a hardship to the owner but not to the property.

Mrs. Saldivar said that there is no practical way to add to the house because the plumbing and electrical all run through the original house.

Robbins stated that the Board is required to look at the town ordinances and they specifically say shall not be living quarters the burden is for you to tell us how you have a hardship.

Mrs. Saldivar said the her in laws cannot live in their property as it is.

Mr. Berman stated that the request is not a classic variance. Two single family structures on one lot. There are no special conditions with the property. This is not a true hardship of the real estate.

Robbins motioned to approve the variance request from Katie Saldivar for 250 Whispering Oaks Drive, Lamel seconded.

Aye: None

Abstain: None

Nay: Lamel, Meyerson, Robbins, Smith and Fleming

Motion Failed

5. Adjourn

Fleming motioned to adjourn the meeting, Robbins seconded.

With no further business to come before the Zoning Board of Adjustment, the meeting was adjourned at 7:34 p.m.

Lynn Jones, Assistant Town Secretary

Phyllis Meyerson Chairperson



TOWN OF DOUBLE OAK
 320 Waketon Road
 Double Oak, Texas 75077
 P: 972-539-9464 F: 972-539-9613
 permits@doubleoak.texas.gov

PERMIT #

**Building Permit Application
 Request for Variance**

DATE: 9/9/2021

Type of Application (check the appropriate box)

☐ Zoning ☐ Sign ☐ Subdivision ☒ Other

Property Owner and Authorization (sign and notarize)

N/A (Company Name) (Sean) deadheat@gmail.com (Email)
 720 Cross Timbers Dr Double Oak TX 75077 (Physical Address) (City) (State) (Zip Code)
 720 Cross Timbers Dr Double Oak TX 75077 (Mailing Address) (City) (State) (Zip Code)
 Sean Fleming 469 835 0572 N/A (Property Owner Name) (Phone) (Fax)

General Description/Reason of Request (complete the following)

Request for variance permitting front entry 2 car garage doors to be connected to the house. This will allow for storage of RV/motorhome and car truck and trailer. It will give the driveway and property a much cleaner appearance by keeping these items out of sight. Side entry would also restrict ability to access the garage for these large vehicles.

Subject Property Information: (complete the following)

720 Cross Timbers Drive (General location, street address if known; if not known, provide name of street fronting property and name and distance to nearest cross street)
 Cross Timbers 3 6 12 (Subdivision Name) (Lot #) (Block #)

Items Required with Submittal (please check the boxes to indicate items submitted with the application)

- ☒ 1) Attach a site plan, maps, designs or any other documents deemed necessary. (digital versions shall be sent to permits@doubleoak.texas.gov)
- ☐ 2) Submit Application Fee (\$150.00)

Engineering fees will be billed separate from the application fee.

Applicant or their designated representative will be responsible for all engineering fees.

I certify that I am the legal owner or record of the property or that I have secured the property owner's permission as shown on the attached affidavit and that the information concerning this request for variance is true and correct.


 APPLICANT'S SIGNATURE

 RECEIVED BY

9/9/21
 DATE
 9/9/2021
 DATE RECEIVED

***** For Office Use Only *****

Paid: \$ 1500.00 Receipt #: 071568 Date: 9/9/21
 Application Complete: Y/N
 Date to appear before: P&Z: 9/27/21 TC: BOA: 9/27/21

Lynn Jones

From: Sean Fleming <deadheat@gmail.com>
Sent: Thursday, September 9, 2021 10:08 AM
To: Double Oak Community Development
Subject: Request for Variance - Sean Fleming
Attachments: Sean Fleming Garage Variance Request.pdf; Request for Variance Double Oak Form.pdf

Name: Sean Fleming
Location: 720 Cross Timbers Drive, Double Oak
Phone Number: 469-835-0572

Attached: Preliminary Drawings (Detailed drawings and permits to be pulled upon approval)

Description: Request for variance permitting front entry 2 car garage doors to be connected to the house (South East corner). This will allow for storage of an RV / Motorhome and Car Travel Trailer and Truck. It will give the driveway and property a much cleaner appearance by keeping these items out of sight. Side entry would also restrict the ability to access the garage for these large vehicles.

Building Permit Application - Request for Variance physical form dropped off at Town Hall.

***** Confidentiality Notice *****

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Google Maps 720 Cross Timbers Drive



Image capture: Jan 2019 © 2021 Google

Double Oak, Texas



Street View - Jan 2019



SECTION 11
"RE" RANCH ESTATES DISTRICT

11-2 Use Regulations: A building, dwelling, structure or premises shall be used only for the following:

(1) "Single-family Dwelling" with an Attached Garage (2 car minimum). An "Attached Garage" is a Side Entry or Rear Entry private garage that is a physical part of the dwelling or one having a substantial physical connection with or under the roof line of the Single-family Dwelling. Front entry private garages shall be permitted only if the door opens into an enclosed courtyard separated from the front yard of the main residence by another garage or similar building or by a masonry wall of six (6) feet in height constructed of the same material as the main residential structure. Such additional garage, building or wall must also comply with all pertinent setback provisions. For corner lots, the garage door may face the side street without an enclosed courtyard.