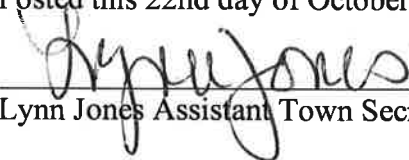


PUBLIC NOTICE
BOARD OF ADJUSTMENT
TOWN OF DOUBLE OAK
320 WAKETON ROAD, DOUBLE OAK TX 75077
OCTOBER 27, 2021
7: 00 PM

1. Call to order
Roll call
Establish a quorum
Opening announcements and comments
2. Consider and act: on the minutes of September 27, 2021
3. Citizen Comments
4. Swearing in of Board of Adjustment members
5. Consideration and action on selection of a Chairperson for the Board of Adjustment
6. Consideration and action on selection of a Vice Chairperson for the Board of Adjustment.
7. Consider and act: on a zoning variance request from Morgan Sokolow, 440 Cross Timbers Drive, to allow two major accessory buildings on the property at 440 Cross Timbers, which would be a variance from sec. 11-5(2), Maximum Number which allows one major accessory building and one minor accessory building on a property.
8. 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 22nd day of October 2021 at 12:00 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. September 27, 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
Karen Smith	Board Member
Jeff Hardgrave	Alternate Board Member
Curtis Glover	Alternate Board Member
Dirk Meilinger	Alternate Board Member
Richard Ulrich	Alternate Board Member

constituting a quorum. Board Member Art Fleming and Alternate Board Members Jeff Graves and Devin Gorman were absent. Assistant Town Secretary Lynn Jones was also present.

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

2. Consideration and action on the minutes of February 23, 2021.

Hardgrave motioned to approve the minutes of February 23, 2021 as written. Lamel seconded.

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

Abstain: None

Nay: None

Motion Carried

3. Citizen Comments.

There were no 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.

Sean Fleming, applicant spoke. Mr. Fleming stated that he is asking for the variance to allow for RV and trailer parking inside of a garage instead of in the driveway. He is asking for an attached garage because of size restrictions on accessory buildings. He stated that he is asking for the front facing garage because he would not be able to make the swing with the RV and trailer into a side facing garage. There is not enough room.

Mr. Robbins asked what size building Mr. Fleming is thinking about putting in. Mr. Fleming stated a 40 by 50 garage.

Ms. Lamel asked Mr. Fleming if he had considered adding an accessory building to the back of the property that would accommodate the RV and adding on to the back of the house for the trailer. Mr. Fleming stated that he still could not make side entry.

Robbins motioned to approve the variance request as presented. Lamel seconded.

Aye: Robbins and Smith

Nay: Lamel, Meyerson and Hardgrave.

Abstain: None

Motion Failed

5. Adjourn

Smith motioned to adjourn the meeting, Lamel seconded.

With no further business to come before the Zoning Board of Adjustment, the meeting was adjourned at 7:37 p.m.

Lynn Jones, Assistant Town Secretary

Phyllis Meyerson Chairperson



**BOARD OF ADJUSTMENTS
OCTOBER 27, 2021
AGENDA ITEM #7**

AGENDA ITEM: Consider and act: on a zoning variance request from Morgan Sokolow, 440 Cross Timbers Drive, to allow two major accessory buildings on the property at 440 Cross Timbers, which would be a variance from sec. 11-5(2), Maximum Number which allows one major accessory building and one minor accessory building on a property.

STAFF CONTACT: Lynn

DESCRIPTION: Morgan Sokolow, owner of 440 Cross Timbers has requested a variance to allow two major accessory buildings on her property. Currently there is one major and one minor accessory building on the property. When Ms. Sokolow bought the property there was an open barn on the property. The barn was torn down because it was in bad condition. Ms. Sokolow would like to replace the barn which would put two major accessory buildings and one minor accessory buildings on her property. The ordinance allows only one major and one minor accessory building in RE zoning.

ATTACHMENTS: Application for variance
Satellite picture of property from 2019
RE zoning ordinance



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

Board of Adjustments Application

Type of Application: (check the appropriate box)

- Variance Special Exception Appeal of an Administrative Other

Applicant Information

Morgan Sokolow (Resident Name) morgansokolowgall@gmail.com (Email)

440 Cross Timbers Dr. (Physical Address) Double Oak (City) TX (State) 75077 (Zip Code)

same (Mailing Address) _____ (City) _____ (State) _____ (Zip Code)

same (Email) 2035616808 (Phone) _____ (Fax)

Property Owner and Authorization (sign and notarize)

(Company Name) _____ (Email)

(Physical Address) _____ (City) _____ (State) _____ (Zip Code)

(Mailing Address) _____ (City) _____ (State) _____ (Zip Code)

Morgan Sokolow/Jason Gall (Property Owner Name) 6614779645 (Phone) _____ (Fax)

Check one of the following and complete:

- I will represent the project myself; OR
- I hereby designate _____ (printed name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues relative to this request.

I hereby certify that I am the record owner of the property referenced in this application and further certify that the information provided on this application is true and correct.

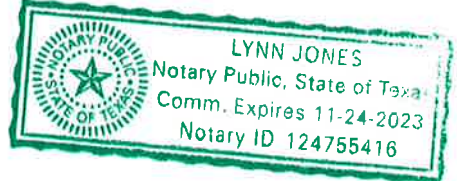
Property Owner's Signature: [Signature] Date: 10/4/21

State of Texas
 County of: Denton

BEFORE ME, a Notary Public, on this day personally appeared Morgan Sokolow (printed property owner's name) the above signed, who, under oath, state the following: "I hereby certify that I am the record owner of the property owner referenced in this application and further certify that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 4th day of October, 2021

Notary Public in and for the State of Texas
[Signature]





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

Board of Adjustments Application

Property Information: *(complete the following)*

440 Cross Timbers
 (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 Estates 1 18 5
 (Subdivision Name) (Lot #) (Block #)

RE _____ _____
 (Existing Zoning) (Existing Area (Acres or Sq. Ft.)) (Proposed Zoning)

General Description of Request: *(complete the following)*

Resurrect damaged barn in same location as when property was purchased, 3 months ago.

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

- 1. Completed application form
- 2. Written narrative/justification
- 3. Application fee: \$250.00
- 4. Documents, maps, photographs, plans, or other materials as evidence applicable to the request.

Important Notice for Applicants *(Please Read)*

Applicants bear the burden of proof in all cases considered by the Board of Adjustments (BOA). You are strongly advised to provide adequate evidence supporting any claim of an error, hardship, unique circumstance, or vested right related to your situation and to attend or have a representative available at any meeting of the BOA. The concurring vote of at least 75% of the membership is necessary to approve any request. The BOA is a quasi-judicial entity which can subpoena witnesses, administer oaths, compel the production of evidence and punish for contempt.

Note: Plans, sketches, photographs, documents and materials submitted for a Board of Adjustments application become a part of the public record and will be kept in accordance with retention requirements. Applicants are advised to submit copies of original documents for their application.

Applicants Signature: _____ Date: 10/4/21

All initial submittals for a plat, plan, or rezoning application must be submitted in-person by the applicant or their designated representative.

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

Paid: \$ 250.00 Receipt #: _____ Date: 10/4/21



Cross Timbers Drive

Select starting point

Accessory Building that was torn down

Has Minor Accessory Building on property

Major Accessory Building on property

11-5 Accessory Building (Detached):

(1) **Minor Accessory Building**: (including pre-fabricated buildings and building on skids.)

Type:

- a. "Storage" type for tools, lawn care equipment, etc., and,
- b. Gazebo or pavilion
- c. "Stable or loafing shed" type for animals.

Maximum Size

Storage type:	200 square feet footprint
Gazebo or pavilion:	200 square feet footprint
Loafing shed:	200 square feet footprint
Stable:	200 square feet footprint

Maximum Number: Two (2) (provided no major accessory building exists); only one (1) minor accessory building may be a stable or loafing shed. If a major accessory building of 1,000 square feet or less exists, only one (1) minor accessory building shall be allowed. No minor accessory building will be allowed if a major accessory building over 1,000 square feet exists. The following table illustrates the maximum number of accessory buildings, including pavilion or gazebos allowed for each property:

Maximum Number of Accessory Buildings

<u>Minor</u>	<u>Major (1000 sf)</u>	<u>Major (1200 sf)</u>	<u>Gazebo/Pavilion</u>
2	none	none	1
1	none	none	2
1	1	none	1
none	none	1	1

Maximum Height: One story, not to exceed 18 feet to roof peak.

(Ordinance 04-15 adopted 9/20/04)

Location: Must be located behind the rear line determined by the nearest back corner of

the residential dwelling closest to the street, and at least 15 feet from any other structure. (Ordinance 18-03 adopted 7/16/18)

Side Yard/Rear Yard:

- a. Storage type: Setback of at least 8 feet from the property line or road easement, which ever is the closest.
- b. Stable or loafing shed: Located at least 30 feet from any property line of an adjacent owner, at least 40 feet from any dwelling on any adjacent property and at least 40 feet from any road.

Type of Exterior Construction: The building's construction material must be substantially similar in color, composition and design as that of the residential building, and be of brick, wood, simulated wood, vinyl or factory painted aluminum. Sheet metal siding is expressly prohibited. A gazebo/pavilion is defined as an open structure without walls; railings are permissible. Roofing material must also be substantially similar in color, composition and design as that of the residential building and comply with the Town's roofing ordinance. Greenhouses may be made of glass or like products.

(2) **Major Accessory Building:**

Type: Shop or recreation building, swimming pool cabana, boat storage, detached garage for boat, recreational vehicle and motor vehicle storage, home office, or stable. Major accessory buildings shall not be used as rental property, guest houses or servant's quarters. If toilet and/or shower facilities are provided, adequate wastewater disposal must be provided and approved by the appropriate Town representative. Major accessory buildings may not be used for commercial purposes and may not be used as rental property.

Note. No carports or other exterior structures designed or intended for the storage of vehicles or boats, whether attached or free-standing, shall be allowed and are expressly prohibited; provided, however, that a porte-cochere for the main entrance of the residential dwelling, may be permitted.

Maximum Size: 1,000 square feet of usable enclosed area, where enclosed area is defined by the inside dimensions and usable area as any area which has side walls of at least 4 feet in height. As an exception to the foregoing maximum size requirement, a major accessory building may not exceed 1,200 square feet of usable enclosed area provided there is no minor accessory building on the property, except one pavilion or gazebo. If two stories, the footprint of the major accessory building is to be reduced in proportion, so that the total, usable enclosed area does not exceed the maximum size allowed.

A porch, if attached to the main structure, whether under roof or not, may not exceed in size an additional 20% of the total footprint of the building itself. If a larger porch is desired, the usable enclosed area must be reduced proportionally so that the total under roof does not exceed 1200 square feet or 1440 square feet respectively.

Maximum Number: One (1). The following table illustrates the maximum number of accessory buildings, including pavilion or gazebos allowed for each property:

Maximum Number of Accessory Buildings

<u>Minor</u>	<u>Major (1000 sf)</u>	<u>Major (1200 sf)</u>	<u>Gazebo/Pavilion</u>
2	None	none	1
1	None	none	2
1	1	none	1
none	None	1	1

(Ordinance 04-15 adopted 9/20/04)