



Town Of Double Oak
Zoning Board of Adjustments
Double Oak Town Hall
September 26, 2023 7:00 PM

Call to order

Roll Call

Establish a quorum.

Opening announcements and comments – a quorum of council members may be present at this meeting.

2. Citizens Comments
3. Consideration and action on the minutes of February 16, 2023
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. Public hearing on a request from Ashley Hart for a variance from the Code of Ordinances Ranch Estate District 11-2(1), not allowing a front entry to a private garage door unless 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 6 feet in height constructed of the same material as the main residential structure at a lot located in the Self Addition, Lot 14.
 - i. Open Public Hearing
 - ii. Close Public Hearing
8. Consideration and action on a request from Ashley Hart for a variance from the Code of Ordinances Ranch Estate District 11-2(1), not allowing a front entry to a private garage door unless 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 6 feet in height constructed of the same material as the main residential structure at a lot located in the Self Addition, Lot 14.

9. Comments

10. 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 on any agenda item listed herein.

Posted this 22 day of September 2023 at 10:00 a.m.

Lynn Jones

Lynn Jones, Assistant Town Secretary

PUBLIC PARTICIPATION If you wish to address the Board of Adjustments, please sign the sign in sheet before the meeting begins. Citizens wishing to address the 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 address the Board of Adjustment during the Citizen Comments portion of the meeting or when the item is considered by the Board of Adjustment.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation 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 16, 2023, at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Phyllis Meyerson	Chairperson
Karen Smith	Board Member
Jeff Hardgrave	Board Member
Richard Ulrich	Alternate Board Member

constituting a quorum. Board Member Candy Lamel, Marty Robbins, and Alternate Board Members Jeff Graves and Dirk Meilinger were absent. Assistant Town Secretary Lynn Jones was also present.

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

2. Citizen Comments

Bob Schmalholz	211 Cedarcrest Lane
Jill Schmalholz	211 Cedarcrest Lane
Bernard Carrico	510 Cross Timbers Drive
Christopher May	471 Cross Timbers Drive

3. Consideration and action on the minutes of October 27, 2021.

Hardgrave motioned to approve the minutes of October 27, 2021, as written. Smith seconded.

Aye: Ulrich, Meyerson, Smith, Hardgrave.

Nay: None

Abstain: None

Motion Carried

4. Swearing in of Board of Adjustment members

Assistant Town Secretary Lynn Jones gave the Oath of Office to the Board of Adjustment members.

5. Consideration and action on selection of a Chairperson for the Board of Adjustment

Smith nominated Meyerson to be the chairperson for the Board of Adjustment

Hardgrave seconded the motion.

Aye: Ulrich, Smith, Hardgrave

Nay: None

Abstain: Meyerson

Motion Carried

6. Consideration and action on selection of a Vice Chairperson for the Board of Adjustment.

Smith nominated Robbins to be the Vice Chairperson for the Board of Adjustment.
Ulrich seconded the motion.

Aye: Meyerson, Smith, Hardgrave, Ulrich.
Nay: None
Abstain: None

Motion Carried

7. Public hearing on a request from Devin Gorman for a variance from the building setback requirements for an accessory building or addition to the main structure at 501 Cross Timbers Drive.

Devin Gorman spoke.

Meyerson opened the public hearing at 7:13 pm
No one spoke.
Meyerson closed the public hearing at 7:14 pm

8. Consideration and action on a request from Devin Gorman for a variance from the building setback requirements for an accessory building or addition to the main structure at 501 Cross Timbers Drive.

The placement of utilities and utility easement on the property makes for a hardship on the property.

Hardgrave motioned to approve the variance request from the building setback requirements for an accessory building or addition to the main structure at 501 Cross Timbers Drive. Ulrich seconded.

Aye: Ulrich, Meyerson, Smith, Hardgrave
Nay: None
Abstain: None

Motion Carried

9. Comments

There were no comments.

10. Adjourn

Ulrich made the motion to adjourn the meeting.

Hardgrave seconded the motion.

With no further business to come before the Zoning Board of Adjustment, the meeting was adjourned at 7:35 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

Board of Adjustments Application

Type of Application: (check the appropriate box)

- Variance Special Exception Appeal of an Administrative Other

Applicant Information

Ashley Hart (Resident Name) ashley@hartrealtyteam.com (Email)

6206 Pepperport Ln Flower Mound TX (Physical Address) 75022 (Zip Code)

6206 Pepperport Ln Flower Mound TX (Mailing Address) 75022 (Zip Code)

 (Email) 2103783931 (Phone) _____ (Fax)

Property Owner and Authorization (sign and notarize)

 (Company Name) _____ (Email)

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

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

 (Property Owner Name) _____ (Phone) _____ (Fax)

Check one of the following and complete:

- I will represent the project myself; OR
- I hereby designate Michael Cannaday (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: 8/9/2023

State of Texas
 County of: Denton

BEFORE ME, a Notary Public, on this day personally appeared ASHLEY HART (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 9th day of August, 2023.

Notary Public in and for the State of Texas
 EILEEN KENNEDY
 Comm. Expires 03-30-2026
 Notary ID 7638960



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)*

Plantation Lane, 2nd lot from Shiloh (south side)
(General location, street address if known; if not known, provide name of street fronting property and name and distance to nearest cross street)

Self Addition Lot 14 6591
(Subdivision Name) (Lot #) (Block #)

1.500 acres
(Existing Zoning) (Existing Area (Acres or Sq. Ft.)) (Proposed Zoning)

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

The raw land on Plantation Lane is currently owned by my parents, Doug and Mary Lou Lowe. We are in the process of purchasing this land to build, but need to first make sure our goals are in line with the Town. It is our understanding that the Town restricts the number of garage doors that can face the street. Our goal for the garage is to park boats and trailers inside to clean up the property, but need the doors to face forward to allow for this. Given the layout of these streets, even if the garage doors faced the rear, they would then be forward facing towards pepperport. We are requesting a variance to elevate the condition of the neighborhood and set a new standard for excellence.

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: [Signature] Date: 8/9/2023

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: \$ <u>250.00</u>	Receipt #:	Date: <u>4/1/23</u>

9/26/23 Tom

General Purpose and Description of the Ranch Estate District:

The principal use of land in this district is for single-family dwellings of at least 2,300 square feet in size and lots of at least 1 acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low density residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses.

11-2

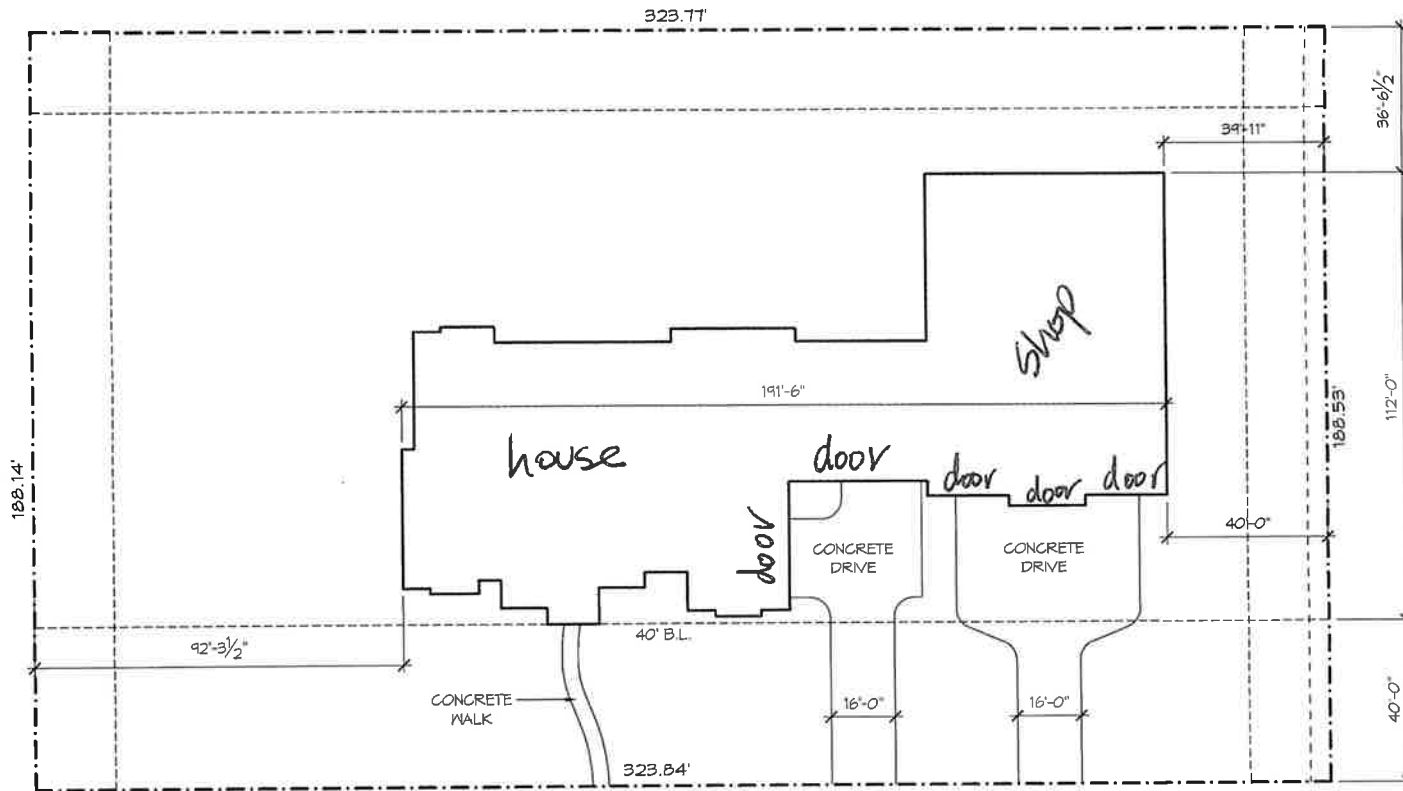
Use Regulations: A building, dwelling, structure or premises shall be used only for the following:

(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.

Property Requesting Variance





Plantation



231505

PRECISION BUILDERS
Luxury Estate Building & Design

MR AND MRS
HART

LOT --- BLOCK ---

--- COUNTY

DATE: 8-18-23 PDF
8-18-23 FWH, L

THIS PLAN IS THE PROPERTY OF PRECISION BUILDERS AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PRECISION BUILDERS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. PRECISION BUILDERS AND DESIGN IS NOT RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT. THIS PLAN IS VALID FOR 180 DAYS FROM THE DATE OF ISSUANCE. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY PRECISION BUILDERS AND DESIGN. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. PRECISION BUILDERS AND DESIGN IS NOT RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT. THIS PLAN IS VALID FOR 180 DAYS FROM THE DATE OF ISSUANCE. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY PRECISION BUILDERS AND DESIGN.

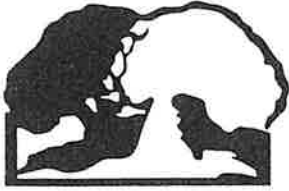
SITE
PLAN
SCALE= 1:30



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SP-1





Town of Double Oak

320 Waketon Road
Double Oak, Texas 75077
Phone: (972)539-9464



NOTICE OF PUBLIC HEARING

The Zoning Board of Adjustment of the Town of Double Oak, Texas, will hold a public hearing at 7:00 p.m., on Tuesday the 26th day of September, 2023, upon a request from Ashley Hart, for a variance request on the Code of Ordinances Ranch Estate District 11-2(1), that does not allow a front entry to a private garage door unless 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 6 feet in height constructed of the same material as the main residential structure at a lot located in the Self Addition, Lot 14.

The public hearing will be held at the Double Oak Town Hall at 320 Waketon Road, Double Oak, Texas. All interested persons are invited to attend and participate.

Lynn Jones
Assistant Town Secretary
Town of Double Oak