



TOWN OF TROPHY CLUB

1 Trophy Wood Drive
Trophy Club, Texas 76262

MEETING AGENDA

ZONING BOARD OF ADJUSTMENT

December 5, 2024

6:00 PM

Council Chambers

CALL TO ORDER AND ANNOUNCE A QUORUM

PUBLIC COMMENT(S)

This is an opportunity for citizens to address the Board/Commission on any matter pursuant to Texas Government Code Sec. 551.007. The Board/Commission is not permitted to discuss or take action on any presentations made concerning matters that are not listed on the agenda. Presentations are limited to matters over which the Board/Commission has authority. Speakers have up to three (3) minutes or the time limit determined by the Presiding Officer. Each speaker must have submitted their request to speak by completing the Speaker's Form or may email asantos@trophyclub.org.

REGULAR ITEMS

1. Board Training. (Tammy Dixon, Town Secretary)
 1. Introduction of members.
 2. Board Training and Zoning Board of Adjustment Board's Roles and Responsibilities.

2. Consider the election of a Vice-Chairperson.

3. **Case ZBA-24-002 2517 Aspen Drive**
Conduct a Public Hearing and consider action regarding a request made by Drees Custom Homes, LLP for a variance to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street, at 2517 Aspen Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

4. **Case ZBA-24-005 2517 Iris Drive**
Conduct a Public Hearing and consider action regarding a request made by Drees Custom Homes, LLP for a variance to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street, at 2848 Iris Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

5. Case ZBA-24-003 213 Inverness Drive

Conduct a Public Hearing and consider action regarding a request made by Nova Quality Builds, LLC on behalf of the homeowners, Mike and Tonya Gough, for a variance to Zoning Regulations to allow for the garage to face the street at 213 Inverness Dr, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

6. Case ZBA-24-004 8 Pin Oak Court

Conduct a Public Hearing and consider action regarding a request made by Kelly and Amy Nolan for a variance to allow the existing encroachment in the rear yard setback and request for a proposed addition to the residential structure located at 8 Pin Oak Court, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

7. Consider approval of the January 11, 2024, Zoning Board of Adjustment meeting minutes. (A. Santos)

ADJOURN

The Board/Commission may convene into executive session to discuss posted items as allowed by Texas Government Code Sections 551.071 through 551.076 and Section 551.087.

Notice is hereby given that a quorum of the Town of Trophy Club Town Council may be in attendance at this meeting. The Town Council will not deliberate or take any action.

CERTIFICATION

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Trophy Club, Texas, in a place convenient and readily accessible to the general public at all times on the following date and time: December 2, 2024, at 5:00 PM, and said Notice of Meeting was also posted concurrently on the Town's website in accordance with Texas Government Code Ch. 551 at least 72 hours prior to the scheduled time of said meeting.

Matt Cox
Director of Community Development

If you plan to attend this public meeting and have a disability that requires special needs, please contact the Town Secretary's Office at 682.237.2900, 48 hours in advance, and reasonable accommodations will be made to assist you.



ZONING BOARD OF ADJUSTMENT COMMUNICATION

MEETING DATE: December 5, 2024

FROM: Tammy Dixon, Town Secretary

AGENDA ITEM: Board Training. (Tammy Dixon, Town Secretary)

1. Introduction of members.
2. Board Training and Zoning Board of Adjustment Board's Roles and Responsibilities.

BACKGROUND/SUMMARY: The Zoning Board of Adjustment serves as an appeal body for individuals seeking variances or special exemptions to the zoning ordinance or to a decision made by an administrative official enforcing the ordinance.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. TC Board Training 2024
2. ZBA Training 12.05.2024

ACTIONS/OPTIONS:

N/A



Board & Commission Orientation/Training

FY 2024-2025

Purpose/Overview

To provide new and existing members with information to help them perform professionally and effectively.

General Session Topics to be Covered:

- ✓ Roles
- ✓ Meetings/Agendas
- ✓ Rules/Parliamentary Procedures
- ✓ Attendance
- ✓ Conflict of Interest
- ✓ External Training
- ✓ Medial Relations
- ✓ Town Email
- ✓ Boards & Commissions Manual
- ✓ Questions

(Some information may not be applicable to the board you serve on)

Roles

Staff Liaison

- ✓ Town Manager assigns staff liaisons
- ✓ Prepare and distribute meeting calendars, agendas, etc.
- ✓ Ensure board activities adhere to Texas Open Meetings Act.
- ✓ Support staff takes meeting minutes
- ✓ Board Members may not direct or manage staff
- ✓ Boards may request staff assistance, but significant work must be approved by the Town Manager

Roles

Chair/Vice Chair

- ✓ The Town Council appoints chair and in some instances vice chair for certain boards.
- ✓ All other chair/vice chair elected by the board.
- ✓ Appointed/Elected each October for one year.
- ✓ Chair presides over meetings and may vote.
- ✓ Vice Chair presides in the absence of chair.
- ✓ If both chair and vice chair are absent, the board shall appoint one of its members to act as the presiding officer.

Roles

Alternates

- ✓ Alternates serve as voting members when a regular member is absent.
- ✓ The selection of an alternate is based on their place number.
- ✓ If alternate member #1 is unable to serve, alternate member #2 will take their place, and so on.

Roles

Responsibilities

- ✓ Representation
- ✓ Avoidance of Contacts & Individual Discussions
- ✓ Authority of Board Members
- ✓ Being an Effective Board Member

Roles

Being an Effective Board Member

- ✓ Be prepared
- ✓ Ask Questions
- ✓ Know the law
- ✓ Maintain focus
- ✓ Be courteous
- ✓ Be punctual
- ✓ Active participation
- ✓ Watch/Listen

Meetings/Agendas

- Meeting: The Texas Open Meetings act defines a “meeting” as any deliberation between a quorum of members of a governmental body at which any public business or public policy is discussed.
- Notice of Meeting
 - Notice of each meeting must be posted 72 hours prior to the meeting.
 - Each agenda must state time, place and provide “full and adequate notice” of the subjects to be considered
- Agenda
 - Call to Order
 - Public Comment (required on all agendas)
 - Law only allows Board to make a factual comment, recite an existing policy, or advise that subject will be placed on agenda at a later date.

Meetings/Agendas

- Regular Items
- Executive Session
 - All boards, commissions, committees and corporations must consult with the Town Attorney's Office prior to scheduling a closed session.
 - Closed meetings are authorized under the Texas Open Meetings Act only under certain cases
- Adjourn

Rules/ Parliamentary Procedure

Parliamentary Procedure is a set of rules for conduct at meetings, that allows everyone to be heard & to make decisions without confusion. The Town uses Robert's Rules as a "guide".

I move to amend a motion by...

I move to recess the meeting

I move to table

I move to end debate

Point of privilege

Point of order

I move to postpone

I move adjourn the meeting

Call the question



Attendance

Your attendance at meetings is very important and is documented by your staff liaison. A report is provided to Town Council during the annual appointment/reappointment process for review & consideration.



Applicable to all members – regular or alternate positions.

Conflict of Interest

Members must carefully review the City Code of Ethics upon appointment. If a Member has a conflict of interest regarding any item that is presented or required to be presented to the body for discussion or approval, the Member must

- (1) file a written statement to disclose the conflict of interest to the Chair and remaining Members;
- (2) abstain from any discussion on the matter with City staff or any other Members; and
- (3) recuse themselves from the meeting when the item is being discussed or considered by the body

External Training Opportunities



Examples...

North Central Texas Council of Governments (COG)

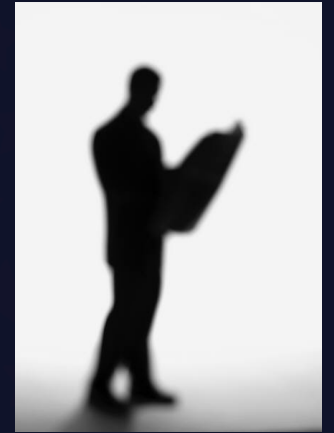
- Planning & Zoning Series
- Making Meetings Matter: Effective Meeting Strategies

Texas Municipal Clerks Association

- Parliamentary Procedure

Other local opportunities throughout the year

Media Relations & Social Media Postings



Word of Caution:

Be cautious when communicating with the media or posting information on social media sites using your title so it doesn't give the impression you are making a statement or opinion that is representative of the entire board or commission you serve on.

Town Email

All board members receive a town e-mail.

- Use of Town Email for Official Business
- Compliance with Texas Public Information Act.
- Texas Open Meetings Act Considerations
- Requests for Information



BOARD & COMMISSION MANUAL



A new manual has been drafted and will be distributed to each board member following Town Council approval.

Questions



Zoning Board of Adjustment

General Roles and Responsibilities

What is a Zoning Board of Adjustment

A Zoning Board of Adjustment (ZBA) is a quasi-judicial body established under Chapter 211 of the Texas Local Government Code. It is authorized to make special exceptions to the terms of the city's zoning ordinance, consistent with its general purpose and intent.

Composition of the ZBA

- Consists of 5 regular members and 2 alternates.
- Appointed by the town council for 2-year terms.
- Chairperson selected by the Town Council
- Vice Chair selected by the board.
- Presiding officer may administer oaths and compel attendance of witnesses

Authority of the ZBA

- Hear and decide appeals alleging errors in administrative decisions.
- Authorize variances from zoning ordinances in specific cases
- Hear and decide special exceptions as outlined in zoning ordinances.
- Address other matters as authorized by city ordinances.

Special Exceptions and Variances

- Special Exception: Site-specific permission outlined in a zoning ordinance.
- Variance: Approval to deviate from zoning requirements due to 'unnecessary hardship.'
- Conditions for variances include financial cost of compliance, property loss, and unreasonable encroachments.

Meetings and Voting

- Meetings are held on an as-need basis.
- All meetings are subject to the Texas Open Meetings Act
- Quorum: At least 75% of members must be present (4 members)
- Decisions require a supermajority vote of 75% of members.(4 members)

Appeals and limitations

- Decisions can be appealed to a state district court, county court, or county court at law.
- The petition must state that the decision was illegal and specify the grounds.
- ZBA decisions must be within the authority granted by law and cannot amend ordinances.

Responsibilities & Records

- Maintain minutes and records of proceedings.
- Decisions must be documented with clear findings and conclusions.
- Records must be filed and are subject to the Public Information Act.



**ZONING BOARD OF ADJUSTMENT
COMMUNICATION**

MEETING DATE: December 5, 2024

FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Consider the election of a Vice-Chairperson.

BACKGROUND/SUMMARY: Membership consists of five regular members and four alternate members. The chair is selected by the Town Council. The Board selects the vice-chair.

BOARD REVIEW/CITIZEN FEEDBACK:

FISCAL IMPACT:

LEGAL REVIEW:

ATTACHMENTS:

None

ACTIONS/OPTIONS:



ZONING BOARD OF ADJUSTMENT COMMUNICATION

MEETING DATE: December 5, 2024

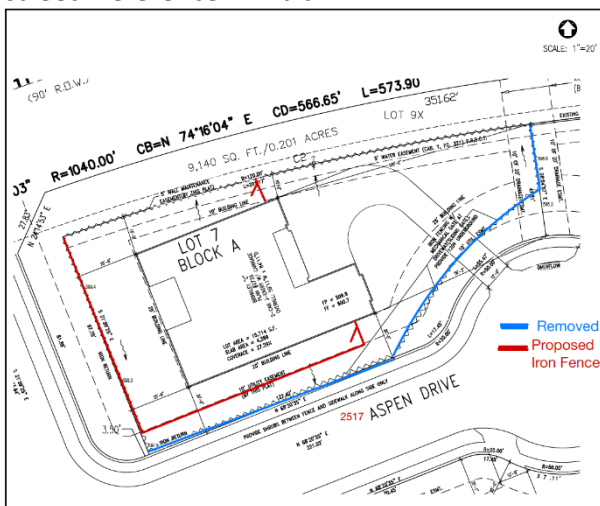
FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Case ZBA-24-002 2517 Aspen Drive

Conduct a Public Hearing and consider action regarding a request made by Drees Custom Homes, LLP for a variance to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street, at 2517 Aspen Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

BACKGROUND/SUMMARY:

The owner of the subject property is requesting approval of a variance through a special exception to construct a fence beyond the building line/at the property line of the side yard adjacent to a side street. Reference Exhibit B.

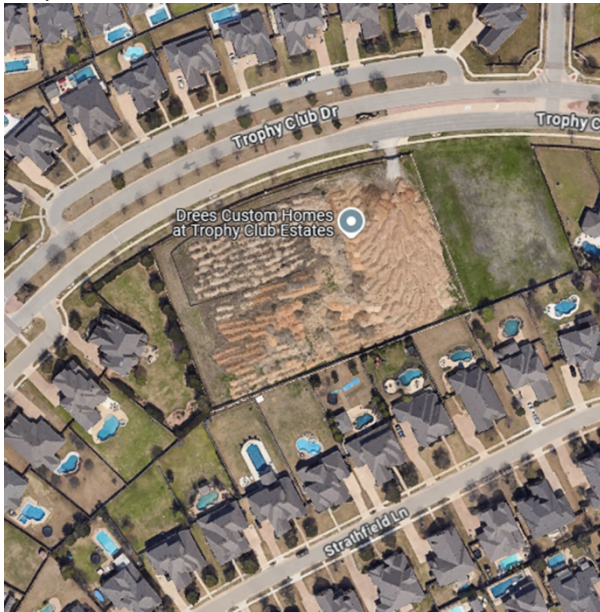


Section 14.02.351, Fencing retaining walls and screening of the Town's Zoning Ordinance provides the following for fences adjacent to side streets:

“(2) Side yard adjacent to side street. Side yard fences shall be located within the side yard building setback and shall not extend beyond the building line of the side yard adjacent to a side street.”

The applicant has noted other homes within the surrounding area have installed fences within the building setbacks. Staff researched various properties and found two (2) to have received ZBA approval and two (2) others were permitted at the time of initial building.

The application is included in this report as Exhibit A. Exhibit B is the property survey for the variance/special exception request. Exhibit C and D illustrates the public hearing letter and the area map of notification.



Notice of the Public Hearing was published in the Fort Worth Star Telegram and notices mailed to property owners within 200 feet of the request.

Section 14.02.405, Zoning Board of Adjustment, (f) meetings states that all matters before the board of adjustment on matters of appeal, variance, special exception, or other matter as specified by ordinance, shall be held as a public hearing in accordance with the provisions of section 14.02.406, Public Hearings. Contradicting requirements for a public hearing will be processed with the most restrictive regulations.

Section 14.02.351(P) of the Trophy Club Code of Ordinances authorizes the Zoning Board of Adjustment to consider and allow waivers to the fence requirements as a Special Exception. The language from the ordinance reads:

“The Zoning Board of Adjustment shall have the power to grant a Special Exception waiving or modifying these regulations where the literal enforcement of this Ordinance would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of this Ordinance.

A public hearing is not required for Zoning Board of Adjustment consideration of a Special Exception under this Section.

1. For the purpose of this Ordinance, the following are established as general conditions, all of which are to be met upon the granting of any special exception.

- a. No diminution in value of surrounding properties would be suffered; and
 - b. Granting the permit would be of benefit to the public interest or surrounding properties;
- and
- c. Denial of the permit would result in unnecessary hardship to the owner seeking it; and
 - d. A zoning restriction as applied to the owner's property interferes with the reasonable use of the property, considering the unique setting of the property in its environment; and
 - e. By granting the permit, substantial justice would be done; and
 - f. The use must not be contrary to the spirit of the Ordinance.

2. The burden of demonstrating that all general conditions have been met and that a Special Exception is appropriate is upon the person requesting the Special Exception. The Zoning Board of Adjustment may require a person requesting a Special Exception to provide proof as the Board determines necessary and appropriate for the Board to evaluate the application for Special Exception.”

BOARD REVIEW/CITIZEN FEEDBACK: At the time of staff report and agenda packet preparation, no responses in favor or in opposition have been received.

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

- 1. Exhibit A - Application
- 2. Exhibit B - Survey
- 3. Exhibit C - Letter
- 4. Exhibit D - Map

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance request.



Application to Appear Before the Zoning Board of Adjustment

Page 1 of 2

Zoning Board of Adjustment (ZBA) Request Type—Check the appropriate box below

- Variance to Zoning Requirement Fence Special Exception Administrative Appeal
- Building Board of Appeals / Building and Standards Commission Appeal Other Appeal

DETAILS OF REQUEST (See Page Two for additional required information)

Description of Request: Fencing to be extended along the side of the property

Property Address: 2517 Aspen Drive Current Zoning: Residential

Legal Description: Lot 7, block A, Then Aspen Estates at Trophy Club, an addition to the town of Trophy Club, Denton County, Texas, According to the plat thereof recorded under clerk's file no.2023-318, plat records, Denton County, Texas

APPLICANT / OWNER INFORMATION

Applicant

Name: Drees Custom Homes

Address: 6225 N. State Hwy 161

State/ZIP: Irving, TX 75038

Phone: 817-829-1696

Email: mdavis@dreeshomes.com

Signature: 
 1A461465E14745C

Owner (If Different)

Name: _____

Address: _____

State/ZIP: _____

Phone: _____

Email: _____

Signature: _____

NOTE: The property owner must sign the application or submit a notarized letter of authorization.

APPLICATION REQUIREMENTS

- All required information, plans and signatures, **including the second page of this application** shall be completed prior to application submittal. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- Per the requirements of page two, a detailed description of the request including all relevant project details shall be attached on a separate sheet to this application.
- All required application fees shall be paid upon submittal of this application.
- Other plans and exhibits may be required to be submitted with this application per the requirements of the Town Code of Ordinances. It is recommended that a preliminary conference with a member of Town staff be conducted prior to the submittal of this application.
- Requests before the Board are considered individually based on whether the request constitutes a hardship as described in the Town Code of Ordinances and are subject to denial. Completion of this application shall not imply any guarantee of approval of the request or permission to continue any work related to the request.

STAFF USE ONLY

Date Received: 10-21-24

Received by: Thad

Fee Paid: \$200.00

Payment Type/Check #: _____

Receipt #: 1113

Case #: RPR-000217-2024



Application to Appear Before the Zoning Board of Adjustment

Page 2 of 2

In order to make a finding of hardship and to grant a variance, special exception or appeal, the Zoning Board of Adjustment must determine that all of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial or self-induced. Attach additional sheets if necessary.

1. Completely describe the variance, special exception or appeal you are requesting:

This is a very unique lot, which required the backyard to face the entry to Aspen Dr and the front to face the cul-de-sac. By doing so, it has drastically reduced the usable lot size, in particular the back yard. Our request is to allow the side iron fence to run along the 10' side utility easement and return at the front corner of the house, like a typical corner lot. This allows the customer to build a pool and have a usable side yard for their kids to us

2. Do similar conditions exist in the area? Explain.

I don't think there is another lot in Trophy Club with this unique issue.

3. Describe how the unique conditions or circumstances do not result from your actions.

As mentioned, we had to face the back yard towards the entry of Aspen. If we didn't have to do that then this wouldn't be an issue.

4. Is there any way to do what you want without this request?

Per Matt Cox, no.

ATTACH A DETAILED DIAGRAM OF THE SITE, TO SCALE, AND ANY OTHER DRAWINGS OR INFORMATION NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS AND THE VARIANCE, SPECIAL EXCEPTION OR APPEAL REQUESTED. THE SPECIFIC REQUEST SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.).



1 Trophy Wood Drive, Trophy Club, TX 76262 | 682.237.2900 | info@trophyclub.org | trophyclub.org

November 22, 2024

Re: Requested variance to extend fence beyond building line of side yard.

Dear Property Owner:

You are receiving this notice because you own property within 200 feet of, or within, the boundaries of the subject property that is affected by the proposed change, which is described below and shown on a location map on the reverse side.

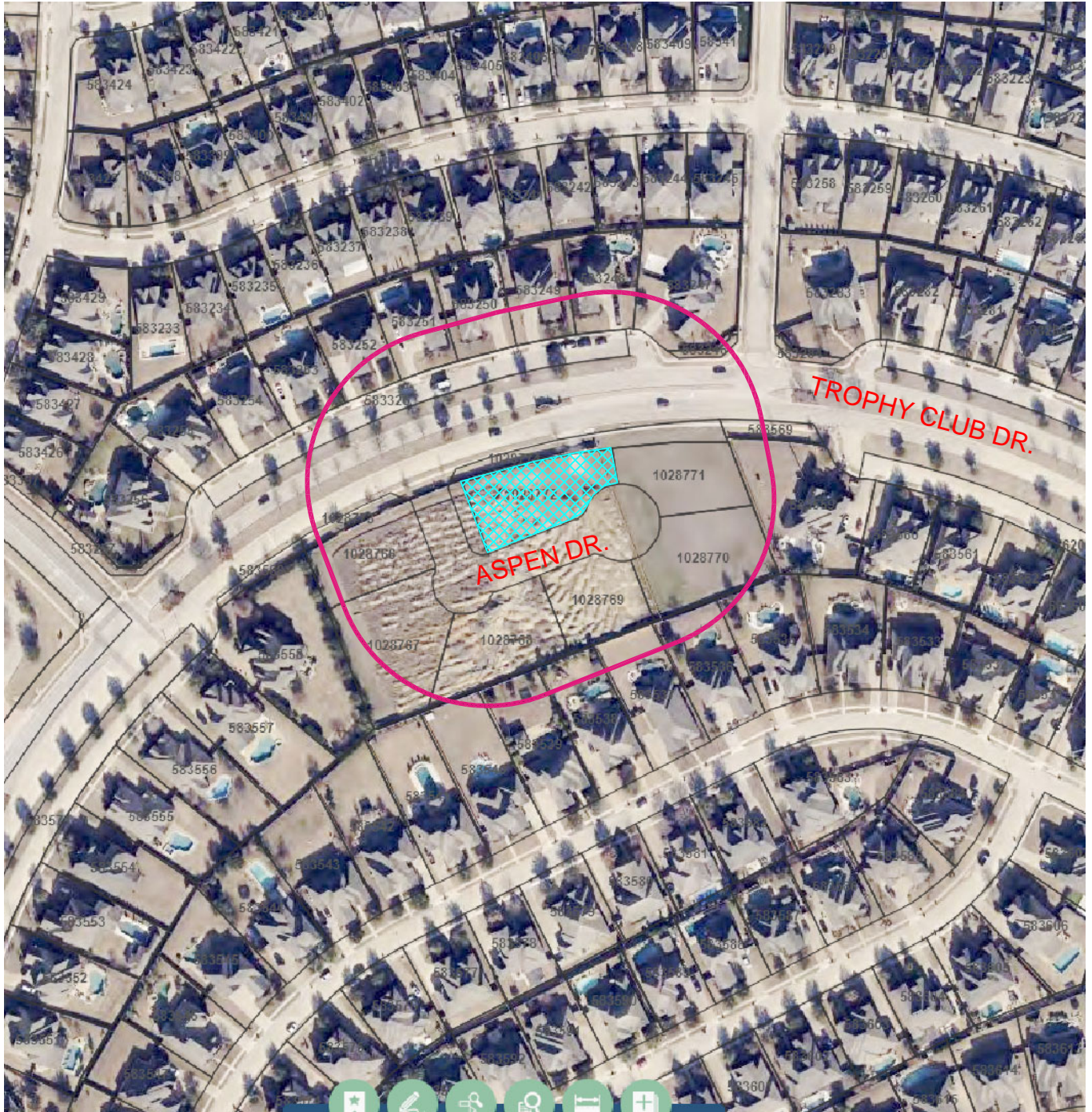
A request made by Drees Custom Homes to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street at Aspen Drive, at 2517 Aspen Drive, Trophy Club, Denton County, Texas. ZBA-24-002.

A Public Hearing will be held by the Zoning Board of Adjustment on **Thursday, December 5, 2024, at 6:00 PM** at Town Hall, 1 Trophy Wood Drive in Trophy Club regarding the above request, and action may be taken on the request at the public hearing.

The Public Hearing is scheduled for the purpose of receiving public comments. Feel free to contact me at (682) 237-2916 if you need further information.

Sincerely,

Matt Cox,
Director of Community Development



**PUBLIC HEARING
DECEMBER 5, 2024**

**NOTIFICATION AREA
ZONING BOARD OF ADJUSTMENT**

**2517 ASPEN DRIVE
ZBA-24-002**



ZONING BOARD OF ADJUSTMENT COMMUNICATION

MEETING DATE: December 5, 2024

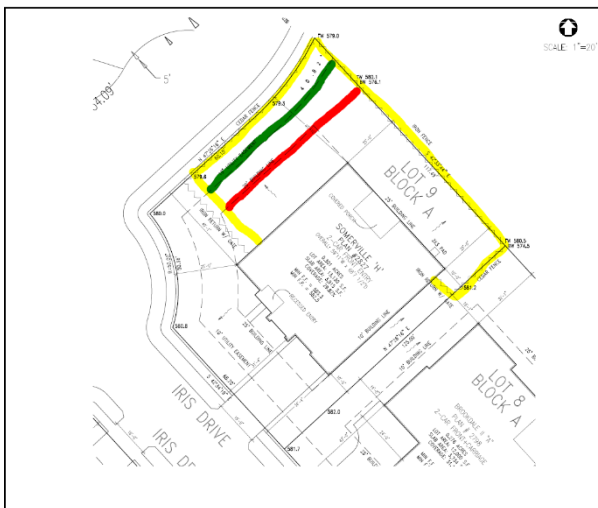
FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Case ZBA-24-005 2517 Iris Drive

Conduct a Public Hearing and consider action regarding a request made by Drees Custom Homes, LLP for a variance to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street, at 2848 Iris Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

BACKGROUND/SUMMARY:

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The applicant has noted other homes within the surrounding area that have installed fences within the building setbacks. Staff researched various properties and found two (2) to have received ZBA approval and two (2) others were permitted at the time of initial building.

and

- c. Denial of the permit would result in unnecessary hardship to the owner seeking it; and
- d. A zoning restriction as applied to the owner's property interferes with the reasonable use of the property, considering the unique setting of the property in its environment; and
- e. By granting the permit, substantial justice would be done; and
- f. The use must not be contrary to the spirit of the Ordinance.

2. The burden of demonstrating that all general conditions have been met and that a Special Exception is appropriate is upon the person requesting the Special Exception. The Zoning Board of Adjustment may require a person requesting a Special Exception to provide proof as the Board determines necessary and appropriate for the Board to evaluate the application for Special Exception."

BOARD REVIEW/CITIZEN FEEDBACK: At the time of staff report and agenda packet preparation, no responses in favor or in opposition have been received.

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Exhibit A - Application
2. Exhibit B - Survey
3. Exhibit C - Notice Letter
4. Exhibit D - Notice Map

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance request.



Application to Appear Before the Zoning Board of Adjustment

Page 1 of 2

Zoning Board of Adjustment (ZBA) Request Type—Check the appropriate box below

- Variance to Zoning Requirement
- Fence Special Exception
- Administrative Appeal
- Building Board of Appeals / Building and Standards Commission Appeal
- Other Appeal


DETAILS OF REQUEST (See Page Two for additional required information)

Description of Request: Street side cedar fence to go next to side walk or on 10' utility easement line. Customers preference is next to side walk.

Property Address: 2848 Iris Drive Current Zoning: Residential

Legal Description: Lot 9, Block A of THE CYPRESS ESTATES AT TROPHY CLUB, an addition to the Town of Trophy Club, Denton County, according to the plat thereof recorded under Clerk's File No. 2024-130, Plat Record, Denton County, Texas.

APPLICANT / OWNER INFORMATION

<u>Applicant</u>	<u>Owner (If Different)</u>
Name: <u>Drees Custom Homes</u>	Name: _____
Address: <u>6225 N. State Hwy 161</u>	Address: _____
State/ZIP: <u>Irving, TX 75038</u>	State/ZIP: _____
Phone: <u>817-829-1696</u>	Phone: _____
Email: <u>mdavis@dreeshomes.com</u>	Email: _____
Signature: 	Signature: _____

NOTE: The property owner must sign the application or submit a notarized letter of authorization.

APPLICATION REQUIREMENTS

- All required information, plans and signatures, **including the second page of this application** shall be completed prior to application submittal. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- Per the requirements of page two, a detailed description of the request including all relevant project details shall be attached on a separate sheet to this application.
- All required application fees shall be paid upon submittal of this application.
- Other plans and exhibits may be required to be submitted with this application per the requirements of the Town Code of Ordinances. It is recommended that a preliminary conference with a member of Town staff be conducted prior to the submittal of this application.
- Requests before the Board are considered individually based on whether the request constitutes a hardship as described in the Town Code of Ordinances and are subject to denial. Completion of this application shall not imply any guarantee of approval of the request or permission to continue any work related to the request.

STAFF USE ONLY

Date Received: 11-18-24

Received by: Thad

Fee Paid: \$200.00

Payment Type/Check #: _____

Receipt #: 00011172

Case #: RPR-000220-2024

In order to make a finding of hardship and to grant a variance, special exception or appeal, the Zoning Board of Adjustment must determine that all of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial or self-induced. Attach additional sheets if necessary.

1. Completely describe the variance, special exception or appeal you are requesting:

The buyer actually lives on the street right behind Iris. Their appeal to move, besides having a new home, is having a large corner lot. On their original plans, they requested the side fence go along the side walk. This would give them a large side yard, which would make up for the shallow back yard. They are planning on putting in a pool in the backyard and using the side yard as additional space for their kids to play. Our request is to allow the side cedar fence to be built right next to the side walk. With them living in Trophy Club, they have seen many corner lot homes where this has been allowed. If this is not permitted, then the second request is to have the side cedar fence built on the 10' utility easement.

2. Do similar conditions exist in the area? Explain.

Yes, there are many corner lot fences where the side fence is built right next to the side walk.

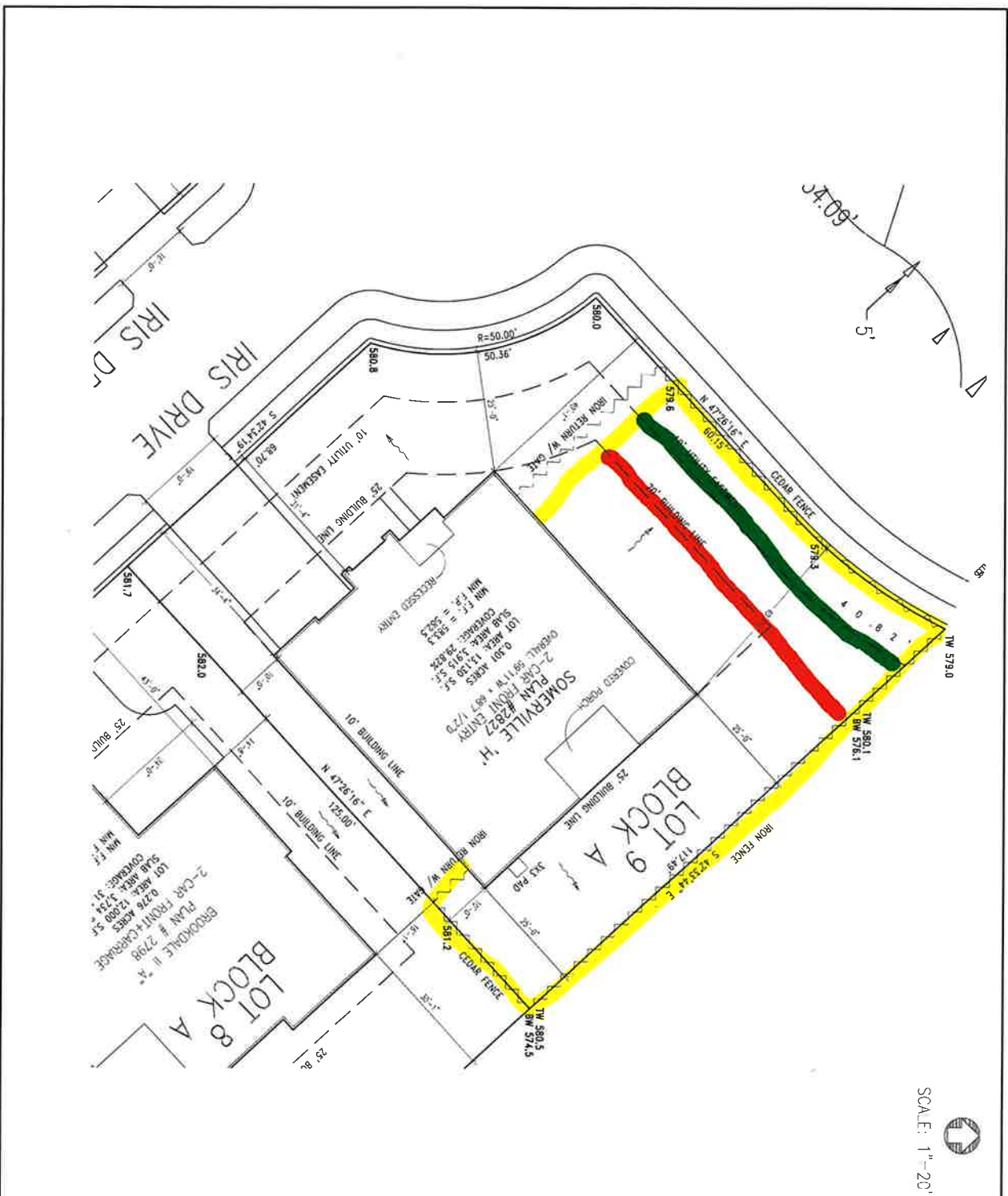
3. Describe how the unique conditions or circumstances do not result from your actions.

No, there are no unique conditions. Until recently, Drees was unaware that the side fence on this corner lot is to be constructed on the actual build line.

4. Is there any way to do what you want without this request?

Not that we know of.

ATTACH A DETAILED DIAGRAM OF THE SITE, TO SCALE, AND ANY OTHER DRAWINGS OR INFORMATION NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS AND THE VARIANCE, SPECIAL EXCEPTION OR APPEAL REQUESTED. THE SPECIFIC REQUEST SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.).



SCALE: 1"=20'



8225 N STATE HIGHWAY 61, SUITE 400 IRVING, TX 75039 (972) 253-4300

SUBDIVISION NOTES

Buyer requested cedar fence placement (opt. 1)

Opt. 2 requested cedar location

Trophy Club fence location

LEGEND

5' WIDE MAIL TRASH SILT FENCE

CUSTOMER AGREEMENT

I UNDERSTAND THAT MY NEW DREES HOME WILL BE BUILT IN GENERAL CONFORMANCE TO THE PLANS SPECIFICATIONS, SECTIONS AND THE PURCHASER AGREEMENT, ALL OF WHICH OR ANY PART OF WHICH I HAVE READ AND APPROVED. THESE SET OF PLANS WAS NOT PREPARED BY ME OR MY AGENT OR ARCHITECT AND I AM NOT PROVIDING ANY OTHER SPECIFICATIONS OR CHANGES TO THESE PLANS. I HAVE REVIEWED THE PLANS FOR MY HOUSE AND UNDERSTAND THAT THERE MAY BE SOME FIELD ADJUSTMENTS AS TO THE EXACT LOCATION OF THE HOUSE ON THE LOT.

I HEREBY WARRANT THAT MY HOME WILL NOT BE BUILT EXACTLY LIKE ANY OTHER DREES HOME OR MODEL OR PLAN OR SPECIFICATION FROM ANY OTHER DREES DEVELOPER. I SPECIFICALLY AGREE THAT I HAVE READ AND APPROVED THE PLANS AND UNDERSTAND CONSTRUCTION PROVISIONS THAT MUST BE OBTAIN WITH AS THE HOME IS BEING BUILT.

DATE: _____ BY: _____ (PLEASE PRINT)
 CUSTOMER: _____

DESCRIPTION

TROPHY CLUB
 DENTON CO, TEXAS

CONTRACT DIMENSIONS:

RESIDENCE NO: SANTOS

CONSTRUCTION ADDRESS: 2848 IRIS DRIVE

CONTRACT BY: JRT SUBDIVISION TROPHY CLUB SHEET NO.
 PHONE NO: (959) 578-4322 JOB TRP-0009-AC
 CONTRACT DATE: 5/17/24

OP. 1



1 Trophy Wood Drive, Trophy Club, TX 76262 | 682.237.2900 | info@trophyclub.org | trophyclub.org

November 22, 2024

Re: Requested variance to extend fence beyond building line of side yard.

Dear Property Owner:

You are receiving this notice because you own property within 200 feet of, or within, the boundaries of the subject property that is affected by the proposed change, which is described below and shown on a location map on the reverse side.

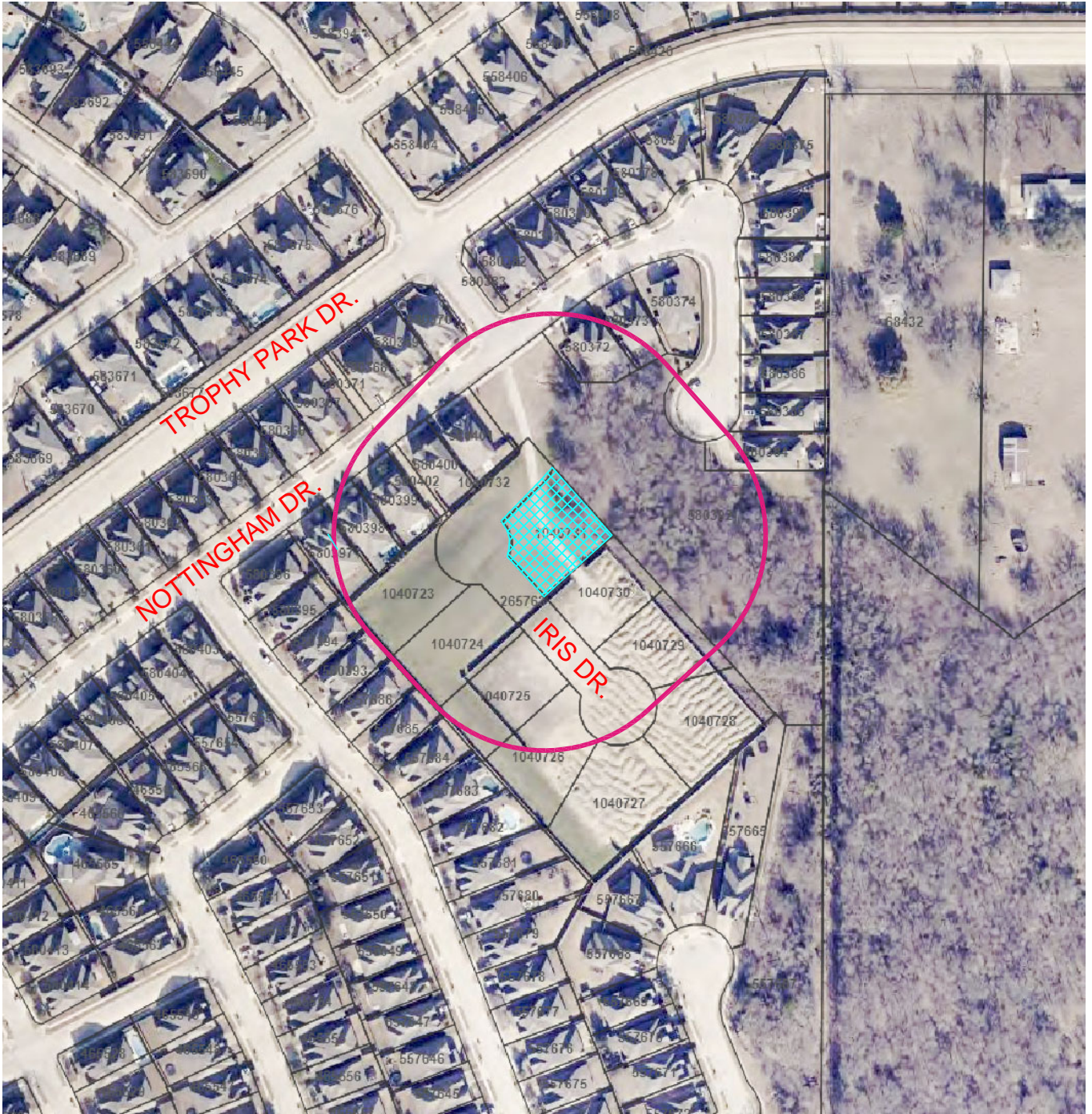
A request made by Drees Custom Homes to allow for a fence to be extended along the side of the property to the building line/at the property line of the side yard adjacent to a side street at Nottingham, at 2848 Iris Drive, Trophy Club, Denton County, Texas. ZBA-24-005.

A Public Hearing will be held by the Zoning Board of Adjustment on **Thursday, December 5, 2024, at 6:00 PM** at Town Hall, 1 Trophy Wood Drive in Trophy Club regarding the above request, and action may be taken on the request at the public hearing.

The Public Hearing is scheduled for the purpose of receiving public comments. Feel free to contact me at (682) 237-2916 if you need further information.

Sincerely,

Matt Cox,
Director of Community Development



**PUBLIC HEARING
DECEMBER 5, 2024**

**NOTIFICATION AREA
ZONING BOARD OF ADJUSTMENT**

**2848 IRIS DRIVE
ZBA-24-005**



**ZONING BOARD OF ADJUSTMENT
COMMUNICATION**

MEETING DATE: December 5, 2024

FROM: Matt Cox, Director of Community Development

AGENDA ITEM: **Case ZBA-24-003 213 Inverness Drive**

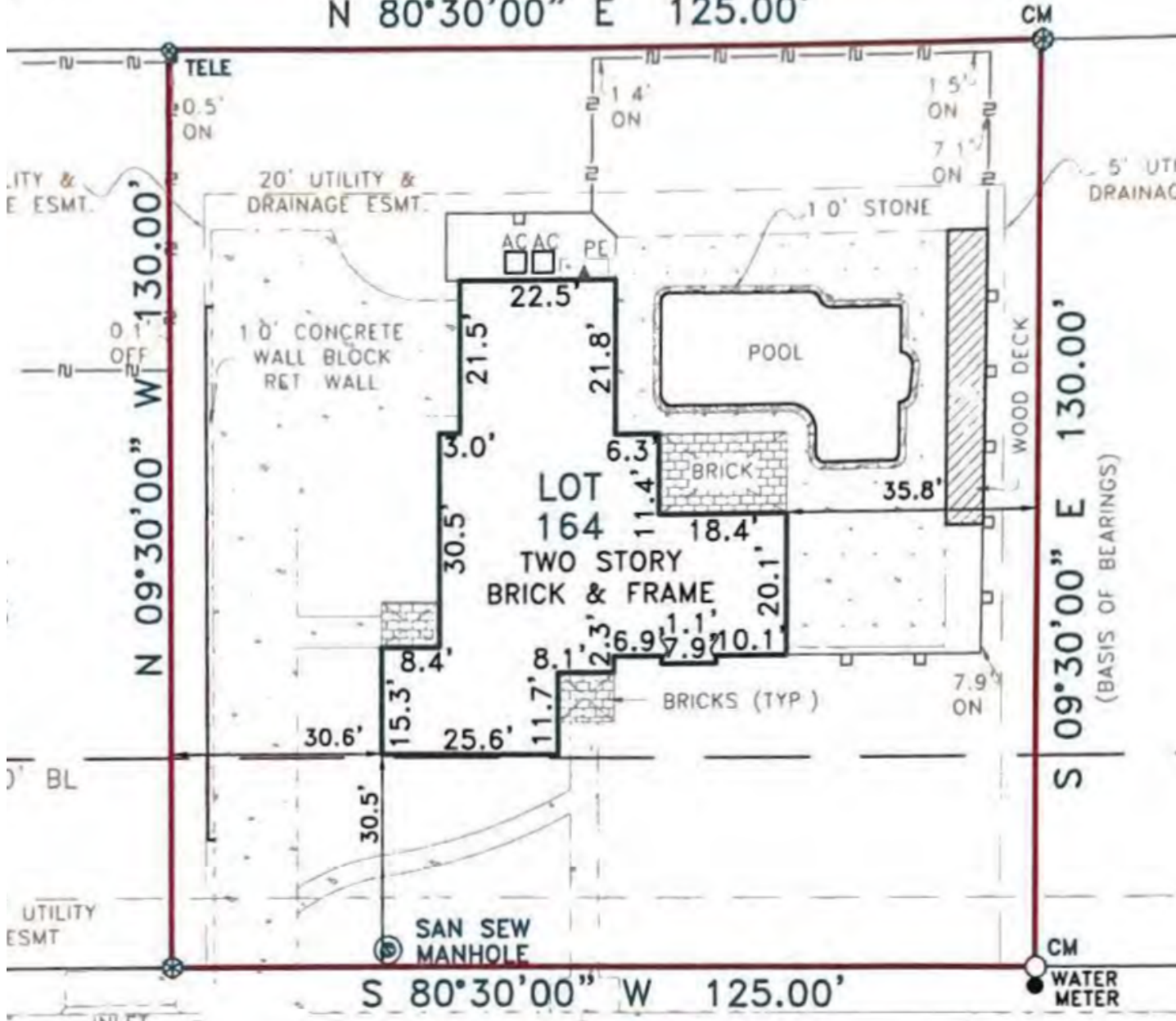
Conduct a Public Hearing and consider action regarding a request made by Nova Quality Builds, LLC on behalf of the homeowners, Mike and Tonya Gough, for a variance to Zoning Regulations to allow for the garage to face the street at 213 Inverness Dr, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

BACKGROUND/SUMMARY: The builder, Nova Quality Builds, LLC, on behalf of the owners Mike & Tonya Gough, is requesting approval of a variance to allow the garage to face the street, located at 213 Inverness Dr, Trophy Club, Denton County, Texas.

Survey

UNPLATTED ACREAGE

N 80°30'00" E 125.00'



N 09°30'00" W 130.00'

S 09°30'00" E 130.00'
(BASIS OF BEARINGS)

S 80°30'00" W 125.00'

INVERNESS DRIVE

40' R.O.W.

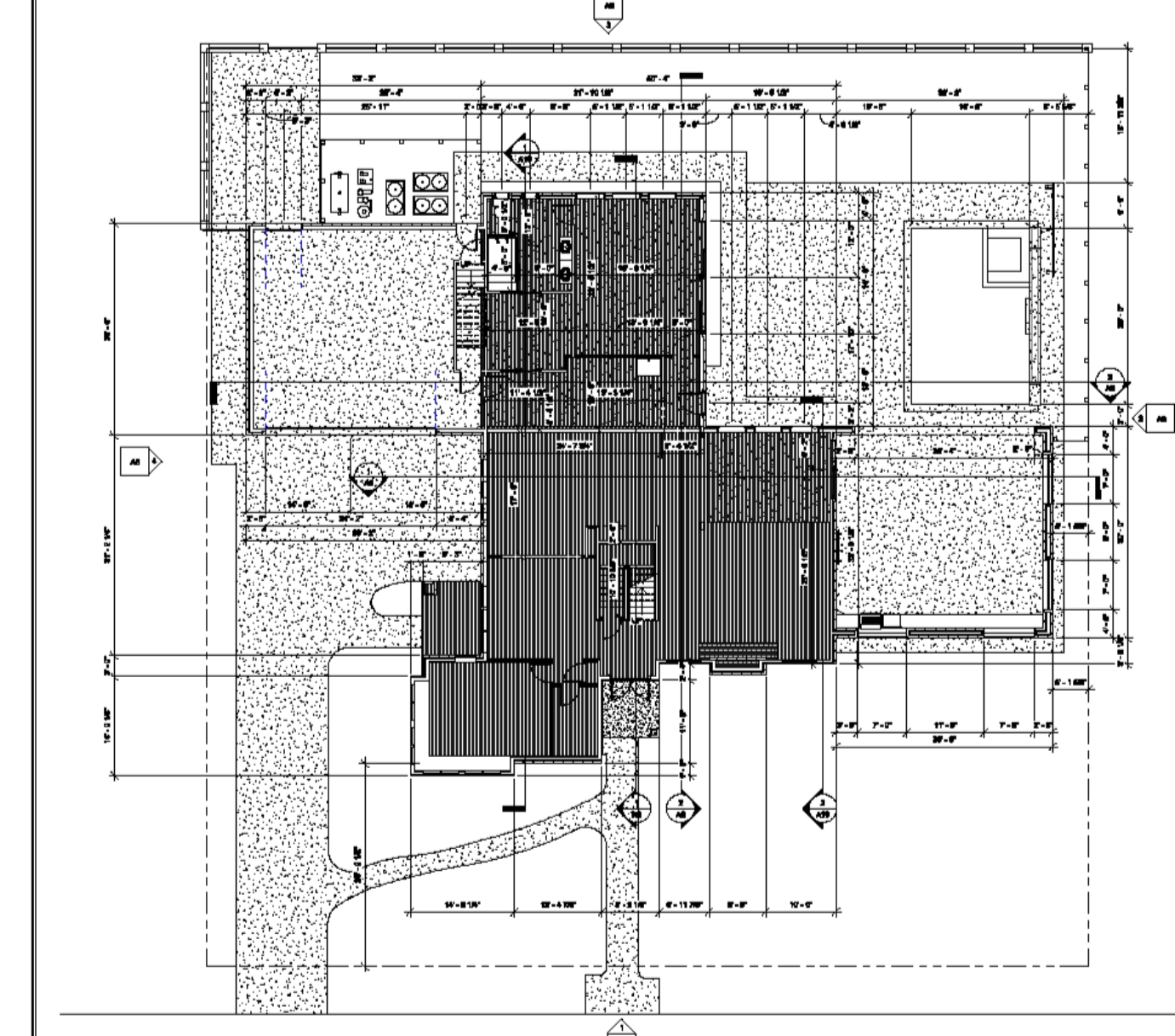
1000 55 TO
INDIAN CREEK DR

Sec. 14.02.153, R-11 Single-Family District regulations of the Town's Zoning Ordinance states:

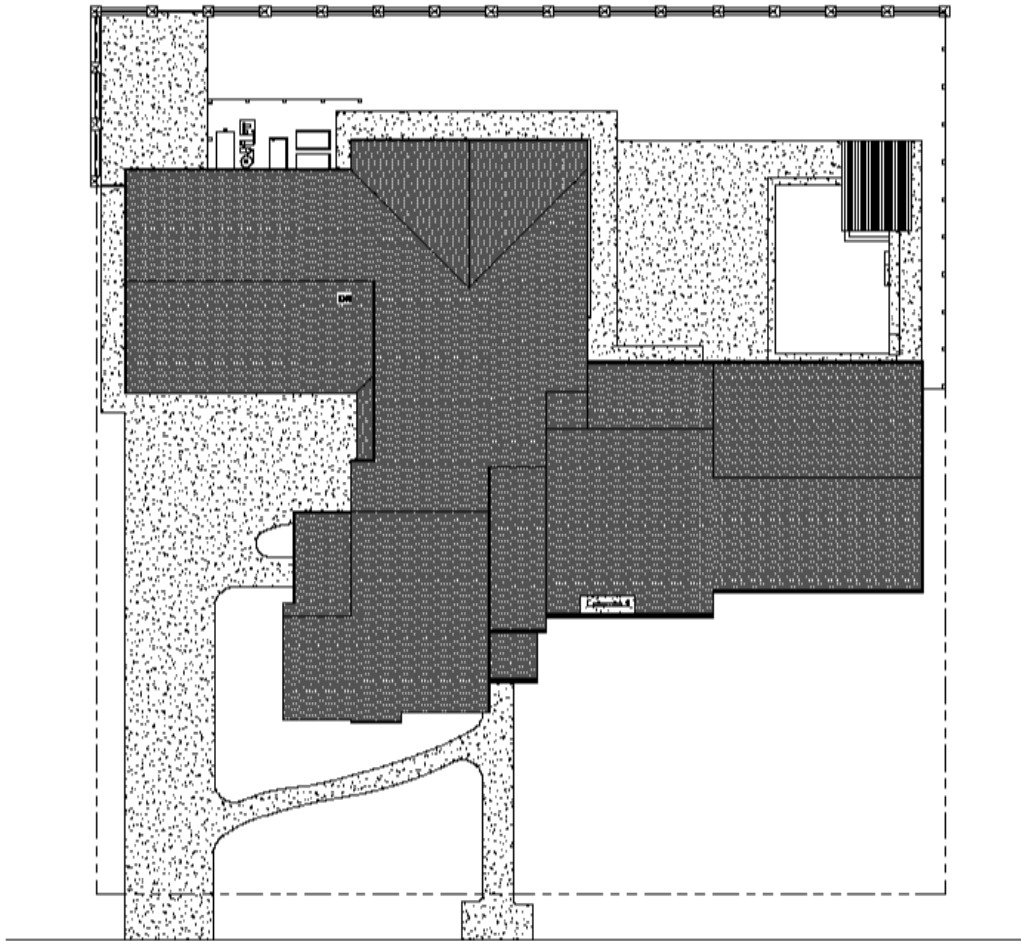
- (i) *Garages. Attached garages shall not face any public dedicated right-of-way or golf course. Detached garages shall comply with [section 14.02.253](#), Accessory Structures and Uses.*

The Gough's are requesting to construct a garage facing the public right of way to allow head in parking and remodel the existing garage for additional living space. The hardship stated is a zoning requirement for home and driveway access in the R-11 District.

Existing Floorplan



Proposed Floorplan



Rendering of Proposed Addition



Notice of the Public Hearing was published in the Fort Worth Star Telegram and notices were mailed to property owners within 200 feet of the request.

Section 14.02.405, Zoning Board of Adjustment, (f) meetings states that all matters before the board of adjustment on matters of appeal, variance, special exception, or other matter as specified by ordinance, shall be held as a public hearing in accordance with the provisions of section 14.02.406, Public Hearings. Contradicting requirements for a public hearing will be processed with the most restrictive regulations.

BOARD REVIEW/CITIZEN FEEDBACK: At the time of staff report and agenda packet preparation, no responses in favor or in opposition have been received.

FISCAL IMPACT: N/A

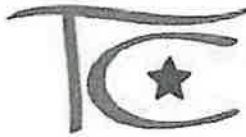
LEGAL REVIEW: N/A

ATTACHMENTS:

1. 213 Inverness Dr Application
2. 213 Inverness Dr Notification Map

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance request.



Zoning Board of Adjustment (ZBA) Request Type—Check the appropriate box below

- Variance to Zoning Requirement Fence Special Exception Administrative Appeal
 Building Board of Appeals / Building and Standards Commission Appeal Other Appeal

DETAILS OF REQUEST (See Page Two for additional required information)

Description of Request: The current plans for Mike & Tonya Gough show a front-facing garage.

We would like to request the plans to be reviewed & approved with the front-facing garage.

Property Address: 213 Inverness Dr. Current Zoning: Residential

Legal Description: Lot 164, Trophy Club, Section 3, an Addition to the City of Trophy Club, Denton County, Texas, according to the map or plat thereof recorded in Volume 12, Page 17 of Plat Records of Denton County, Texas

APPLICANT / OWNER INFORMATION

Applicant

Name: Chris Martinez Nova Quality Builds LLC
Address: 1379 Forest Hill Circle, Lewisville
State/ZIP: Texas, 75067
Phone: 972-505-6368
Email: chris@novaqualitybuilds.com

Signature:

Owner (If Different)

Name: Mike Gough and Tonya Gough
Address: 213 Inverness Dr., Trophy Club
State/ZIP: Texas, 76262
Phone: 443-995-6936
Email: mrgoav8@gmail.com and mrsgoav8@gmail

Signature:

NOTE: The property owner must sign the application or submit a notarized letter of authorization.

APPLICATION REQUIREMENTS

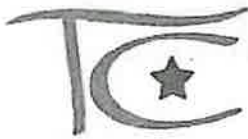
- All required information, plans and signatures, **including the second page of this application** shall be completed prior to application submittal. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- Per the requirements of page two, a detailed description of the request including all relevant project details shall be attached on a separate sheet to this application.
- All required application fees shall be paid upon submittal of this application.
- Other plans and exhibits may be required to be submitted with this application per the requirements of the Town Code of Ordinances. It is recommended that a preliminary conference with a member of Town staff be conducted prior to the submittal of this application.
- Requests before the Board are considered individually based on whether the request constitutes a hardship as described in the Town Code of Ordinances and are subject to denial. Completion of this application shall not imply any guarantee of approval of the request or permission to continue any work related to the request.

STAFF USE ONLY

Date Received: 9-27-24
Received by:
Fee Paid: \$300
Payment Type/Check #: _____
Receipt #: 11042
Case #: RPR-000213-2024

RECEIVED
SEP 27 2024

BY: _____



In order to make a finding of hardship and to grant a variance, special exception or appeal, the Zoning Board of Adjustment must determine that all of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial or self-induced. Attach additional sheets if necessary.

1. Completely describe the variance, special exception or appeal you are requesting:

The current position of our garage and narrow design of our driveway does not allow us to fully use the garage for two of our vehicles. We are attempting to remedy the issue for our family by turning the garage and amending the driveway that would provide us proper use of our garage. Our parents will also reside with us, as they are in their eighties, and they are not able to make the sharp turn from the driveway into the garage. Turning the driveway towards the street is the most beneficial solution. The driveway will not encroach onto the setback line located at the front of the property.

2. Do similar conditions exist in the area? Explain.

Yes, there are a few other houses in the neighborhood that have similar garages that face the street.

3. Describe how the unique conditions or circumstances do not result from your actions.

The current driveway layout and garage placement do not allow us to use our garage for two vehicles as intended.

4. Is there any way to do what you want without this request?

No, because changing the design would create severe delays and increase the cost of the project considerably. It would also prohibit us from parking two vehicles in our garage, which is the situation we have currently. Given the existing layout of the driveway and garage placement, it is very difficult for our family to navigate the driveway entering the garage. We are limited by the design and have only been able to park one car in our garage.

ATTACH A DETAILED DIAGRAM OF THE SITE, TO SCALE, AND ANY OTHER DRAWINGS OR INFORMATION NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS AND THE VARIANCE, SPECIAL EXCEPTION OR APPEAL REQUESTED. THE SPECIFIC REQUEST SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.).



**PUBLIC HEARING
DECEMBER 5, 2024**

**NOTIFICATION AREA
ZONING BOARD OF ADJUSTMENT**

**213 INVERNESS DRIVE
ZBA-24-003**



ZONING BOARD OF ADJUSTMENT COMMUNICATION

MEETING DATE: December 5, 2024

FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Case ZBA-24-004 8 Pin Oak Court

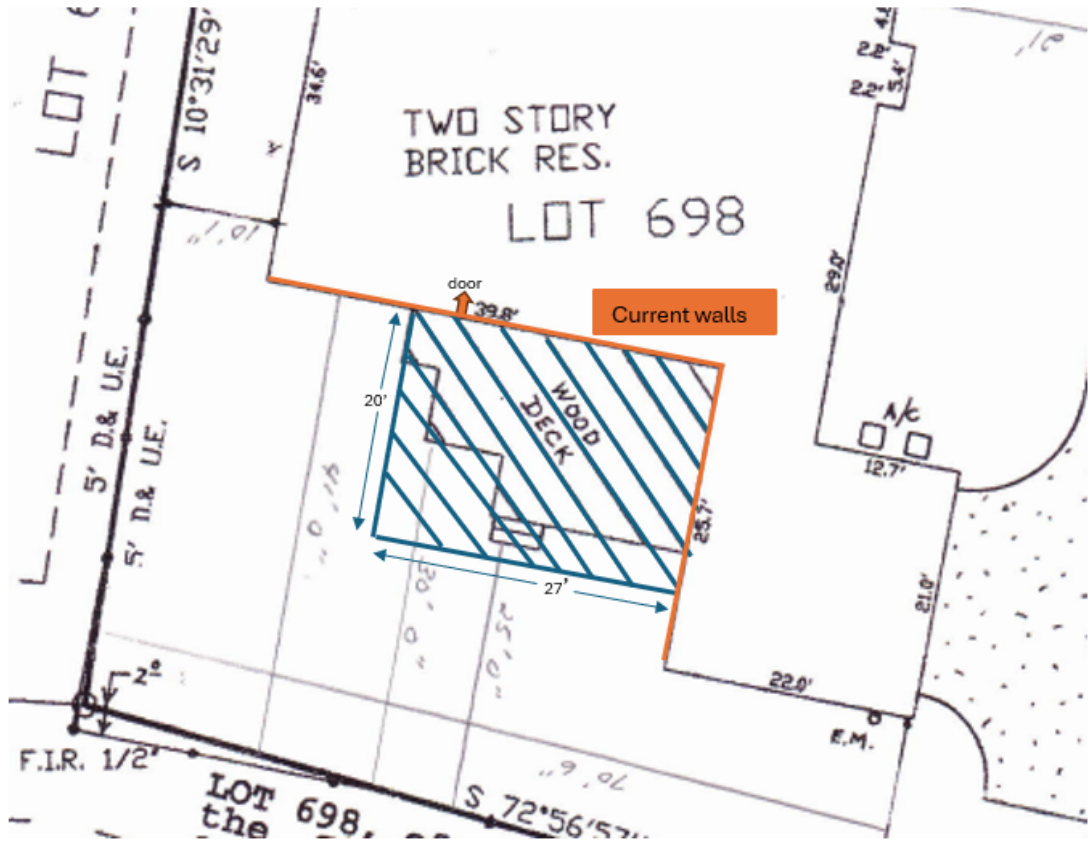
Conduct a Public Hearing and consider action regarding a request made by Kelly and Amy Nolan for a variance to allow the existing encroachment in the rear yard setback and request for a proposed addition to the residential structure located at 8 Pin Oak Court, Trophy Club, Denton County, Texas.

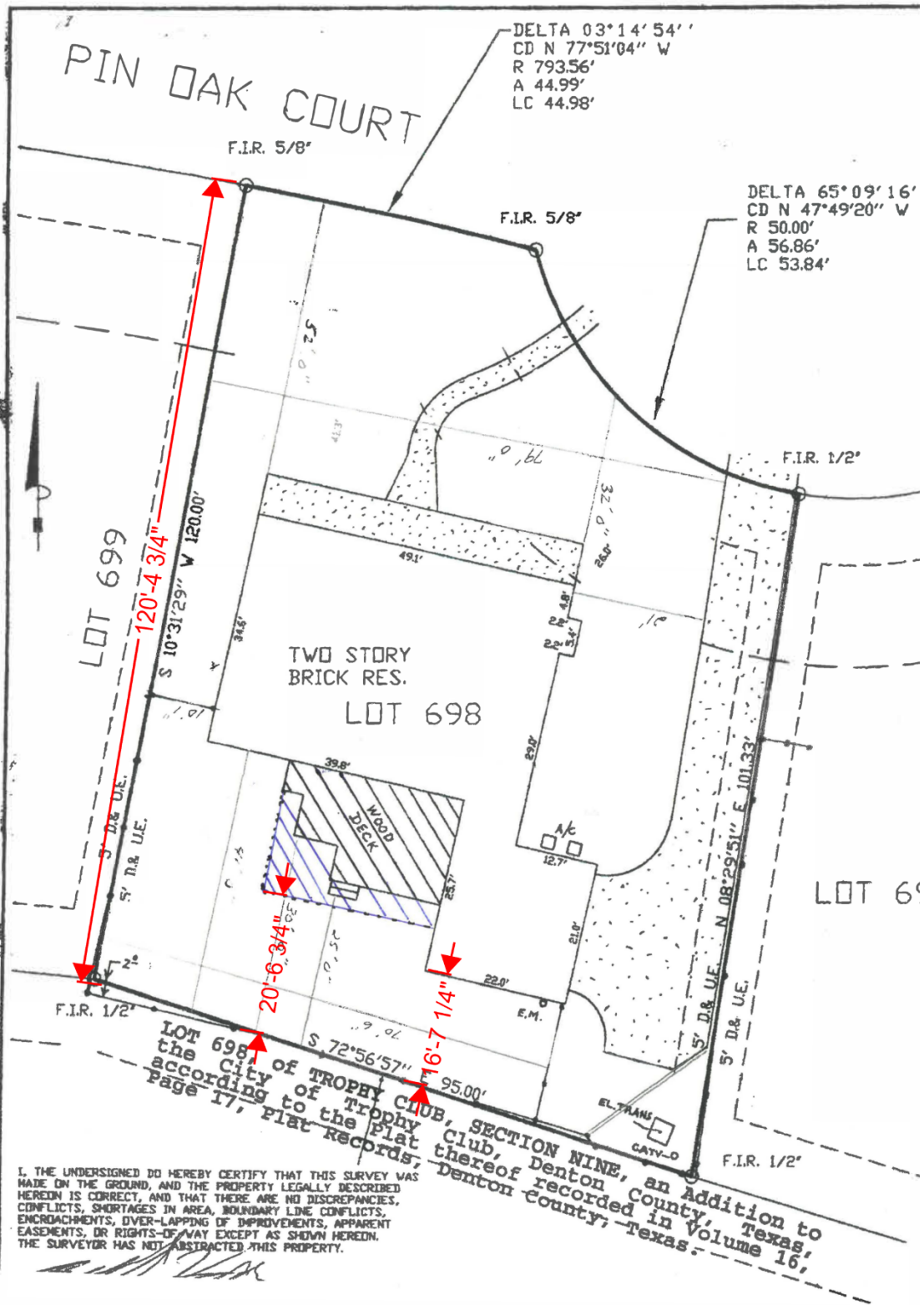
(Matt Cox, Community Development Director)

BACKGROUND/SUMMARY: The homeowner of the subject property at 8 Pin Oak Court, Lot 698, Trophy Club, Section Nine - Residential 9 (R-9), is requesting approval of a variance to allow a proposed addition to encroach into the rear setback. The subject property is 10,450 square feet in area and approximately 110 feet wide at the rear of the lot.

The proposed project involves removing the existing wood deck located at the rear of the home and replacing it with an enclosed, structurally integrated living space. The new proposed attached room will measure 24 feet by 27 feet (648 square feet) and will be incorporated into the roofline of the existing house. Because the proposed addition is attached, it would be considered part of the primary structure, requiring compliance with the 25-foot rear setback for primary residential structures in the R-9 zoning district.

The applicant is requesting a variance to allow the proposed structure to extend 4' into the setback. The existing residential structure and garage is non-conforming due to being built prior to the adoption of R-9 regulations. The existing attached garage is located 16 feet from the rear property line.





DELTA 03°14'54"
 CD N 77°51'04" W
 R 793.56'
 A 44.99'
 LC 44.98'

DELTA 65°09'16"
 CD N 47°49'20" W
 R 50.00'
 A 56.86'
 LC 53.84'

I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THE PROPERTY LEGALLY DESCRIBED HEREON IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVER-LAPPING OF IMPROVEMENTS, APPARENT EASEMENTS, OR RIGHTS-OF-WAY EXCEPT AS SHOWN HEREON. THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY.

LOT 698 of TROPHY CLUB, SECTION NINE, an Addition to the City of Trophy Club, Denton County, Texas, according to the plat thereof recorded in Volume 16, Page 17, plat records, Denton County, Texas.

The applicant states the proposed addition will:

- 1. Increase value and provide additional living space to improve accessibility and mobility.
- 2. Offer adequate seating capacity for family visits.
- 3. Accommodate mobility aids to ensure safety and comfort.

The existing attached garage is located approximately 16' from the rear property line, within the 25' setback. The proposed addition will be designed to blend with the existing structure, minimizing visual or structural disruption to neighboring properties.

BOARD REVIEW/CITIZEN FEEDBACK: At the time of staff report and agenda packet preparation, no responses in favor or in opposition have been received.

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

- 1. 8 Pin Oak Court - Application
- 2. 8 Pin Oak Court - Survey

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance request.



TO
TROPHY CLUB
100 Municipal Drive • Trophy Club, Texas 76262

RECEIVED

By Thad Johnson at 8:59 am, Nov 14, 2024

Application to Appear Before the
Zoning Board of Adjustment

Page 1 of 2

Zoning Board of Adjustment (ZBA) Request Type—Check the appropriate box below

- Variance to Zoning Requirement Fence Special Exception Administrative Appeal
 Building Board of Appeals / Building and Standards Commission Appeal Other Appeal

DETAILS OF REQUEST (See Page Two for additional required information)

Description of Request: extend home addition 4' into variance *setback*

Property Address: 8 Pin Oak Ct Current Zoning: residential

Legal Description: _____

APPLICANT / OWNER INFORMATION

Applicant

Owner (If Different)

Name: <u>Kelly and Amy Nolan</u>	Name: _____
Address: <u>8 Pin Oak Ct</u>	Address: _____
State/ZIP: <u>76262</u>	State/ZIP: _____
Phone: <u>K 972 342-6310 , A 817 688-1932</u>	Phone: _____
Email: <u>kellynolan961@yahoo.com</u>	Email: _____
Signature: _____	Signature: _____

NOTE: The property owner must sign the application or submit a notarized letter of authorization.

APPLICATION REQUIREMENTS

STAFF USE ONLY

- All required information, plans and signatures, **including the second page of this application** shall be completed prior to application submittal. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- Per the requirements of page two, a detailed description of the request including all relevant project details shall be attached on a separate sheet to this application.
- All required application fees shall be paid upon submittal of this application.
- Other plans and exhibits may be required to be submitted with this application per the requirements of the Town Code of Ordinances. It is recommended that a preliminary conference with a member of Town staff be conducted prior to the submittal of this application.
- Requests before the Board are considered individually based on whether the request constitutes a hardship as described in the Town Code of Ordinances and are subject to denial. Completion of this application shall not imply any guarantee of approval of the request or permission to continue any work related to the request.

Date Received: 11-13-24
Received by: Thad
Fee Paid: \$300.00
Payment Type/Check #: _____
Receipt #: 00011166
Case #: RPR-000219-2024

In order to make a finding of hardship and to grant a variance, special exception or appeal, the Zoning Board of Adjustment must determine that all of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial or self-induced. Attach additional sheets if necessary.

1. Completely describe the variance, special exception or appeal you are requesting:

My wife and I are getting older and are are not as mobile as we use to be. My wife has advanced arthritis in both knees and her hips. I have arthritis in my knees as well and in my back. The living space on the first floor is only a bedroom a den and a kitchen. We are from large families and the space is too small if we have family visitina. We would like to remove the wood deck that is currently in the back vard and replace it with a room that is slightly larger than the wood deck. the room will be aded on the back of the house. Creating a floorpace that is large enough to put seating for companv and accommodating a handicapped wheelchair or scooter. The current variance is 25' from the property line. The connected garage is only 16' from the property line. This is grandfathered in and is inside the 25' variance. we would like to have the room width of the room to be 20'. this will be 4 ' wider than the deck and 4' into the variance. the length of the room is 27'. That is the same as the current wood deck.

2. Do similar conditions exist in the area? Explain?

the garage of the home is inside the 25' variance. the distance from the garage to the property line is 16'. The addition will be 20' from the property line

3. Describe how the unique conditions or circumstances do not result from your actions. There are no unique conditions.

4. Is there any way to do what you want without this request?unfortunatelv no. if we start with the footprint of the deck the soffet of the roof and the thickness of the wall will cut into the room so much that it would make the room a long slender galley like room that will be difficult to navigate in a wheelchair or power scooter.

ATTACH A DETAILED DIAGRAM OF THE SITE, TO SCALE, AND ANY OTHER DRAWINGS OR INFORMATION NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS AND THE VARIANCE, SPECIAL EXCEPTION OR APPEAL REQUESTED. THE SPECIFIC REQUEST SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.).



Town of Trophy Club

1 Trophy Wood Drive
Trophy Club, Texas 76262

Meeting Minutes

Zoning Board of Adjustment

January 11, 2024

6:00 PM

Council Chambers

CALL TO ORDER AND ANNOUNCE A QUORUM

Chairperson Bowman called the January 11, 2024, Zoning Board of Adjustment meeting to order at 6:06 PM and announced a quorum.

Board Members Present:

Steve Bowman	Chairperson
Doug Harper	Board Member
Nick Sanders	Board Member – Alt.
Reid Burley	Board Member
Garrett Wallace	Board Member – Alt.

Board Members Absent:

None

Staff Present:

Matt Cox	Director of Community Development
Tammy Dixon	Town Secretary

CITIZEN PRESENTATIONS

Citizens are allowed four (4) minutes to address the Board regarding an item over which the Board has policy or oversight authority as provided by Texas law, the ethics order, or other policy order.

Chairperson Bowman asked if there were any public requests to speak. No public requests were submitted.

REGULAR SESSION

1. Nomination and Election of Vice-Chairperson

Chairperson Bowman motioned for nomination and election of Vice-Chairperson. Board Member Burley nominated himself, with a second by Board Member Harper. Chairperson Bowman called for a vote. The motion was passed 5-0

2. Nomination and Election of Secretary

Chairperson Bowman motioned for nomination and election of Secretary. Board Member Harper nominated himself, with a second by Board Member Burley. Chairperson Bowman called for a vote. The motion was passed 5-0

3. Case ZBA-24-001 303 Skyline Drive

Conduct a Public Hearing and consider action regarding a request made by Justin Davis for a variance to Section 14.02.351, Fencing, retaining walls and screening of the Town's Zoning Ordinance to allow for a fence in the building line/at the property line of the side yard adjacent to a side street at 303 Skyline Drive, Trophy Club, Denton County, Texas. (M. Cox).

Chairperson Bowman opened the public hearing at 6:09 PM

Matt Cox presented the staff report and was available for questions. The applicant is present and available for questions.

Chairperson Bowman asked if there were any public requests to speak.

Daniel Quetuca – 203 Rio Vista Drive – was for the approval of the fence.
George Roberson – 306 Skyline Drive – was for the approval of the fence.

Chairperson Bowman closed the public hearing at 6:18 PM

Chairperson Bowman motioned for discussion and/or concern. ZBA members discussed procedural questions. Board Member Burley moved to recommend approval, with a second by Board Member Wallace. Chairperson Bowman called for a vote. The motion passed 5-0.

4. Case ZBA-24-002 The Falcon Estates

Conduct a Public Hearing and consider action regarding a request A request made by Dean & Co. Custom Homes, L.P. on behalf of the landowner, Ward New Horizons LLC, for a variance to Zoning Regulations to allow for third and/or fourth car garages to face the street for The Falcon Estates at Trophy Club, Lots 1-8, Block A. The properties are located south of Kent Street between Trophy Club Drive and Mona Vale Road, Trophy Club, Denton County, Texas. (M. Cox).

Chairperson Bowman opened the public hearing at 6:20 PM.

Matt Cox presented the staff report and was available for questions.

Chairperson Bowman closed the public hearing at 6:25 PM.

Chairperson Bowman motioned for discussion and/or concern. ZBA members discussed procedural questions. Board Member Burley moved to recommend approval, with a second by Board Member Wallace. Chairperson Bowman called for a vote. The motion passed 5-0.

Chairperson Bowman asked if there were any public requests to speak. There were none.

5. Take appropriate action regarding the October 12, 2023, Zoning Board of Adjustment meeting minutes (A. Santos).

Chairperson Bowman motioned for discussion and/or concern. ZBA members discussed procedural questions.

Chairperson Bowman called for a vote. The motion passed 5-0.

6. Receive updates on previous cases heard by the Board and active development in Town.

Director Matt Cox advised the members

ADJOURN

Chairperson Bowman motioned to adjourn the meeting at 6:29 PM.

Chairperson Bowman
Zoning Board of Adjustment
Town of Trophy Club, TX

Tammy Dixon
Town Secretary
Town of Trophy Club, TX