



TOWN OF TROPHY CLUB

1 Trophy Wood Drive
Trophy Club, Texas 76262

MEETING AGENDA

ZONING BOARD OF ADJUSTMENT

February 20, 2025

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. Case ZBA-25-001 (2 and 4 Troon Drive)

Conduct a public hearing and consider action regarding a request made by homeowner Greg Stoltzman for a variance to Section 14.02.351(c)(3)(A)(B)&(C), Fencing, retaining walls and screening of the Town's Zoning Ordinance to allow for a fence to be constructed parallel to and within 20 feet from an existing fence along the rear property line at 2 and 4 Troon Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

2. Case ZBA-25-002 (47 Sonora Drive)

Conduct a public hearing and consider action regarding a request made by Michael Conklin for a variance to Section 14.02.156(f)(6), Depth of rear yard in the R-8 Single Family District regulations of the Town's Zoning Ordinance to allow for an attached patio cover in the 20-foot rear yard setback at 47 Sonora Drive, Trophy Club, Denton County, Texas. (Matt Cox, Community Development Director)

3. Consider approval of the December 5, 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: February 14, 2025 at 2:00 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: February 20, 2025

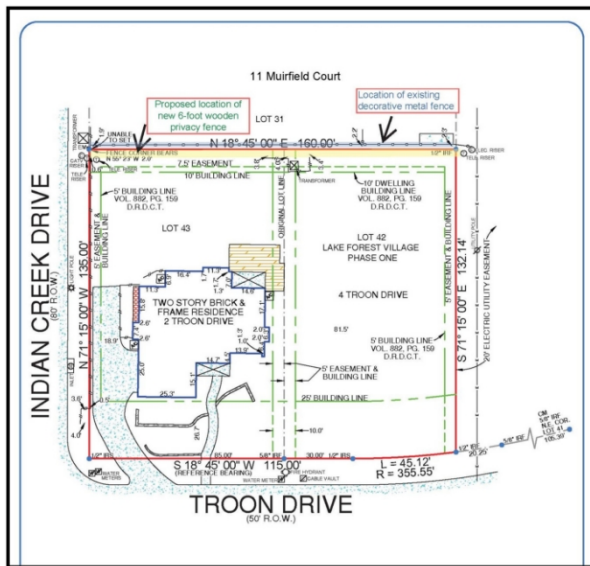
FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Case ZBA-25-001 (2 and 4 Troon Drive)

Conduct a public hearing and consider action regarding a request made by homeowner Greg Stoltzman for a variance to Section 14.02.351(c)(3)(A)(B)&(C), Fencing, retaining walls and screening of the Town's Zoning Ordinance to allow for a fence to be constructed parallel to and within 20 feet from an existing fence along the rear property line at 2 and 4 Troon 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 special exception so he may construct at 2 and 4 Troon Drive a 6-foot wooden fence along the rear property lines for a distance of 160-feet that runs parallel to an existing decorative metal fence on the adjacent rear lot at 11 Muirfield Court.

Reference Exhibit B.



Section 14.02.351(c)(3), Fencing retaining walls and screening of the Town's Zoning Ordinance regulates the location of parallel fencing:

“(3) Parallel fences. Fences shall not be constructed parallel to and within 20 feet from an existing fence, except where the following conditions exist. A fence:

(A) Surrounding a transformer;

- (B) Providing a barrier for pools and spas as required by applicable law;
- (C) That shares a common post with an existing fence”

The applicant requested a fence permit and was denied because it would create a parallel fence, which is prohibited by the Zoning Ordinance. The applicant states he has spoken with the adjacent rear property owner twice requesting they remove the deteriorating decorative metal fence due the general appearance and the safety issues to allow them to construct a new 6-foot wooden fence along the rear of lots 2 & 4 Troon Drive. The adjacent property owner desires to keep the existing decorative metal fence, which is located approximately 2.2-feet from their rear property line. There is not another fencing alternative for the property owner of 2 & 4 Troon Drive.

The purpose of the regulation is to NOT create yard maintenance issues between two fence lines and try to determine who should maintain the area between the fences. It is preferable to consistently apply the zoning regulations. **Exhibit A** is an aerial location map to illustrate the location along with the neighborhood layout. **Exhibit B** illustrates on the survey of 2 & 4 Troon Drive the desired fence location (highlighted in yellow) and the location of the existing fence on the adjacent rear lot (highlighted in light blue.) The application with the hardship information is included in this report as **Exhibit C**. **Exhibit D** includes images of the existing deteriorating decorative metal fence along the adjacent rear property line. **Exhibit E** is a copy of the Revised Lake Forest Village, Phase One final plat approved in 1978. **Exhibit F** is a copy of the public hearing letter and a map of the notification area.

Additional information:

- The property at 2 & 4 Troon Drive was purchased by Mr. Stoltzman in November 2024 and is being updated on the exterior and the interior.
- The existing house on 2 Troon Drive is approximately 53.2 feet from the rear property line.
- A fence permit application will require utility location to determine if there are any franchise utilities in the setback area. The Final Plat for the subdivision from 1978 did not include the existing 7.5-foot utility easement along the rear property line as shown on the survey in Exhibit B. Should the fence be approved, existing utilities will need to be accommodated per the entity’s requirements.

Zoning Board of Adjustment Authority:

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.

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.”

Public Hearing Notices:

Notice of the Public Hearing was published in the Commercial Recorder and notices mailed to property owners within 200 feet of the request. At the time of staff report and agenda packet preparation no responses in favor or in opposition have been received.

Section 14.02.405, Zoning board of adjustment, subsection (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: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Exhibit A - Property Location Aerial Map
2. Exhibit B- Lot Survey with desired fence location and existing fence location
3. Exhibit C - Application and hardship information
4. Exhibit D - Photos of Existing Metal Fence
5. Exhibit E - Final Plat of Revised Lake Forest Village Ph1.

6. Exhibit F - 200-foot Notification Letter and Map

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance/special exception request. Staff recommends approval of the variance for new fence, as code enforcement will be pursuing removal of existing fence due to substandard conditions.



Muirfield Ct

Troon Dr

Forest Hill Dr

Inverness Dr

Forest Hill Dr

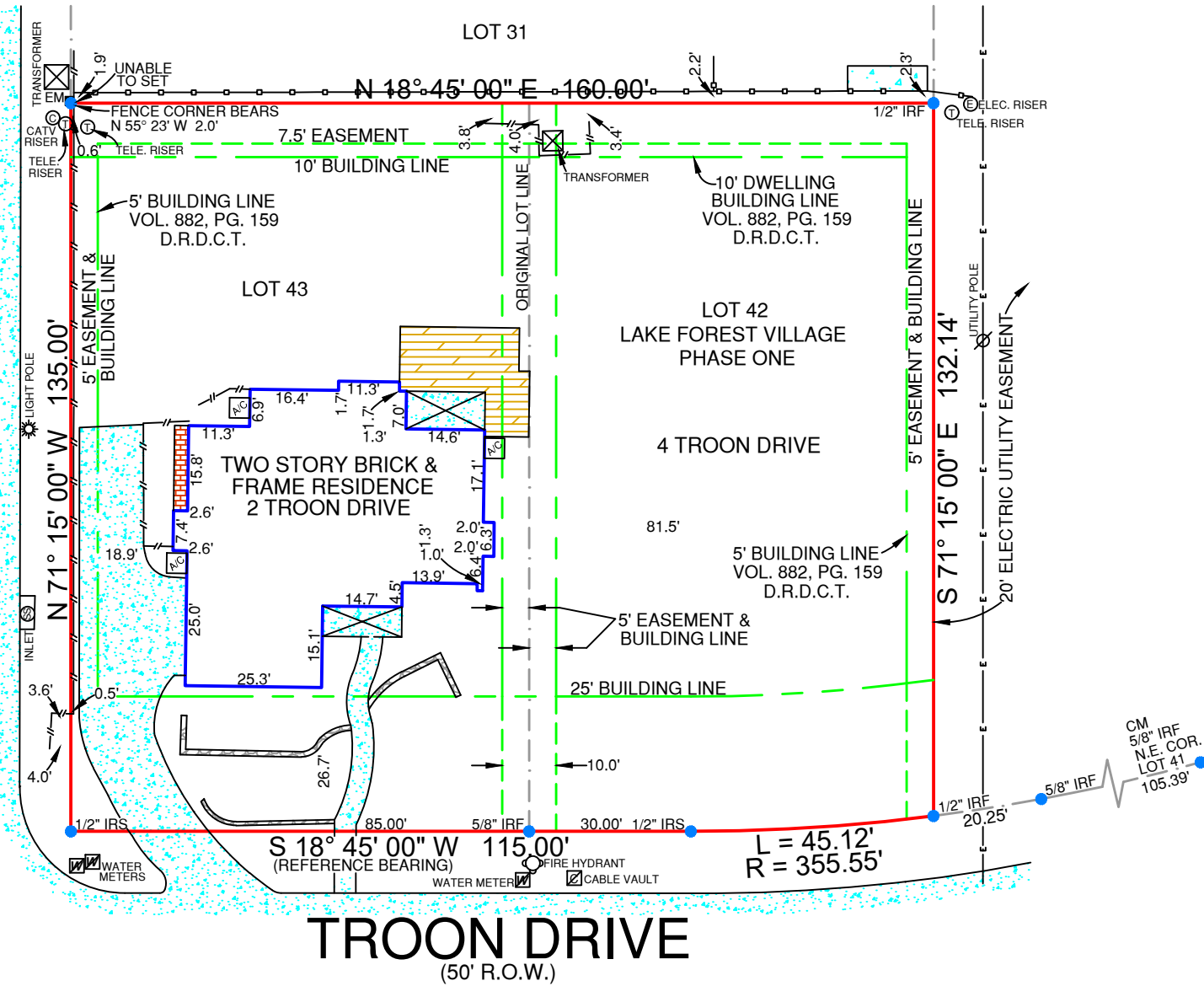
Oa

Lake Cities

DMP Publishing

Page 7 of 35

INDIAN CREEK DRIVE (80' R.O.W.)



LEGEND:

—x—x—	BARBWIRE FENCE	ASPHALT	
—o—o—	CHAINLINK FENCE	CONCRETE	
—□—□—	WROUGHT IRON FENCE	GRAVEL	
—//—//—	WOOD FENCE	TILE	
—v—v—	VINYL FENCE	WOOD	
—E—E—	ELECTRIC LINE	BRICK	
GM	GAS METER	STONE	
EM	ELECTRIC METER	(WOOD) RAILROAD TIE	
IPF	IRON PIPE FOUND		
IRS	IRON ROD SET WITH "PREMIER" CAP		
IRF	IRON ROD FOUND		
CM	CONTROLLING MONUMENT		

NOTES:
 BEARINGS ARE BASED ON THE RECORDED PLAT.
 BUILDING LINES AND EASEMENTS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED.



LEGAL DESCRIPTION:
 BEING LOTS 42 AND 43, LAKE FOREST VILLAGE, PHASE ONE, A SUBDIVISION IN DENTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 16, PAGE 9, PLAT RECORDS, DENTON COUNTY, TEXAS.

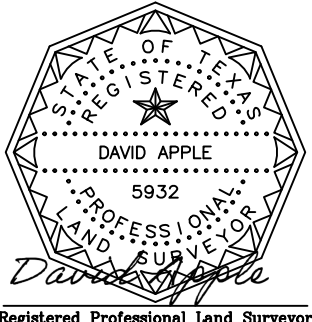
GF. NO.	2418091-SKDF
BORROWER	GREG STOLTZMAN AND JODI GAINES
TITLE CO.	INDEPENDENCE TITLE
TECH	AV
FIELD	PC

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

FLOOD INFORMATION:
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48121C0660 G, DATED APRIL 18, 2011.

DATE: 10/24/2024 JOB NO.: 24-07760
 FIELD: 10/23/2024

2 AND 4 TROON DRIVE, TROPHY CLUB, TX 76262
 LOTS 42 AND 43, LAKE FOREST VILLAGE, PHASE ONE



DATE: _____
 ACCEPTED BY: _____

Premier
 Surveying LLC
 5700 W. Plano Pkwy., Suite 1200
 Plano, Texas 75093
 Office: 972-612-3601
 Fax: 972-964-7021
 Firm Registration No. 10146200



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: NEIGHBORING FENCE NEEDS TO BE REPLACED AS IT IS
A SAFETY HAZARD.

Property Address: 2 TROON DR Current Zoning: _____

Legal Description: LOT 43 AND 42 WEST FENCE SHARED WITH LOT 31

APPLICANT / OWNER INFORMATION

Applicant

Owner (if Different)

Name: GREG STOLTZMAN

Name: _____

Address: 2 TROON DR

Address: _____

State/ZIP: TX / 76262

State/ZIP: _____

Phone: 817 676 1401

Phone: _____

Email: GREG.STOLTZMAN@GMAIL.COM

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: 1-6-25

Received by: Thud

Fee Paid: \$ 200.00

Payment Type/Check #: _____

Receipt #: 00011276

Case #: RPR-000224-2025

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:

WE ARE WANTING TO BUILD A PRIVACY FENCE IN PLACE OF THE EXISTING
NEIGHBORING FENCE. WE HAVE BEEN TOLD NOT TO BUILD NEXT TO THE FENCE
AS THE MAINTENANCE BETWEEN THE 2 FENCES WOULD PROVE HARD. THE
NEIGHBORS WOULD LIKE TO KEEP THE EXISTING FENCE DUE TO ITS
"ARTISTIC NATURE"; HOWEVER THE FENCE IS A HUGE SAFETY CONCERN
DUE TO ITS SHARP, RUSTY, PROTRUDING METAL BARS.
APPROX. FENCE LINE IS ~180ft

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

JUST THE FENCE IN QUESTION THAT I HAVE SEEN.

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

WE JUST PURCHASED THE HOUSE IN NOV '24.
I COMPLETED (AND HAD APPROVED) THE FENCE APPLICATION TO REPLACE
THE FENCE. HOWEVER THE NEIGHBORS WOULD LIKE TO KEEP THE FENCE.

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

AT THE MOMENT, NO.

WE HAVE SPOKEN WITH THE NEIGHBORS TWICE AND THEY WOULD
LIKE TO KEEP THE EXISTING (HAZARDOUS) FENCE.

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.).

Exhibit D -Photos of existing deteriorating metal fence adjacent to rear property:













GRAPHIC SCALE IN FEET

DATE OF SURVEY

DATE OF RECORDING

NOTICE: This Survey is a preliminary survey and is not intended to be a final survey. It is subject to change without notice. The surveyor is not responsible for any errors or omissions in this survey. The surveyor is not responsible for any errors or omissions in this survey. The surveyor is not responsible for any errors or omissions in this survey.

THIS SURVEY ENCUMBERS

THE FOLLOWING EASEMENTS

DATE OF SURVEY

DATE OF RECORDING

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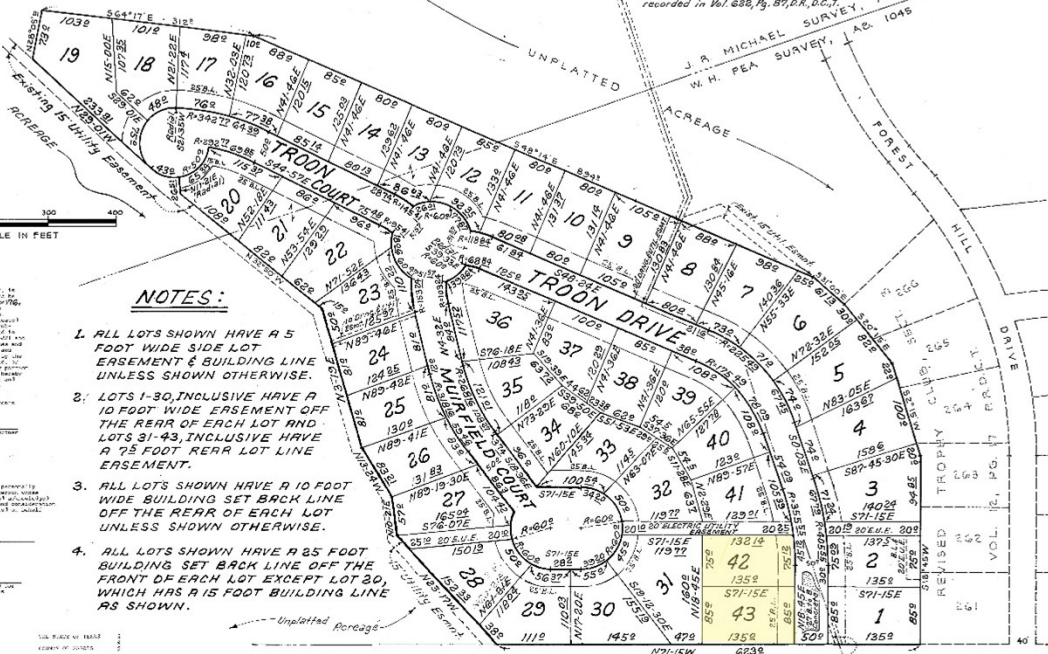
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THIS SURVEY ENCUMBERS

THE FOLLOWING EASEMENTS

NOTES:

1. ALL LOTS SHOWN HAVE A 5 FOOT WIDE SIDE LOT EASEMENT & BUILDING LINE UNLESS SHOWN OTHERWISE.
2. LOTS 1-30, INCLUSIVE HAVE A 10 FOOT WIDE EASEMENT OFF THE REAR OF EACH LOT AND LOTS 31-43, INCLUSIVE HAVE A 7 1/2 FOOT REAR LOT LINE EASEMENT.
3. ALL LOTS SHOWN HAVE A 10 FOOT WIDE BUILDING SET BACK LINE OFF THE REAR OF EACH LOT UNLESS SHOWN OTHERWISE.
4. ALL LOTS SHOWN HAVE A 8 1/2 FOOT BUILDING SET BACK LINE OFF THE FRONT OF EACH LOT EXCEPT LOT 30, WHICH HAS A 15 FOOT BUILDING LINE AS SHOWN.



(80' P.O.D.)
INDIAN CREEK DRIVE

**REVISED
LAKE FOREST VILLAGE
PHASE ONE**

Located in Trophy Club
out of the
J.R. MICHAEL SURVEY, Ab. 821
and the
W.H. PEA SURVEY, Ab. 1045
Denton County, Texas
14- 171/1000 Acres - 43 Lots

APPROVED: _____, 1978
COMMISSIONER'S COURT OF DENTON COUNTY, TEXAS
By: _____
COUNTY JUDGE

This is to certify that this plat and the specifications and information contained hereon meet the requirements of Ordinance No. 80, governing subdivision of land with the TROPHY CLUB extraterritorial jurisdiction.

Zoning Commission
SEMPCO, INC.

surveying - mapping - planning - consultants
3808 South Main St. Ft. Worth, Texas 76110
P.O. Box 10000, Ft. Worth, Texas 76110

Prepared from surveys made on the ground December, 1977.

John L. Hawkins, R.P.S. No. 1793
Revised March 13, 1978 - J.L.H.

DATE OF SURVEY
DATE OF RECORDING

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THE FOLLOWING EASEMENTS

DATE OF SURVEY

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THIS SURVEY ENCUMBERS

THE FOLLOWING EASEMENTS



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

January 31, 2025

Re: Variance request for 2 and 4 Troon Drive for fence at the property line

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 changes, which are described below and shown on a location map on the reverse side.

A request made by Greg Stoltzman for a variance to Section 14.02.351, Fencing, retaining walls and screening of the Town's Zoning Ordinance to allow for a fence at the property line of the at 2 and 4 Troon Drive, Trophy Club, Denton County, Texas. Case ZBA-25-001

Public Hearings will be held at a meeting by the Board of Adjustment on **Thursday, February 20, 2023, at 6:00 PM**. The meeting will be held 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.

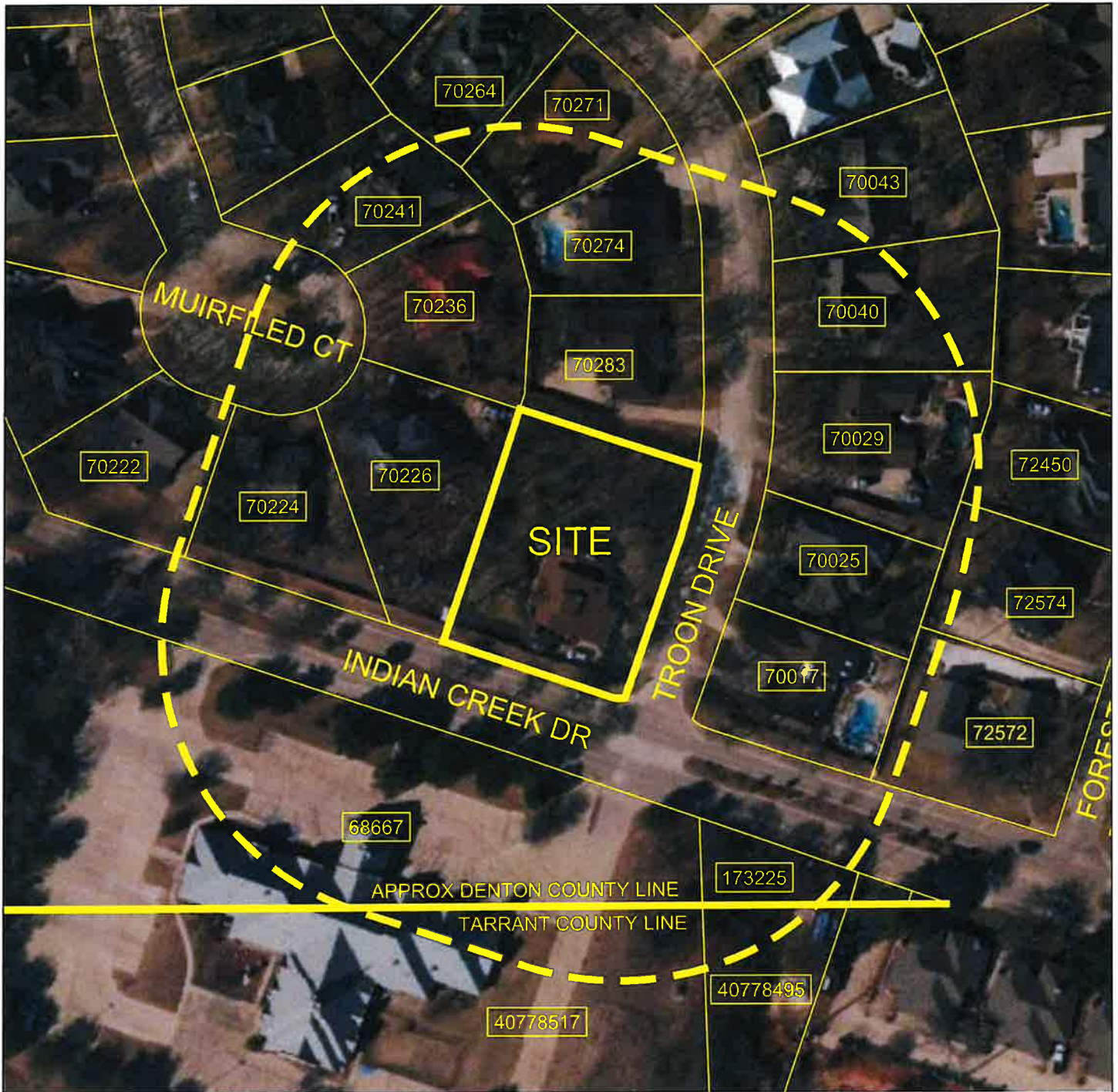
Public Hearings are scheduled for the purpose of receiving public comments. Feel free to contact me at (682) 237-2916 if you need further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Cox', is written over a faint, illegible printed name.

Matt Cox

Director of Community Development



PUBLIC HEARING

2 AND 4 TROON DRIVE
NOTIFICATION MAP

TROPHY CLUB, TEXAS

A request made by Greg Stoltzman for a variance to Section 14.02.351, Fencing, retaining walls and screening of the Town's Zoning Ordinance to allow for a fence at the property line of the at 2 and 4 Troon Drive, Trophy Club, Denton County, Texas. Case ZBA-25-001



N

SCALE: 1"=100'



ZONING BOARD OF ADJUSTMENT COMMUNICATION

MEETING DATE: February 20, 2025

FROM: Matt Cox, Director of Community Development

AGENDA ITEM: Case ZBA-25-002 (47 Sonora Drive)

Conduct a public hearing and consider action regarding a request made by Michael Conklin for a variance to Section 14.02.156(f)(6), Depth of rear yard in the R-8 Single Family District regulations of the Town's Zoning Ordinance to allow for an attached patio cover in the 20-foot rear yard setback at 47 Sonora 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 to the 20-foot rear yard setback so he may construct an attached cover over his existing 264 square foot concrete patio. The proposed setback, as measured from the two proposed cedar columns, is approximately 12-feet and 13.25-feet respectively from the rear property line. The proposed attached patio cover encroaches approximately 6.75-feet into the rear yard setback. The rear property line abuts SH 114.

Reference Exhibit A.



Section 14.02.156(f), R-8 Single-Family District regulations of the Town's Zoning Ordinance provides the following area regulation:

“(6) Depth of rear yard. 20-foot minimum .”

The applicant has noted he does not have direct knowledge of other properties in the

neighborhood with identical circumstances or issues. He also noted based on visible observations within the community there appears to be structures that share characteristics of proximity or encroachment that the proposed project addresses. Staff researched various properties and found two to have received ZBA approval, two (2) others were permitted at the time of initial building, and no documentation on the last property. It is preferable to consistently apply the zoning regulations.

Exhibit B includes the applicant's site plan with building elevations illustrating the proposed location and appearance of the attached patio cover. **Exhibit C** is the application and hardship information included in this report. **Exhibit D** is a copy of the 1995 form board survey that was submitted with the original building permit. **Exhibit E** illustrates the public hearing letter and area of notification.

Additional information:

- According to Accessory structures and uses, Section 14.02.253(1)(A)(iv)(b), Location. - Accessory structures erected 10-feet or closer to the principal building shall be considered to be attached and part of the primary structure for calculating total square feet under roof and shall comply with the setback lines established for that zoning district.
- A 10-foot drainage/utility easement runs parallel to the rear property line. No structures are allowed within the easement. The existing easement limits the location of accessory structures.

Section 14.02.405(h) Zoning Board of Adjustment Authority:

"The Zoning Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official of the town in the enforcement of this ordinance.
2. To hear and decide special exceptions to the terms of this ordinance upon which the board is required to pass under this ordinance, if any.
3. To authorize upon appeal in special cases, such variances from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, the literal enforcement of the provision of this ordinance will result in unnecessary hardship, so that the spirit of this ordinance shall be observed and substantial justice done.
4. To permit in any district such modification of the requirements of the district regulations as the board may deem necessary to secure an appropriate development of a lot where adjoining such lot on two (2) or more sides there are lots occupied by buildings which do not conform to the regulations of the district.

Public Hearing Notices:

Notice of the Public Hearing was published in the Commercial Recorder and notices mailed to property owners within 200 feet of the request. At the time of staff report and agenda packet preparation no responses in favor or in opposition have been received.

Section 14.02.405, Zoning board of adjustment, subsection (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: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Exhibit A - Property Location Aerial Map
2. Exhibit B - Site Plan & Building Elevations
3. Exhibit C - Application and Hardship Information
4. Exhibit D - 1995 Form Board Survey
5. Exhibit E - 200-Foot Notification Letter and Map

ACTIONS/OPTIONS:

A concurring vote of four (4) members of the Board of Adjustment is necessary for approval of the variance/special exception request. Staff recommends approval of the variance to encroach rear setback as presented.

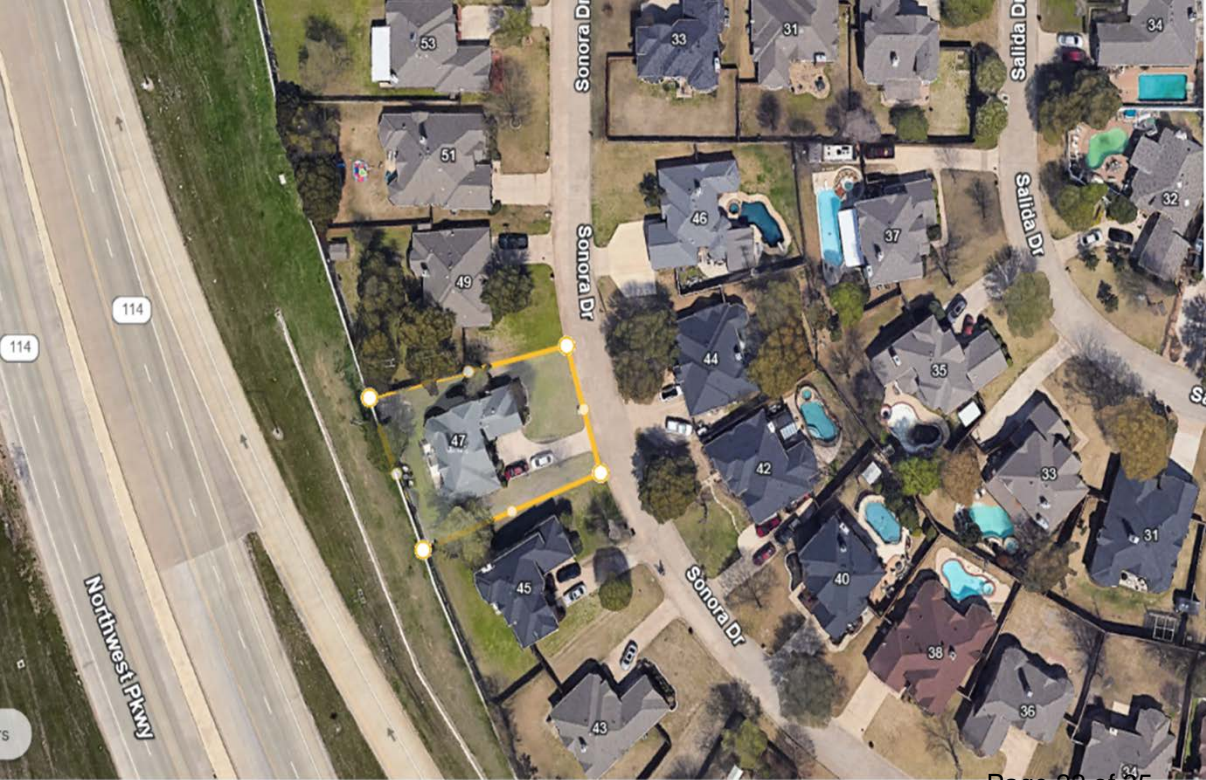
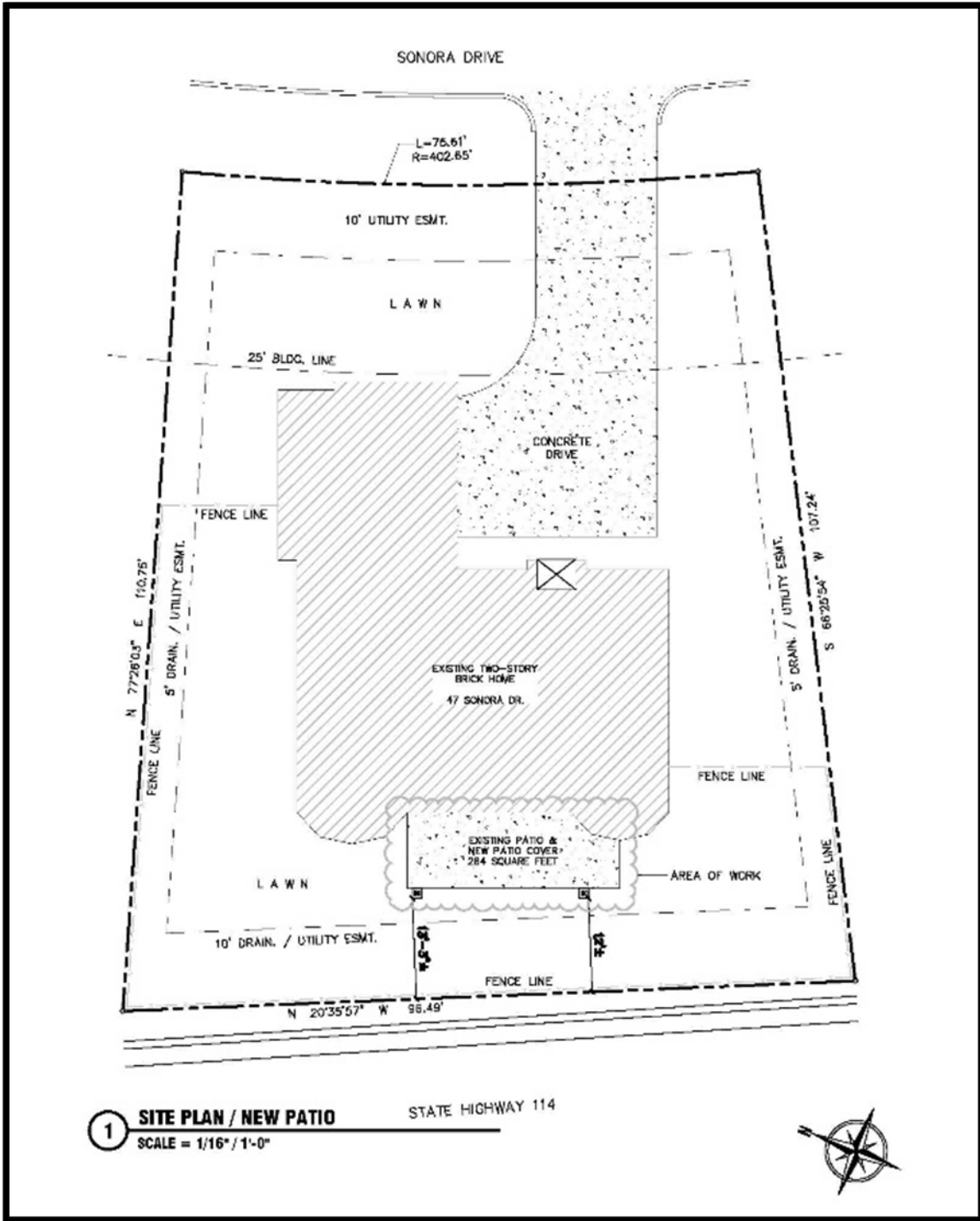
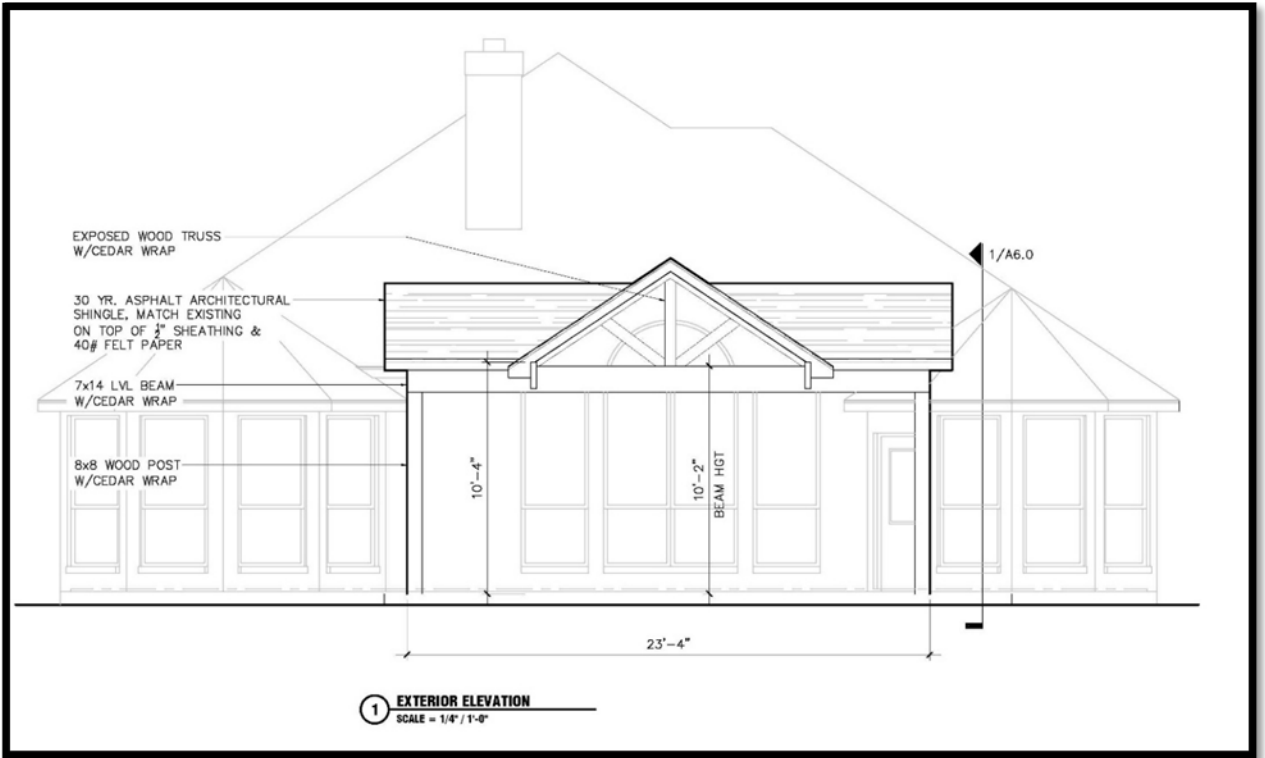
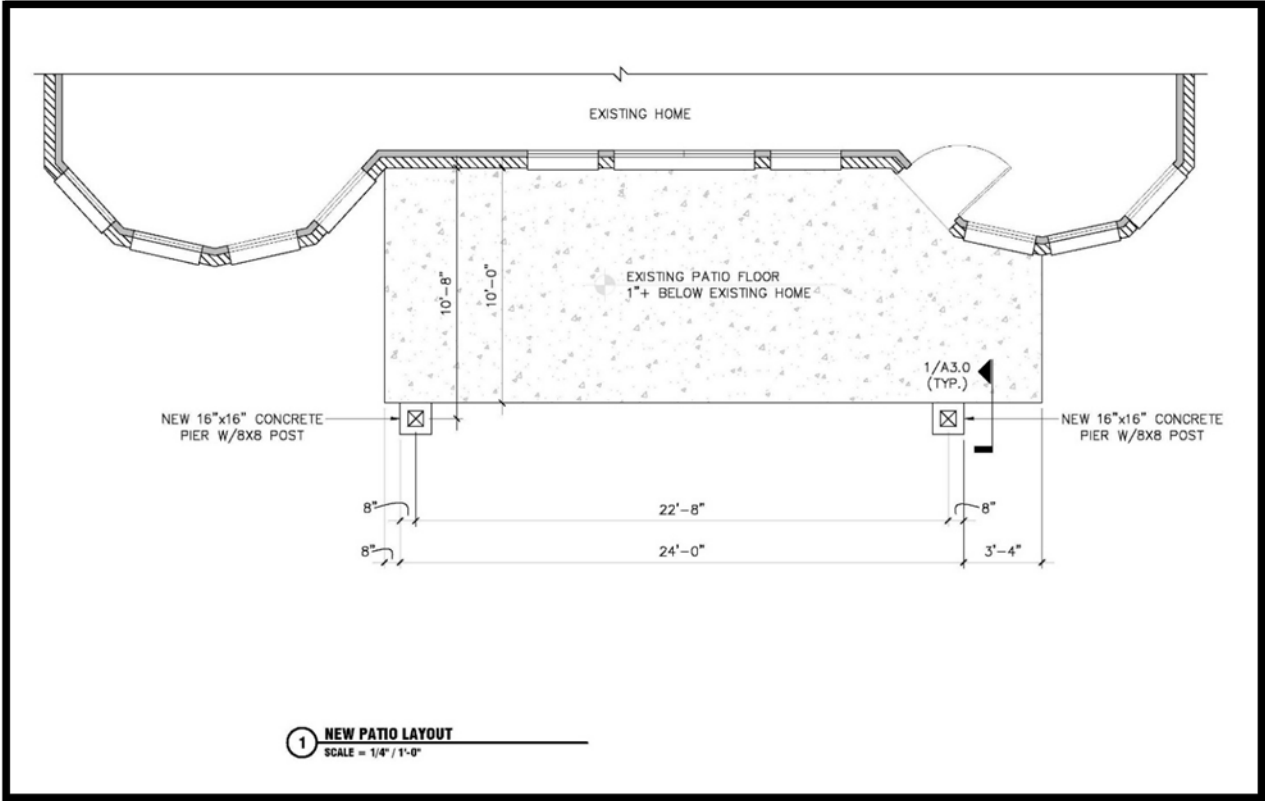
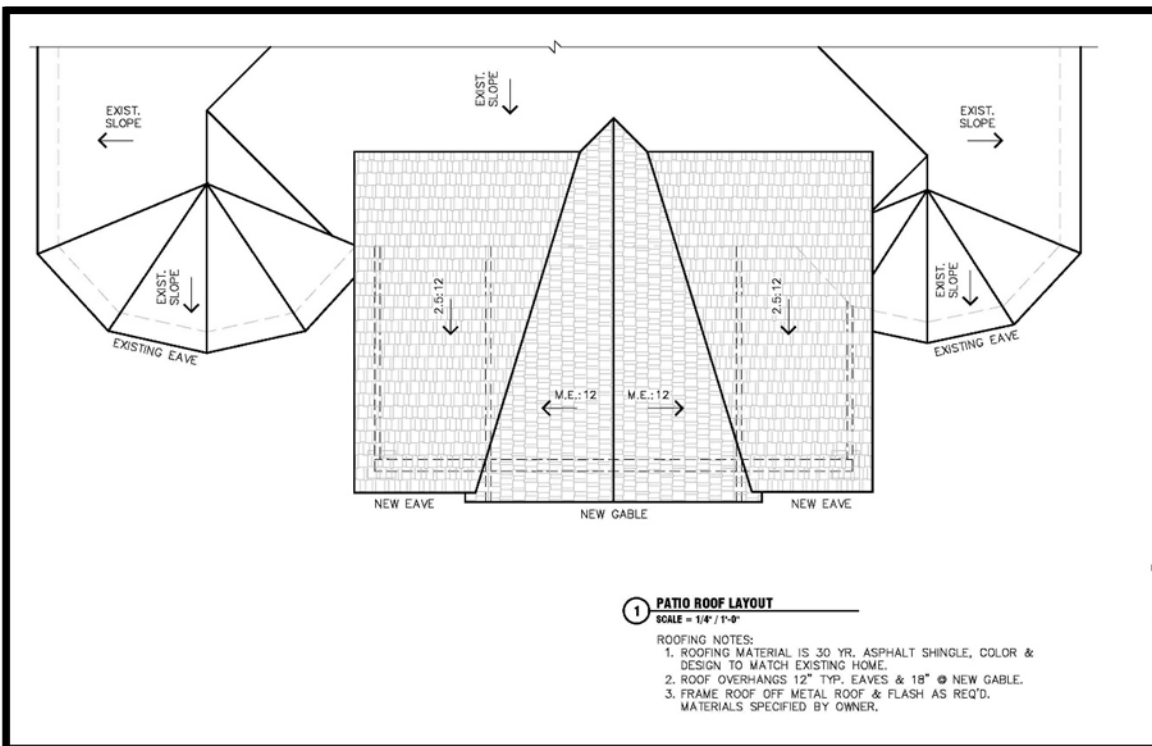
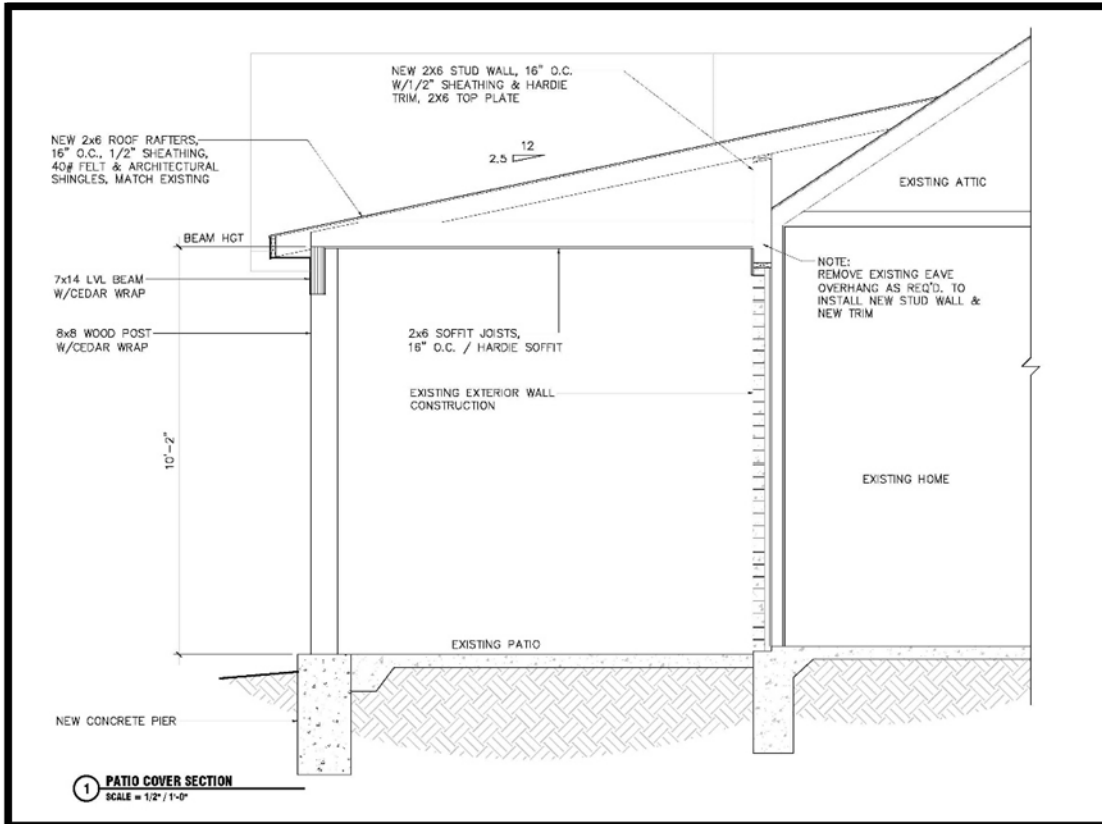
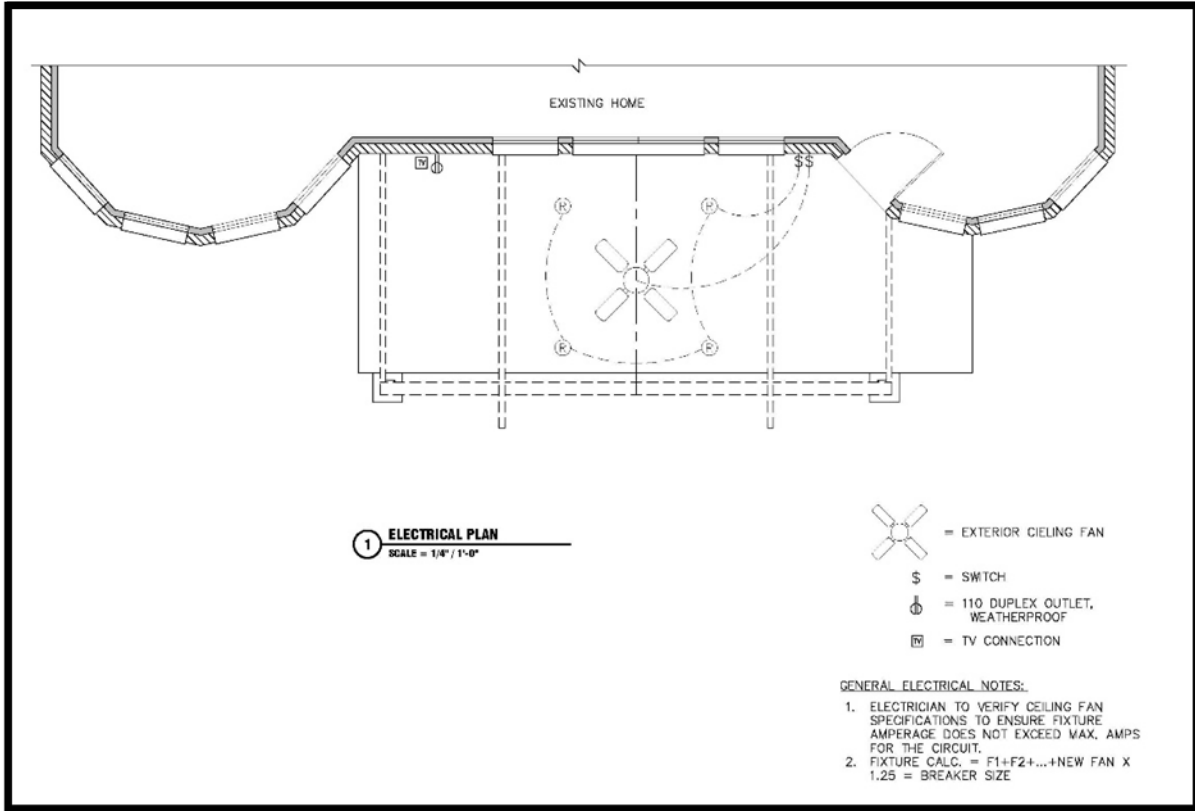


Exhibit B – Site Plan & Building Elevations:









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: Requesting a variance to build an attached covered patio to our residence.

New roof and gutters along with replacing needed exterior components and complete exterior new paint as all part of the project. Would like to do all at the same time.


Property Address: 47 Sonora Drive, Trophy Club, TX 76262 Current Zoning: Residential

Legal Description: Trophy Club Village West SEC B Lot 1167R

APPLICANT / OWNER INFORMATION

Applicant

Owner (If Different)


Name: <u>Michael Conklin</u>	Name: _____
Address: <u>47 Sonora Drive</u>	Address: _____
State/ZIP: <u>Texas / 76262</u>	State/ZIP: _____
Phone: <u>940-453-5362</u>	Phone: _____
Email: <u>mr.mike.conklin@gmail.com</u>	Email: _____
Signature: <u></u>	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: 1-6-25
 Received by: 
 Fee Paid: \$300.00
 Payment Type/Check #: _____
 Receipt #: 00011280
 Case #: RPR-000225-2025

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 rear yard of my property directly borders the Highway 114 sound barrier wall, presenting unique challenges for landscaping and structural improvements. The sound barrier wall ensures that the proposed covered porch will not visually impact any neighboring properties. Additionally, a free-standing structure that would comply with current setback regulations would not achieve the same aesthetic and functional integration with the existing residence. A freestanding design would appear out of place and lack the durability and visual harmony of an attached structure built as part of the original home design. This attached design would provide a higher quality, longer-lasting, and more visually appealing addition to the property, aligning with the overall character of the neighborhood. The proposed structure is designed to maintain the integrity of the neighborhood, pose no detriment to nearby property owners, and enhance the usability of my backyard while minimizing maintenance challenges inherent to free-standing structures.

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

I do not have direct knowledge of other homeowners encountering the same challenge, but I understand that variances and adjustments are common when unforeseen situations arise during the permitting process. It is possible that some structures in the area may already be close to or in violation of current codes, whether due to older construction standards or unintentional oversight. Furthermore, my experience highlights a potential issue for other homeowners, as they may not become aware of such challenges until engaging in the building permit process.

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

I would like to respectfully note that the circumstances requiring the requested construction variance are not a result of any actions on my part. It appears that the applicable ordinance was enacted after the lot and structure were originally constructed. This seems evident as the original porch is located within the setback area outlined by the current ordinance.

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

This project cannot be completed without the variance request. As outlined above, adhering to the construction process and compliance requirements necessitates obtaining the proper permits and oversight, which would not be possible without approval of the variance.

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, EN-CROACHMENTS AND THE VARIANCE, SPECIAL EXCEPTION OR APPEAL REQUESTED. THE SPECIFIC REQUEST SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.).

January 6th, 2025

To Whom It May Concern,

I am writing to formally request a variance to the current city ordinance regarding setback requirements for attached structures. My request pertains to the construction of an attached covered porch at my residence located at 47 Sonora Drive.

The rear yard of my property directly borders the Highway 114 sound barrier wall, presenting unique challenges for landscaping and structural improvements. The sound barrier wall ensures that the proposed covered porch will not visually impact any neighboring properties.

Additionally, a free-standing structure that would comply with current setback regulations would not achieve the same aesthetic and functional integration with the existing residence. A freestanding design would appear out of place and lack the durability and visual harmony of an attached structure built as part of the original home design. This attached design would provide a higher quality, longer lasting, and more visually appealing addition to the property, aligning with the overall character of the neighborhood.

Given these circumstances, I respectfully request an exception to the ordinance to allow the construction of this attached porch. The proposed structure is designed to maintain the integrity of the neighborhood, pose no detriment to nearby property owners, and enhance the usability of my backyard while minimizing maintenance challenges inherent to free-standing structures.

As part of my variance application, I wish to address the criterion regarding whether similar conditions exist in the area. While I do not have direct knowledge of other homeowners facing identical circumstances, I believe my request aligns with broader community conditions and warrants consideration.

First, I acknowledge that I cannot definitively confirm whether other properties in my neighborhood have encountered the exact same issue. However, it is reasonable to surmise that similar situations may exist. Over time, various factors such as older construction standards, lot configurations, and evolving code requirements may have resulted in structures that are extremely close to or possibly in violation of current zoning regulations. In some cases, these issues may remain unnoticed until homeowners engage with the building permit process, as I have done.

Second, based on visible observations within the community, there appear to be structures that share characteristics of proximity or encroachment that my proposed project addresses. While I cannot speak to the specifics of those properties, their existence suggests that my situation is not unique and aligns with patterns seen in our neighborhood.

Finally, I believe my experience brings awareness to a broader challenge that other homeowners may face without realizing it. This underscores the importance of a thoughtful and flexible approach to zoning and permitting that considers individual circumstances while maintaining community standards.

Considering these points, I respectfully request approval of this variance to allow my project to proceed. I believe granting this variance is in the spirit of supporting the community's growth and adapting to evolving needs without compromising the integrity of the neighborhood.

Thank you for your time and consideration. I am happy to provide additional information or address any questions that may arise.

Sincerely,

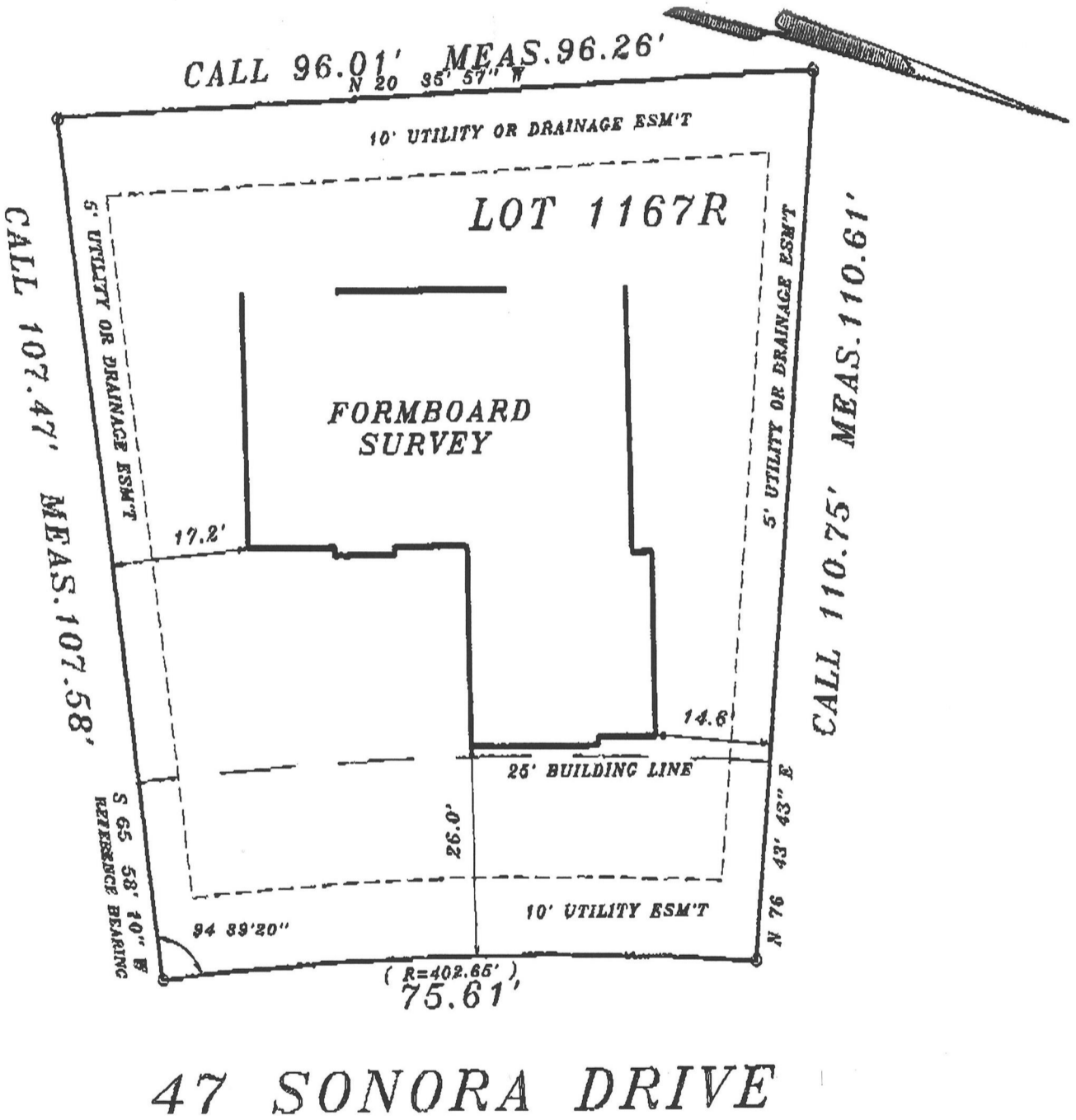


Michael Conklin

47 Sonora Drive
Trophy Club, Texas 76262

SURVEY PLAT

LOT 1167R, OF REPLAT OF VILLAGE WEST SECTION "B", AN
ADDITION TO THE CITY OF TROPHY CLUB, DENTON COUNTY, TEXAS.



47 SONORA DRIVE

I hereby certify that on the 4th day of Oct, 1995, this survey was made on the ground as per the field notes shown on this survey and is true, correct, and accurate as to the dimensions of the subject property and size, location and type of buildings and improvements thereon, if any. The survey shows all easements and visible easements of which I have knowledge or have been advised affecting the subject property. There are no encroachments, conflicts, or protrusions visible on the ground other than those shown.

Date : OCTOBER 5, 1995



JOB # : _____

GF No. _____
Scale: 1" = 20.0'

⊕ LEGEND ⊕	
1/8" Steel / Iron Rod Found	○
1/2" Steel / Iron Rod Set	●
Property Line	—
Road Fence	- - - - -
Chain Link / Wire Fence	x-x-x-x-x-x-x-x
Overhead Electric	- E - E - E -

Harry Rowell

HARRY ROWELL
& Associates, INC.
Surveying & Engineering
1901 Elm Street Ste. 201
Carrollton, Texas 75006



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

January 31, 2025

Re: Variance request for rear yard setback at 47 Sonora Drive

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 changes, which are described below and shown on a location map on the reverse side.

A request made by Michael Conklin for a variance of the Town's Zoning Ordinance to reduce the rear yard setback to accommodate an attached covered patio structure at 47 Sonora Drive, Trophy Club, Denton County, Texas. Case ZBA-25-002

Public Hearings will be held at a meeting by the Board of Adjustment on **Thursday, February 20, 2023, at 6:00 PM**. The meeting will be held 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.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Cox', is written over a light blue circular stamp.

Matt Cox

Director of Community Development



PUBLIC HEARING

A request made by Michael Conklin for a variance of the Town's Zoning Ordinance to reduce the rear yard setback to accommodate an attached covered patio structure at 47 Sonora Drive, Trophy Club, Denton County, Texas. Case ZBA-25-002

**47 SONORA DRIVE
NOTIFICATION MAP**

TROPHY CLUB, TEXAS



N

SCALE: 1"=100'



Town of Trophy Club

1 Trophy Wood Drive
Trophy Club, Texas 76262

Meeting Minutes

Zoning Board of Adjustment

December 5, 2024

6:00 PM

Council Chambers

CALL TO ORDER AND ANNOUNCE A QUORUM

Chairperson Bowman called the December 5, 2024, Zoning Board of Adjustment meeting to order at 6:00 PM and announced a quorum.

Board Members Present:

Steve Bowman	Chairperson
Doug Harper	Board Member
Steven Boedeker	Board Member
Reid Burley	Board Member
Aaron Ross	Board Member

Board Members Absent:

None

Staff Present:

Matt Cox	Director of Community Development
Alicia Santos	Sr. Administrative Assistant
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. Board Training. (Tammy Dixon, Town Secretary)

- a. Introduction of members.
- b. Board Training and Zoning Board of Adjustment Board's Roles and Responsibilities.

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

3. Case ZBA-24-002 (2517 Aspen)

Conduct a Public Hearing and consider action regarding a request made by Drees Custom Homes, LLP for 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 2517 Aspen Drive, Trophy Club, Denton County, Texas. (M. Cox).

Chairperson Bowman opened the public hearing at 6:29 PM

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

Applicant Mike Davis with Drees Homes presented and was available for questions.

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

Pete Totter –2800 Sheffield Drive - President of HOA – was for the approval of the fence.

Chairperson Bowman closed the public hearing at 6:40 PM

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

4. Case ZBA-24-005 (2848 Iris Drive)

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

Chairperson Bowman opened the public hearing at 6:51 PM.

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

Applicant Mike Davis with Drees Homes presented and was available for questions.

Chairperson Bowman closed the public hearing at 6:55 PM.

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

5. Case ZBA-24-003 (213 Inverness Drive)

Conduct a Public Hearing and consider action regarding a request made by Mike & Tonya Gough to allow front face garage to the street at 213 Inverness Drive, Trophy Club, Denton County, Texas. (M. Cox)

Chairperson Bowman opened the public hearing at 7:01 PM

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

Applicant Tonya Gough presented and was available for questions.
Victor Ramirez – Contractor – presented and was available for questions.

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

Pat Keefer – 216 Fresh Meadow – was opposed.
Ben Bruster -222 Fresh Medow - was opposed.

Chairperson Bowman closed the public hearing at 7:21 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 Ross. Chairperson Bowman called for a vote. The motion was denied 2-3.

6. Case ZBA-24.004 (8 Pin Oak Court)

Conduct a Public Hearing and consider action regarding a request made by Kelly & Amy Nolan for a variance to allow a proposed addition to a residential structure to encroach on the rear setback, generally located east of Trophy Wood Drive at 8 Pin Oak Court, Trophy Club, Denton County, Texas. (M. Cox)

Chairperson Bowman opened the public hearing at 7:41 PM

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

Applicant Amy Nolan - presented and was available for questions.
Applicant Kelly Nolan - presented and was available for questions.

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

Chairperson Bowman closed the public hearing at 7:49 PM

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

7. Take appropriate action regarding the January 11, 2024, Zoning Board of Adjustment meeting minutes (A. Santos).

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

ADJOURN

Chairperson Bowman motioned to adjourn the meeting at 7:57 PM.

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

Alicia Santos
Sr. Administrative Assistant
Town of Trophy Club, TX