



MINUTES

FOR THE

SEAGOVILLE BOARD OF ADJUSTMENTS

Meeting scheduled to begin at 6:30 p.m.,

Thursday, September 17, 2020

in the Council Chambers of City Hall,

located at 702 North U.S. Highway 175 – Seagoville, Texas

Chairman Jerry Yearout declared a quorum present and called the meeting to order at 6:30 p.m.

Chairman: Jerry Yearout
Vice-Chairman: Nancy Ashley
Board Member: Sidney Sexton
Board Member: Lorin Mullens

City Staff present: Community Development Director Ladis Barr and Administrative Assistant Casey Fillmore

Board Member Mullens led the invocation.

Board Members led in reciting the Pledge of Allegiance.

1. Approval of Minutes

Discuss and consider approval of Board of Adjustment meeting minutes for August 27, 2020

Motion to approve the Board of Adjustment meeting minutes for August 27, 2020 as corrected. - Board Member Mullens, seconded by Vice-Chairman Ashley. The motion passed with all ayes. 4/0

- 2. Public Hearing: #V2020-05** Conduct a public hearing to discuss and consider appealing the Community Development Director Barr decision on a request from Elizabeth Prado, owner of 2509 Henley Drive, to reduce the rear yard setback by ten (10') feet five (5") inches from the required twenty (20') feet from Ordinance Number 14-15 Development Regulation for a Planned Development on Lot 3, Block C of the Highland Meadows Phase 3, of Dallas County, Seagoville, Texas.

Chairman Yearout opened the public hearing at 6:33 p.m.

Community Development Director Barr stated that the property is located at 2509 Henley Drive in the Highland Meadows Phase 3 development. He added that the applicant is requesting for a variance on the rear yard to build a patio.

Community Development Director Barr stated that the setback for the rear of the property is twenty (20') feet. He made mention that the proposed patio would only leave a rear yard setback of ten (10') feet one (1") inch.

Elizabeth Prado, owner of 2509 Henley Drive, stated that she is requesting the variance to build a covered patio in the rear of her property. She added that the proposed patio would be eleven (11') feet by twenty-five (25') feet in size.

In response to a question from Board Member Sexton, Ms. Prado stated she is requesting the variance for the patio so her family could enjoy the back yard and to provide shade in the afternoon.

Ms. Prado stated that the code would only allow a small patio to be built, which would not provide enough room for her entire family to enjoy at the same time. She added that her family consist of three (3) daughters, herself and her husband.

Board Member Sexton stated he went to look at the property requesting a variance but could not see over the fence. He made mention that a larger patio would place her closer to the neighbors, which might result in a noise complaint if the family where to have loud entertainment outside.

Board Member Sexton stated that the request for the larger patio is a matter of convenience and not a hardship.

In response to a question from Board Member Sexton, Ms. Prado stated that she is surrounded by two-story homes and her daughters feel as if someone is watching them when they go outside in the back yard.

Vice-Chairman Ashley stated that she cannot see a hardship for the variance to be approved. She added that the patio would be for convenience, therefore the rear yard setback of the Ordinance would be upheld.

Board Member Mullens stated that the builder of the house took full advantage of all the area available to make the home larger, which resulted in a smaller back yard.

Chairman Yearout stated that the law states that there must be a hardship for the Board to approve any variance request. He added that there is no hardship present for the granting the request for a larger patio on the subject property.

In response to a comment made by Chairman Yearout, Community Development Director Barr stated that the lots located in the subdivision do not have zero side yard setbacks.

Chairman Yearout closed the public hearing at 6:43 p.m.

A motion was made to deny the request of Elizabeth Prado, owner of 2509 Henley Drive, for the variance from Ordinance 14-15 to reduce the minimum rear yard setback from twenty (20') feet to ten (10') feet five (5") inches for a patio. - Board Member Sexton, seconded by Chairman Yearout. Motion passed with all ayes. 4/0

The meeting adjourned at 6:44 p.m.



CHAIRMAN
JERRY YEAROUT

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR
LADIS BARR