



ZONING BOARD OF
ADJUSTMENT MEETING
September 24, 2019



111 W. Lyndale, Robinson, TX 76706-5619
Phone (254) 662-1415 ❖ Fax (254) 662-1035

PUBLIC NOTICE

THE CITY OF ROBINSON ZONING BOARD OF ADJUSTMENT WILL MEET ON TUESDAY, SEPTEMBER 24, 2019 AT 6:00 P.M. IN THE COUNCIL ROOM AT ROBINSON CITY HALL, 111 WEST LYNDALE DRIVE, ROBINSON, TEXAS TO CONSIDER AND ACT ON THE ITEMS ON THE FOLLOWING AGENDA.

1. Call to Order.
2. Invocation.
3. Roll Call.
4. Approve Minutes: August 27, 2019
5. **PUBLIC HEARING:** Conduct a public hearing and consider the application of Lindsey Ostrom requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 2, Block 1 of the Ostrom Farms Addition, being 0.57 acres addressed at 744 N. Old Robinson Road.
6. Board member comments and/or questions: No discussion by or with Board members will be held on any matter not listed on an official agenda as required by law.
7. Adjourn.

**The Governing Body reserves the right to go into Executive Session on any of the above items as provided by Government Code Chapter 551.*

**Public Hearings will be held in accordance with procedures set forth in Resolution R-95-011, adopted by the City Council on June 13, 1995. Note: Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services should contact Jana Lewellen, City Secretary at 254-662-1415 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.*

POSTED: _____
AT: _____
BY: _____

Zoning Board of Adjustment Agenda
September 24, 2019
Page 1 of 1



ZONING BOARD OF ADJUSTMENT AGENDA ITEM MEMORANDUM

Date Submitted: 9/20/2019
Meeting Date: 9/24/2019
Items #1-3

CALL TO ORDER:

INVOCATION:

ROLL CALL:

	PRESENT	ABSENT
FOX	_____	_____
THOMPSON	_____	_____
KENNY	_____	_____
KNIGHT	_____	_____
FEATHERSTON	_____	_____
(VACANT)	_____	_____
(VACANT)	_____	_____



ZONING BOARD OF ADJUSTMENT AGENDA ITEM MEMORANDUM

Date Submitted: 9/20/2019

Meeting Date: 9/24/2019

Item #4

DEPT./DIVISION SUBMISSION & REVIEW:

Terry Fox, Chair

ITEM DESCRIPTION: Approve Minutes: August 27, 2019.

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: A copy of the minutes has been provided for review.

FISCAL IMPACT: None

ATTACHMENTS:

August 27, 2019 Regular Meeting Minutes

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
AUGUST 27, 2019**

1. **Call to order:** Meeting was called to order at 7:01 PM by Chairman, Terry Fox
2. **Invocation:** Kevin Kenny provided the invocation
3. **Roll call:** Members present: Terry Fox, Kevin Kenny, Reese Knight, and Jason Featherson. Members Absent: Butch Mogavero.
4. **Approve Minutes: May 14, 2019.** Following a brief discussion by the Board, Reese Knight motioned to approve minutes as written. Jason Featherson seconded this motion. Voting in favor: Fox, Kenny, Knight, and Featherson. There were no opposing votes and motion carried unanimously.
5. **PUBLIC HEARING: Conduct a public hearing and consider the application of Stephen Byrd requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 1, Block D of the Hamilton Heights Addition, being 0.4117 acres addressed at 2257 Grieg Drive.** The Public Hearing was opened at 7:04 PM. Terry Fox, Chairman, provided the Board with a brief overview of the variance requested. Applicant Stephen Byrd, 2257 Greig Drive, Robinson, Texas 76706, spoke in favor of the variance and respectfully requested approval. After no additional comments, the Public Hearing was closed at 7:11 PM. Following a brief discussion by the Board, Terry Fox motioned to approve the variance request as presented. Kevin Kenny seconded this motion. Voting in favor: Fox, Kenny, Knight, and Featherson. There were no opposing votes and motion carried unanimously.
6. **Discussion on future meetings dates.**
7. **Board member comments and/or questions: No discussion by or with Board members will be held on any matter not listed on an official agenda as required by law.** None
8. **Adjourn:** Meeting adjourned at 7:22 p.m.

Terry Fox, Chairperson

Attest:

Justin French, Planning and Development Director



ZBA AGENDA ITEM MEMORANDUM

Regular Agenda Item
Date Submitted: 9/18/19
Meeting Date: 9/24/19
Agenda Item #5

DEPT./DIVISION SUBMISSION & REVIEW:

Justin French, Director of Planning and Development

ITEM DESCRIPTION: PUBLIC HEARING: Conduct a public hearing and consider the application of Lindsey Ostrom requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 2, Block 1 of the Ostrom Farms Addition, being 0.57 acres addressed at 744 N. Old Robinson Road.

PROJECT ANALYSIS: The applicant requests that the Board grant a variance to the requirement that her single family residence have two enclosed parking spaces (garage) on the same lot. The Robinson City Council adopted the current zoning ordinance on April 3, 2018. Prior to this ordinance, single family residences were required to have two off-street parking spaces but no enclosed parking spaces were required. The existing residence has a one-car garage that the applicant desires to enclose as living area, which increasing the degree of nonconformity at the site without a one-or-two-car garage being constructed elsewhere on the lot. The applicant's stated hardship is her irregular-shaped lot and inadequate side yards for a driveway to a garage behind the residence.

BOARD ACTION: Per Section 2.42 of the Zoning Ordinance, the Board of Adjustment may authorize in specific cases a variance from the terms of a zoning ordinance if:

- 1) the variance is not contrary to the public interest and,
- 2) due to special conditions, a literal enforcement of the zoning ordinance would result in unnecessary hardship, and
- 3) so that the spirit of the ordinance is observed and substantial justice is done.

The concurring vote of seventy-five (75) percent of the members of the Board is necessary to authorized a variation from the terms of this Zoning Ordinance.

ATTACHMENTS:

Zoning Board of Adjustment Application
Property Location Map

Letter to Applicant
Property Owner Notification
List of Property Owners Notified
Notice of Public Hearing



ZONING BOARD OF ADJUSTMENT APPLICATION

1. Case: _____ Applicant: Lindsey A. Ostrom Date: 9/5/2019
2. Property Address: 744 N. Old Robinson Road
3. Legal Description: (Submit certified field notes, if not subdivided with lot and block description)
Lot(s): 2 Block: 1 Addition: Ostrom Farms Addition
4. Existing Property Use: Residential 5. Proposed Property Use: Residential
6. Existing Zoning: _____

BUILDING INSPECTION DEPARTMENT PROCESSING: All requests for variances may originate in the various city departments and then routed to the Building Inspection Department for processing. To begin the process of getting a variance, you must first apply at the Building Inspection Department for a building permit. Many times alternate solutions can be found for the problem, and no variance is needed.

APPLICABLE VARIANCES:

No variance can be given on the following items: minimum lot sizes, minimum development standards (ie, streets, utilities, etc.), sign regulations (except setbacks and height); and the 15' front yard prohibition on carports.

8. **REASON FOR APPLICATION** (choose among options A through E):

If you are applying for a variance, then state your request:

Request approval to convert present single vehicle garage into additional living space (new bedroom and full bath). Garage was originally built to be living space, already has HVAC and electrical to be living space with exception of the garage door. Request for variance is to allow current single garage to be converted into living space without the replacement of garage.

Describe the difficulty or hardship:

To meet current ordinance requirements of replacing current garage with a new one would be a hardship due to the irregular shape of the lot. There is not adequate space between existing dwelling and side property lines and set back lines. Even if there were space because the original dwelling was built on a special raised slab to build and attach additional improvements ~~were~~ ^{would} be financial hardship.

To be granted, the following criteria must be met:

1) The application of the zoning ordinance to the property would create a practical difficulty because the property is subject to exceptional physical conditions (ie, extreme variations in topography or unusual shape of lot) unique to it, or would result in an unnecessary hardship not applicable to other property in the same zoning district that deprives the owner of the reasonable use of the property.

- 2) The practical difficulties or unnecessary hardship were not created by the applicant;
- 3) The variance is the minimum needed to prevent a practical difficulty or an unnecessary hardship;
- 4) The variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood;
- 5) The variance will be in harmony with the general purposes and intent of the zoning ordinance.

NON-CONFORMING USE EXPANSION:

If you are seeking to rebuild or expand a non-conforming use, then the following criteria must be met for your case:

- 1) That expansion will not exceed 50% of the ground area of the existing building
- 2) The construction will not prevent the long term return of the building to a conforming use
- 3) Side yard requirements can be met.

NON-CONFORMING USE CHANGE:

If you are seeking permission to change from one non-conforming use to another non-conforming use, then the following criteria must be met for your case:

- 1) The proposed use will be more compatible with surrounding neighborhood & less intrusive than the existing use
- 2) The change will not prevent the long term return of the building to a conforming use
- 3) The property may not return to the former non-conforming use.

BUILDING OFFICIAL APPEAL:

If you are appealing a decision of the Building Official, then attach a letter stating the nature of the appeal or describe your request below:

AMORTIZATION OF A NON-CONFORMING USE:

If you are filing a plan for amortization of a non-conforming use, then attach a copy of your plan to this application and describe your request below:

9. Site Plan included? yes All applications must be accompanied by a development plan/map that includes elements like site plan, parking, utilities, topographic, building plans, and other information that describe the need for the variance.
10. Have any of these requests been made before? Yes No Dates: _____
11. Fee to be paid: \$ _____. (Make check payable to the City of Robinson)
12. The next filing deadline is 5 p.m. on _____ to be heard at the Zoning Board of Adjustment meeting on _____.
13. List names of all partners, board members, and officers of companies involved in this case, in order for the Zoning Board of Adjustment to determine conflicts of interest they might have in individual cases. Failure to do so may result in delaying action on the case until the following month.

14. **CERTIFICATION:** I, as applicant/owner, hereby certify that a) I have examined the abstract of title and/or the county deed records to determine that no deed restrictions apply to this property that would prohibit this request; and b) the information included in this application is true to the best of my knowledge.

Applicant/Owner: Lindsey A. Ostrom
Signature

Buyer/Agent: _____
Signature

Applicant Name: Lindsey A. Ostrom
(Printed)

Buyer/Agent: _____
(Printed)

Address/Zip: 744 N. Old Robinson Rd.
Robinson 76706

Address/Zip: _____

Work Telephone: _____

Work Telephone: _____

Hm. Telephone: 254-722-7710

Hm. Telephone: _____

Email Address: lostrom83@hotmail.com

Email Address: _____

Applicant Present Owner

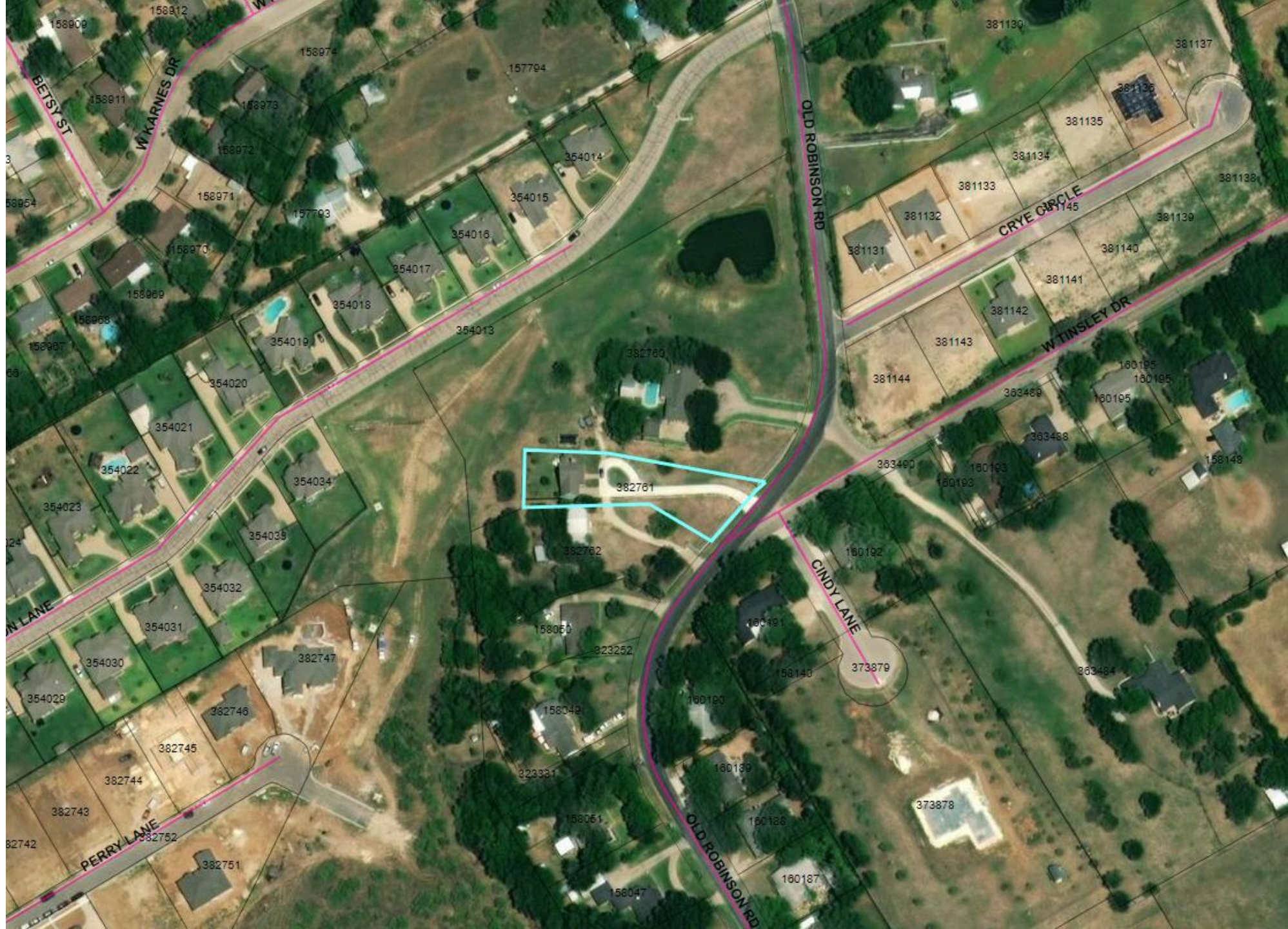
Buyer Agent

15. **SITE PLAN AND DRAWINGS:** A drawing of your property must be submitted. You may also submit any photographs or other information you feel will help as listed below:
 - A) The plot or site plan should show the overall dimensions and shape of the lot itself, along with any existing buildings or other structures with dimensions indicating the sizes of these and their distances from each other (in feet).
 - B) Please indicate the distance from the major structure to street curb line(s). Curb lines are generally five to ten feet out in front of the property line providing what is called public right-of-way (usually used as part of the front yard).
 - C) If the variance relates to new construction, indicate the location and dimensions of these additions.
 - D) For multi-family, office, commercial and industrial uses, provisions for off-street parking should be shown.

16. **SOMEONE MUST REPRESENT THE APPLICANT AT THE PUBLIC HEARING TO ANSWER ANY QUESTIONS WHICH THE ZONING BOARD OF ADJUSTMENT OR GENERAL PUBLIC MAY HAVE CONCERNING THE CASE.**

17. Mail or deliver this application to: Attn. Planning and Zoning Director, City of Robinson, 111 W. Lyndale, Robinson, TX 76706. If you need additional information, please call 254/662-1415.







NOTICE OF PUBLIC HEARING

CASE: ZBA-2019-6

September 9, 2019

Lindsey Ostrom
744 N. Old Robinson Road
Robinson, TX 76706

Ref.: Variance Request

Dear Applicant:

This is to advise that your variance request to Section 6.6.5 of the zoning ordinance, requiring two enclosed parking spaces (garage) on the same lot as the main structure is scheduled for consideration by the Zoning Board of Adjustment. A Notice of Public Hearing, at which interested person(s) will be given an opportunity to be heard, was mailed to all property owners within two hundred (200) feet of the subject property. In hearing this matter, the Zoning Board of Adjustment may approve the variance request as submitted, approve an amended request, or deny the request.

NOTICE OF HEARING BEFORE THE ZONING BOARD OF ADJUSTMENT

The City of Robinson Zoning Board of Adjustment will meet and conduct a Public Hearing regarding the below matter on Tuesday, September 9, 2019 at 6:00 PM in the Robinson City Hall City Council Room at 111 W. Lyndale Drive.

Application of Lindsey Ostrom requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 2, Block 1 of the Ostrom Farms Addition, being 0.57 acres addressed at 744 N. Old Robinson Road.

For more information, you may contact the Planning and Development Department at 254-662-1415 or at 111 W. Lyndale Drive.

Sincerely,

Justin French, AICP
Director of Planning and Development
City of Robinson
111 W. Lyndale Avenue
Robinson, TX 76706
j.french@robinsontexas.org



NOTICE OF PUBLIC HEARING

CASE: ZBA-2019-6

September 9, 2019

Dear Sir or Madam:

NOTICE OF HEARING BEFORE THE ZONING BOARD OF ADJUSTMENT

The City of Robinson Zoning Board of Adjustment will meet and conduct a Public Hearing regarding the below matter on Tuesday, September 24, 2019 at 6:00 PM in the Robinson City Hall City Council Room at 111 W. Lyndale Drive.

Application of Lindsey Ostrom requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 2, Block 1 of the Ostrom Farms Addition, being 0.57 acres addressed at 744 N. Old Robinson Road.

According to City Tax Records, you are the owner of property that is located within two hundred (200) feet of the area of the variance request. This is a notice of the public hearing, at which time any interested persons will be given an opportunity to be heard. In hearing this matter, the Zoning Board of Adjustment may approve the request as submitted, approve an amended request, or deny the request.

For more information on this matter, you may contact the Planning and Development Department at 254-662-1415 or at 111 W. Lyndale Drive.

Sincerely,

Justin French, AICP
Director of Planning and Development
City of Robinson
111 W. Lyndale Drive
Robinson, TX 76706
j.french@robinsontexas.org

Please circle one and return to the City of Robinson with explanation. 1. In favor 2. Opposed 3. Neutral

Name: _____ **Address:** _____

Explanation/Comments:

Address	Owner Name	Mailing Address	City	State	Zip Code	Property ID
800 N OLD ROBINSON RD	OSTROM ROBERT S ET AL	800 N OLD ROBINSON RD	Robinson	TX	76706	382760
N OLD ROBINSON RD	OSTROM ROBERT S ET AL	800 N OLD ROBINSON RD	Robinson	TX	76706	382762
500 HUNTON LN	HUNTON ESTATES OWNERS ASSOCIATION INC	558 HUNTON LANE	Robinson	TX	76706	354013
736 N OLD ROBINSON RD	SCHMEDTHORST MARY R (OSTROM)	736 N OLD ROBINSON RD	Robinson	TX	76706	158050
	OSTROM PENNY LUANN	734 N OLD ROBINSON RD	Robinson	TX	76706	323252
324 CRYE CIR	RUIZ IGNACIO SR	216 N OLD TEMPLE RD	Hewitt	TX	76643	381144
737 OLD ROBINSON RD	HALL DONALD R & GLENDA R	737 N OLD ROBINSON RD	Robinson	TX	76706	160190
739 N OLD ROBINSON RD	VEGA FRANCISCO & ELODIA	739 N OLD ROBINSON RD	Robinson	TX	76706	160191
340 W TINSLEY DR	KURETSCH KEVIN	304 W TINSLEY DR	Robinson	TX	76706	160192
336 W TINSLEY DR	ROSE TIFFANY A & CHRISTOPHER D	336 W TINSLEY DR	Robinson	TX	76706	363484
	Applicants					
744 N OLD ROBINSON RD	OSTROM LINDSEY ANNE	744 N OLD ROBINSON RD	Robinson	TX	76706	382761

PUBLIC NOTICE

The City of Robinson Zoning Board of Adjustment will meet and conduct a Public Hearing regarding the below matter on Tuesday, September 24, 2019 at 6:00 PM in the Council Chambers at City Hall, 111 W. Lyndale Drive, Robinson, Texas, to consider the following.

Application of Lindsey Ostrom requesting a variance to Section 6.6.5 of the Zoning Ordinance, Ordinance No. 2018-006, as amended, requiring two enclosed parking spaces (garage) on the same lot as the main structure in the SF-1 zoning district on Lot 2, Block 1 of the Ostrom Farms Addition, being 0.57 acres addressed at 744 N. Old Robinson Road.

Jana Lewellen, City Secretary

BY: MITCHELL & ASSOC., INC. 2018

REQUESTED BY: Steve Ostrom

2 OF 5

Lot 2, Block 1 of the Ostrom Farms Addition, to the City of Robinson, McLennan County, Texas, as per plat recorded under McLennan County Clerk's File Number 2018002267 of the Official Public Records of McLennan County, Texas.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	242.00'	16.57'	16.57'	S44°36'34"W	3°55'22"

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.

MITCHELL & ASSOC., INC. does not make or warrant any flood zone designation.

M.C.D.R.- McLennan County Deed Records.

O.P.R.- Official Public Records of McLennan County.

Home Abstract & Title Company - G.F. No. 20172922

Effective Date: January 18, 2018.

NOTES ACCORDING TO SCHEDULE "B"

- 10.b.) Easement recorded under McLennan County Clerk's File Number 2009029477 O.P.R. - Shown hereon.
- 10.d.) Easement recorded under McLennan County Clerk's File Number 2008038357 O.P.R. - Does not appear to affect the subject tract.
- 10.e.) Easement recorded in Volume 1000, Page 361 M.C.D.R. - Blanket easement affects the subject tract. 10.e.) Easement recorded under McLennan County Clerk's File Number 2018002267 O.P.R. - Shown hereon.
- 10.f.) Easement recorded in Volume 386, Page 116 M.C.D.R. - Blanket easement affects the subject tract.
- 10.f.) Easement recorded under McLennan County Clerk's File Number 2018002267 O.P.R. - Shown hereon.
- 10.h.) Easement recorded in Volume 642, Page 42 M.C.D.R. - Blanket easement may affect the subject tract.

This sketch represents a survey made on the ground. During the performance of this survey persons working under my supervision observed conditions along the boundaries and to best of my knowledge they are as shown.

I hereby state that to best of my professional knowledge and belief that this plat and the survey on which it is based meets the requirements for land surveys in the State of Texas.

This the 26 day of Jan, 2018.

Robert E. Mitchell
ROBERT E. MITCHELL, RPLS, NO. 5801

RED SEAL



SURVEYED: 12/8/2017

LEGEND

These standard symbols will be found in the drawing.

- 1/2" IRON ROD FOUND CAPPED "M&A"
- FENCE
- OVERHEAD ELECTRIC



MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
600 Austin Avenue - Suite #29, Waco, Tx. 76701
(254) 776-5151 [L. B. P. L. S. FIRM REGISTRATION NO. 10194044]

ALL RIGHTS RESERVED
BY: MITCHELL & ASSOC., INC. 2018



ZONING BOARD OF ADJUSTMENT AGENDA ITEM MEMORANDUM

Date Submitted: 9/20/2019

Meeting Date: 9/24/2019

Item #6

DEPT./DIVISION SUBMISSION & REVIEW:

Terry Fox, Chair

ITEM DESCRIPTION: Board member comments and/or questions: No discussion by or with Board members will be held on any matter not listed on an official agenda as required by law.

FOX:

MOGAVERO:

KENNY:

KNIGHT:

FEATHERSTON:

(VACANT):

(VACANT):