



**NOTICE OF REGULAR MEETING  
CITY OF PILOT POINT  
BOARD OF ADJUSTMENT AND APPEALS**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF PILOT POINT, TEXAS, WILL HOLD A REGULAR MEETING ON:

**MARCH 8, 2021**

AT 6:00 PM

PILOT POINT CITY HALL  
102 E. MAIN STREET, PILOT POINT, TEXAS

The meeting will be held in person, as well as, virtual.

**You may join the meeting from your computer, tablet or smartphone.**

**<https://global.gotomeeting.com/join/385449621>**

**You can also dial in using your phone.**

**United States: +1 (571) 317-3122**

**Access Code: 385-449-621**

**AGENDA**

- A. ROLL CALL/CALL TO ORDER
- B. Discuss, consider and possible action on the minutes from the December 16, 2020 Board of Adjustment meeting.
- C. Hold a public hearing on a variance request of Mr. Mathew Brown on the property with the approx. address of 100 W. Main Street. The property owner is requesting a variance from the parking space regulations for a church, Sec. 14.02.401.
- D. Discuss, consider, and possible action on a variance request of Mr. Mathew Brown on the property with the approx. address of 100 W. Main Street. The property owner is requesting a variance from the parking space regulations for a church, Sec. 14.02.401.
- E. Adjourn

In compliance with the Americans with Disabilities Act, the City of Pilot Point will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 940-686-2165.

I the undersigned authority do hereby certify this notice was posted on the official bulletin board for the City of Pilot Point, Texas on **March 5, 2021 by 5:00 p.m.**, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

  
\_\_\_\_\_  
Lenette Cox, City Secretary



**Minutes of the December 16, 2020  
Board of Adjustments and Appeals**

The Board of Adjustments and Appeals of the City of Pilot Point, Texas met on December 16, 2020 at 6:00 p.m. for a Board of Adjustment regular meeting at Pilot Point City Hall. Board of Adjustment members present were John Haughton, Shannon Stephens, Brett Kuhn and Curtis Wilson. In attendance via internet conference was Stephanie Fulmer. City staff members present were John Taylor, Development Services Director, and JoAnn Wright, Development Services Administrative Assistant.

**AGENDA**

**A. ROLL CALL/CALL TO ORDER**

Chairman Haughton called role, announced a quorum and called the meeting to order at 6:13 p.m.

**B. Discuss, consider and possible action on the minutes from the July 30, 2020 Board of Adjustment meeting.**

Board Member Shannon Stephens made the motion to accept the minutes from the July 30, 2020 Board of Adjustment meeting. Brett Kuhn seconded the motion. The motion passed unanimously.

**C. Hold a public hearing on a variance request of Mr. Douglas Rice on the property described as White Addition Block 3, Lot 2, Denton Co. with the approximate address on N. Church Street. The property owner is requesting a variance from the requirement of an 8' side Yard setback to a 1' side yard setback on an unimproved alley to be able to build a detached garage.**

Chairman John Haughton opened the Public Hearing at 6:15 p.m. and swore in John Taylor and Douglas Rice, property owner of 121 N. Church Street.

Development Services Director Taylor stated the property is zoned SF-2 and is located at 121 N. Church Street. The required side yard setback for a detached garage is eight feet.

The house does not currently have a garage. The proposed layout of the detached garage meets all required setbacks except for the 8' side setback on the unimproved alley which cannot be met due to the location of the existing house. The garage will be 1' off the unimproved alley. The construction of a garage would bring the property into compliance with the requirement for a garage.

Notice was sent to property owners within 200' of the subject property and the City received comment back from three property owners. Two property owners were in favor and one was against.

Douglas Rice, property owner and applicant, briefed the Board on his request for a variance and answered questions from the Board.

Chairman John Haughton closed the public hearing at 6:30 p.m.

**D. Discuss, consider and possible action on a variance request of Mr. Douglas Rice on the property described as White Addition Block 3, Lot 2, Denton Co. with the approximate address on N. Church Street. The property owner is requesting a variance from the requirement of an 8' side Yard setback to a 1' side yard setback on an unimproved alley to be able to build a detached garage.**

Board Member Kuhn made the motion to approve the variance for a 1 foot side yard setback adjacent to the unimproved alley for the detached garage. Board Member Stephens seconded the motion. The motion passed unanimously.

**E. Adjourn**

Chairman Haughton made the motion to adjourn. Board Member Stephens seconded the motion. The meeting adjourned at 6:31 p.m.

---

**Chairperson**

---

**Secretary**



## Board of Adjustment Agenda March 8, 2021

**Agenda Item:** (Public Hearing and Action Item)

### Agenda Description:

Hold a public hearing on a variance request of Mr. Mathew Brown on the property with the approx. address of 100 W. Main Street. The property owner is requesting a variance from the parking space regulations for a church, Sec. 14.02.401.

Discuss, consider, and possible action on a variance request of Mr. Mathew Brown on the property with the approx. address of 100 W. Main Street. The property owner is requesting a variance from the parking space regulations for a church, Sec. 14.02.401.

### Background Information:

The property is zoned C-1 and in in the Historic District located on the square. The address is 100 W. Main Street and is currently vacant and for sale.



The Summit Church desires to purchase the building for the location of their church. However, like most buildings on the square, there are no onsite parking spaces. The parking ordinance states, “In the case where it is clearly shown by the applicant to the satisfaction of the Board that the provision of the amount of space required for parking stalls, due to the particular nature of the proposed use or other condition, would be an unnecessary hardship, the Board may reduce such requirement.”

Attached is the application for the variance with the Variance Worksheet. This worksheet lays out the criteria that the Board should determine are met to make a finding of hardship and grant the variance.

The following is the stated request taken from the application: “We (Summit Church) are looking to purchase the building at 100 W. Main St. and use it for a church. Our seating capacity is approximately 124, and our occupancy per the Fire Marshall is 287. We are requesting permission to use city hall parking and the new lot to the east of city hall. We will only be needing parking on Sundays before noon. One day per week.”

The City Hall has 43 parking spaces and 7 that are marked for police cars until the police move to their new building. The EDC has plans to build a new parking lot to the east of city hall, which will have approximately 50 parking spaces.

The parking ordinance calls for parking of a church to be 1 space for every 6 seats (in sanctuary). As can be seen from the attached floor plan of the church, there is no fixed seating and movable chairs are intended to be used. Without the ability to base the parking calculations on fixed seating parking calculations must instead be based on the maximum occupancy of the sanctuary area. The proposed church, based on their layout, has a maximum occupancy of the Sanctuary of 282. Therefore, **the parking requirement would be 1 space for every 6 people = 47.**

Though it is not written in any ordinance, the buildings facing the square historically have used the parking on the square as their required parking. The church, as an assembly use, has a greater parking requirement than does retail or restaurant. If the sanctuary square footage were a restaurant the parking requirement would be 21. The church has a parking requirement of 26 spaces more than would a restaurant.

## **Financial Information:**

NA

## **City Contact:**

John Taylor, Development Services Director

## **Attachments:**

1. Application w/ floor plan
2. Location map
3. Legal notice



# Board of Adjustment Application

## SITE INFORMATION

Address: 100 W MAIN ST

City: Pilot Point State TX Zip 70227

Subdivision: \_\_\_\_\_ Lot# \_\_\_\_\_ Block# \_\_\_\_\_ Zoning: \_\_\_\_\_

PROPERTY OWNER Jamie & Mathew Brown 940-902-9138

Name: Am Currently: Konrad Shields Future: The Summit Church

Address: \_\_\_\_\_ City: Pilot Point State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: 940-902-9138 Email: JamieA1121@ADL.com

If applicant is different from property owner:

The Property Owner does hereby grant the applicant, \_\_\_\_\_ (name), authority to represent him/her at the hearing.

\_\_\_\_\_  
Owner Signature

## REQUEST

Code Section Requesting Action on: 14.02.401 Parking Space Regulations

Check One:  Appeal \_\_\_\_\_ Special Exception \_\_\_\_\_ Variance

Describe Request: We are looking to purchase the building at 100 W Main St. and use it for a church. Our seating capacity is approximately 124, and our occupancy per the Fire Marshall is 287. Per #9, 10 & 11, we are requesting permission to use City Hall parking, and the new lot to the east of City Hall. We will only be needing parking on Sundays before noon, 1 day per week.

Describe Hardship: The buildings on the square do not have parking available. We could not fit 287 chairs in the facility if we tried. We only need the parking on Sundays.

## Board of Adjustment Variance Worksheet

In order to make a finding of hardship and to grant a variance, the Board of Adjustment must determine that the following conditions are met. State how your request meets these conditions.

a) There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions and location that do not apply generally to other property in the same area and the same zoning district.

Yes, the Historical Square does not have parking for each individual building because of the zero lot line per #9, there is unused parking capacity nearby at City Hall during weekend/Sunday hours, and also the new lot to the east of City Hall.

b) That granting of the variance will not violate the purpose or intent of the ordinance and will not cause harm to any surrounding property owner.

No it will not violate the purpose or intent of the ordinance since the Historical District has different parking capabilities. We will not be using up any current or future parking in the Square. Also, we will be strongly contributing to the growth of the economic development of the square as we will be bringing 100+ people to patron the coffee shop, stores & restaurants weekly. We will also be massively improving the building & therefore the overall desirability of the square, while maintaining the historical integrity.

c) The granting of the variance will not merely serve as a convenience to the applicant

No it would be impossible for us to proceed with the building without some remedy for our needed parking spots.

d) The granting of the variance will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a deviation from the standards and will not be contrary to the public interest.

Correct. We cannot put a parking lot on this lot where there is no space in any square buildings lot.

**Applicant hereby requests that this case be reviewed by the Board of Adjustment for a decision.**

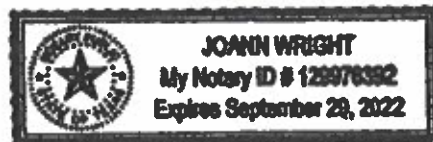
I hereby certify that the above statements are true and correct, that I have read this application form and understand that filing the application and paying the fee does not guarantee an affirmative action by the Board of Adjustment. I further understand that at least four (4) affirmative votes must be cast in order to grant my request.

[Signature] (applicant's signature) Date: 2-12-21

On this 12 day of February, 2021, before me John Wright the undersigned notary public, personally appeared Matthew Brown proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it.

WITNESS my hand and official seal:

JoAnn Wright (Seal)





THE UNIVERSITY OF CHICAGO  
LIBRARY  
540 EAST 57TH STREET  
CHICAGO, ILL. 60637

Tamiea Brown - 940 902-8138

Tamiea R 1121 @ AOL.com

124 Seats = 21 parking

Main level - 88 x 35 - 3080 sanctuary 2,100 - Max occupancy of sanctuary 282

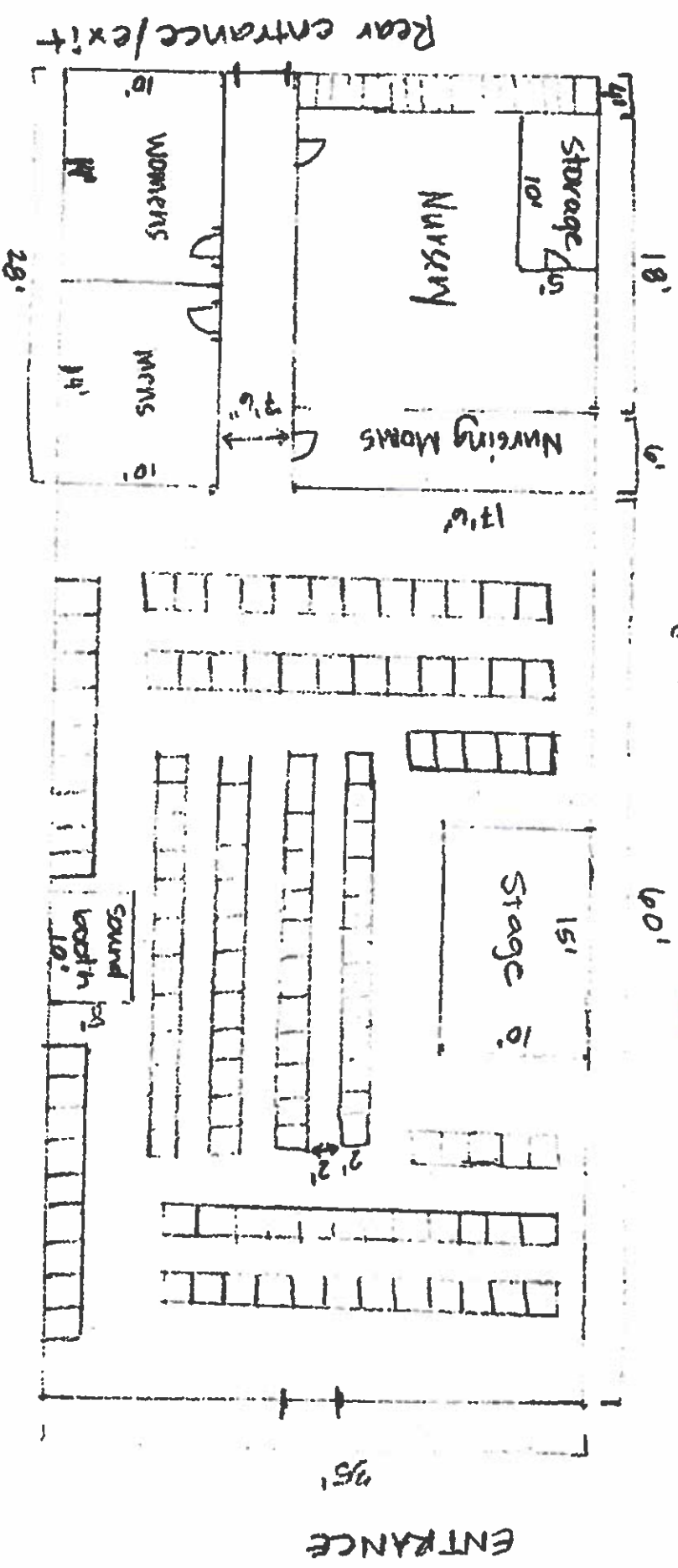
Upstairs - 28 x 35 Not for public use. PRIVATE only. May be storage only.

Retail 3 per 1000 = 10 spaces

Restaurant 1 per 100 (all dining areas) 21

Church 1 per 6 seats = 282/6 = 47 - 21 = 26

60'



About 40 at city hall  
About 50 in new public parking lot