



**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:

**DECEMBER 16, 2020**

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/513837565>

You can also dial in using your phone.

United States: +1 (571) 317-3122

Access Code: 513-837-565

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**AGENDA**

- A. ROLL CALL/CALL TO ORDER
- B. Discuss, consider and possible action on the minutes from the July 30, 2020 Board of Adjustment meeting.
- 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 of 121 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.
- 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 of 121 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.
- 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 **December 11, 2020 by 5:00 p.m.**, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.

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



**Minutes of the July 30, 2020  
Board of Adjustment and Appeals**

The Board of Adjustment and Appeals of the City of Pilot Point, Texas met on July 30, 2020 at 6:00 p.m. for a Board of Adjustment regular meeting at Pilot Point City Hall and virtually using GoToMeeting. Board of Adjustment members present were John Haughton, Brett Kuhn, Curtis Wilson and Shannon Stephens. In attendance via video conference was Stephanie Fulmer. City staff member present were John Taylor, Development Services Director.

**AGENDA**

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

Chairman John Haughton called role, announced a quorum and called the meeting to order at 6:01 p.m.

**B. Discuss, consider and possible action on the minutes from the May 28, 2020 Board of Adjustment meetings.**

Motion was made to approve the May 28, 2020 Board of Adjustments minutes. Motion made by Curtis Wilson and seconded by Shannon Stephens. Motion was approved unanimously.

**C. Hold a public hearing on a variance request of Elevated Property Management LLC on the property described as White Addition Square 20, Lot 1, Block 1, Denton Co. (parcel number 771357). Approximate address is 117 East Division Street. The property owner is requesting a variance from the requirement of Sec. 14.02.106 b3 which allows an unenclosed porch to project into the front yard setback by 5 feet if it is not more than 40 sq. ft. to allowing the porch to be not more than 55 sq. ft.**

Chair John Haughton told the Board members that he knew the applicant, John Clark, but had no interest in the property in question. He asked the board members if they supported him remaining as chair of the meeting. They all said they wanted him to continue to lead as chairman.

John Haughton swore in John Taylor and John Clark with Elevated Property Management and opened the public hearing at 6:03.

John Taylor briefed the Board on the variance request.

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

Public Hearing was closed at 6:10.

**D. Discuss, consider, and possible action on a variance request of Elevated Property Management LLC on the property described as White Addition Square 20, Lot 1 Block 1 Denton Co. (parcel number 771357). Approximate address is 117 East Division Street. The property owner is requesting a variance from the requirement of Sec. 14.02.106 b3 which allows an unenclosed porch to project into the front yard setback by**

**5 feet if it is not more than 40 sq. ft. to allowing the porch to be not more than 55 sq. ft.**

Curtis Wilson made a motion to approve the variance as requested. Motion was seconded by Brett Kuhn. Motion passed unanimously with five affirmative votes.

**E. Adjourn** - John Houghton adjourned the meeting at 6:12.

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**Chairperson**

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**Secretary**



## **Board of Adjustment Agenda December 16, 2020**

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

### **Agenda Description:**

Hold a public hearing on a variance request of Mr. Douglas Rice on the property described as White Addition Block 3, Lot 2, Pilot Point, Denton Co. Approximate address 121 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.

Discuss, consider, and possible action on a variance request of Mr. Douglas Rice on the property described as White Addition Block 3, Lot 2, Pilot Point, Denton Co. Approximate address 121 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.

### **Background Information:**

The property is zoned SF-2 and is located at 121 N. Church Street. The required side yard setback for a detached garage is 8'.

The house does not currently have a garage. The proposed layout of the detached garage is shown on the attached site plan and meets all the 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.

The street view picture below shows the unimproved alley and the separation the approx. 20' alley ROW causes between the houses, well offsetting the loss of 7' side setback.



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

Notice was sent to property owners within 200' of the subject property and two responses were received. One letter was received in opposition (attached) supporting no less than a 5' setback. This was from Tom Kam whose property is located at the north west corner of Church and Walcott. In addition, a phone call and email in support of the request (email attached) was received from Carl Herrmann, the adjacent property shown to the right in the picture above.

**Financial Information:**

NA

**City Contact:**

John Taylor, Development Services Director

**Attachments:**

1. Application w/ site plan and floor plan
2. Location map
3. Legal notice
4. Opposition letter
5. Support email



# Board of Adjustment Application

## SITE INFORMATION

Address: 121 N. CHURCH STREET  
City: PILOT POINT State TX Zip 76258  
Subdivision: WHITE BLK 3 Lot# 2 Block# 3 Zoning: \_\_\_\_\_

## PROPERTY OWNER

Name: DOUGLAS RICE  
Address: 121 N. CHURCH STREET City: PILOT POINT State: TX Zip: 76258  
Phone: 214-842-1445 Email: DOUGRICE300@GMAIL.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: SEC 14.02.107

Check One:  Appeal  Special Exception  Variance

Describe Request: I WOULD LIKE TO BUILD A METAL GARAGE ON THE SOUTH SIDE OF MY HOUSE TO PROVIDE SHELTER FROM THE ELEMENTS. THE CURRENT CODE PROVIDES THAT I CAN BUILD IF I AM FIVE FEET FROM THE HOUSE AND EIGHT FEET FROM THE PROPERTY LINE. I WOULD LIKE TO REQUEST A VARIANCE FROM

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STACK:

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