

**EXCERPT FROM
THIS IS NOT A VERBATIM TRANSCRIPTION
CITY OF CLEBURNE
ZONING BOARD OF ADJUSTMENT (ZBA)
MINUTES OF THE MAY 19, 2020 MEETING**

The Zoning Board of Adjustment (ZBA) of the City of Cleburne conducted a regular meeting on Tuesday, May 19, 2020, at 5:00 p.m. in the Council Chambers of City Hall located at 10 N. Robinson.

City facilities are closed to the public in response to a health emergency. Cleburne Zoning Board of Adjustment will conduct meetings by telephone conference in accordance with local, state and federal Orders to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). Therefore, there will be no public access to the location described above. An audio recording of the meeting will be made available on the city’s website.

BOARD MEMBERS PRESENT:

Robert Ledlow
Rosemarie Wileman
Barbara Chayer
Chris Saunders
Julie Hammond

BOARD MEMBERS ABSENT:

Michael Arthurs (Alt #1)
Gina Giesen (Alt #2)

CITY STAFF PRESENT:

Danielle Castillo, Planning Manager
Colt Friedrich, Project Engineer
Fritz Quast, City Attorney

CITY STAFF ABSENT:

Shane Pace, Executive Director of Development Services

CALL TO ORDER:

ROLL CALL FOR THE ESTABLISHMENT OF A QUORUM.

Chairman Ledlow called the meeting to order at 5:06 P.M. and it was established that a quorum was present.

CITIZEN COMMENTS:

There were no citizen comments at this meeting.

APPROVAL OF MINUTES:

The minutes of the February 18, 2020 meeting were considered.

Chairman Ledlow called for a motion to approve the minutes of the Zoning Board of Adjustment meeting of February 18, 2020. Vice-Chairwoman Wileman made a motion to approve the

minutes and Board Member Hammond seconded the motion. The motion to approve the minutes carried by a vote of 5-0.

ITEM FOR CONSIDERATION:

Consider a request for a variance from the requirements of §155.37(F) of the Code of Ordinances: Primary District Regulations, specifically a reduction of the minimum setbacks for the property located at 1405 Smooth Stone Drive, as requested by CMH Homes Inc, represented by Carl Nunn, **Case VC20-004**

Mrs. Castillo presented the case and briefed the Board on the request.

Chairman Ledlow questioned staff regarding the phone calls received regarding the variance request.

Mrs. Castillo stated both phone calls received were inquires about the variance, neither in support nor opposition to the request.

Board Member Hammond questioned staff if the reason for the variance request was due to the length of the mobile home.

Mrs. Castillo stated that the mobile home is longer and therefore the applicant is requesting a variance for the side yard setback.

Board Member Saunders questioned staff regarding the conditions that the Board considers when granting a variance request.

Mrs. Castillo read the conditions as outlined in the Zoning Ordinance, specifically in Section 155.17, Board of Adjustment, subsection (D)(3)(a-d).

Chairman Ledlow opened the public hearing and swore in the applicant, Carl Nunn.

Mr. Nunn briefed the Board on the request.

Chairman Ledlow questioned the applicant regarding the size of the mobile home.

Mr. Nunn stated that the total size of the mobile home is 1,768 square feet. He stated that the original mobile home proposed was 1,680 square feet but it did not meet the VA requirements.

Chairman Ledlow questioned staff regarding when the property was zoned.

Mrs. Castillo referred to the city's interactive GIS map and stated that date listed on the map is typically the month and year of when property was zoned. She stated that the map indicates that the property was zoned in April 2001.

Mrs. Castillo also stated that deeds, covenants and restrictions are not enforced or regulated by the City of Cleburne.

Chairman Ledlow questioned the applicant regarding the number of homes he has placed within this subdivision.

Mr. Nunn stated that he has placed a home at 1504 Smooth Stone and has purchased the lots at 1410 and 1409 Smooth Stone.

Chairman Ledlow stated his concern regarding the granting of a variance on the setbacks for an oversized mobile home.

Board Member Saunders questioned the applicant regarding how many different models would fit on the property with the required setbacks and still meet the VA requirements.

Mr. Nunn stated that there may be several models that would comply, however the client has closed on the property and purchased this particular model and that is why the variance is being requested.

Vice-Chairwoman Wileman stated that there do not appear to be any windows on the sides of the mobile home.

Mr. Nunn stated that there are no windows on the side elevations that would be looking into the neighboring homes.

Chairman Ledlow closed the public hearing.

Board Member Hammond stated that the setback difference is 2 feet on either side and the home is not a permanent structure.

Vice-Chairwoman Wileman stated that the variance request is not contrary to the public interest and does not cause an unnecessary hardship for the area.

Board Member Saunders stated that the restrictions have been in place and it is part of the applicant's due diligence to understand the regulations.

Chairman Ledlow stated that the variance is not detrimental to the neighbors.

There being no further questions or items for discussion, Chairman Ledlow called for a motion. Board Member Hammond made a motion to approve case VC20-004 as presented and Board Member Chayer seconded the motion. **The motion to approve passed by a vote of 4-1.**

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 5:53 PM.