



**TOWN OF SHADY SHORES
ZONING BOARD OF ADJUSTMENTS
REGULAR SESSION
OCTOBER 12, 2020; 6:00 PM
VIRTUAL AND PHYSICAL
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_iouXfZW9SQ2a78J4pNV02g

After registering, you will receive a confirmation email containing information about joining the webinar.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
 Establish a quorum
3. MINUTES:
 1. Consider and act on approval of the Minutes of the September 14, 2020 Zoning Board of Adjustments Meeting.
4. PUBLIC HEARINGS
 1. Conduct a public hearing relative to a request made by Juan Quezada relative to a request for a variance to the sideyard setbacks.
 - A) Open Public Hearing
 - B) Applicant
 - C) Those In Favor of the Request
 - D) Those Opposed to the Request
 - E) Rebuttal if desired
 - F) Close Public Hearing
5. REGULAR AGENDA
 1. Consider and act on a request made by Juan Quezada for a variance to the side-yard setback requirements.
6. ADJOURN

I, _____, _____ of the Town of Shady Shores do hereby certify that the above notice of the Zoning Board of Adjustments was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on _____ Day of _____, _____, at _____ .M.

Wendy Withers, Town Secretary



**SHADY SHORES ZONING BOARD OF ADJUSTMENTS
SEPTEMBER 14, 2020; 6:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location. The meeting was held via Zoom Teleconference Meeting [882 1308 1844](tel:88213081844).

MEMBERS PRESENT

CINDY AUGHINBAUGH	MAYOR	PRESENT
TOM NEWELL	MAYOR PRO TEM	PRESENT
CHARLES GRIMES	COUNCILMEMBER	PRESENT
MATTHEW HAINES	COUNCILMEMBER	PRESENT
JACK NELSON	COUNCILMEMBER	PRESENT
MIKE NOWELS	COUNCILMEMBER	PRESENT

Staff Present: Wendy Withers, Town Administrator; Amber Schuler, Municipal Court Administrator; Jim Shepherd, Town Attorney

1. CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 6:00 pm

2. ROLL CALL

Establish a quorum

Mayor Aughinbaugh called the roll and a quorum was established for the record.

3. MINUTES:

1. Minutes- Consider and act on approval of the minutes of the March 9, 2020 Zoning Board of Adjustments Meeting.

1 ZBA 09.14.2020

Jack Nelson made a motion to approve the minutes of the March 9, 2020 Zoning Board of Adjustments Meeting. Mike Nowels seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

4. PUBLIC HEARINGS

1. Variance Request 301 E. 7th Street Folks- Conduct a public hearing relative to a request made by Kristin and Chase Folks for a variance to the setback lines and maximum height level for an accessory building built on the property known as 301 E. 7th Street.

2. PUBLIC HEARING – 301 E. 7th Street

A. Open Public Hearing

B. Applicant

The applicant Kristin Folks was present and stated that the building was complete on the outside but the electricity and the plumbing was yet to be installed.

C. Those in Favor

Judith Halaszyn, 303 E. 5th street called the Town Secretary to express her support of the project..

D. Those Opposed

No one spoke in opposition to the request.

E. Rebuttal

F. Close Public Hearing

The public hearing was closed at 6:11 pm.

5. REGULAR AGENDA

1. Variance Request 301 E. 7th Street- Consider and act on approval of a request made by Kristin and Chase Folks for a variance to the minimum setback lines and maximum building height for an accessory structure. The Commissioners discussed the issues that were currently preventing the Town Staff to issue a permit for the structure. Those issues included:

- 1) The Property should have been replatted before allowing a permit to be issued.
- 2) The garage building which was already constructed was not in compliance with the current required side-yard setbacks.
- 3) Work performed on the building was done without licensed contractors specifically the plumbing and electricity.

Mrs. Folks stated that they didn't know they needed permits to construct the building since they were building it themselves and she didn't realize she needed to re-plat property. Mrs. Folks stated she and her husband were willing to do whatever they needed to do to bring the building into compliance.

Councilmember Jack Nelson stated that he had concerns because the structure it didn't comply with anything. Matthew does not like the precedence that it sets.

Councilmember Matthew Haines stated that replatting the lot would not change the underlying issue. Mayor Pro Tem Tom Newell stated that he didn't want to encourage the homeowners to proceed with a replat request without giving them full direction.

Councilmember Mike Nowels proposed several different scenarios to determine if the building could be brought into compliance.

Tom Newell made a motion to approve the variance request if the homeowner completes the following requirements; payment of double the permit fees, replat the property and request a zoning change from R-2000 to Historical Zoning, obtain a building permit and complete the required inspections and provide a hold harmless letter to the Town of Shady Shores for work already completed. Mike Nowels seconded the motion.

Discussion: None

Ayes: Grimes, Nelson, Newell, Nowels

Nays: Haines

The motion passed 4-1.

6. ADJOURN

The meeting was adjourned at 6:50 pm.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2020.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Administrator/Secretary

TOWN OF SHADY SHORES

ZONING VARIANCE REQUEST PACKET

(UPDATED APRIL 29, 2014)



Application Checklist

- ☐ Application
- ☐ \$500 Application Fee
- ☐ Cost for Property Owner Mailings (\$1/Property – Minimum \$25)
- ☐ Property Detail from Denton Central Appraisal District Website
- ☐ Aerial Photograph or Plat
- ☐ Development Plans (if applicable)
- ☐ Received a minimum of 30-days prior to Board meeting

Variance Request Summary

- ☐ Main Structure Setback: _____
- ☒ Accessory Structure Setback: CAN POAT
- ☐ Lot Size: _____
- ☐ Residential Structure Size: _____
- ☐ Other: _____