



**City of Joshua
Zoning Board of Adjustments
Regular Session Minutes
August 15, 2007**

Present: Chairperson Hendricks, Board Member Hill, Board Member Holman, Vice-Chairperson Mayfield, Board Member Jackson

Absent: None

City Staff Present: Paulette Hartman, City Manager; Mary Beth Thomas, City Secretary

Called To Order: Chairperson Hendricks called the meeting to order at 7:01 p.m.

Citizens Presentations: This is an opportunity for citizens to address the Board on any matter that is not posted on the agenda. The Board is not permitted to take action on or discuss any presentations made to the Board at this time concerning an item not listed on the agenda. The Board will hear comments on specific agenda items prior to the Board addressing those items

No one spoke at this time.

The regular session recessed and a public hearing was opened at 7:02 p.m.

- 1. Conduct A Public Hearing To Obtain Public Input Regarding A Request For A Variance To Section 23, Schedule Of District Regulations Of The City Of Joshua Zoning Ordinance No. 366-2003 Which Requires A 15' Side Yard Corner Lot Setback On Property Located In R-1 Single Family Residential Zoning Districts. The Property Is Located On Tract 30, McKinney & Williams Survey, Abstract No. 636, More Commonly Known As 702 Stadium.**

A. Applicants Statement

Cass Calloway, Attorney for the Property Owners, presented the request.

B. Staff Comments

Paulette Hartman, City Manager, presented this item.

C. Those In Favor

No one spoke at this time.

D. Those Against

No one spoke at this time.

E. Applicants Rebuttal

None required.

F. Adjournment

The public hearing recessed and the regular session reconvened at 7:15 p.m.

2. **Discuss, Consider And Act Regarding A Variance To Section 23, Schedule Of District Regulations Of The City Of Joshua Zoning Ordinance No. 366-2003 Which Requires A 15' Side Yard Corner Lot Setback On Property Located In R-1 Single Family Residential Zoning Districts. The Property Is Located On Tract 30, McKinney & Williams Survey, Abstract No. 636, More Commonly Known As 702 Stadium. (Hartman)**

Paulette Hartman, City Manager, explained the history of this item. Mrs. Hartman stated that Staff recommends granting the variance due to the completion of the building and discussions that took place in Municipal Court. After a brief discussion, Board Member Jackson made a motion to grant the variance. Board Member Mayfield seconded the motion. The vote was as follows:

Ayes: Board Members Mayfield, Hendricks and Jackson

Nays: Board Members Hill and Holman

A three-fourths vote (75% of the number appointed to the Board) is required to grant a variance.

Motion Denied - 3-2.

The regular session recessed and a public hearing opened at 7:20 p.m.

3. **Conduct A Public Hearing To Obtain Public Input Regarding A Request For A Variance To Ordinance #366-2003, Section 23, Schedule Of District Regulations - C-1 Zoning Designation A, Which States: "Setbacks Not Required Where A Non-Residential Use Abuts A Residential Lot The Requirement Shall Be The Same As The Adjoining Residential Zone...." This Is For Property On Proposed Lot 13R, Block 2, Oak Knoll Addition, Section 1, More Commonly Known As 203 S. Broadway.**

A. Applicants Statement

Edwin Williams, A-Z Glallen, LLC, presented the request.

B. Staff Comments

Paulette Hartman, City Manager, presented this item.

C. Those In Favor

No one spoke at this time.

D. Those Against

No one spoke at this time.

E. Applicants Rebuttal

None Required

F. Adjournment

The public hearing closed and the regular session reconvened at 7:26 pm.

4. **Discuss, Consider And Act Regarding A Request For A Variance To Ordinance #366-2003, Section 23, Schedule Of District Regulations - C-1 Zoning Designation A, Which States: "Setbacks Not Required Except Where A Non-Residential Use Abuts A Residential Lot The Requirement Shall Be The Same As The Adjoining Residential Zone.....". This Is For Property Located On Proposed Lot 13R, Block 2, Oak Knoll Addition, Section 1, More Commonly Known As 203 S. Broadway. (Hartman)**

Paulette Hartman, City Manager, briefed Board members on the history of this project. After a brief discussion, Board Member Hill made a motion to grant the variance. Board Member Jackson seconded the motion.

Motion Carried - 5-0.

5. **Requests For Future Agenda Items Or Reports.**

There were none.

6. **Adjournment.**

There being no further business the meeting adjourned at 7:28 p.m.

Scott Hendricks, Chairperson

ATTEST:

Mary Beth Thomas, City Secretary