



Board of Adjustment AGENDA ACTION FORM

AGENDA DATE:	06/14/2022		
AGENDA SUBJECT:	Board of Adjustment – Discussion, consideration and possible action regarding a request from Mark Pitts, owner, for variance requests from the minimum setback requirements in order to construct a residential structure. Lot: PT OF 1 THRU 6, Blk: 00019, Subd: R0100, Abst: A41, RAILROAD, BLOCK 19, LOT PT OF 1 THRU 6, 401 Austin Road, Glen Rose, Texas, zoned R-1 (Single-Family Residential District). 1. <u>Variance request</u> from the 25ft side yard setback (corner lot) in order to construct a residence 8ft from the side property line. 2. <u>Variance request</u> from the 25ft rear yard setback in order to construct a residence 8ft from the rear property line.		
PREPARED BY:	Building Official Reeves	DATE SUBMITTED:	05/23/2022
EXHIBITS:	1. Request for BOA Hearing Application 2. Property Notification Letter 3. Property Return Letter 4. 200' Surrounding Property map 5. Current Zoning Map. 6. Future Land Use Map 7. R-1 Single-Family Residential District 8. R-1 Area Regulations 9. BOA Determination 10. Exhibit "A"		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:	05/13/2022 – Variance Request Application was received 05/23/2022 - Notice of Public Hearing was posted in the local newspaper 05/23/2022 - 13 Property owner letters were sent representing 13 properties. 09 Letters have been confirmed as received 00 Letters unconfirmed as received 01 Letters were returned 00 Favorable response has been returned 00 Opposition response has been returned		
RECOMMENDED ACTION:			
Recommend the Approval or denial of request			



Board of Adjustments (BOA)
City of Glen Rose, Texas 76043 Tel: (254) 897-9373 Fax: (254) 897-7989

Staff use only

Date Received:

Fee : ~~\$100.00~~ Paid on: 5/13/22

Request for Board of Adjustment (BOA) Hearing

Address of property: 401 Austin Rd, Glen Rose 76043

Applicant's Name: Mark Pitts Date: 4/26/22

Property Owner/Applicant Information

Full Name: Mark Pitts

Address: _____

Telephone No: _____ Email: _____

Present zoning at site: R1

I am requesting this hearing for the following reason(s):

☒ Setback variance for ☒ side yard ☒ rear yard ☐ front yard

☐ Lot size variance ☐ Lot coverage variance

☐ Lot frontage width variance ☐ Lot depth variance ☐ Building height variance

☐ Challenging the decision of the ☐ Zoning Administrator ☐ Building Official

☐ Other City Official

Explain, in detail, the reason for appearing before the BOA: (Use a separate page if necessary. Attach all photos, maps, drawings, etc).

The lot is triangle in shape with 3 road frontages. The front road has a 25' setback due to it being a main road. If the setback lines are followed for the two side roads of 15' each, it will be impossible to build a home on subject property. With a variance of setback lines to 8' on Bryan and SW 1st St, a home of minimum 1000 square feet will be possible to build.

I hereby certify that all the information provided is true and correct to the best of my knowledge.

Applicant's Signature:

Mark Pitts

Date: 04/26/2022



Building, Planning and Code Enforcement Department
201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043
(254) 897-2272 Fax: (254) 897-7989

May 17, 2022

Public hearing, discussion and possible action by the Board of Adjustment at the request of Mark Pitts, owner, for a variance for the items listed below, in order to construct a 1,000 sq ft residence at 401 Austin Road.

RE:

- 1. Variance request from the 25ft side yard setback (corner lot) in order to construct a residence 8ft from the side property line.**
- 2. Variance request from the 25ft rear yard setback in order to construct a residence 8ft from the rear property line.**

Dear Property Owner:

This letter is to inform you of a setback variance request in the area of your property ownership near 401 Austin Road. The purpose of the variance is to allow for the construction of an accessory structure. State law requires the City to notify all property owners (most recent tax rolls) within 200' of the proposed request. The Board of Adjustment will hold a public hearing on June 14, 2022 at 5:30 p.m. in the City Council Chambers of City Hall, 201 NE Vernon Street, Glen Rose, Texas, 76043 to hear public comment on this request for variance. Immediately following the public hearing, the Board of Adjustment will take action to approve or deny the request.

It is important that you submit your opinion in writing to the Building and Planning Office for consideration by the Board. A form is included with this letter which you may mail or return to one of the drop boxes located at City Hall.

Questions regarding the variance request or this letter may be directed to Kyle Reeves, (254)-897-2272, ext:104. Thank you.

Sincerely,

Building and Planning / Code Enforcement

NOTICE OF PUBLIC HEARING



City of Glen Rose, Texas
Building, Planning, Code Enforcement Department
P.O. Box 1949, Glen Rose, TX 76043
Ph: (254) 897-2272 Fax: (254) 897-7989

Public hearing, discussion and possible action by the Board of Adjustment at the request of Mark Pitts, owner, for a variance for the items listed below, in order to construct a residence at 401 Austin Road.

RE:

1. Variance request from the 25ft side yard setback (corner lot) in order to construct a residence 8ft from the side property line.

2. Variance request from the 25ft rear yard setback in order to construct a residence 8ft from the rear property line.

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 7643.

NAME: _____

ADDRESS: _____

I AM () IN FAVOR () IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

Kyle Reeves,
Building and Planning / Code Enforcement

401 Austin Road

Variance Request



401 Austin Road

200 Ft Radius

1. (Owner)
MARK PITTS
P O BOX 1518
GLEN ROSE, TX 76043-1518
2. SANDERSON PROPERTIES
PO BOX 1979
GLEN ROSE, TX 76043-1979
3. LORETTA WHITWORTH
PO BOX 478
GLEN ROSE, TX 76043-0478
4. JUDY KAY THOMPSON
P.O. BOX 891
GLEN ROSE, TX 76043
5. RONNIE REYNOLDS
P O BOX 154
GLEN ROSE, TX 76043-0154
6. ANNIE COOK
P.O. BOX 1113
STEPHENVILLE, TX 76401
7. DENVER BRYAN AND CAITLYN GREENE
407 SW 1ST
GLEN ROSE, TX 76043

8. DONALD L SR & JUDY A STREUN
408 FIRST ST
GLEN ROSE, TX 76043

9. LORETTA RIVES RAMSEY
PO BOX 74
GLEN ROSE, TX 76043

10. TYLER SUMMERS
PO BOX 66
GLEN ROSE, TX 76043

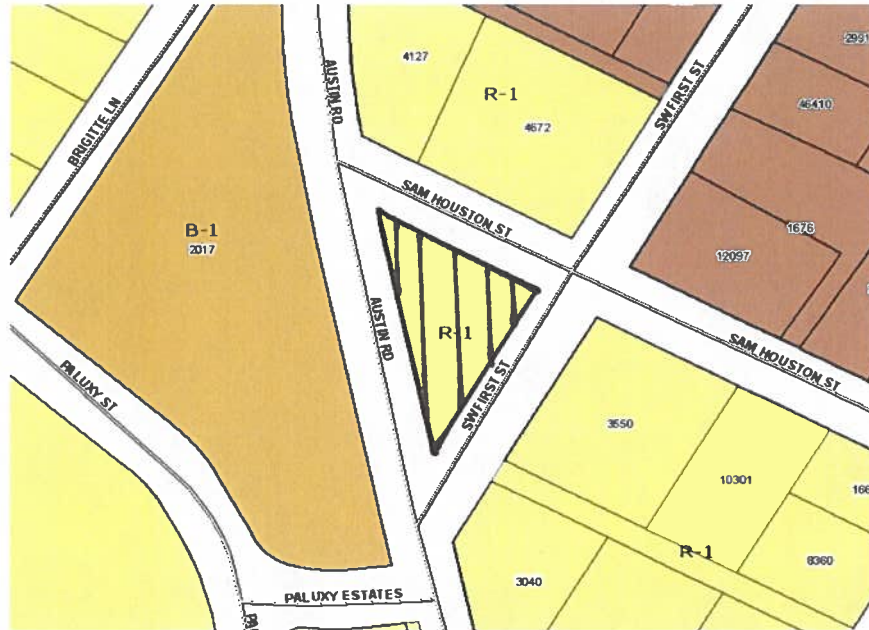
11. REALTY CAPITAL HOLDINGS , LLC
P.O. BOX 2930
GLEN ROSE, TX 76043

12. SHADOWENS PROPERTIES, LLC
2633 56 N
GLEN ROSE, TX 76043

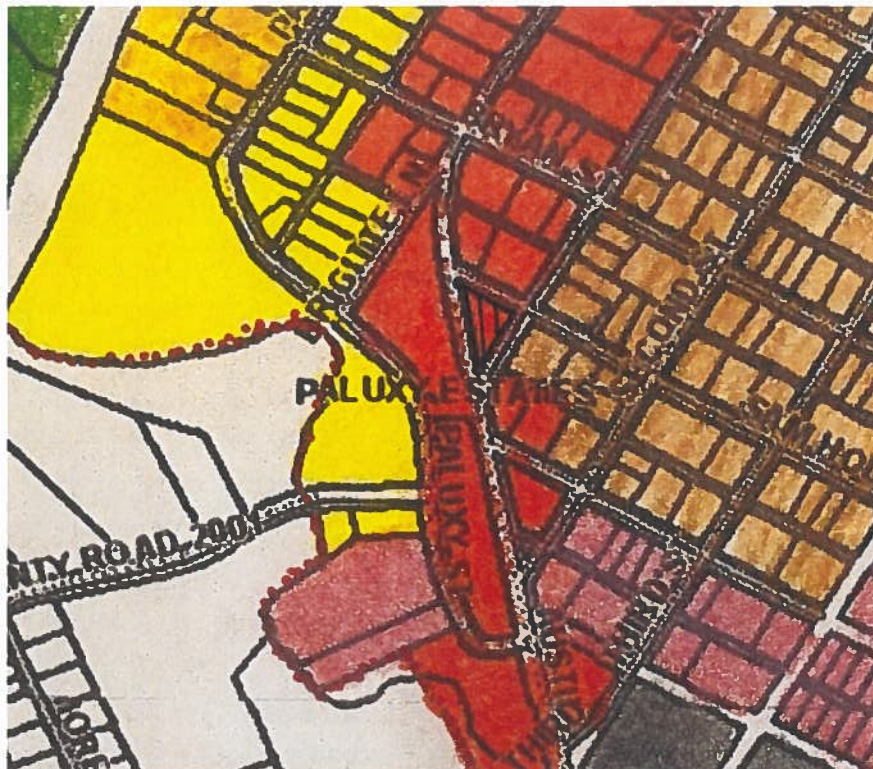
13. ADAN AND ADOLFO DEREZA
PO BOX 2221
GLEN ROSE, TX 76043

401 Austin Road

Current Zoning



Future Zoning





City of Glen Rose • P.O. Box 1949 • Glen Rose, TX 76043
Building Inspections / Permits 254-897-2272 ext. 109

R-1 Single-Family Residential District

1. **Purpose.** The R-1 Single-Family Residential District is established to allow for single-family dwellings.
2. **Permitted uses.** The uses permitted in the R-1 district include those listed in the schedule of uses found in appendix A of this article. Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with section 14.02.107 dealing with new and unlisted uses.
3. **Specific use permit.** In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the planning and zoning commission shall forward its recommendations of action to the city council, after public hearing thereon. The city council shall hold a public hearing and may authorize and grant the issuance of a specific use permit for those uses allowed in the schedule of uses in appendix A of this article. The issuance of the permit by the city council shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as ensure the appropriate conduct of the conditional use of the land and buildings granted.
4. **Area, yard, height, lot coverage and building size.** The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percentage of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the schedule of district regulations found in section 14.02.041 and any other applicable regulations as herein provided.
5. **Parking requirements.** Off-street parking space requirements shall be in accordance with the parking schedule found in appendix A of this article and section 14.02.104. Parking for at least 2 motor vehicles shall be provided by an enclosed garage or carport for any single-family dwelling constructed after the date of adoption of this article.
6. **Sales displays prohibited.**
 1. Garage sales shall be permitted in accordance with this Code of Ordinances.
 2. It shall be unlawful for any person to display or allow to be displayed for sale or lease at one time on any lot any motor vehicle; boat or vessel subject to registration under Texas Parks & Wildlife Code chapter 31; or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or persons shall be permitted to display more than 2, or combination thereof, of the following: motor vehicles; boats or other similar vessels subject to registration under Texas Parks and Wildlife Code chapter 31; or camper shells per lot at any time.

Glen Rose: A welcoming and unique family-oriented community committed to preserving our natural beauty and historic small-town charm.



City of Glen Rose • P.O. Box 1949 • Glen Rose, TX 76043
Building Inspections / Permits 254-897-2272 ext. 109

R-1 Area Regulations

Schedule of District Regulations

Area Regulations	R-1	R-2	R-2m	R-3	R-4	MH	B-1	B-2	B-3	I	P&R
Minimum lot area (sq. ft.)	6,600	(A)	(A)	(B)	(B)	(C)	3,000	N/A	N/A	N/A	N/A
Minimum lot width (ft.)	60	60	60	60	50	40' 60**	25	25	N/A	N/A	25
Minimum lot depth (ft.)	110	110	110	110	120	75' 100**	120	N/A	N/A	N/A	N/A
Minimum front yard setback (ft.)	25	25	25	25	25	25' 25**	(D)	(D)	N/A	20	(D)
Minimum front yard setback - Major street (ft.)	35	35	35	35	35	25' 25**	(D)	(D)	N/A	N/A	(D)
Minimum side yard setback (ft.)	7	7	7	7	7	6' 6**	(E)	(E)	N/A	(E)	(E)
Minimum side yard setback - Corner lot	25	25	25	25	25	25' 25**	20	20	N/A	20	20
Minimum rear yard setback (ft.)	25	25	25	25	25	20' 25**	(F)	(F)	N/A	(F)	(F)
Maximum height (stories)	2.5	2.5	2.5	2.5	3	1.5	3	8	8	8	2.5
Height of structure (ft.)	35	35	35	35	45	25	45	100	100	100	35
Maximum lot coverage	40%	40%	40%	40%	40%	50%	N/A	N/A	N/A	50%	N/A
Minimum Living Area- Excluding Garage	1,000	800	550	550	550	N/A * 450**	550	N/A	N/A	N/A	N/A

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Board of Adjustments (BOA), City of Glen Rose, Texas

P.O. Box 1949, Glen Rose, Texas 76043

BOARD OF ADJUSTMENTS (BOA) DETERMINATION

Purpose of hearing: Public hearing, discussion and possible action by the Board of Adjustment at the request of Mark Pitts, owner, for a variance for the items listed below, in order to construct a 1,000 sq ft residence at 401 Austin Road; Lot: PT OF 1 THRU 6, Blk: 00019, Subd: R0100, Abst: A41, RAILROAD, BLOCK 19, LOT PT OF 1 THRU 6

RE:

1. Variance request from the 25 ft side yard setback (corner lot) in order to construct a residence 8ft from the side property line.
2. Variance request from the 25 ft rear yard setback in order to construct a residence 8ft from the rear property line.

Date and time of public hearing: **Tuesday, June 14, 2022 at 5:30 p.m.**

After considering all information submitted, the Board of Adjustments has made the following determination:

☐ Deny the variance. ☐ Approve the variance.

☐ Approve the variance with the following provisions.

Signature
Position: Chairman, Board of Adjustments

Date

EXHIBIT “A”



Kyle Reeves <buildingofficial@glenrosetexas.org>

401 Austin Road - Variance Request

1 message

Kyle Reeves <buildingofficial@glenrosetexas.org>

Wed, May 11, 2022 at 3:21 PM

To: Michael Leamons <michael.leamons@glenrosetexas.org>, Jim Holder <jim.holder@glenrosetexas.org>, margaret.jasso@txdot.gov, "Underwood, Gregory" <gregory.underwood@tnmp.com>, raymond.bove@atmosenergy.com

Hello,

I am sending this variance request out for review due to the proposed structure encroaching onto certain easements. I have attached the application and other paperwork. I would like any feedback that you may have. If you have any questions, please feel free to contact me.

Thank You



Kyle Reeves
Building Official
City of Glen Rose
O: 254-897-9373
C: 254-396-9952
buildingofficial@glenrosetexas.org



401 Austin Road.pdf
901K



Kyle Reeves <buildingofficial@glenrosetexas.org>

401 Austin Road - Variance Request

6 messages

Kyle Reeves <buildingofficial@glenrosetexas.org>

Wed, May 11, 2022 at 3:21 PM

To: Michael Leamons <michael.learmons@glenrosetexas.org>, Jim Holder <jim.holder@glenrosetexas.org>, margaret.jasso@txdot.gov, "Underwood, Gregory" <gregory.underwood@tnmp.com>, raymond.bove@atmosenergy.com

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Thank You



Kyle Reeves
Building Official
City of Glen Rose
O: 254-897-9373
C: 254-396-9952
buildingofficial@glenrosetexas.org



401 Austin Road.pdf
901K

Margaret Jasso <Margaret.Jasso@txdot.gov>

Wed, May 11, 2022 at 4:13 PM

To: Kyle Reeves <buildingofficial@glenrosetexas.org>, Michael Leamons <michael.learmons@glenrosetexas.org>, Jim Holder <jim.holder@glenrosetexas.org>, "Underwood, Gregory" <gregory.underwood@tnmp.com>,

"raymond.bove@atmosenergy.com" <raymond.bove@atmosenergy.com>, FTW_District Access Permits <FTW_DistrictAccessPermits@txdot.gov>

Cc: Nicholas Steinruck <Nicholas.Steinruck@txdot.gov>, Sarah Horner <Sarah.Horner@txdot.gov>

Hi Kyle!

Do you know what this will be used for? A residential or commercial? Please advise.

Thanks! – Margaret

From: Kyle Reeves <buildingofficial@glenrosetexas.org>

Sent: Wednesday, May 11, 2022 3:22 PM

To: Michael Leamons <michael.leamons@glenrosetexas.org>; Jim Holder <jim.holder@glenrosetexas.org>; Margaret Jasso <Margaret.Jasso@txdot.gov>; Underwood, Gregory <gregory.underwood@tnmp.com>; raymond.bove@atmosenergy.com

Subject: 401 Austin Road - Variance Request

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am sending this variance request out for review due to the proposed structure encroaching onto certain easements. I have attached the application and other paperwork. I would like any feedback that you may have. If you have any questions, please feel free to contact me.

Thank You





Kyle Reeves

Building Official

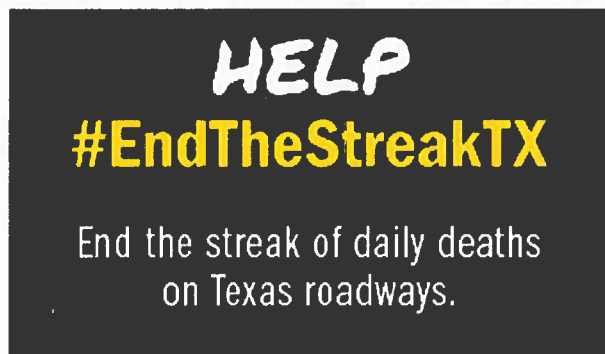
City of Glen Rose

O: 254-897-9373

C: 254-396-9952

buildingofficial@glenrosetexas.org

A Texas Department of Transportation message



Kyle Reeves <buildingofficial@glenrosetexas.org>
To: Margaret Jasso <Margaret.Jasso@txdot.gov>

Wed, May 11, 2022 at 4:32 PM

They are proposing to construct a 1,000 sq ft Single - Family home.

The variance request is to:

- A. Construct the home 8ft off of the property line Bryan St.
- B. Construct the home 8ft off of the property line on SW First St.
- C. Construct the home 25' off of Austin Rd property line.

Kyle Reeves

Building Official

City of Glen Rose

O: 254-897-9373

C: 254-396-9952

buildingofficial@glenrosetexas.org

[Quoted text hidden]

Margaret Jasso <Margaret.Jasso@txdot.gov>
To: Nicholas Steinruck <Nicholas.Steinruck@txdot.gov>

Thu, May 12, 2022 at 7:54 AM

Cc: Kyle Reeves <buildingofficial@glenrosetexas.org>, Michael Leamons <michael.leamons@glenrosetexas.org>, Jim Holder <jim.holder@glenrosetexas.org>, "Underwood, Gregory" <gregory.underwood@tnmp.com>, "raymond.bove@atmosenergy.com" <raymond.bove@atmosenergy.com>

Good Morning Nicholas!

Attached is a residential permit review requesting a variance request. Please see email thread for more information.

Respectfully,

Margaret Jasso



Permit Coordinator

2501 SW Loop 820

Fort Worth, TX 76133

Office 817-370-6527

Cell 817-201-0345

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401 Austin Road.pdf
901K

Nicholas Steinruck <Nicholas.Steinruck@txdot.gov>

Thu, May 12, 2022 at 8:44 AM

To: Margaret Jasso <Margaret.Jasso@txdot.gov>

Cc: Kyle Reeves <buildingofficial@glenrosetexas.org>, Michael Leamons <michael.leamons@glenrosetexas.org>, Jim Holder <jim.holder@glenrosetexas.org>, "Underwood, Gregory" <gregory.underwood@tnmp.com>, "raymond.bove@atmosenergy.com" <raymond.bove@atmosenergy.com>

Kyle ,

I believe this would be a City of Glen Rose variance due to the setback rules. TxDOT does not have rules on building. I would also suggest that the access to the property be off of one of the side streets and not on to SH 144.

Thank you,

Nicholas Steinruck

Texas Department of Transportation

Driveway permits & Utility Inspections

Erath area office

254-964-7641

Nicholas.steinruck@txdot.gov

[Quoted text hidden]

[Quoted text hidden]

Kyle Reeves <buildingofficial@glenrosetexas.org>
To: Nicholas Steinruck <Nicholas.Steinruck@txdot.gov>

Thu, May 12, 2022 at 11:20 AM

Thank you. Yes, they have made an application to the City BOA, I just felt like getting information from you guys would be helpful for the City Council in their approval process. Your comment about the driveway will be put on the agenda.

Thank you so much,

Kyle Reeves
Building Official
City of Glen Rose
O: 254-897-9373
C: 254-396-9952
buildingofficial@glenrosetexas.org

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