

January 25, 2024

George and Beth Butler
1332 Lake Trail Ct.
Wylie, TX 75098

To: City of Wylie Building Department and Planning & Zoning Department

Dear Mr. Booth and Mr. Molina,

Recently I had the opportunity to meet you in person regarding my request to construct a flagstone retaining wall on my property in Bozman Farms Estates.

The wall would be placed along the side of my property where an existing fence is currently, and a new fence would be constructed on top of it. The wall would be roughly two feet high and the height of the fence on top of it would be constructed to match my neighbor's existing fence.

Per our previous discussion, the request would require a "Request for Variance" to move forward as I am on a corner lot and the proposed retaining wall lies in a utility easement.

I was encouraged by our in-person conversation about the multiple possible "work arounds" to be able to approve the request to construct this wall. At Mr. Molina's suggestion, I am submitting this letter and accompanying evidence to explain more about the request for possible approval from the review Committee.

The reasons for the request to build this wall are as follows. (Please see attached pictures as well.)

- **The side of our yard currently slopes dramatically, making it unusable** for play for our children. A small retaining wall would allow us to level the yard, creating much more play space.
- Over the 3 ½ years we have lived in this house **we have observed the yard slowly slipping away from the house, causing the need for foundation work on our home.** (Our house is at the bottom of the hill and we can only assume that fill dirt was used when our house was originally constructed.)
- **It would protect our investment in the property.** Over the past 3 years we made significant investments in the property to try and mitigate any movement of the home. **These include:** 1) installation of 18 foundation piers; 2) addition of gutters to push rain water away from the foundation; 3) installation of an underground French drain system throughout the property.
- **A flagstone retaining wall like the one we are proposing already exists in the same easement on a neighboring property.**

- **Such an upgrade would contribute toward retaining or improving the property values in both Bozman Farms Estates and the City of Wylie.**

As a part of the original request, our contractor had utility lines marked in our yard by calling 811. The lines were marked by a company called USIC (US Infrastructure Company). I reached out to this company and spoke with a representative on the phone. This person looked up my address while on the call, they confirmed the following: (Please also see attached pictures.)

- 1) They checked for Farmer's Electric (via Oncor). This was marked as "CR" or "Clear" meaning it is **NOT** in this easement.
- 2) They checked for CoServe Gas. This was marked as "CR" or "Clear" meaning it is **NOT** in this easement.
- 3) They checked for Charter (Spectrum) Communications. This was marked as "CR" or "Clear" meaning it is **NOT** in this easement.
- 4) They checked for Frontier Cable. **THIS IS THE ONLY** line that does lie in this easement and is marked with paint in the yard.

I reached out to Frontier Communications and talked with their engineering department that is responsible for laying these lines. They confirmed that there is not "standard" depth at which these lines are guaranteed to be buried. **They said it was fine to dig there but the digging should be done by hand.**

Per my in-person discussion with Mr. Molina, I was asked to reach out to the above listed companies to learn more about which utilities were buried in this easement, if any.

Frontier Cable is the only company with a line in this area.

I would be more than happy to sign an affidavit stating that if the Frontier Cable line is damaged then it would need to be repaired at my own expense.

I hope this information is helpful in your consideration of my Variance Request application. I would very much appreciate the opportunity to better secure my yard from unwanted ground movement, as well as to increase its usable play-space area for my children as well.

Thank you in advance for your consideration of this request.

Sincerely,



George Butler