

CITY OF DEER PARK

51-

710 EAST SAN AUGUSTINE

DEER PARK, TEXAS 77536

Minutes

of

A PUBLIC HEARING OF THE BOARD OF ADJUSTMENT OF THE CITY OF DEER PARK, TEXAS, HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, APRIL 1, 2019 BEGINNING AT 6:20 P.M. RELATING TO THE REQUEST OF TERRY LEAGUE FOR A VARIANCE TO THE WOOD CONSTRUCTION REQUIREMENT OF AN ACCESSORY BUILDING OVER 200 SQUARE FEET IN SIZE TO BE CONSTRUCTED AT 1310 NORWOOD, ,WITH THE FOLLOWING MEMBERS PRESENT:

DON TIPPIT	CHAIRMAN
RAY BALUSEK	COMMISSIONER
DOUGLAS COX	COMMISSIONER
DANIELLE WENDEBURG	COMMISSIONER

OTHER CITY OFFICIALS PRESENT WERE:

LARRY BROTHERTON	CHIEF BUILDING OFFICIAL
SHANNON BENNETT	CITY SECRETARY

1. NOTICE OF PUBLIC HEARING – The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit A)
2. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK IN FAVOR OF THE REQUEST – Chairman Tippit opened the public hearing for those persons desiring to speak in favor of the request.
 - a. Terry League, 1310 Norwood, commented, “We are building a 2400 square foot building in our backyard. We would like the frame built out of metal instead of the wood frame. Economically the cost is a lot cheaper and it’s a lot more sturdy to build the frame out of metal. The wood on the outside of the building will match the house. The roof will match the house. All I want is a variance to build a metal frame building. We want to build a brand new shop out of metal frame instead of wood.”

Commissioner Balusek asked, “What is the building going to be used for?”

Mr. League responded, “Its going to hold our race cars and other parts and pieces. We have race cars that we run.”

Commissioner Balusek asked, “Is it going to be in your backyard?”

Mr. League responded, “Yes. We just removed the four-car garage that was 900 square feet to make room to build the new garage. We live four houses down the street from the corner, the fourth house on the right. We had a Civil Engineer draw up plans for the drainage and project.”

Commissioner Balusek asked, “Will you be able to drive a vehicle to the garage?”

Mr. League responded, “Correct. We had a 900 square foot shop and have concrete leading to it. There will be a concrete pad with this one.”

Commissioner Balusek asked, “What size are the lots? I know they are large lots.”

Mr. League responded, “Half of an acre. It still leaves 32 - 38 percent of the grass with the building.”

Chairman Tippit asked, “What is the eave height?”

Mr. League responded, “14 feet.”

Chairman Tippit asked, “Are there 14 feet metal studs?”

Mr. League responded, “Correct.”

Chairman Tippit asked, “Has it been designed for wind?”

Mr. League responded, “Not yet.”

Chief Building Official Larry Brotherton commented. “It has to be. It has to meet the 140 mph wind requirement.”

Mr. League commented, “The metal frame withstands 173 and the wood is basically 143.”

Chairman Tippit asked, “Is it hard plank on the outside?”

Mr. League responded, “Yes and metal on the roof because we are fixing to redo the house.”

Commissioner Cox asked, “Are the gutters and down spouts tied in?”

Mr. League responded, “Yes. They are all tied into the drainage.”

b. Ricky Jones, 1305 Norward, commented, “I don’t know about the metal and the wood. I am glad someone is coming in and upgrading these homes. I love this neighborhood. It is an old neighborhood. My home was built in 1959 and we have large lots. The bigger buildings don’t look so bad on the large lots. I’m here to support them and I hope he gets the project done.”

c. William Miller, 1313 Norward, commented, “I am in support of this variance.”

d. Thomas Carpenter, 1401 Norwood, commented, “I am in support of the variance. I think it would be safer.”

3. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK AGAINST THE REQUEST – Chairman Tippit opened the hearing for those persons desiring to speak against the request.

- a. Darryl Grigson, 1312 Norwood, commented, "I live at the property next to it. We will be looking at whatever he's building. It's most important to us because we will be affected if we sold our home. We already have drainage problems in the backyard. The people who check the meters often can't check them because they are under water. About 15 feet of the back of the lot is an easement for sewage and things like that. It would be an eyesore to us. It's pretty big to be back there and it's not conformed with everything or the adjacent homes. It would look a lot different and affect our homes if we had to sell our house. It would not be a good thing for us. I understand the other people being in favor of it because they are further away. Us being right next door could affect us."

Commissioner Balusek asked, "Is your objection the appearance?"

Mr. Grigson responded, "Not only appearance, but if it doesn't conform to the adjacent homes as far as the construction of it. I do have one question. They made an accessory building. Is there a different kind of building that adheres to a different standard? If you're building an accessory building, are there certain guidelines, you have to go by, versus building a large building?"

Mr. Brotherton responded, "In Single Family One zoning, you can't have two primary buildings. In other words, you can't build another house. So anything else you build it is considered an accessory. The conditions are, it can't be over 15 feet high and if it's over 200 square feet, it has to be wood frame construction. Mr. League is asking for a variance to build it out of metal and cover it in hardy plank. It has to meet the wind load, everything has to be permitted, the electrical and the plumbing has to meet the codes."

Mr. Grigson asked, "Is there going to be a buildup of the property that will affect the adjacent homes?"

Mr. Brotherton responded, "In our meetings with the Public Works Director, City Manager, and Mr. League, if he gets the variance and submits plans, he has to have a Professional Engineer design the drainage. His water will be his responsibility."

Mr. Grigson commented, "I know Mr. League mentioned that he will house race cars, but I do know my older son worked for him from time to time and he runs a business out of his house. One time he came home saying that he has a bunch of drums out there and he's selling race fuel. Having him pump race fuel out of the 55-gallon drums. What he stores in that building is probably important to us too."

Commissioner Wendeburg commented, "I noticed the proposed building is to the right of the back of the house. Are you the house on the right if you're looking street view?"

Mr. Grigson responded, "We are on the left."

Commissioner Wendeburg asked, "So the building will be on the opposite side of the yard from your house?"

Mr. Grigson responded, "We haven't seen the position of it. Maybe that was in a workshop that we were not made aware of the location."

4. HEARING CLOSED – Chairman Tippit closed the public hearing at 6:17 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Don Tippit, Chairman
Board of Adjustment