



# **Zoning Board of Adjustments Regular Meeting**

5:30 p.m.  
City Hall Council Chambers  
201 E. Nash Street  
Terrell, Texas



City of Terrell  
**Zoning Board of Adjustments**  
Monday, November 14, 2016 – 5:30 p.m.  
City Council Chambers  
Terrell City Hall  
201 E. Nash, Terrell, TX 75160

### **AGENDA**

**Gene Glaeser, Chairman**  
**Bill Sweazea, Member**  
**Dawn Steil, Member**  
**Thomas E. Brown, Member**

**Stacey Browning, Vice Chairman**  
**J. Gilbert Johnston, Member**  
**Valente Briones, Member**

1. Call to order.
2. Discuss and consider approval of the minutes of the September 22, 2016 Zoning Board of Adjustments meeting.

### **PUBLIC HEARINGS**

#### **3. VR 16-13 and VR 16-14:**

- A. **VR 16-13** - Conduct a public hearing on a request by Sam Dimson for a variance to **Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit)**. The property is located at 500 New Hope (PID: 33386), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.
- B. Discuss and consider **VR 16-13**
- C. **VR 16-14** -Conduct a public hearing on a request by Sam Dimson for a variance to **Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit)**. The property is listed by applicant as 502 New Hope; located at 0 New Hope (PID: 19448), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.
- D. Discuss and Consider **VR 16-14**

**4. VR 16-15 and VR 16-16:**

A. **VR 16-15** - Conduct a public hearing on a request by Graylan Dabney for a variance to **Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit)**. The property is located at 411 Bethlehem Street (PID: 19462), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.

B. Discuss and consider **VR 16-15**

C. **VR 16-16** - Conduct a public hearing on a request by Graylan Dabney for a variance to **Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit)**. The property is located at 603 S. Park (PID: 33652), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.

D. Discuss and Consider **VR 16-16**

**5. VR 16-31:**

A. **VR 16-31** – Conduct a public hearing on a request by David Cathcart for a variance to **Section 37.3: Minimum Exterior Construction Standards (D4): Applicability – Minimum Exterior Construction Standards established in this section shall not apply to the following class or kind of buildings except as noted**. The property is located at 521 Timberside Drive (PID: 29419), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.

B. Discuss and consider **VR 16-31**

**6. VR 16-32:**

A. **VR 16-32**- Conduct a public hearing on a requested by Alicia Spears for a variance to **Section 18.4 Area Regulations (G1): Required Streetscape Amenities**. The property is located at 709 Mt. Olive (PID: 19334), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.

B. Discuss and consider **VR 16-32**

7. Hear remarks from visitors.

8. Adjourn.

**POSTED AT CITY HALL BULLETIN BOARD:** Friday, November 11, 2016 at 3:00 p.m.

**ATTEST:**

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John Rounsavall, City Secretary



4. **VR 16-13 and VR 16-14: Conduct a public hearing on a request by Sam Dimson for a variance to Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit). The properties are located at 500 New Hope (PID: 33386) and 502 New Hope; located at 0 New Hope (PID: 19448), City of Terrell, Kaufman County Texas, and are zoned Single Family 7.5 (SF-7.5) District.**

*Bobby Phillips, Building Inspector presented the staff report.*

*Sam Dimson, Applicant was present to speak in favor of the request. Ms. Bertha Davis; Bishop Jennings of 502 Mt. Olive St; Helen McGee of 6531 Tioga Place; Sheila Brown of 767 Evelyn Drive. No one spoke against.*

*The public hearing was closed and Gene Glaeser made a motion, seconded by Stacey Browning to **Table** the variance request to next meeting date. The motion carried unanimously.*

5. **VR 16-15 and VR 16-16 - Conduct a public hearing on a request by Graylan Dabney for a variance to Section 18.4 Area Regulations (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling unit). The property is located at 411 Bethlehem Street (PID: 19462) and 603 S. Park (PID: 33652), City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.**

*Bobby Phillips, Building Inspector presented the staff report.*

*Sam Dimson, on behalf of Applicant was present to speak in favor of the request. Ms. Bertha Davis; Bishop Jennings of 502 Mt. Olive St; Helen McGee of 6531 Tioga Place; Sheila Brown of 767 Evelyn Drive. No one spoke against.*

*The public hearing was closed and Gene Glaeser made a motion, seconded by Stacey Browning to **Table** the variance request to next meeting date. The motion carried unanimously.*

6. **VR 16-17 thru VR 16-30 – Conduct a public hearing on a request by James Webb of Dalrock Homes LLC for a variance to Section 18.4 Area Regulations (C2: Parking Regulations) & (F2&4: Required Architectural features). The properties are located on several lots on Birdsong Lane, City of Terrell, Kaufman County Texas, and is zoned Single Family 7.5 (SF-7.5) District.**

Bobby Phillips, Building Inspector presented the staff report.

J. Webb, Applicant was present to speak in favor of the request.

4 comment forms mailed in: all in opposition: Barbara Coffman of 140 Lexington Dr.; James Bunel of 140 Birdsong Lane; Morgan and Carla Denson of 3 Birdsong Court and Don Burnes of 131 Birdsong Lane.

Chris Womack of 129 Birdsong, Pam Robertson of 4 Birdsong and Michael Lumley of 5 Birdsong Lane spoke in favor of variance. No one was present to speak against.

- **VR 16-18 [ 143 Birdsong Lane (PID: 176208) ] and VR 16-22 [144 Birdsong Lane (PID: 176223)] Section 18.4 Area Regulations: F: Required Architectural Features: 4: Chimney must be enclosed in materials matching the surrounding or adjacent façade:**

*The public hearing was closed and Stacey Browning made a motion, seconded by Dawn Steil to approve variance for Chimney requirements only. Variance for property that permits have already been issued. The motion carried unanimously*

- **VR 16-17 THRU VR 16-30 Excluding VR 16-18 (PID: 176208) and VR 16-22 (PID: 176223): 135, 145, 149, 155, 146, 148,150,152,154,156,158 and 6 Birdsong Lane (PID: 176204, 176209, 176211, 176214, 176224, 176225, 176226, 176227, 176228, 176229, 176230 and 176232) Section 18.4 Area Regulations: C2: Parking Regulations-No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front façade of the house; and F2:Required Architectural features-Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns; and – F4: Chimney must be enclosed in materials matching the surrounding or adjacent façade.**

*The public hearing was closed and Dawn Steil made a motion, seconded by Gene Glaeser to deny the variance for the Garage and porch setbacks, but..*

*approving variance for Chimney enclosure to be of cement fiber siding similar to that used on exterior trim. Motion carried 3 to 1.*

*3 Ayes: Gene Glaeser, Dawn Steil and Valente Briones; 1 Nay: Stacey Browning.*

## 7. Visitor Remarks

*There were no additional visitors present wishing to address the Board.*

## 8. Adjourn.

*Chairman Gene Glaeser adjourned meeting at 7:05 p.m.*

Approved as presented:

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Gene Glaeser, Chair



## Case VR 16-13 and VR 16-14

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**Zoning Board of Adjustment Public Hearing:**

November 14, 2016

**Owner/Applicant:**

Sam Dimson

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**Location:**

500 New Hope, City of Terrell, Kaufman County, Texas.  
502 New Hope, City of Terrell, Kaufman County, Texas.

**Request:**

Variance to Section 18.4 (C1) & (D) – Area Regulations

**Current Zoning:**

Single-Family 7.5 (SF-7.5)

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**Background:**

The applicant is requesting a variance for section 18.4 Area Regulations - (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling Unit).

The floor plan submitted provides a living area of only 1,348 sq. ft. whereas the applicant has noted 1,450 sq. ft. in his application. The deviation from the ordinance to the proposed floor plan is 152 sq. ft. SF 7.5 zoning requires a minimum of 1,500 sq. ft. of air conditioned space.

The applicant has requested a variance to build a (1) one car garage. SF 7.5 requires “ A minimum of (2) two enclosed parking spaces behind the front building line on the same lot as the main structure”. However, (1) one car garages are functionally obsolete and have been for 25 years and are accessed by a decrease in property value through the appraisal process.

The variances requested would be allowed in SF 6 zoning. That zoning District is more in line with smaller lot sizes, smaller square footage homes and or homes built to be used for rental property.

The variance does not meet the criteria for a hardship.

**Note:**

The Zoning Ordinance states that in granting a variance, the ZBA must come to a finding of hardship based on the facts of the application and the following criteria:

1. “That literal enforcement of the ordinance will create an unnecessary hardship in the development of the property.
2. “That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and
3. “That the relief sought will not injure the permitted use of adjacent conforming property; and
4. “That the granting of a variance will be in harmony with the spirit and purpose of (the zoning) regulations.”

**Notification:**

Notices were sent to Twenty-two (22) to VR 16-13 and Twenty-five (25) to VR 16-14 property owners within two hundred feet (200') of the request as required by State Law. Two (2) supporting comment form was returned for VR 16-14.

**Attachments:**

Comment Forms  
Application  
Applicant Floor Plans and Front Elevations  
Property Location (Kaufman Map)  
Buffer Map and Mailing List  
Zoning Ordinance

**This will be a part of the public record.**

RE: Breezy Hill –Block H Lot 176

Located : 0 New Hope, Terrell TX 75160

(PID: 19448)- VR 16-14

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor

Opposition

for the following reasons:

*Reason for favor community need for  
single-family housing.*

Name:

*Church of the Living God*

Address:

*802 S. Catherine / Terrell, TX. 75160*

Signature:

*Minnie Kelley - Secretary*

**Please return to:**

City of Terrell

Municipal Development Department

P.O. Box 310

Terrell, TX 75160

**This will be a part of the public record.**

RE: Breezy Hill –Block H Lot 176

**Located :** 0 New Hope, Terrell TX 75160

(PID: 19448)- **VR 16-14**

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor

Opposition

for the following reasons:

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Name: Helen McGee

Address: 10531 Tioga Place Dallas, TX 75241

Signature: Helen J. McGee

**Please return to:**

City of Terrell  
Municipal Development Department  
P.O. Box 310  
Terrell, TX 75160

NOTICE OF APPEAL  
TO  
CITY OF TERRELL  
ZONING BOARD OF ADJUSTMENTS

I hereby petition the City of Terrell to schedule a public hearing before the Zoning Board of Adjustment to consider a variance or special exception to certain requirements of the City's Zoning Ordinance.

This appeal concerns property described as follows:

Address: 1) 500 New Hope Terrell TX 75160  
2) 502 New Hope Terrell TX 75160  
Lot: 1) 4078 Block: 1) Subdivision: 1) PG SPRAY SUBDIVISION  
Other Description: 2) Lot 176 2) H 2) BREEZY Hill

Zoning District: S.F. 7-5

Current Use: Vacant Lots

Proposed Use: Single Family Homes

HOA Yes  No

The appeal concerns article, or paragraph, number: 18.4C+D of the Zoning Ordinance, which address: 2 CAR Garage + 1500 sq feet Requirements

My request is for variance that will allow me to: Build Attached Floor Plan:  
Single Family home ~ 1450 total sq. feet  
With one car garage.

For lots 1&2 I feel that a variance is warranted in this case because: For the betterment of the community as a whole + to retain the overall aesthetics of the neighborhood, I think it would be beneficial to build the attach floor plan to remain in line with the look of the community.

I certify that the above information and attached drawing are true and correct to the best of my knowledge and belief; and that I am the owner of the property in question, or have the owner's authority to make this appeal. And I understand that I will be notified by mail as to when the Board will meet to hear my request, said meeting being expected to occur within thirty (30) days of today's date.

Sam Dimson  
Appellant's Signature

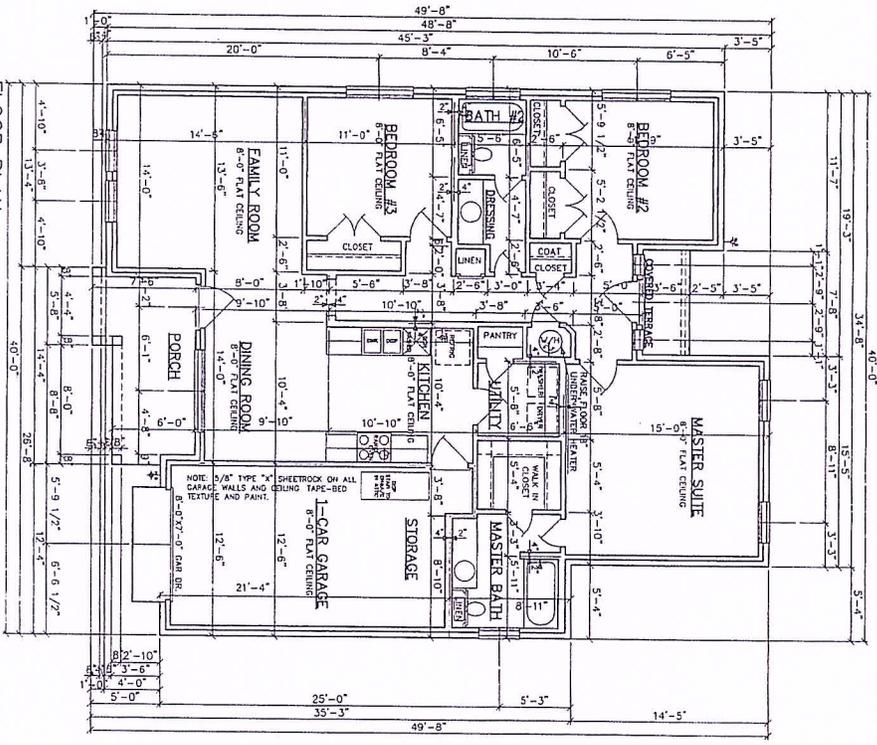
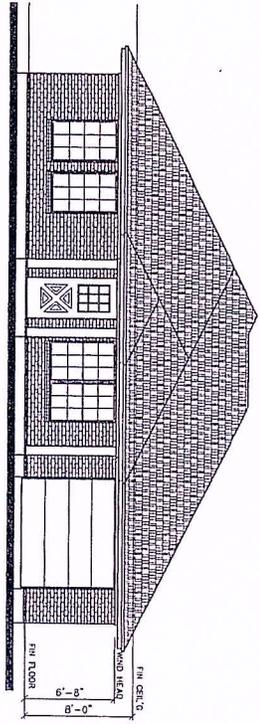
08/04/16  
Date of Signature

Sam Dimson - 1106 N. Devonshire Dr. Forney TX 75126  
Appellant's printed or typed name and address

214.676.4285  
Appellant's phone number, etc.



**PRELIMINARY FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 COPYRIGHT © DAN A. ROOPER



**FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"  
 COPYRIGHT © DAN A. ROOPER

**AREAS**  
 LIVING AREA: 1348 SQ FT  
 PORCH: 89 SQ FT  
 COVERED TERRACE: 27 SQ FT  
 GARAGE & STORAGE: 275 SQ FT

**NOTE: THESE PLANS ARE TO BE USED FOR BID PURPOSES ONLY - NOT FOR CONSTRUCTION.**

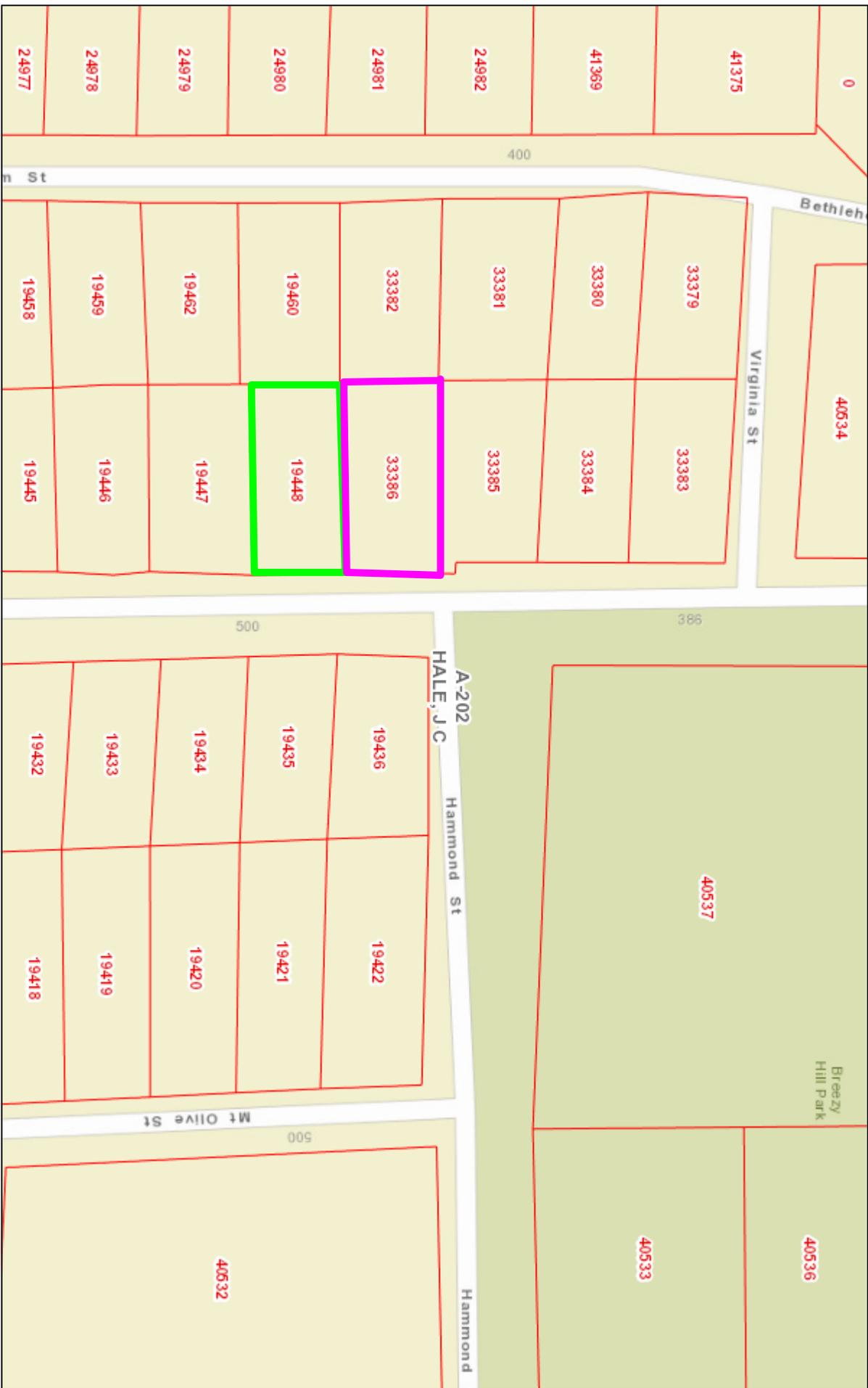
Dimensions and specifications of materials of masonry, steel, and wood shown on these drawings shall be in accordance with the latest editions of the International Building Code, International Residential Code, and other applicable codes and standards. The Architect shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The Architect shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The Architect shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations.



**FLOOR & ELECTRICAL FLOOR PLANS**  
 DATE: 07/12/06  
 DRAWN BY: DAN A. ROOPER  
 CHECKED BY: DAN A. ROOPER  
 PROJECT NO: 2025 BIRDALE LANE  
 PH: 214-341-5394 FAX 214-341-6710  
 E-MAIL: dan@danrooper.com

PLAN NO: 200  
 SHEET NO: 5  
 SHEET 13

VR 16-13 ( 500 NEW HOPE) = PINK VR 16-14 (502 NEW HOPE) = GREEN



September 19, 2016

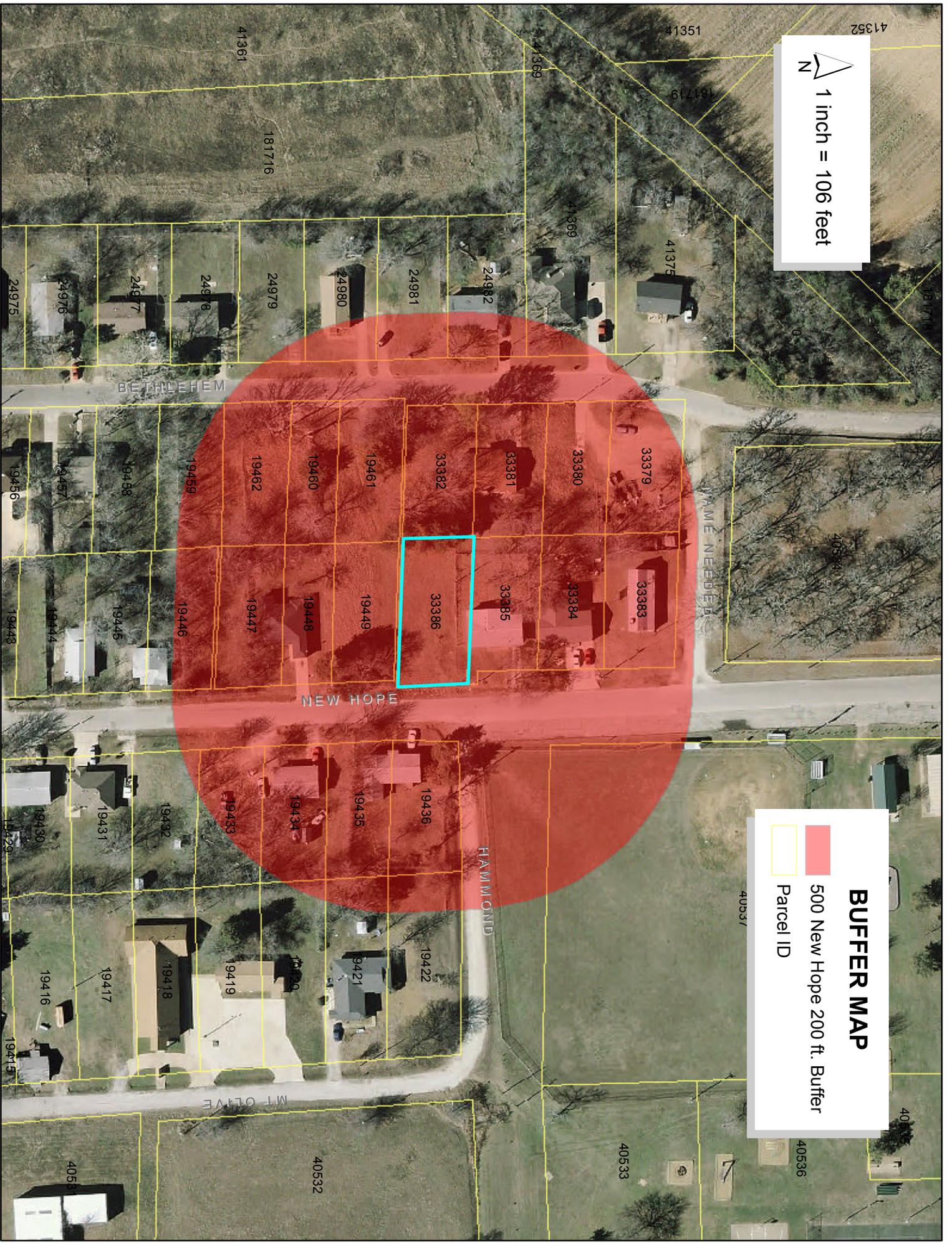
- Parcels
- Abstracts

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand).

Kauffman County Appraisal District & BIS Consulting - www.bisconsultants.com  
 This product and relative contents are the property of the respective governmental entity and BIS Consultants. Use is restricted for official purposes.



1 inch = 106 feet

### BUFFER MAP

- 500 New Hope 200 ft. Buffer
- Parcel ID

# Parcel ID

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
19420	DAVIS HAROLD		500 MT OLIVE ST		TERRELL	TX	75160
19421	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19422	PADDILLA ADALBERTO		12612 SEAGOVILLE ROAD		MESQUITTE	TX	75180
19432	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19433	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19434	DAVIS HAROLD		500 MT OLIVE ST		TERRELL	TX	75160
19435	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19436	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19446	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19447	DIMSON SAMUEL & DANA		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19448	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19449	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19459	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19460	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19461	UNKNOWN						
19462	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
24979	MOSS WILLIE P & FRANCES		1013 S MEDORA ST		TERRELL	TX	75160
24980	JOHNSON CARRIE H		2110 SUMAC DR		FORNEY	TX	75126
24981	ON POINT		108 HACKBERRY		OAK LEAF	TX	75154

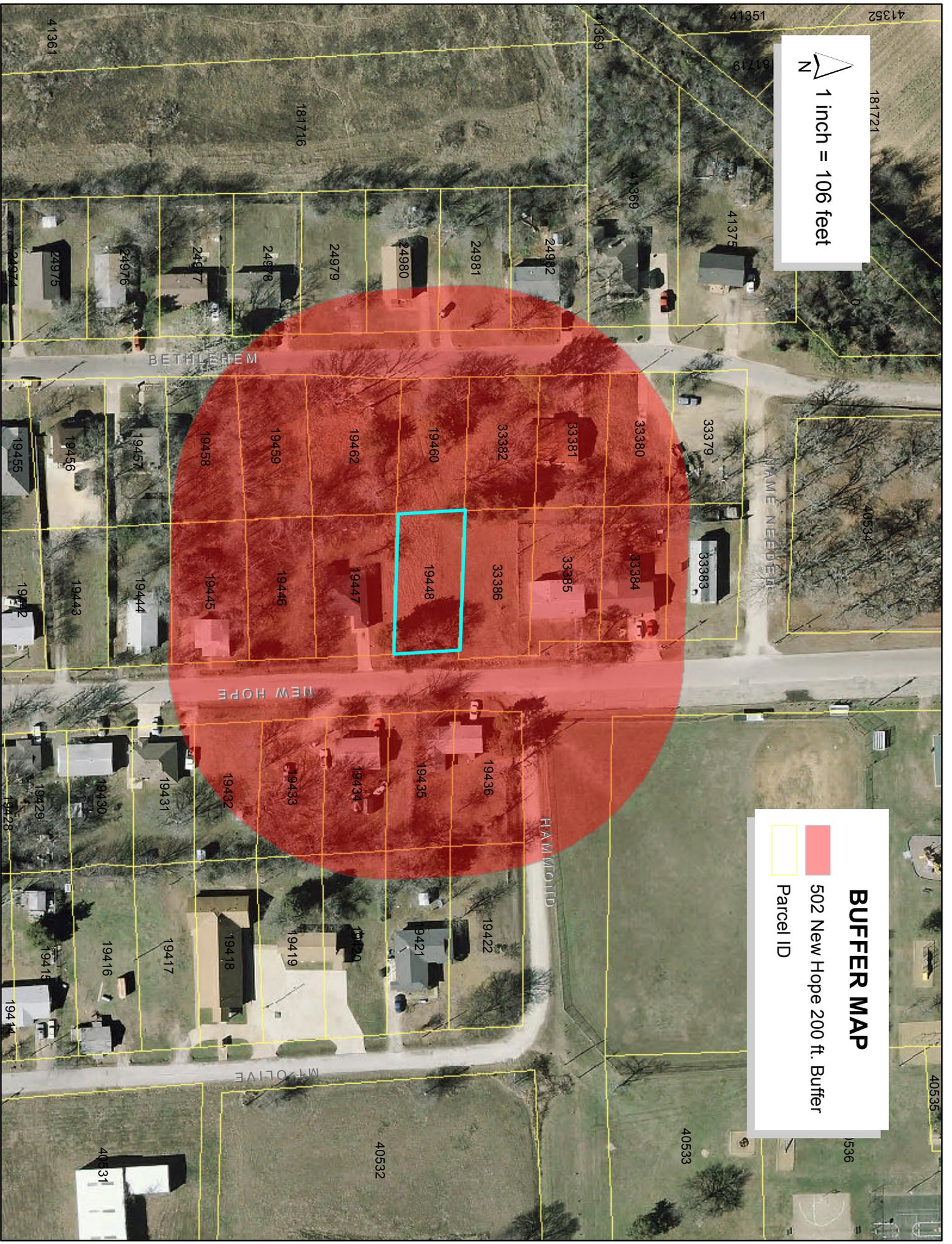
PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
	CONTRACTING & CONSULTING LLC		DR				
24982	JONES GABRIELLA ET AL		2715 EXCALIBUR DR		GRAND PRAIRIE	TX	75052
33379	ALLEN BRENDA		508 MT OLIVE		TERRELL	TX	75160
33380	THOMAS STEPHANIE		PO BOX 2081		TERRELL	TX	75160
33381	MC CARVER RACHEL V		405 BETHLEHEM		TERRELL	TX	75160
33382	ABNEY SHIRLEY A		20425 FM RD 2728		TERRELL	TX	75161
33383	HARTFIELD GUSS & BESSIE		400 NEW HOPE		TERRELL	TX	75160
33384	RICHARDSON JAMES SR		404 NEW HOPE		TERRELL	TX	75160
33385	WOLFE LAURA K		116 BROOKHOLLOW DR		TERRELL	TX	75160
33386	GARDNER RAVEN		605 NEW HOPE ST		TERRELL	TX	75160
40537	CITY OF TERRELL		P O BOX 310		TERRELL	TX	75160
41369	KENNEDY KENOY & CHARRESSA		16275 O CONNER AVE		FORNEY	TX	75126



1 inch = 106 feet

**BUFFER MAP**

-  502 New Hope 200 ft. Buffer
-  Parcel ID



# Parcel ID

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
19419	CHURCH OF THE LIVING GOD	% MINNIE KELLEY	802 S CATHERINE		TERRELL	TX	75160
19420	DAVIS HAROLD		500 MT OLIVE ST		TERRELL	TX	75160
19421	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19422	PADILLA ADALBERTO		12612 SEAGOVILLE ROAD		MESQUITTE	TX	75180
19431	BEAN CHARLES		511 NEW HOPE		TERRELL	TX	75160
19432	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19433	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19434	DAVIS HAROLD		500 MT OLIVE ST		TERRELL	TX	75160
19435	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19436	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19444	BROWN SHEILA		767 EVELYNN DRIVE		TERRELL	TX	75160
19445	TIMELY INC		P O BOX 245		TERRELL	TX	75160
19446	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19447	DIMSON SAMUEL & DANA		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19448	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19458	HURTAULT MELODY		1423 W 83RD ST		LOS ANGELES	CA	90047
19459	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19460	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19462	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
24978	MOSS L D		1086 PEAVY RD		DALLAS	TX	75218
24979	MOSS WILLIE P & FRANCES		1013 S MEDORA ST		TERRELL	TX	75160
24980	JOHNSON CARRIE H		2110 SUMAC DR		FORNEY	TX	75126
24981	ON POINT CONTRACTING & CONSULTING LLC		108 HACKBERRY DR		OAK LEAF	TX	75154
24982	JONES GABRIELLA ET AL		2715 EXCALIBUR DR		GRAND PRAIRIE	TX	75052
33379	ALLEN BRENDA		508 MT OLIVE		TERRELL	TX	75160
33380	THOMAS STEPHANIE		PO BOX 2081		TERRELL	TX	75160
33381	MC CARVER RACHEL V		405 BETHLEHEM		TERRELL	TX	75160
33382	ABNEY SHIRLEY A		20425 FM RD 2728		TERRELL	TX	75161
33383	HARTFIELD GUSS & BESSIE		400 NEW HOPE		TERRELL	TX	75160
33384	RICHARDSON JAMES SR		404 NEW HOPE		TERRELL	TX	75160
33385	WOLFE LAURA K		116 BROOKHOLLOW DR		TERRELL	TX	75160
33386	GARDNER RAVEN		605 NEW HOPE ST		TERRELL	TX	75160
40537	CITY OF TERRELL		P O BOX 310		TERRELL	TX	75160
41369	KENNEDY KENOY & CHARRESSA		16275 O CONNER AVE		FORNEY	TX	75126

## **SECTION 18 SINGLE-FAMILY RESIDENTIAL-7.5 (SF-7.5) DISTRICT**

### **18.1 GENERAL PURPOSE AND DESCRIPTION:**

The Single-Family Residential-7.5 (SF-7.5) District is intended to provide for development of primarily detached, single-family residences on smaller and more compact lots of not less than 7,500 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-7.5 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### **18.2 PERMITTED USES:**

- A. Those uses listed for the SF-7.5 district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### **18.3 HEIGHT REGULATIONS:**

A. **Maximum Height:**

1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
2. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### **18.4 AREA REGULATIONS:**

A. **Size of Lots:**

1. **Minimum Lot Area** – Seven thousand and five hundred (7,500) square feet
2. **Minimum Lot Width** - Seventy feet (70')
3. **Minimum Lot Depth** - One hundred feet (100')

B. **Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** – Seven feet (7') for interior side yard; ten feet (10') for a non-key corner lot on a street; twenty-five feet (25') for a key corner lot on a street.
3. **Minimum Rear Yard** – Twenty five feet (25') for the main building and any accessory building(s); twenty-five feet (25') for rear entry garage. (See Section 35 for exceptions.)

C. **Parking Regulations:**

1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the

- garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.
2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
  3. **Other** - See Section 33, Off-Street Parking and Loading Regulations

**D. Minimum Floor Area per Dwelling Unit** – One thousand five hundred (1,500) square feet of air-conditioned floor area.

**E. Minimum Exterior Construction Standards** – See Section 37.

**F. Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. The same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.

**G. Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see "Recommended Plant List" in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination ("Dark Sky" compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design for new subdivisions should include the following elements:
  - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design.

Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.

- b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

**H. Maximum Impervious Surface Coverage – Sixty percent (60%).**

**18.5 SPECIAL REQUIREMENTS:**

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools – See Section 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.



## Case VR- 16-15 and VR 16-16

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**Zoning Board of Adjustment Public Hearing:**

November 14, 2016

**Owner/Applicant:**

Graylan Dabney

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**Location:**

411 Bethlehem St, City of Terrell, Kaufman County, Texas.  
603 South Park, City of Terrell, Kaufman County, Texas

**Request:**

Variance to Section 18.4 (C1) & (D) – Area Regulations

**Current Zoning:**

Single-Family 7.5 (SF-7.5)

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### Background:

The applicant is requesting a variance for section 18.4 Area Regulations - (C1: Parking Regulations) & (D: Minimum Floor Area per Dwelling Unit).

The floor plan submitted indicates a living area of 1,348 sq. ft. This is in conflict with the applicants request to build a 1,450 sq. ft. home. Minimum square footage for SF 7.5 zoning is 1,500 sq. ft. The proposed floor plan is 152 sq. ft. less than the requirements.

The applicant has also requested a variance to build a (1) one car garage. SF 7.5 requires “A minimum of (2) two enclosed parking spaces behind the front building line on the same lot as the main structure”. However, one car garages are functionally obsolete and have been for 25 years and are accessed by a decrease in property value through the appraisal process.

The variances requested would be allowed in SF 6 zoning. That zoning district is more in line with smaller lot sizes, smaller square footage homes and or homes built to be used for rental property.

The variance does not meet the criteria for a hardship.

### Note:

The Zoning Ordinance states that in granting a variance, the ZBA must come to a finding of hardship based on the facts of the application and the following criteria:

1. “That literal enforcement of the ordinance will create an unnecessary hardship in the development of the property.
2. “That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and
3. “That the relief sought will not injure the permitted use of adjacent conforming property; and
4. “That the granting of a variance will be in harmony with the spirit and purpose of (the zoning) regulations.”

**Notification:**

Notices were sent to Twenty-two (22) to VR 16-15 and Twenty-two (22) to VR 16-16 property owners within two hundred feet (200') of the request as required by State Law. One (1) supporting comment form was returned each VR 16-15 and VR 16-16.

**Attachments:**

Comment Forms  
Application  
Applicant Floor Plans and Front Elevations  
Property Location (Kaufman Map)  
Buffer Map and Mailing List  
Zoning Ordinance

**This will be a part of the public record.**

RE: Breezy Hill -Block H Lot 189

**Located :** 411 Bethlehem, Terrell TX 75160

(PID: 19462)- **VR 16-15**

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor

Opposition

for the following reasons:

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Name: Helen McGee

Address: 6531 Tioga Place Dallas, TX 75242

Signature: Helen J. McGee

**Please return to:**

City of Terrell  
Municipal Development Department  
P.O. Box 310  
Terrell, TX 75160

This will be a part of the public record.

RE: Phagan Block 3 Lot 25, 26 & 27PT

Located : 603 S. Park, Terrell TX 75160  
(PID: 33652)- VR 16-16

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor

Opposition

for the following reasons:

*Comment: development of housing unit should enhance the appearance of the area and request is made for the unit to be attractive in accordance with city of Terrell*

Name:

*hinda & Leonard DeGrote*

Address:

*P.O. Box 573  
Terrell, Texas*

Signature:

*Leonard DeGrote Jr*  
*Thank you*  
*Leonard DeGrote Jr*

Please return to:

City of Terrell  
Municipal Development Department  
P.O. Box 310  
Terrell, TX 75160

This will be a part of the public record.

RE: Phagan Block 3 Lot 25, 26 & 27PT

Located : 603 S. Park, Terrell TX 75160

Re: 603 S. Park  
Terrell, Tx

(PID: 33652)- VR 16-16

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

Favor

Opposition

for the following reasons:

Question is raised: Are you all speaking  
about re zoning from commercial  
to residence - which is only property  
we recognize that is 200 feet  
in proximity to our property on Rockwall  
st?

Name: LEONARD DeGRATE JR

Address: P.O. Box 523

Signature: Terrell, Tx 75160

Please return to:

City of Terrell  
Municipal Development Department  
P.O. Box 310  
Terrell, TX 75160

NOTICE OF APPEAL  
TO  
CITY OF TERRELL  
ZONING BOARD OF ADJUSTMENTS

I hereby petition the City of Terrell to schedule a public hearing before the Zoning Board of Adjustment to consider a variance or special exception to certain requirements of the City's Zoning Ordinance.

This appeal concerns property described as follows:

Address: 1) 411 Bethlehem St. Terrell TX 75160  
2) 603 South Park Terrell TX 75160

Lot: 1) 190 Block: 1) H Subdivision: 1) Breezy Hill

Other Description: 2) 25+26+27 3) 3 3) PHAGAN

Zoning District: SF. 7.5

Current Use: Vacant Lot

Proposed Use: Single family home

HOA Yes  No

The appeal concerns article, or paragraph, number: 18.4 eed of the Zoning Ordinance, which address: 2 car garage and 1500 sq ft. requirements

My request is for variance that will allow me to: Build attached floor plan single family home -1450 total sq ft. with one car garage

I feel that a variance is warranted in this case because: For the betterment of the community as a whole and to retain the overall aesthetics of the neighborhood, I think it would be beneficial to build the attached floor plan to remain in line with look of community

(2) see back

I certify that the above information and attached drawing are true and correct to the best of my knowledge and belief; and that I am the owner of the property in question, or have the owner's authority to make this appeal. And I understand that I will be notified by mail as to when the Board will meet to hear my request, said meeting being expected to occur within thirty (30) days of today's date.

[Handwritten Signature]  
Appellant's Signature

8.4.16  
Date of Signature

Graylan Dabney  
Appellant's printed or typed name and address

214.535.8896  
Appellant's phone number, etc.

2 I will replat lots 25, 26, 27 into 1 lot.  
 The width is approximately 62 ft and  
 unable to meet minimum width of 70 ft.

11-11-11  
 11-11-11  
 11-11-11

21.1.12  
 Vacant lot  
 single family house

12.1.12  
 11-11-11  
 11-11-11

11-11-11  
 11-11-11  
 11-11-11

11-11-11  
 11-11-11  
 11-11-11

11-11-11  
 11-11-11

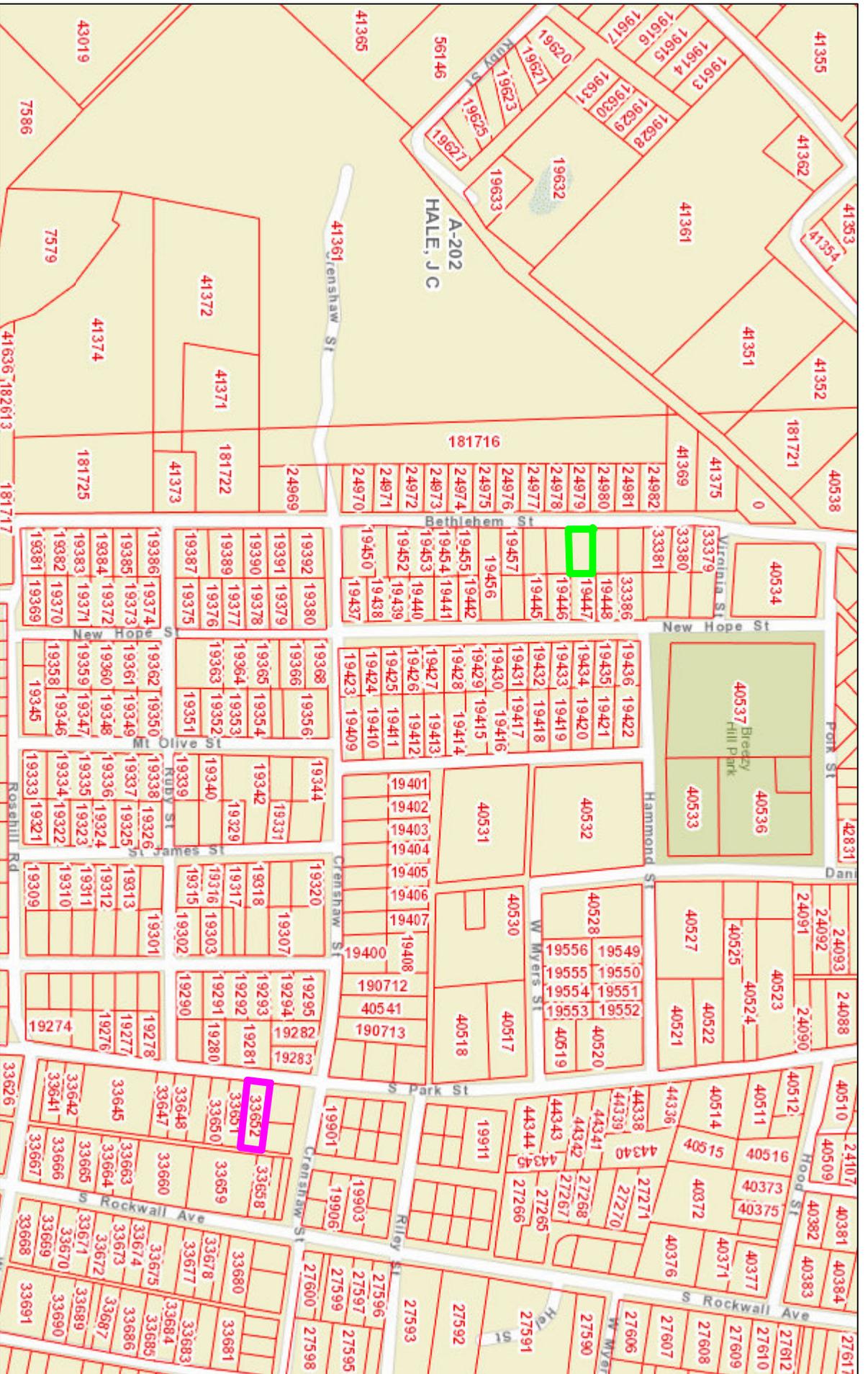
11-11-11

11-11-11  
 11-11-11  
 11-11-11





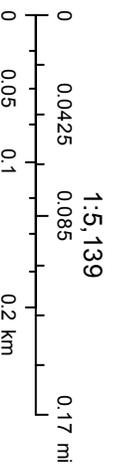
VR 16-15 (411 BETHLEHEM) = GREEN VR 16-16 (603 S. PARK ) = PINK



September 19, 2016

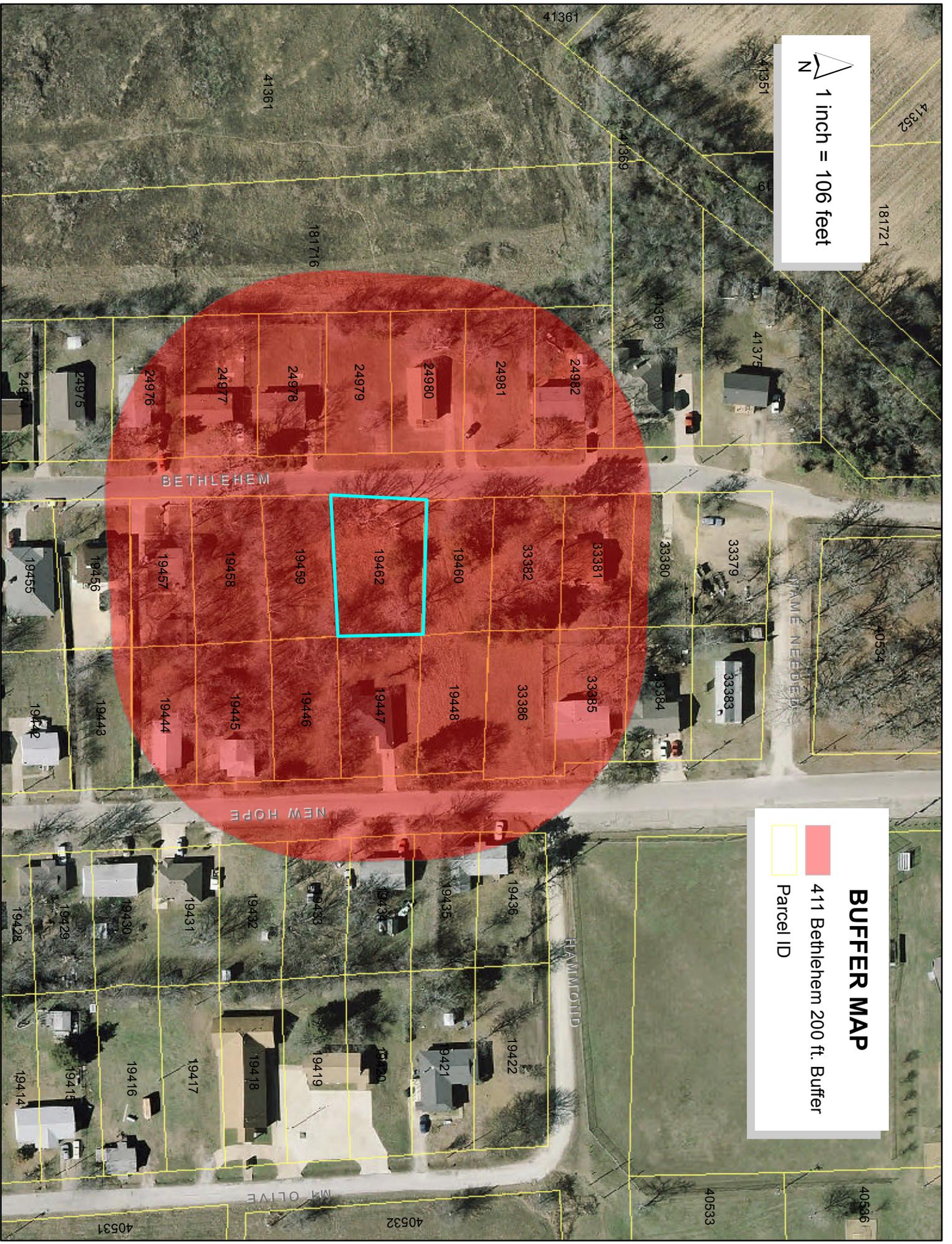
- Parcels
- Abstracts

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand).

Kaufman County Appraisal District & BIS Consulting - www.bisconsultants.com  
 This product and relative contents are the property of the respective governmental entity and BIS Consultants. Use is restricted for official purposes.




  
 1 inch = 106 feet

**BUFFER MAP**  
 411 Bethlehem 200 ft. Buffer  
 Parcel ID

# Parcel ID

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
19432	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19433	MC GEE HELEN JOYCE		6531 TIOGA PLACE		DALLAS	TX	75241
19434	DAVIS HAROLD		500 MT OLIVE ST		TERRELL	TX	75160
19435	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19436	JOHNSON JOHN H		618 S ROCKWALL		TERRELL	TX	75160
19443							
19444	BROWN SHEILA		767 EVELYN DRIVE		TERRELL	TX	75160
19445	TIMELY INC		P O BOX 245		TERRELL	TX	75160
19446	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19447	DIMSON SAMUEL & DANA		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19448	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19456	HENDERSON EMERSON L & DOROTHY H		503 BETHLEHEM ST		TERRELL	TX	75160
19457	BOYD JUSTIN & KASEY		330 TIMBER ROAD		FORNEY	TX	75126
19458	HURTAULT MELODY		1423 W 83RD ST		LOS ANGELES	CA	90047
19459	DIMSON SAMUEL N		1106 N DEVONSHIRE DR		FORNEY	TX	75126
19460	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
19462	BROWN KEVIN		5143 CHERYL LN		KAUFMAN	TX	75142
24975	RUNNELS KEITH C		922 FAIRWAY DR		DUNCANVILLE	TX	75137
24976	ROCKWELL		P O BOX 34		TERRELL	TX	75160

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
	RICHARD						
24977	ROCKWELL		1202 S		TERRELL	TX	75160
	RICHARD L		CATHERINE				
24978	MOSS L D		1086 PEAVY RD		DALLAS	TX	75218
24979	MOSS WILLIE P & FRANCES		1013 S MEDORA ST		TERRELL	TX	75160
24980	JOHNSON CARRIE H		2110 SUMAC DR		FORNEY	TX	75126
24981	ON POINT CONTRACTING & CONSULTING LLC		108 HACKBERRY DR		OAK LEAF	TX	75154
24982	JONES GABRIELLA ET AL		2715 EXCALIBUR DR		GRAND PRAIRIE	TX	75052
33380	THOMAS STEPHANIE		PO BOX 2081		TERRELL	TX	75160
33381	MC CARVER RACHEL V		405 BETHLEHEM		TERRELL	TX	75160
33382	ABNEY SHIRLEY A		20425 FM RD 2728		TERRELL	TX	75161
33384	RICHARDSON JAMES SR		404 NEW HOPE		TERRELL	TX	75160
33385	WOLFE LAURA K		116 BROOKHOLLOW DR		TERRELL	TX	75160
33386	GARDNER RAVEN		605 NEW HOPE ST		TERRELL	TX	75160
41369	KENNEDY KENOY & CHARRESSA		16275 O CONNER AVE		FORNEY	TX	75126
181716	RERAM INC		P O BOX 50593		DENTON	TX	76206



# Parcel ID

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
19279	SHAW BILLY J		6602 INDIAN LAKE		MISSOURI CITY	TX	77489
19280	WILSON BOBBY G		610 S PARK		TERRELL	TX	75160
19281	HENRY JAMES		401 S MEDORA		TERRELL	TX	75160
19282	SMITH RAY LEE & KATIE B		119 LINCOLN LN		TERRELL	TX	75160
19283	SMITH RAY LEE & KATIE B		119 LINCOLN LN		TERRELL	TX	75160
19291	PRINCE ISALAH		604 GILBERT		TERRELL	TX	75160
19292	WILLIAMS EARL		607 ST LUKE		TERRELL	TX	75160
19293	MOORE JOHN H	% SANDRA JACOBS	364 EAST 56TH ST APT #2		LOS ANGELES	CA	90011
19294	HENDERSON JAMES		8439 RIVERVIEW AVE		KANSAS CITY	KS	66112
19295	WALKER HUGHL L		601 SAINT LUKE ST		TERRELL	TX	75160
19895	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
19900	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
19901	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
19902	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
19906	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
19907	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
33648	TURNER JESSE RAY		703 S PARK ST		TERRELL	TX	75160
33649	WRIGHT LORETTA		2645 RUTGERS DR		LANCASTER	TX	75134
33650	WRIGHT		2645 RUTGERS		LANCASTER	TX	75134

PROP_ID	file_as_na	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
33651	LORETTA MNSF II ACQUISITIONS LLC		DR 4701 HEDGEMORE DRIVE NO 500		CHARLOTTE	NC	28209
33652	MADDEN MILTON ESTATE		302 1st St	Apt A	TERRELL	TX	75160
33653	PADILLA ADALBERTO		12612 SEAGOVILLE ROAD		MESQUITTE	TX	75180
33654	HOLMES JOHNNIE C		308 FM RD 148		TERRELL	TX	75160
33655	KAUFMAN COUNTY TRUSTEE		P O BOX 339		KAUFMAN	TX	75142
33657	CITY OF TERRELL		P O BOX 310		TERRELL	TX	75160
33658	SALAS MARIO D		7904 GROTON		DALLAS	TX	75217
33659	JONES ZEPHYR BAILEY		1112 S ROCKWALL		TERRELL	TX	75160
33660	JONES JOSEPHINE		1114 SOUTH ROCKWALL		TERRELL	TX	75160
40543	SCOTT FREDERICK D		1423 W 83RD		LOS ANGELES	CA	90047
190713	SCOTT FREDERICK D		1423 W 83RD		LOS ANGELES	CA	90047

## **SECTION 18 SINGLE-FAMILY RESIDENTIAL-7.5 (SF-7.5) DISTRICT**

### **18.1 GENERAL PURPOSE AND DESCRIPTION:**

The Single-Family Residential-7.5 (SF-7.5) District is intended to provide for development of primarily detached, single-family residences on smaller and more compact lots of not less than 7,500 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-7.5 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### **18.2 PERMITTED USES:**

- A. Those uses listed for the SF-7.5 district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### **18.3 HEIGHT REGULATIONS:**

A. **Maximum Height:**

1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
2. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### **18.4 AREA REGULATIONS:**

A. **Size of Lots:**

1. **Minimum Lot Area** – Seven thousand and five hundred (7,500) square feet
2. **Minimum Lot Width** - Seventy feet (70')
3. **Minimum Lot Depth** - One hundred feet (100')

B. **Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** – Seven feet (7') for interior side yard; ten feet (10') for a non-key corner lot on a street; twenty-five feet (25') for a key corner lot on a street.
3. **Minimum Rear Yard** – Twenty five feet (25') for the main building and any accessory building(s); twenty-five feet (25') for rear entry garage. (See Section 35 for exceptions.)

C. **Parking Regulations:**

1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the

- garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.
2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
  3. **Other** - See Section 33, Off-Street Parking and Loading Regulations

**D. Minimum Floor Area per Dwelling Unit** – One thousand five hundred (1,500) square feet of air-conditioned floor area.

**E. Minimum Exterior Construction Standards** – See Section 37.

**F. Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. The same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.

**G. Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see "Recommended Plant List" in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination ("Dark Sky" compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design for new subdivisions should include the following elements:
  - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design.

Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.

- b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

**H. Maximum Impervious Surface Coverage – Sixty percent (60%).**

**18.5 SPECIAL REQUIREMENTS:**

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools – See Section 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.



Agenda Item 5  
**Case VR 16-31**

**Zoning Board of Adjustment Public Hearing:**

November 14, 2016

**Owner/Applicant:**

David Cathcart

**Location:**

521 Timberside Drive, City of Terrell, Kaufman County, Texas

**Request:**

Variance to Section **37.3: Minimum Exterior Construction Standards (D4): Applicability – Minimum Exterior Construction Standards established in this section shall not apply to the following class or kind of buildings except as noted.**

**Current Zoning:**

Single-Family 7.5 (SF-7.5)

**Background:**

The applicant is requesting a variance for section **37.3: Minimum Exterior Construction Standards (D4): Applicability – Minimum Exterior Construction Standards established in this section shall not apply to the following class or kind of buildings except as noted.**

The application submitted indicates a garage structure exceeding 240sq ft of metal construction, dimensions being noted by applicant as 24 x 25 x 10.

Request of applicant is to build the accessory structure that matches colors of the main structure in a metal fashion.

Zoning Ordinance states “The Exterior façade of an accessory structure exceeding 240 sq ft in size visible from a public street shall be required to match the exterior façade of the main structure”.

The variance does not meet the criteria for a hardship.

**Note:**

The Zoning Ordinance states that in granting a variance, the ZBA must come to a finding of hardship based on the facts of the application and the following criteria:

1. “That literal enforcement of the ordinance will create an unnecessary hardship in the development of the property.
2. “That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and
3. “That the relief sought will not injure the permitted use of adjacent conforming property; and
4. “That the granting of a variance will be in harmony with the spirit and purpose of (the zoning) regulations.”

**Notification:**

Notices were sent to Twelve (12) property owners within two hundred feet (200') of the request as required by State Law. One (1) comment form in Favor was returned.

**Attachments:**

Comment Forms  
Application  
Applicant Submitted Documents  
Property Location (Kaufman Map)  
Buffer Map and Mailing List  
Zoning Ordinance

**This will be a part of the public record.**

RE: Kings Creek Estates – Block N Lot 11

**Located :** 521 Timberside Dr, Terrell TX 75160

(PID: 29419)- **VR 16-31**

As a property owner within 200 feet of the property that is the subject of the above referenced case I am in

      ✓       Favor

                   Opposition

for the following reasons:

Convenience for the parties  
involved.

Name: ADA BUCKNER

Address: 575 Gold meadow DR  
TERRELL, TX 75161

Signature: Ada Buckner

**Please return to:**

City of Terrell  
Municipal Development Department  
P.O. Box 310  
Terrell, TX 75160



# CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS VARIANCE APPLICATION

I Hereby petition the City of Terrell to schedule a public hearing before the Zoning Board of Adjustment to consider a variance or special exception to certain requirements of the City's Zoning Ordinance.

This appeal concerns property described as follows:

Address: 521 Timberside Drive Terrell TX 75161		PID: 29419
Lot: 11	Block: N	Subdivision: Kings Creek Estates, Revised
Other Description:		HOA: YES <input type="radio"/> NO <input checked="" type="radio"/>
Zoning District: SF 75	Current use: Single family home	
Proposed use: Additional space to store lawn equipment, extra vehicle, and other personal effects		

The appeal concerns:

Article: 37.3	Paragrah: D	Number: 4
------------------	----------------	--------------

Of the Zoning Ordinance, which addresses:

"The exterior facade of a accessory structure exceeding (240) square feet in size visible from a public street shall be required to match the exterior facade of the main structure."

My request is for variance that will allow me to:

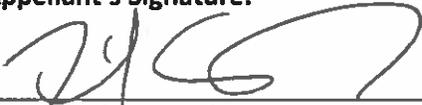
To have a accessory structure that matches color to the main structure in a metal fashion.

I feel that a variance is warranted in this case because:

The colors chosen match closely to the color of the main home. Also there are several accessory buildings in my neighborhood that do not match the main structure exterior facade in color or surface material. Pictures of some of those homes are included.

## CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS VARIANCE APPLICATION

I certify that the above information and attached drawing are true and correct to the best of my knowledge and belief; and that I am the owner of the property in question, or have the owner's authority to make this appeal. And I understand that I will be notified by mail as to when the Board will meet to hear my request, said meeting being expected to occur within thirty(30) days of today's date. Variance application fee is \$100 / Lot-Address.

Appellant's Signature: 	Date of Signature:
Appellant's printed or typed name and address: David Cathcart 521 Timberside Drive Terrell TX 75160	
Appellant's phone number, etc: 214-793-4526	

~~~~~OFFICE USE ONLY~~~~~

|                                     |                                                            |
|-------------------------------------|------------------------------------------------------------|
| APPLICATION RECEIVED ON:<br>9/20/16 | PAYMENT:<br>100. <del>00</del> (C) _____ (CC) _____ (CHK#) |
| ZBA MEETING MONTH:                  | VR 16- _____                                               |

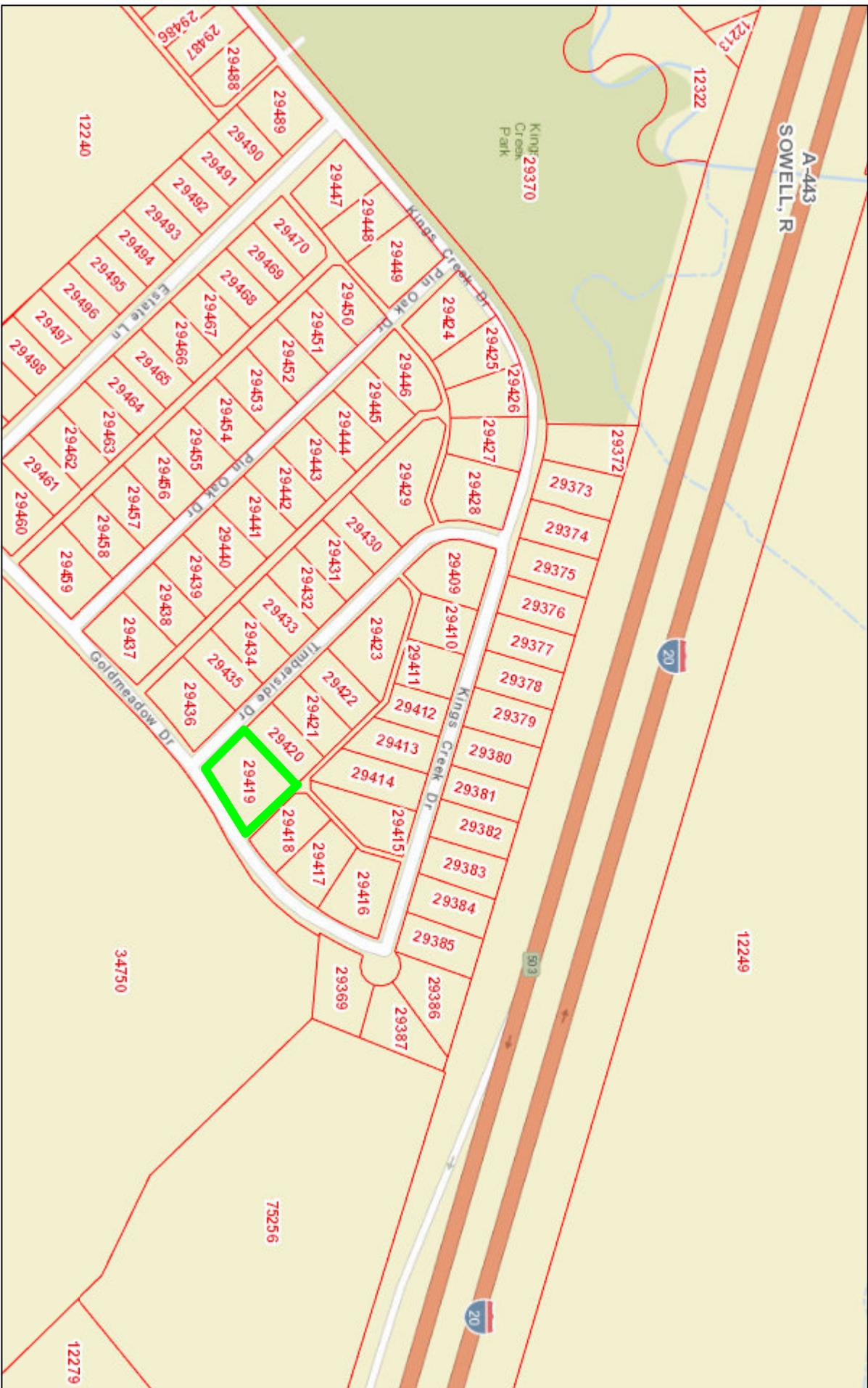








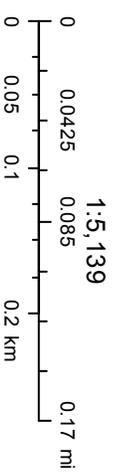
# VR 16-31 521 Timberside Drive (PID:29419)



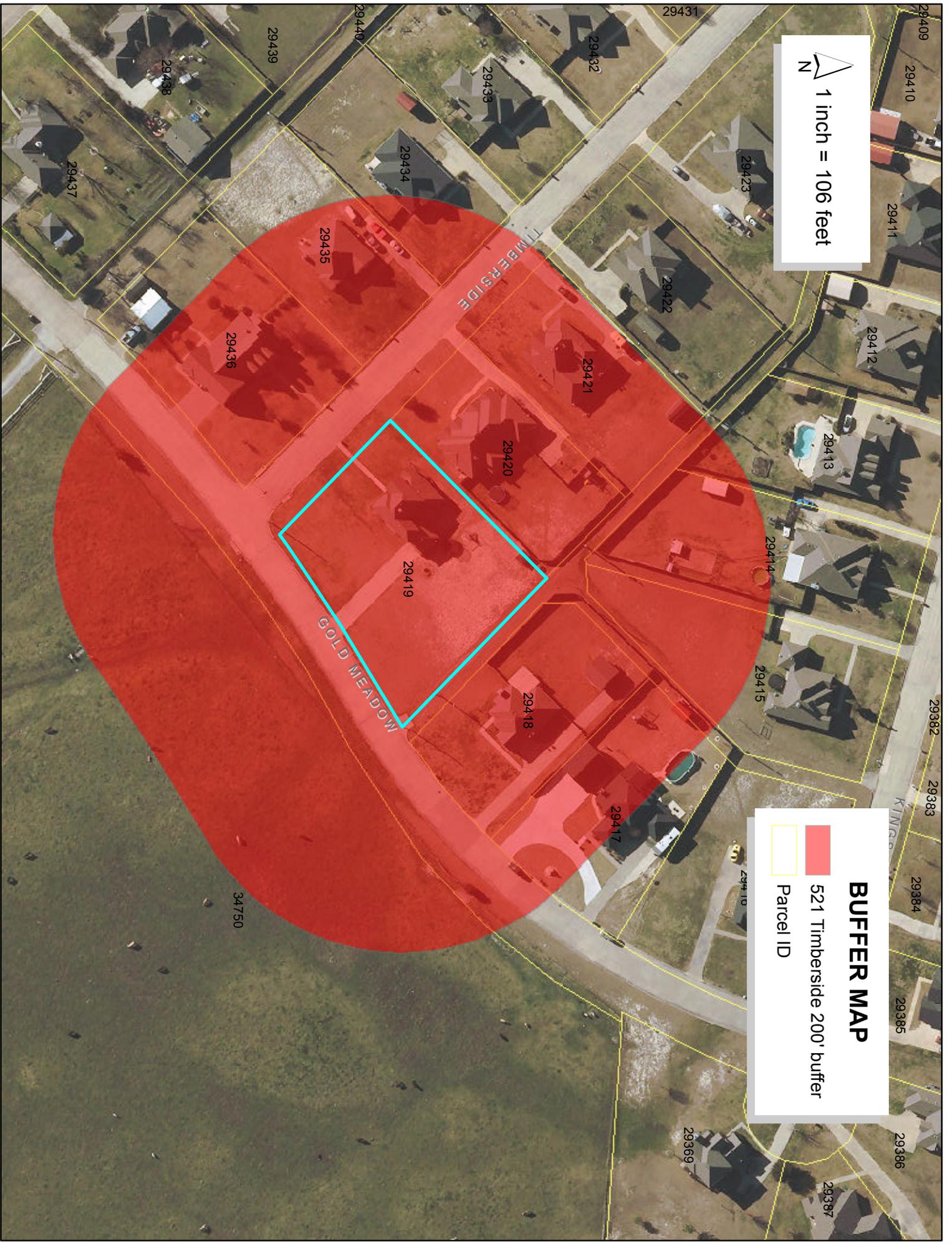
October 7, 2016

- Parcels
- Abstracts

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



Sources: Esri, HERE, DeLorme, USGS, Intermap, Incorpent P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), Kauffman County Appraisal District & BIS Consulting - www.bisconsultants.com  
This product and relative contents are the property of the respective governmental entity and BIS Consultants. Use is restricted for official purposes.



1 inch = 106 feet

### BUFFER MAP

521 Timberside 200' buffer

Parcel ID

# Parcel ID

| PROP_ID | file_as_na                                                                            | addr_line1 | addr_line2              | addr_line3 | addr_city | addr_state | zip   |
|---------|---------------------------------------------------------------------------------------|------------|-------------------------|------------|-----------|------------|-------|
| 29413   | CANTRELL JOHN<br>M & TERRI L                                                          |            | 522 KINGS<br>CREEK DR   |            | TERRELL   | TX         | 75161 |
| 29414   | PALINGO PETER<br>P JR & SUZANNE<br>D                                                  |            | 526 KINGS<br>CREEK DR   |            | TERRELL   | TX         | 75161 |
| 29415   | ZINN CHRIS &<br>XOCHILT M                                                             |            | 530 KINGS<br>CREEK CT   |            | TERRELL   | TX         | 75160 |
| 29417   | IBARRA<br>ARNALDO G &<br>CRYSTAL A                                                    |            | 519 GOLD<br>MEADOW DR   |            | TERRELL   | TX         | 75161 |
| 29418   | BUCKNER ADAB B                                                                        |            | 515 GOLD<br>MEADOW DR   |            | TERRELL   | TX         | 75161 |
| 29419   | CATHCART<br>DAVID &<br>TABITHA                                                        |            | 521 TIMBERSIDE<br>DR    |            | TERRELL   | TX         | 75160 |
| 29420   | KEITH KEVIN M<br>& AMY H                                                              |            | 517 TIMBERSIDE<br>DR    |            | TERRELL   | TX         | 75161 |
| 29421   | CAMACHO<br>JEANNETTE &<br>HUGO S<br>HENRIQUEZ                                         |            | 513 TIMBERSIDE<br>DR    |            | TERRELL   | TX         | 75161 |
| 29434   | CAULEY JANE E                                                                         |            | 8890 CO RD 313          |            | TERRELL   | TX         | 75161 |
| 29435   | JACKSON<br>KENNETH M &<br>MONINA                                                      |            | 516 TIMBERSIDE<br>DR    |            | TERRELL   | TX         | 75160 |
| 29436   | WOOLVERTON<br>JEFFREY LYNN<br>TRUSTEE OF<br>ELIZABETH A<br>WOOLVERTON<br>FAMILY TRUST |            | 520 TIMBERSIDE<br>DRIVE |            | TERRELL   | TX         | 75161 |
| 34750   | RISINGER CASEY<br>M                                                                   |            | 551 FM RD 148           |            | TERRELL   | TX         | 75160 |

## SECTION 37 EXTERIOR CONSTRUCTION AND DESIGN REQUIREMENTS

### 37.1 PURPOSE:

The City Council of the City of Terrell finds that it is necessary to regulate the exterior finish and appearance of buildings that are erected within the City in order to insure the consistency in quality, compatibility, and character of buildings within comparable zoning districts. The regulation of exterior materials and building construction assures consistent provision of both a high level of structural durability relative to impacts from natural and manmade forces over time and a safe environment for those occupants, equipment, and goods within the structure. The provision of a quality exterior finish compliments the building construction by reducing maintenance needs, providing a surface more resistant to damage, assisting in maintaining structure and property value over a longer period, contributing substantially to the compatibility and character of its neighborhood or surroundings.

### 37.2 DEFINITIONS:

A. For the purpose of this Section, the following definitions shall apply:

Masonry Construction – This term shall be construed to mean that form of construction composed of brick, stone, decorative concrete block or tile, or other similar building units or materials (or combination of these materials) laid up unit by unit and set in mortar, and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include the following materials:

Hard fired brick – shall be kiln fired clay or slate material and can include concrete brick if it is to the same American Society for Testing and Materials (ASTM) standard for construction as typical hard fired clay brick. The material shall be Severe Weather grade. Unfired or under-fired clay, sand or shale brick are not allowed.

Stone – includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all-weather stone that is customarily used in exterior construction material. Cast or manufactured stone product, provided that such product yields a highly textured, stone-like appearance.

Decorative concrete block – shall be highly textured finish such as split-faced, indented, hammered, fluted, ribbed, or similar architectural finish. Coloration shall be integral to the masonry material and shall not be painted on.

Concrete pre-cast or tilt wall panel – shall be of an architectural finish that is equal to or exceeds the appearance and texture of face brick or stone. Coloration shall be integral to the masonry material and shall not be painted on.

Stucco – an exterior plaster made from a mixture of cement, sand, lime and water spread over metal screening or chicken wire or lath.

Exterior Insulated Finish System – a synthetic stucco cladding system that typically consists of these main components:

Panels of expanded polystyrene foam insulation installed with adhesive or mechanically fastened to the substrate, usually plywood or oriented strand board;

A base coat over the foam insulation panels,  
A glass fiber reinforcing mesh laid over the polystyrene insulation panels and fully imbedded in the base coat; and a finishing coat over the base coat and the reinforcing mesh.

Exterior Wall Surface – All areas of a structure’s wall sections located above the finish floor elevation of the foundation, exclusive of doors and windows.

### 37.3 MINIMUM EXTERIOR CONSTRUCTION STANDARDS

- A. The standards and criteria contained within this subsection are deemed to be minimum standards and shall apply to all new building construction occurring within any zoning district in the City of Terrell as follows:

Single-Family and Two-Family Residential - The first floor exterior wall surface of all new single-family and two-family dwellings shall be of 100% masonry construction. On infill development the minimum exterior facade requirement shall be determined by a survey of the homes on the same street and block and the homes on the street immediately behind the subject property by the Building Official - the type and percentage of exterior facade materials found on 60% of the homes in good repair and upkeep surveyed shall determine the requirement. Exceptions shall be required to apply to the Zoning Board of Adjustments for a variance.

A minimum of 75% of the exterior wall surfaces above the first floor shall be of masonry construction. Architectural trim features such as dormers or gables shall not be counted as exterior wall surface when calculating the masonry requirement above the first floor and may be located on any wall surface.

Executive Estate-32 (EE-32) single-family residential district shall utilize a combination of two or more approved masonry products on the front façade.

- B. Multiple-Family Dwellings - All exterior wall surfaces of all new multiple-family dwellings shall be of 100% masonry construction. Covered breezeways and areas of exterior walls located directly beneath covered porches, patios and balconies that have a minimum dimension of four feet in depth and eight feet in width shall not be counted as exterior wall surface when calculating the masonry requirement.
- C. Non-Residential Structures - All exterior wall surfaces of all new non-residential structures shall be of 100% masonry construction. When located along the front or back elevation of a structure, areas of exterior walls located directly beneath covered porches or patios that have a minimum dimension of four feet in depth and eight feet in width shall not be counted as exterior wall surface when calculating the masonry requirement.
- D. Applicability - The Minimum Exterior Construction Standards established in this Section shall not apply to the following class or kind of buildings except as noted:
1. Public or governmental facilities;
  2. Public or private schools;
  3. Facilities located within industrial parks that were developed or are managed by the Terrell Economic Development Corporation. The Terrell Economic Development Corporation receives funds from 4A sales tax revenues governed by the City Council of the City of Terrell. These industrial parks shall abide by deed restrictions governing exterior construction standards as agreed to by the Terrell City Council.
  4. Detached accessory buildings having not more than two hundred forty (240) square feet of floor area when located on the same lot as a single-family or two family dwelling or non-residential main building and located behind the front building line and not readily visible from the street (behind the rear yard fence) except any exterior façade of an accessory

structure exceeding two hundred forty (240) square feet in size visible from a public street shall be required to match the exterior façade of the main structure. Detached garages, carports, or accessory buildings regardless of size when located in the side or front yard shall be constructed of materials matching the main structure. Accessory Dwelling Units as defined by the Zoning Ordinance are not considered detached accessory buildings in the application of this Subsection.

5. Temporary construction and material storage buildings utilized during construction of permanent improvements on a parcel of land, within subdivision or other similar circumstance such as a public works project. The temporary structure shall be completely removed upon the expiration of its building permit or upon completion of the permanent improvement, whichever occurs first.
6. Barns and farm accessory buildings if such buildings are used solely for agricultural purposes.
7. Historic Landmarks designated by the City Council.
8. Remodeling, renovating or expansion of existing single-family or two-family dwellings when matching materials (or materials that simulate the appearance of the existing exterior) are utilized.

#### 37.4 ALTERNATIVE EXTERIOR MATERIALS

- A. The Building Official may, approve an alternative exterior construction material(s) only upon a determination that the proposed materials are:
  1. Sufficiently durable, and fire and weather resistant to achieve the stated purpose of these requirements; and
  2. The proposed building materials and arrangement of the materials provide consistency of appearance with existing structures on the property or within the neighborhood in which it is located, or
  3. The proposed building material(s) create an appearance that associates a time, a place, an event, or an activity with the development in a thematic manner.
- B. All requests to utilize an alternative exterior construction material(s) shall be in writing and shall address the durability of the proposed material(s) as described in Subsection 37.4(i) above, along with an explanation of its use as it relates to Subsection 37.4(ii) or (iii) above.
- C. Such requests shall be accompanied by a site plan and a façade plan in the case of an individual structure or group of structures developed as a single non-residential project. In the case of a residential development involving the utilization of an alternative exterior construction material(s) on a neighborhood wide basis, a concept plan or approved plat and typical façade treatments shall accompany the request. The City may require the submission of an actual sample(s) of the proposed alternative exterior construction material(s).
- D. A request to utilize an alternative exterior construction material(s) shall be submitted to the Building Official. The Building Official shall consider the request within ten (10) days of submittal. The approval of an alternative exterior construction material(s) shall be on a case by case basis and at the discretion of the Building Official may forward the request to the Zoning Board of Adjustments for a determination.



Agenda Item 6  
**Case VR 16-32**

---

**Zoning Board of Adjustment Public Hearing:** November 14, 2016

**Owner/Applicant:** Alicia Spears

---

**Location:** 709 Mt. Olive, City of Terrell, Kaufman County, Texas

**Request:** Variance to **Section 18.4 Area Regulations (G1): Required Streetscape Amenities.**

**Current Zoning:** Single-Family 7.5 (SF-7.5)

---

**Background:**

The applicant is requesting a variance to **Section 18.4 Area Regulations (G1): Required Streetscape Amenities.**

Request of applicant is to be allowed to build a New single family home excluding the Sidewalk requirements.

Zoning Ordinance states "A minimum four feet (4') wide sidewalk shall be required to be located adjacent to the right-of-way (front of property line) in a private utility/public access easement a minimum of ten feet (10') from the edge of pavement..."

The variance does not meet the criteria for a hardship.

**Note:**

The Zoning Ordinance states that in granting a variance, the ZBA must come to a finding of hardship based on the facts of the application and the following criteria:

1. "That literal enforcement of the ordinance will create an unnecessary hardship in the development of the property.
2. "That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and
3. "That the relief sought will not injure the permitted use of adjacent conforming property; and
4. "That the granting of a variance will be in harmony with the spirit and purpose of (the zoning) regulations."

**Notification:**

Notices were sent to Twenty-nine (29) property owners within two hundred feet (200') of the request as required by State Law. No Comment forms were returned.

**Attachments:**

Comment Forms (if Applicable)  
Application  
Applicant Submitted Documents  
Property Location (Kaufman Map)  
Buffer Map and Mailing List  
Zoning Ordinance



# CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS VARIANCE APPLICATION

I Hereby petition the City of Terrell to schedule a public hearing before the Zoning Board of Adjustment to consider a variance or special exception to certain requirements of the City's Zoning Ordinance.

This appeal concerns property described as follows:

|                             |                         |                                                                          |
|-----------------------------|-------------------------|--------------------------------------------------------------------------|
| Address: 709 Mt Olive       |                         | PID: 19334                                                               |
| Lot: 62                     | Block: C                | Subdivision: Breezy Hill                                                 |
| Other Description:          |                         | HOA: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| Zoning District: 7.5        | Current use: Vacant lot |                                                                          |
| Proposed use: Build a house |                         |                                                                          |

The appeal concerns: section 3.5(a) - Subdivision Ordinance

|                          |                                |                            |
|--------------------------|--------------------------------|----------------------------|
| Article: <del>18</del> 4 | Paragrah: <del>18.4</del> 18.4 | Number: <del>G-1</del> G-1 |
|--------------------------|--------------------------------|----------------------------|

Of the Zoning Ordinance, which addresses:

4ft wide sidewalk public access

My request is for variance that will allow me to:

Not to have a public side walk as there are none in this addition / or street

I feel that a variance is warranted in this case because:

Because this street has addition doesnt have any side walks

## CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS VARIANCE APPLICATION

I certify that the above information and attached drawing are true and correct to the best of my knowledge and belief; and that I am the owner of the property in question, or have the owner's authority to make this appeal. And I understand that I will be notified by mail as to when the Board will meet to hear my request, said meeting being expected to occur within thirty(30) days of today's date. Variance application fee is \$100 / Lot-Address.

|                                                                                                              |                                       |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------|
| Appellant's Signature:<br><i>Alicia SPEARS</i>                                                               | Date of Signature:<br><i>10-18-16</i> |
| Appellant's printed or typed name and address:<br><i>Alicia SPEARS</i><br><i>204 Thomas Terrell TX 75160</i> |                                       |
| Appellant's phone number, etc:<br><i>469 328 9947</i>                                                        |                                       |

~~~~~OFFICE USE ONLY~~~~~

|   |   |
|---|---|
| APPLICATION RECEIVED ON:<br><i>10/18/16</i> | PAYMENT: <span style="float: right;"><i># 1396</i></span><br>_____ (C) _____ (CC) <i>100</i> (CHK#) |
| ZBA MEETING MONTH:<br><i>NOVEMBER</i>       | VR 16- <u><i>32</i></u>   |

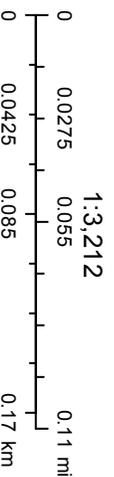
# VR 16-32 709 Mt Olive (PID: 19334)



November 9, 2016

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- Parcels
- Abstracts

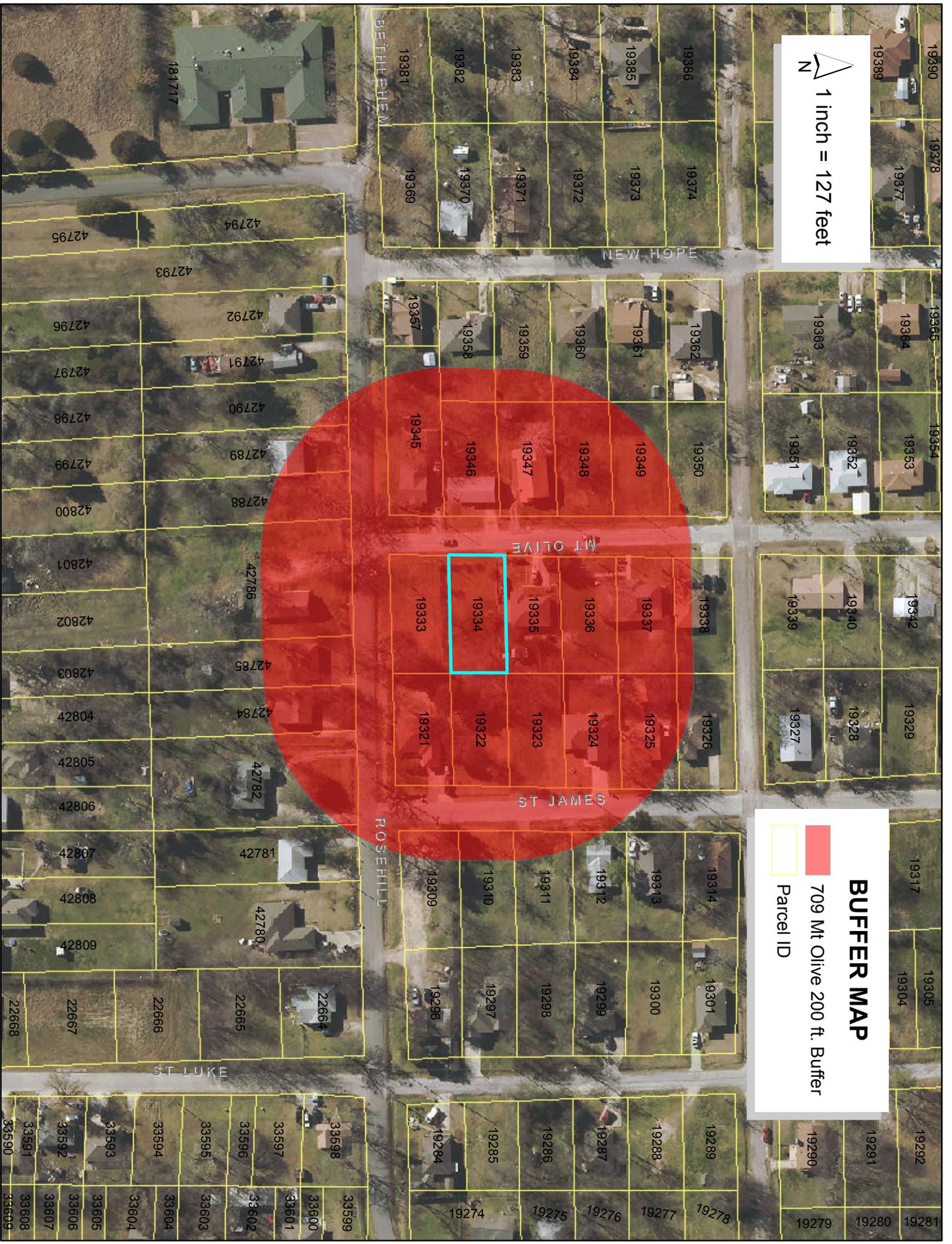


Sources: Esri, HERE, DeLorme, USGS, Inetmap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (HongKong), Esri Korea, Esri (Thailand).

Kaufman County Appraisal District & BIS Consulting - www.bisconsultants.com  
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1 inch = 127 feet



### BUFFER MAP

709 Mt Olive 200 ft. Buffer

Parcel ID

# Parcel ID

| PROP_ID | file_as_na                       | addr_line1           | addr_line2               | addr_line3 | addr_city | addr_state | zip   |
|---------|----------------------------------|----------------------|--------------------------|------------|-----------|------------|-------|
| 19309   | JOHNSON BETTY<br>A & IAN O       |                      | 1002 GLEN PARK<br>DR     |            | DALLAS    | TX         | 75241 |
| 19310   | HILLIER<br>STEPHEN               | % MARK A<br>RUSSELL  | 250<br>MEADOWCREST<br>DR |            | TERRELL   | TX         | 75160 |
| 19311   | SPENCER<br>TAMMY M               |                      | 704 ST JAMES             |            | TERRELL   | TX         | 75160 |
| 19312   | DANIELS<br>WILLIAM D &<br>ERMA J |                      | P O BOX 386              |            | TERRELL   | TX         | 75160 |
| 19321   | WILLIAMS<br>JOHNNY &<br>VERSI E  |                      | 710 ST JAMES             |            | TERRELL   | TX         | 75160 |
| 19322   | WILLIAMS<br>JOHNNY &<br>VERSI E  |                      | 710 ST JAMES             |            | TERRELL   | TX         | 75160 |
| 19323   | JONES MARLENE                    |                      | 2340 CLOVER<br>RIDGE DR  |            | DALLAS    | TX         | 75216 |
| 19324   | DERRICK<br>CHRISTOPHER E         | & TAMMY M<br>SPENCER | 704 ST JAMES             |            | TERRELL   | TX         | 75160 |
| 19325   | WILSON HAROLD<br>EUGENE          |                      | 702 ST JAMES             |            | TERRELL   | TX         | 75160 |
| 19326   | HOLMES<br>JOHNNIE C              |                      | 308 FM RD 148            |            | TERRELL   | TX         | 75160 |
| 19333   | BROMSEY<br>JOHNNY L              |                      | 4805 CLIFFWOOD           |            | GARLAND   | TX         | 75043 |
| 19334   | MC CONNELL<br>ALICIA             |                      | 204 THOMAS ST            |            | TERRELL   | TX         | 75160 |
| 19335   | ERWIN CURTIS<br>ANN              |                      | 707 MT OLIVE             |            | TERRELL   | TX         | 75160 |
| 19336   | MAXWELL<br>JAMES O               |                      | 300 LEIGHTON<br>DR       |            | TERRELL   | TX         | 75160 |
| 19337   | MAXWELL<br>JAMES O               |                      | 300 LEIGHTON<br>DR       |            | TERRELL   | TX         | 75160 |
| 19338   | HOLMES<br>JOHNNIE C              |                      | 308 FM RD 148            |            | TERRELL   | TX         | 75160 |

| PROP_ID | file_as_na                         | addr_line1                   | addr_line2                     | addr_line3 | addr_city  | addr_state | zip   |
|---------|------------------------------------|------------------------------|--------------------------------|------------|------------|------------|-------|
| 19345   | WOODARD<br>ALLISON                 |                              | 710 MT OLIVE                   |            | TERRELL    | TX         | 75160 |
| 19346   | JOHNSON<br>CARRIE H                |                              | 2110 SUMAC DR                  |            | FORNEY     | TX         | 75126 |
| 19347   | SERIES 706 MT<br>OLIVE             |                              | P O BOX 1374                   |            | FORNEY     | TX         | 75126 |
| 19348   | TURNER ADRIAN<br>L                 |                              | 7699 CR 302                    |            | TERRELL    | TX         | 75160 |
| 19349   | THOMAS MARY<br>LOUISE<br>GREENWOOD |                              | 804 S ROCKWALL<br>STREET       |            | TERRELL    | TX         | 75160 |
| 19350   | THOMAS LEOLA                       |                              | 700 MT OLIVE                   |            | TERRELL    | TX         | 75160 |
| 19358   | TUTT ADRIAN                        |                              | 709 NEW HOPE<br>ST             |            | TERRELL    | TX         | 75160 |
| 19359   | KAUFMAN<br>COUNTY<br>TRUSTEE       |                              | P O BOX 339                    |            | KAUFMAN    | TX         | 75142 |
| 19360   | HOLMES<br>JOHNNIE C                |                              | 308 FM RD 148                  |            | TERRELL    | TX         | 75160 |
| 19361   | PORTER JOYCE                       |                              | 703 NEW HOPE<br>ST             |            | TERRELL    | TX         | 75160 |
| 42781   | THOMAS<br>STEPHANIE                |                              | P O BOX 2081                   |            | TERRELL    | TX         | 75160 |
| 42782   | MILLER JOE D                       | % JOHN NORRIS<br>MOORE ET AL | 701 ROSEHILL                   |            | TERRELL    | TX         | 75160 |
| 42784   | CALL<br>INVESTMENT<br>CORPORATION  |                              | P O BOX 1303                   |            | KAUFMAN    | TX         | 75142 |
| 42785   | HOLMES<br>JOHNNIE C                |                              | 308 FM RD 148                  |            | TERRELL    | TX         | 75160 |
| 42786   | DANIELS<br>ALFRED                  | ETHEL<br>WOODARD             | 709 ROSE HILL                  |            | TERRELL    | TX         | 75160 |
| 42788   | NGUYEN TUU                         |                              | 2041 W HEBRON<br>PKWY APT 3028 |            | CARROLLTON | TX         | 75010 |
| 42789   | BUFFINGTON<br>LUCY                 |                              | 803 ROSE HILL                  |            | TERRELL    | TX         | 75160 |
| 42790   | ROBINSON<br>DEBRA ETAL             |                              | 6509 SECOND<br>BLVD            |            | DALLAS     | TX         | 75217 |

## SECTION 18 SINGLE-FAMILY RESIDENTIAL-7.5 (SF-7.5) DISTRICT

### 18.1 GENERAL PURPOSE AND DESCRIPTION:

The Single-Family Residential-7.5 (SF-7.5) District is intended to provide for development of primarily detached, single-family residences on smaller and more compact lots of not less than 7,500 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-7.5 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 18.2 PERMITTED USES:

- A. Those uses listed for the SF-7.5 district in Section 32 - Use Charts as “P”, “S” or “T” are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 18.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
2. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### 18.4 AREA REGULATIONS:

#### A. Size of Lots:

1. **Minimum Lot Area** – Seven thousand and five hundred (7,500) square feet
2. **Minimum Lot Width** - Seventy feet (70')
3. **Minimum Lot Depth** - One hundred feet (100')

#### B. Size of Yards:

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** – Seven feet (7') for interior side yard; ten feet (10') for a non-key corner lot on a street; twenty-five feet (25') for a key corner lot on a street.
3. **Minimum Rear Yard** – Twenty five feet (25') for the main building and any accessory building(s); twenty-five feet (25') for rear entry garage. (See Section 35 for exceptions.)

#### C. Parking Regulations:

1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the

garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.

2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
  3. **Other** - See Section 33, Off-Street Parking and Loading Regulations
- D. **Minimum Floor Area per Dwelling Unit** – One thousand five hundred (1,500) square feet of air-conditioned floor area.
- E. **Minimum Exterior Construction Standards** – See Section 37.
- F. **Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. The same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.

**G. Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see “Recommended Plant List” in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination (“Dark Sky” compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design for new subdivisions should include the following elements:
  - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design.

Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.

- b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

**H. Maximum Impervious Surface Coverage – Sixty percent (60%).**

**18.5 SPECIAL REQUIREMENTS:**

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools – See Section 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.