



BOARD OF APPEALS AGENDA

WEDNESDAY, DECEMBER 15, 2021

6:00 P.M.

ADDISON TREEHOUSE

14681 MIDWAY ROAD, SUITE 200, ADDISON, TX 75001

The Board of Appeals meeting and public hearing will be held at the Addison TreeHouse, 14681 Midway Road, Suite 200, Addison, Texas 75001 on Wednesday, December 15, 2021 at 6 pm. Seating for the public will be available using CDC recommended social distancing measures. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Board. For more information on meeting location and ways to view and/or present comments, please contact Jenifer Tedrick prior to 3:00 pm on the day of the meeting at 972-450-2823 or by emailing jtedrick@addisontx.gov. Members of the public are entitled to participate remotely via Dial-in Number: 346.248.7799; Meeting ID: 319 628 1637; Participant ID: #. For more detailed instructions on how to participate in this meeting, visit our Agenda Page. The meeting will be live streamed on Addison's website at www.addisontexas.net.

Call Meeting to Order

Pledge of Allegiance

1. Consider Action on the **Minutes from the August 11, 2021 Board of Appeals Meeting.**
2. Hold a Public Hearing, Present, Discuss, and Consider Action on an **Appeal of the Building Official's Decision for the Consideration of an Exception to Sec. 78-179 (Parking on Unimproved Surfaces), Article IV (Stopping, Standing and Parking), Chapter 78 (Traffic and Vehicles), of the Code of Ordinances of the Town of Addison, for the Use of Loose Gravel Material as an Improved Parking Surface for a Residential Driveway within the Front Yard for a Property located at 4011 Azure Lane.** BOA21-002/4011 Azure Lane.

Adjourn Meeting

NOTE: The Board of Appeals reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES. PLEASE CALL (972) 450-7017 AT LEAST 48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.

POSTED BY: _____
Irma G. Parker, City Secretary
DATE POSTED: _____
TIME POSTED: _____
DATE REMOVED FROM BULLETIN BOARD: _____
REMOVED BY: _____

Board of Appeals

Meeting Date: 12/15/2021

Agenda Caption:

Consider Action on the **Minutes from the August 11, 2021 Board of Appeals Meeting.**

Staff Report:

The minutes from the August 11, 2021 Board of Appeals Meeting have been prepared for consideration.

Recommendation:

Administration recommends approval.

Attachments

Minutes of the August 11, 2021 Board of Appeals Meeting



BOARD OF APPEALS AGENDA

WEDNESDAY, AUGUST 11, 2021

6:00 P.M.

ADDISON TREEHOUSE

14681 MIDWAY ROAD, SUITE 200, ADDISON, TX 75001

Present: Chair Jimmy Niemann, Lary Brown, Ed Copeland, Jeanne Dunlap, Gary Krupkin, and Alternate Darren Gardner.

Absent: J.T. McPherson

1. Pledge of Allegiance

2. Administer the Oath of Office to the Board of Appeals members

Irma Parker, City Secretary, administered the oath for the Board of Zoning Adjustment. All Board members present took the Oath of Office as required by the State of Texas.

3. Discuss and take action regarding the selection of a Chair for the Board of Appeals.

Jimmy Niemann was unanimously nominated as the Chairman for the Board of Appeals.

4. Public Hearing, discussion, and take action on an appeal of the Building Official's decisions for the consideration of an exception to Sec. 18-176 (Setback requirements – Generally), Article XIV (Fences), Chapter 18 (Buildings and Building Regulations), of the Code of Ordinances of the Town of Addison, for the installation of a fence within the required front yard setback line for a property located at 15003 Inwood Road.

Discussion:

Ken Schmidt, Director of Development Services, presented the Staff Report.

There was general discussion regarding the location of the proposed fence related to the sanitary sewer easement, Inwood Road right-of-way and the property line.

Roger DeGregori, property owner, addressed the Board. He elaborated on the purpose and location of the proposed fence.

Board members discussed alternative locations for the fence that would not interfere with the utility easement.

Public Hearing:

There were no participants or public comment for the public hearing.

Chair Niemann closed the public hearing.

Motion: Approve the Appeal with the following conditions:

- The fence should be located west of the utility easement along the eastern boundary of the property except where it needs to cross at a 90-degree angle.
- The fence must comply with the Town's site visibility requirements at the access driveway
- Fence improvements may not cover or enclose the vault
- Fence can go no closer to the eastern property boundary, south of the utility easement, than the western edge of the utility easement if it were to extend to southern limit of the property
- Gate remain open during business hours and a knocks box be provided
- Fence construction material shall be as proposed by the appeal application

Moved by Board Member Copeland, Second by Board Member Brown

AYE: Chair Jimmy Niemann, Jeanne Dunlap, Ed Copeland, and Lary Brown

ABSTAINED: Gary Krupkin

Mr. Gardner, serving as alternate board member on this case, indicated

that he would have voted to approve the request and associated conditions.

Mr. Krupkin stated that he abstained due to his belief that the appeal should be granted without any additional conditions.

PASSED

Board of Appeals

Meeting Date: 12/15/2021

Agenda Caption:

Hold a Public Hearing, Present, Discuss, and Consider Action on an **Appeal of the Building Official's Decision for the Consideration of an Exception to Sec. 78-179 (Parking on Unimproved Surfaces), Article IV (Stopping, Standing and Parking), Chapter 78 (Traffic and Vehicles), of the Code of Ordinances of the Town of Addison, for the Use of Loose Gravel Material as an Improved Parking Surface for a Residential Driveway within the Front Yard for a Property located at 4011 Azure Lane.** BOA21-002/4011 Azure Lane.

Staff Report:

Background: 4011 Azure Lane is a single-family property located in the Les Lacs Garden Homes neighborhood and has an existing two-story home with an attached two-car garage and driveway in the front yard to accommodate two vehicles. The property owner, Jordan McMakin, purchased the property in late 2020 and made significant exterior improvements, including the installation of a second parking surface within the front yard of the property.

On September 28, 2020, the property owner contacted Town staff to confirm the approval process to install additional parking surface in her front yard. At that time, Ms. McMakin submitted a sketch plan for proposed half-circle drive improvements and indicated that the paving material would be exposed aggregate with a brick lining. Through a series of verbal and written interactions, Town staff provided feedback on the request and indicated that a permit would not be necessary; however, compliance with Section 78-179 (Parking on Unimproved Surfaces) of the Code of Ordinances is required.

Through that dialogue, staff provided applicable code requirements to the applicant, confirming that paving stones were an approved parking surface material and that no more than 67 percent of the front yard of the lot could be covered with impervious surface. In November 2020, new parking surface was installed within the front yard of the property. During the construction process, staff followed up with the applicant to request confirmation on the paving materials that were being utilized and to confirm neighbor consent for the setback of the driveway from the neighboring property. The final outcome of the construction process was the addition of a single driveway extending into the property and terminating at the front fence line. This new driveway did not connect to the existing driveway as originally envisioned, but it did employ the

loose stone with paver lining that was originally requested.

In May 2021, code enforcement staff performed a site visit to this property to confirm code compliance for this driveway. Following that visit, the Town's code enforcement officer at that time was directed to issue a notice of violation to the property for this driveway. Due to a misunderstanding by that officer, the notice of violation was not issued at that time. On October 1, 2021, code enforcement staff was again directed to address this issue and a Notice of Violation of Section 78-179 was issued to the property owner for the installation of an unimproved parking surface (round rock gravel) on the property.

This request is an appeal of Town Staff's determination that a vehicle is parked or stored upon property in violation of the provisions in Section 78-179.

Town Code Requirements: Section 78-179 of the Town's Stopping, Standing and Parking ordinance requires that parking within the front yard of a residential single-family property be on an improved surface, which is defined as paved concrete, asphalt, paving stones, or other hard surfaced durable material. The property is occupied by an existing single-family detached dwelling unit and is zoned Planned Development (PD) District. The property owner installed additional parking surface within the front yard of the property that consists of 8-inch-deep crushed granite under round rock gravel material, which is in conflict with this ordinance.

Appeals Process: This chapter of the Town's Code allows the property owner to file an appeal to the Zoning Board of Adjustment (acting as the Board of Appeals in this case, as this requirement is not part of the Town's Zoning Ordinance) when a notice of violation is issued for vehicle parking or storage on property in violation of the ordinance. In this case, the violation is parking on an unimproved surface.

The Board of Appeals is granted the authority to review the administrative determination and make one of the following decisions:

1. Uphold Staff's determination;
2. Approve alternative paving materials where such material demonstrates to meet or exceed the requirements of concrete, asphalt, or other approved paving material;
3. Allow a reasonable length of time, not to exceed a maximum of 24 months, in which to comply with the paving requirements; or
4. Grant a variance due to peculiarities of the property resulting in an unnecessary hardship.

Residential Character and Maintenance Considerations: This neighborhood and

subject property are located within Planned Development (PD) District Ordinance No. 623, as amended by Ordinance No. 091-021, which requires an enclosed garage for two vehicles that is setback 20 feet from the public right-of-way.

The neighborhood was established in the early 1990s and the prevailing character of the neighborhood is 40- to 50-foot-wide lots with zero lot line homes with a front facing two-car garage and concrete driveway for two additional off-street parking spaces.

The subject property has a wider lot width than typical in the neighborhood, at 70 feet wide. However, the setback and parking orientation is consistent in character with the surrounding neighborhood. With the addition of a gravel driveway for two additional vehicles, a total of six off-street parking spaces are provided. While this condition may not be consistent with the character of this neighborhood, it is permitted by Town Code, provided that appropriate materials are utilized that meet the Town's definition for improved parking surfaces.

The round rock gravel utilized in this application will be more susceptible to dispersion to the street and neighboring properties from rainwater runoff and vehicle movements. This paving material is also more vulnerable to landscape penetrations, such as weed growth. If this driveway is to remain on this property, the round rock gravel should be replaced by warm-toned pavers to best address anticipated maintenance issues and aesthetic considerations.

RECOMMENDATION: DENIAL OF THE REQUEST AS SUBMITTED

Given that the round rock gravel parking surface material may result in maintenance issues for the property owner, neighboring property owners, and the Town, this request for an alternative paving material should be denied and a compliance schedule should be established by Board action.

Attachments

Location Map
Sec.78-179 Parking on Unimproved Surface
Notice of Violation
Site Photos
Applicant Request
Staff - Applicant Correspondence
Notice Responses

BOA21-002

PUBLIC HEARING BOA21-002/4011 Azure Lane. Hold a Public Hearing, Present, Discuss, and Consider Action on an Appeal of the Building Official's Decision for the Consideration of an Exception to Sec. 78-179 (Parking on Unimproved Surfaces), Article IV (Stopping, Standing and Parking), Chapter 78 (Traffic and Vehicles), of the Code of Ordinances of the Town of Addison, for the Use of Loose Gravel Material as an Improved Parking Surface for a Residential Driveway within the Front Yard for a Property located at 4011 Azure Lane.

LOCATION MAP



Sec. 78-179. - Parking on unimproved surfaces.

(a) *Definitions.* As used in this section:

Corner lot means a residential property located at the intersection or confluence of two or more streets such that public street rights-of-way are directly adjacent to at least two contiguous sides of the lot.

Driveway means the primary improved or unimproved parking surface which provides egress and ingress from a garage, carport or off-street parking area to an adjacent street or alley.

Front yard means the area from the front face of a residential structure to the front property line or street right-of-way line or, when a structure does not exist, the area defined as front yard by the zoning ordinance, printed as appendix A to this Code.

Improved parking surface means an area used for the parking or storage of vehicles that is overlaid or otherwise paved with concrete, asphalt, paving stones or other hard surfaced durable material approved by the building official.

Rear yard means the area from the rear face of a residential structure to the rear property line or, when no structure exists, the area defined as a rear yard by the zoning ordinance, printed as appendix A to this Code.

Side yard means the area from the side of a residential structure to the side property line or, when no structure exists, the area defined as a side yard by the zoning ordinance, printed as appendix A to this Code.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include any automobile, bus, truck, tractor, motorhouse, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, boats, aircraft, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, wheeled towing frames, semi-tractor trailers, truck beds mounted on chassis and mobile homes. This definition does not include nonmotorized bicycles, small engine lawn mowers and devices of similar scale.

(b) *Regulations.*

(1) *Parking on unimproved surfaces restricted.* A person commits an offense if the person causes, suffers, permits or allows:

- a. The parking or storage of any vehicle within a front yard of a residential single-family, townhouse, duplex lot or tract, upon any surface other than an improved parking surface.
- b. The parking or storage of any vehicle within a residential side yard or the residential rear yard of a corner lot, of a residential single-family, duplex or townhouse lot or tract, upon any surface other than an improved parking surface, unless otherwise concealed from view from all public street rights-of-way by:
 1. A solid, opaque, screening fence or wall at least six feet in height;
 2. Vegetation consisting of a solid hedgerow of evergreen shrubs, or trees and shrubs,

- providing full screening from the ground to a minimum height of six feet;
3. Any combination of the above that effectively conceals the vehicle from view and accomplishes the required screening height; or
 4. Any other form of compatible and appropriate screening as so determined by the building official.
- (2) No driveway or improved parking surface shall cover more than 67 percent of a residential front yard.
- (3) It is an affirmative defense to prosecution for parking or storing vehicles in an unimproved driveway if an existing residence is served by a driveway which does not constitute an improved parking surface on June 26, 1990; however, at such time that such existing residence is completely rebuilt, or improvements to the same real property constitute 50 percent or more of the property's total assessed value, compliance with this section shall be required.
- (4) It is an affirmative defense to prosecution for parking or storing vehicles on an unimproved surface or in an unconcealed or unscreened manner if such vehicles are parked in the rear yard and the rear yard is not a corner lot or directly adjacent to a public street right-of-way.
- (c) *Maintenance.* All improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks or other failures that may affect the use, safety, appearance or drainage of the surface or of the adjoining property.
- (d) *Appeals.* In the event it is determined that a vehicle is parked or stored upon property in violation of any of the provisions of this section, the owner, occupant or person responsible for the property shall have ten days, from receipt of notice, in which to file an appeal to the zoning board of adjustment by filing a request in writing for a hearing with the building official. In the event of an appeal, the zoning board of adjustment shall review the determination of the building official and shall have, by majority vote, jurisdiction to:
- (1) Uphold the determination of the building official;
 - (2) Approve alternative paving materials where such materials are demonstrated to meet or exceed the requirements of concrete, asphalt or other approved paving material;
 - (3) Approve alternative screening materials where such materials are demonstrated to meet or exceed the requirements of this section;
 - (4) Allow a reasonable length of time, not to exceed a maximum of 24 months, in which to comply with the paving requirements of this section; or
 - (5) Upon the vote of no less than three-fourths of the members of the zoning board of adjustment voting at a meeting, grant a variance, to a requirement under this section where it is determined that, due to peculiarities of the property, such as shape or restricted area, literal enforcement of this section would result in an unnecessary hardship.
- (e) *Notification of appeal.* Notification of the appeal shall be sent, by first class mail, to all property

owners within 200 feet of the subject property at least ten days prior to the date of the appeals hearing. A sign giving notice of the appeal shall be posted by the town on the subject property at least ten days prior to the date of the appeal hearing and be maintained on the property until after the hearing.

- (f) *Fee.* There shall be a fee for appeals of the provisions of this section, which fee shall be the normal fee as set by other ordinance for appeals to the zoning board of adjustment.

(Code 1982, §§ 9-136—9-139)



Addison, Texas
16801 Westgrove Dr, Addison, TX 75001

<h1>Notice of Violation Notice</h1>	Case Number: PMV2021-2169
	Case Type: Property Maintenance
	Date Case Established: 10/01/2021
Compliance Deadline: 10/15/2021	

Owner: Jordan McMakin

Mailing Address

Jordan McMakin
4011 Azure
Addison, TX 75001

Notice of Violation for the following location:

Address

Parcel

4011 AZURE LN
Addison, Texas 75001

100059500C51R0000

We are asking for your prompt attention to this violation in order to bring the property into compliance with the Town of Addison. (The violation observed is described below)

Violation: Sec. 1 - Special uses in specified districts

A. The city council may, after public hearing and proper notice to all parties affected, and, after recommendation from the planning and zoning commission containing such requirements and safeguards as are necessary to protect adjoining property, authorize by ordinance the location of any of the following in the following specified districts:
(30) Restaurants without drive-in service (service to be entirely within the building); and restaurants with drive-in facilities, provided that no food or drink may be served to vehicles parked on the public street in any district.

Corrective Action: Comply with ordinance (pavers on driveway)

Compliance Date: 10/21/2021

Violation: SEC. 78.179 - PARKING ON UNIMPROVED SURFACE

Sec. 78-179. - Parking on unimproved surface

(a)Definitions. As used in this section:

Corner lot means a residential property located at the intersection or confluence of two or more streets such that public street rights-of-way are directly adjacent to at least two contiguous sides of the lot.

Driveway means the primary improved or unimproved parking surface which provides egress and ingress from a garage, carport or off-street parking area to an adjacent street or alley.

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Improved parking surface means an area used for the parking or storage of vehicles that is overlaid or otherwise paved with concrete, asphalt, paving stones or other hard surfaced durable material approved by the building official.

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Side yard means the area from the side of a residential structure to the side property line or, when no structure exists, the area defined as a side yard by the zoning ordinance, printed as appendix A to this Code.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include any automobile, bus, truck, tractor, motorhome, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, boats, aircraft, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, wheeled towing frames, semi-tractor trailers, truck beds mounted on chassis and mobile homes. This definition does not include nonmotorized bicycles, small engine lawn mowers and devices of similar scale.

(b)

Regulations.

(1)

Parking on unimproved surfaces restricted. A person commits an offense if the person causes, suffers, permits or allows:

a.

The parking or storage of any vehicle within a front yard of a residential single-family, townhouse, duplex lot or tract, upon any surface other than an improved parking surface.

b.



<h1>Notice of Violation</h1> <h2>Notice</h2>	Case Number: PMV2021-2169
	Case Type: Property Maintenance
	Date Case Established: 10/01/2021
Compliance Deadline: 10/15/2021	

The parking or storage of any vehicle within a residential side yard or the residential rear yard of a corner lot, of a residential single-family, duplex or townhouse lot or tract, upon any surface other than an improved parking surface, unless otherwise concealed from view from all public street rights-of-way by:

1. A solid, opaque, screening fence or wall at least six feet in height;
2. Vegetation consisting of a solid hedgerow of evergreen shrubs, or trees and shrubs, providing full screening from the ground to a minimum height of six feet;
3. Any combination of the above that effectively conceals the vehicle from view and accomplishes the required screening height; or
4. Any other form of compatible and appropriate screening as so determined by the building official.

(2) No driveway or improved parking surface shall cover more than 67 percent of a residential front yard.

(3) It is an affirmative defense to prosecution for parking or storing vehicles in an unimproved driveway if an existing residence is served by a driveway which does not constitute an improved parking surface on June 26, 1990; however, at such time that such existing residence is completely rebuilt, or improvements to the same real property constitute 50 percent or more of the property's total assessed value, compliance with this section shall be required.

(4) It is an affirmative defense to prosecution for parking or storing vehicles on an unimproved surface or in an unconcealed or unscreened manner if such vehicles are parked in the rear yard and the rear yard is not a corner lot or directly adjacent to a public street right-of-way.

(c) Maintenance. All improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks or other failures that may affect the use, safety, appearance or drainage of the surface or of the adjoining property.

(d) Appeals. In the event it is determined that a vehicle is parked or stored upon property in violation of any of the provisions of this section, the owner, occupant or person responsible for the property shall have ten days, from receipt of notice, in which to file an appeal to the zoning board of adjustment by filing a request in writing for a hearing with the building official. In the event of an appeal, the zoning board of adjustment shall review the determination of the building official and shall have, by majority vote, jurisdiction to:

- (1) Uphold the determination of the building official;
- (2) Approve alternative paving materials where such materials are demonstrated to meet or exceed the requirements of concrete, asphalt or other approved paving material;
- (3) Approve alternative screening materials where such materials are demonstrated to meet or exceed the requirements of this section;
- (4) Allow a reasonable length of time, not to exceed a maximum of 24 months, in which to comply with the paving requirements of this section; or
- (5) Upon the vote of no less than three-fourths of the members of the zoning board of adjustment voting at a meeting, grant a variance, to a requirement under this section where it is determined that, due to peculiarities of the property, such as shape or restricted area, literal enforcement of this section would result in an unnecessary hardship.

(e) Notification of appeal. Notification of the appeal shall be sent, by first class mail, to all property owners within 200 feet of the subject property at least ten days prior to the date of the appeals hearing. A sign giving notice of the appeal shall be posted by the town on the subject property at least ten days prior to the date of the appeal hearing and be maintained on the property until after the hearing.

(f) Fee. There shall be a fee for appeals of the provisions of this section, which fee shall be the normal fee as set by other ordinance for appeals to the zoning board of adjustment.



Addison, Texas
16801 Westgrove Dr, Addison, TX 75001

Case Number: PMV2021-2169	
Case Type: Property Maintenance	
Date Case Established: 10/01/2021	
Compliance Deadline: 10/15/2021	

Notice of Violation
Notice

(Code 1982, §§ 9-136—9-139)
Corrective Action: Please replace pea gravel with an allowed improved surface.
Compliance Date: 10/15/2021

The Town of Addison may exercise additional enforcement action which may include but is not limited to fines up to \$500.00 each day the violation continues until the condition is corrected. Additionally, the Town may have the property cleaned up and will bill you the cost of the cleaning plus a \$50.00 administrative fee. Should you have any questions or there exist special circumstances that may prevent you from correcting the violation within the specified time period, please feel free to contact me at 972-450-2804.

Sincerely,

Christina Raemhild
Code Enforcement Officer







BOARD OF ZONING ADJUSTMENT VARIANCE CRITERIA CHECKLIST

Texas law allows the Board of Adjustment to grant a variance to the requirements of the zoning ordinance if the variance would not be contrary to the public interest, and where literal enforcement of the ordinance would result in undue hardship due to special conditions (related to the property).

Will literal enforcement of the ordinance result in an unnecessary hardship? Explain below.

When I met with Wilson he explained pavers or concrete would exceed ratios, when I explained I needed space for another car I asked if I do pebble it would achieve my parking issue & be considered "soft scape". In order to do it right I dug down 8" setting a base of crushed granite to hold pebbles, this cost a considerable bit more. I don't have another \$10K to redo what was approved.

Is the hardship only financial or are there other non-financial hardships? Explain below.

Since I decided to do a soft driving surface I created a trench country elevation which has been carried along the side yard, outside financial this conflicts with the consistent exterior material finish.

Is the need for the variance created by the applicant (self-imposed)? Explain below.

The variance is required due to confusion ~~and~~ on the city ordinance side as this was all approved before it was implemented.

Is there a unique condition related to the subject property that is not common to other properties in the area? If so, explain below.

This is an oversized lot w/ 5 driving residents. Landscaping was ~~to~~ added to shield cars for visual improvement.

If the variance is granted, will it result in conditions that are contrary to the public interest or negatively affect the public health, safety, and welfare? Explain below.

No, I have spent a great deal of money to make my home the best looking house in the neighborhood. Even if a car was parked on pebble or concrete it ~~does~~ does not impact due to the efforts made to improve the drive way.

RASTRUCTURE &
VELOPMENT SERVICES

16801 Westgrove Drive
Addison, TX 75001

P.O. Box 9010
Addison, TX 75001

phone: 972.450.2880
fax: 972.450.2837

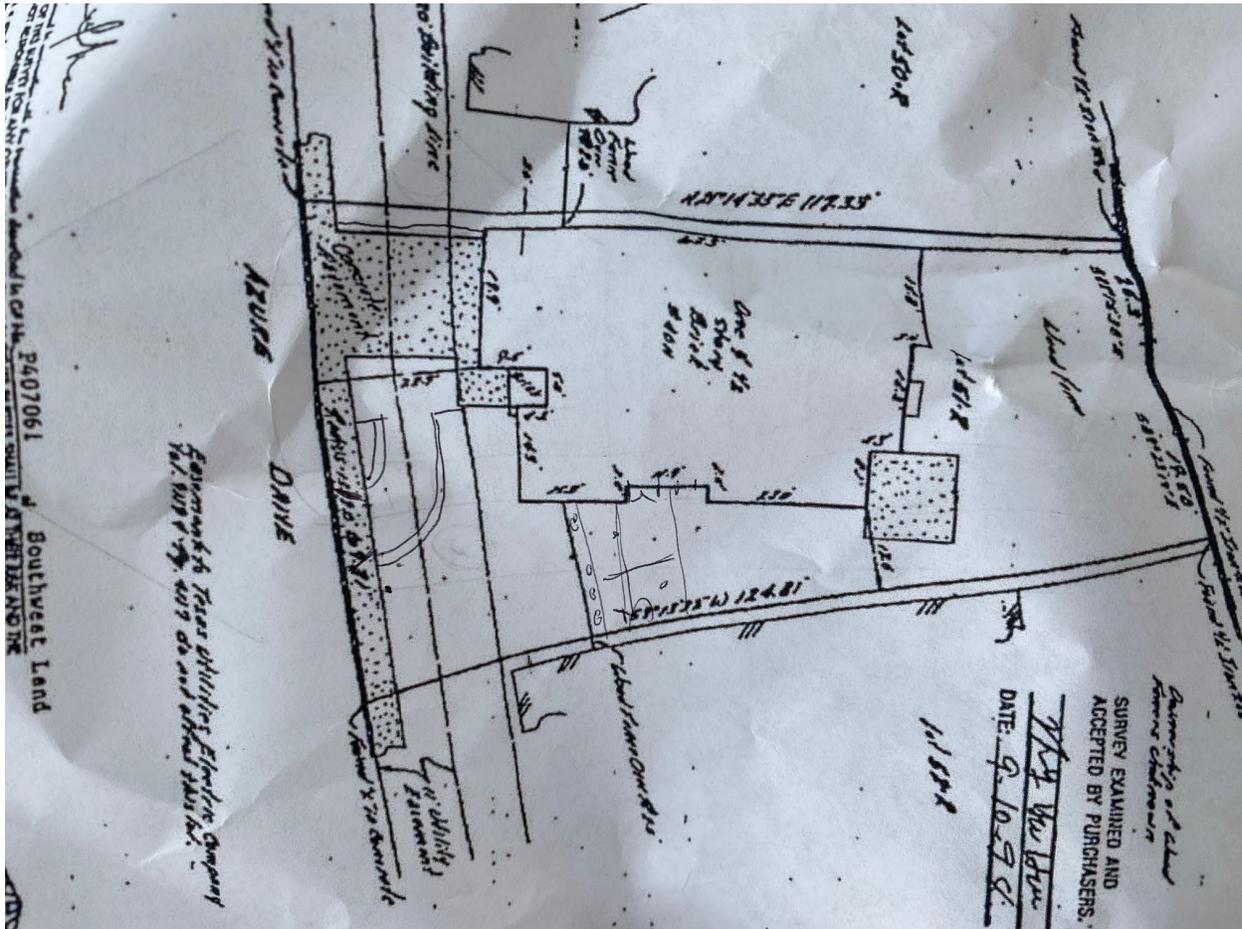
ADDISONTEXAS.NET

IT ALL COMES
TOGETHER.

From: Jordan McMakin
To: [Redacted]
CC: [Redacted]
Subject: Addition half circular drive
Date: Monday, September 28, 2020 4:15:03 PM

To whom it may concern:

I would like to find out if I may add additional driveway for my family given we have four drivers and only two parking spots. We have an oversized lot and we noticed another home that has done similar. The material would be exposed aggregate and adding a Brick lining. Please let me know costs associated along with approval process and turn around on approval.



Thank you,
Jordan McMakin
[Redacted]

Texas Real Estate Law requires this form to be readily available for review, should you have any questions please contact me. I am a licensed Registered Realtor and Broker in the state of Texas.

[Redacted]

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From: [Wilson Kerr](#)
To: [Jordan McMakin](#)
Subject: RE: Parking Regulation
Date: Tuesday, November 3, 2020 4:12:49 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Jordan,

I just got off the phone with our parks director. Since your house is located in a residential-1 district, we do not require permits for landscaping (paving stones) as long as it does not cover the 67% of your front yard. So you are good to go.

Thanks,



[WILSON KERR](#) | Economic Development Manager &
Interim Planning and Development Manager
Town of Addison | 14681 Midway Rd, Suite 200
P.O. Box 9010 | Addison, Texas 75001
office: (972) 450-7080
[ADDISONED.COM](#)

—
IT ALL COMES TOGETHER.

From: Jordan McMakin [REDACTED]
Sent: Tuesday, October 27, 2020 10:13 PM
To: Wilson Kerr <wkerr@addisontx.gov>
Subject: Re: Parking Regulation

Do I need to get a permit to lay paving stones for driveway? I read not to exceed 67% of my front yard, which I have an oversized yard as we discussed.

Please advise who if anyone do I need to discuss this with, I appreciate it.

Thank you,

Jordan

On Oct 26, 2020, at 2:31 PM, Wilson Kerr <wkerr@addisontx.gov> wrote:

Jordan,

It was a pleasure meeting you today. I just wanted to add the code that about the amount of parking surface that is allowed on a residential front yard. You'll be able to

find the code at the following link under (b) Regulations (2):

[Sec. 78-179. - Parking on unimproved surfaces.](#)

I hope this helps your design process. Thanks!

<image001.png> [WILSON KERR](#) | Economic Development Manager
Town of Addison | 14681 Midway Rd, Suite 200
P.O. Box 9010 | Addison, Texas 75001
office: (972) 450-7080
[ADDISONED.COM](#)

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IT ALL COMES TOGETHER.

This e-mail and any files or attachments transmitted with it contain Information that is confidential and privileged. This document may contain Protected Health Information (PHI) or other information that is intended only for the use of the individual(s) and entity(ies) to whom it is addressed. If you are the intended recipient, further disclosures are prohibited without proper authorization. If you are not the intended recipient, any disclosure, copying, printing, or use of this information is strictly prohibited and possibly a violation of federal or state law and regulations. If you have received this information in error, please delete it and notify Hamid Khaleghipour at 972-450-2868 immediately. Thank you.



Jordan P. McMakin



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From: [Wilson Kerr](#)
To: [Jordan McMakin](#)
Cc: [Phyllis Jarrell](#)
Subject: RE: Circle Drive
Date: Monday, December 7, 2020 9:03:34 AM
Attachments: [image001.png](#)

Good morning Ms. McMakin,

I wanted to reach out to you again and follow up with the email I sent on the 24th of November regarding pavestones on the circle drive and a written agreement from your neighbor about the proximity of the drive to their property line.

Thank you and I hope that you have a great week,



[WILSON KERR](#) | Economic Development Manager & Interim Planning and Development Manager
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—
IT ALL COMES TOGETHER.

From: Wilson Kerr
Sent: Tuesday, November 24, 2020 1:58 PM
To: Jordan McMakin [REDACTED]
Cc: Phyllis Jarrell <pjarrell@addisontx.gov>
Subject: Circle Drive

Hi Ms. McMakin,

I hope that you are doing well. I'm reaching out because we have gotten a few calls about the new driveway that we previously discussed. It looks as though the construction on the driveway is ongoing but I wanted to follow up and make sure that you are intending to add pavestones to the driveway as discussed in the email sent on November 6, and listed on the Addison Code Section 78-179, that was sent to you on October 26th.

Additionally, we were informed by our public works department that there are standards that require drive ways to be at least 2 feet from the property line unless the adjacent property owner is in agreement. Do you all have a written agreement for the driveway with your next door neighbor and if so, would you please send me?

Thank you and Happy Thanksgiving,

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From: [Bob Jacoby](#)
To: [Jenifer Tedrick](#)
Subject: BOA21-002/4011 Azure
Date: Thursday, December 9, 2021 11:08:25 AM

Dear Home Owner and Board of Appeals,

I have lived on Rive Lane and walked the Rive/ Azure block every week during my 26 years of residence. I know it well. I can attest to the neighborhoods upkeep and positive looks for all these years. It is a tribute to the homeowners property maintenance and Town land use ordinances. The neighborhood has thrived despite having an HOA.

I have seen the home owner at 4011 improve his property appearance. Well done! Yet, I worry about the **precedent** the gravel, car on property beyond established driveway. If approved, does this open up property owners in the future to park RVs on yards? Property owners to have multiple renters in the home and try to make a carpark out of their front yard? I see neighborhoods in Farmers Branch that convert their garages into bedrooms then expect the neighborhood to accept multiple cars on drive way and on street. Ugh! Please, No for our neighborhood!!!

I question why the home owner at 4011 Azure needs the yard for a new car parking spot. How many people have cars in the home? What is the status of the two car garage? If there is too much stuff in the garage, there is a close by U-Haul storage facility on Beltline Road. I'd like to know, why the need for the yard car park spot?

I hope I can be in the meeting, on Wed. Dec. 15 at 6pm. **If not, my position is NOT to approve.** Reason, it sets the precedent for neighborhood mayhem, a serious reversal of neighborhood appearance.

Respectfully submitted,
Robert Jacoby

Bob Jacoby 4016 Rive Lane Addison, Texas 75001 [REDACTED]

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