



MINUTES
Regular
Azle Zoning Board of Adjustment

505 W. Main Street
Azle, Texas 76020

September 12, 2023

6:00 PM

Council Chambers

REGULAR SESSION

CALL TO ORDER

Chairman Pennie Nichols called the meeting to order at 6:02 p.m.

Members Present:

Vice Chairman Leonard Wheeler
Board Member Jared Arneson
Board Member Rob Schocke
Board Member Jim Carlson

Alternate Member Rick Simmons was present but not voting.

Members Absent:

None

Staff Present:

David Hawkins Director of Planning and Development
Malinda Nowell Sr. Administrative Assistant

INVOCATION

Chairman Pennie Nichols gave the invocation.

PLEDGE OF ALLEGIANCE

Vice Chairman Leonard Wheeler led the pledge.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on August 7, 2023.

Vice Chairman Leonard Wheeler moved to approve the minutes of the Regular Meeting held on August 7, 2023 as presented. Board member Rob Schocke seconded the motion. Motion carried.

Yes: (5) Pennie Nichols, Leonard Wheeler, Jared Arneson, Rob Schocke, Jim Carlson
No: (0)
Absent: (0)

PUBLIC HEARING

2. **Conduct a public hearing and consider a variance request to Section 5.3, Development Regulations, Setback Requirements of the City of Azle Zoning Ordinance for the property located at 309 N. Broadway Road, and also known as Lot 8, Westlake Point Addition, an addition to the City of Azle, Tarrant County, Texas. The purpose of the variance is to allow for the construction of a new outdoor kitchen patio cover to encroach the minimum fifteen-foot (15') side yard setback.**

Director of Planning and Development David Hawkins presented this item. He stated that this is a variance request for a patio cover to encroach into the side yard setback. This property is zoned E-1 which requires a minimum lot size of one acre. The side yard setback is 15 feet and the applicant is requesting to allow the patio cover to be constructed within the 15 feet side setback line up to seven feet and eight inches (7'-8"). The applicant already has an approved swimming pool permit for a pool that is under construction. Their second permit has not been issued due to the encroachment of the patio cover into the side yard setback.

Chairman Pennie Nichols opened the public hearing at 6:13 p.m.

- Owner/applicant Julie Lamb, 309 N. Broadway Road, spoke about the project, prior approvals from the HOA, the permitting process, property surveys regarding the HOA's boat ramp and boat slips, that a portion of the Boysen's driveway is on Lamb's property, and that she is only requesting seven (7) feet leniency, or less, for her outdoor kitchen and patio cover.
- Tiara and Jim Boysen, 317 N. Broadway Road, spoke in opposition, citing concerns about the blocked view of the lake, the decreased ability of passersby to be able to see the lake while walking, decreased property values, that the HOA already has a pool for HOA members' use, and that landscaping could be used.
- Owner/applicant Vernon Lamb, 309 N. Broadway Road, spoke in favor of the project and provided additional details about the request in order to address some of Ms. Boysen's concerns.

As there were no other speakers, Chairman Nichols closed the public hearing at 6:32 p.m.

Board member Arneson moved to deny the request. Board member Carlson seconded the motion. The motion failed by a 2-3 vote.

Yes: (2) Jared Arneson, Jim Carlson
No: (3) Pennie Nichols, Leonard Wheeler, Rob Schocke
Absent: (0)

The motion to deny failed because the minimum required number of votes to approve or deny a variance request is four. Board members continued the discussion of this item.

Anthony Quagbush of Selah Pools, the Lambs' contractor, answered questions from the Board members regarding materials and the ability to change or alter plans and layout.

Chairman Nichols called for a recess at 6:58 p.m. to allow Mr. and Mrs. Lamb the opportunity to speak with their contractor regarding options. Chairman Nichols called the meeting back to order at 7:05 p.m.

Board member Rob Schocke moved to approve the variance request as presented with aluminum slat screening on the east wall. Vice Chairman Wheeler seconded the motion. Motion carried.

Yes: (4) Pennie Nichols, Leonard Wheeler, Rob Schocke, Jim Carlson
No: (1) Jared Arneson
Absent: (0)

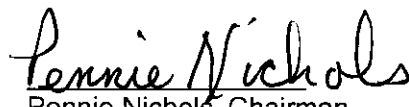
DISCUSSION ITEMS

None

ADJOURNMENT

Chairman Pennie Nichols adjourned the meeting at 7:08 p.m.

Presented and approved on 11/14/23


Pennie Nichols, Chairman

Attest:


David Hawkins
Director of Planning and Development