

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES MAY 28, 2014**

APPROVED

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The Zoning Board of Adjustment of the City of Bedford, Texas met in work session at 6:30 PM and regular session at 7:00 PM to discuss items on the agenda in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 28th of May, 2014, with the following members present:

Chairman: John DeLorme

Vice Chairman: Janet Levy

Members: John Thompson
 Heather Sutton
 Dorothy McWhorter
 Keith Quigley (alternate) (attended work session and meeting, did not vote)

Constituting a quorum.

Staff present included:

Cathy Cunningham	City Attorney
William Syblon	Development Director
Jacquelyn Reyff, AICP	Planning Manager
Yolanda Alonso	Zoning Board of Adjustment Secretary

(The following items were considered in accordance with the official agenda posted on the 13th day of May, 2014.)

CALL TO ORDER

Chairman DeLorme called the Work Session to order at 6:30 PM.

WORK SESSION

Chairman DeLorme asked the Board if anyone had an interest or owned property within 200' of any of the items on the agenda. No one had an interest or owned property within 200' of any of the items on the agenda.

The Board and Staff reviewed and discussed items on the regular agenda.

Chairman DeLorme adjourned the work session at 7:06 PM.

REGULAR SESSION

The Zoning Board of Adjustment convened in the Council Chamber at 7:07 PM and the Regular Session began.

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CALL TO ORDER

Chairman DeLorme called the meeting to order at 7:07 PM, and read the Zoning Board of Adjustment meeting format out loud.

Good Evening, my name is John DeLorme. I am Chairman of the Bedford Zoning Board of Adjustment. I now call this regularly noticed meeting to order.

A quorum is present, so the Board may proceed with its scheduled agenda.

Prior to commencing our hearing, I would like to review our meeting format for the benefit of those in the audience.

Each case will be called in its regularly scheduled order as shown on the agenda.

The City Staff will make a staff presentation to the Board.

The applicant will be given an opportunity to make a presentation in person or by a representative.

Those individuals in the audience in support of or opposition to the proposed request will be given an opportunity to make a presentation to the Board.

The Board asks that all individuals and parties presenting information on each request please direct their comments to factual information, and not to speculation or subjective comments.

The applicant will be given an opportunity for a brief rebuttal as the applicant has the burden of providing the necessity and the justification for his or her request.

The Board will close its public hearing to discuss and consider the facts presented. In order for a request to be granted, there must be a minimum of four votes in favor of the request.

Please remember that the Zoning Board of Adjustment is a quasi-judicial body. A formal record is made of each hearing and each case. The Board is permitted to act only upon factual information or evidence that is presented by the staff and by parties making presentations at the public hearing on each case. Any party or individual who disagrees with a decision of the Board of Adjustment must appeal such decision to a State District Court as the City Council of the City of Bedford has no review authority over the decisions of this Board.

APPROVAL OF MINUTES

- 1. Consider approval of the following Zoning Board of Adjustment meetings minutes:**
 - a) June 18, 2012 regular meeting**
 - b) January 22, 2014 special meeting**

Motion: Vice Chairman Levy made a motion to approve the meeting minutes of June 18, 2012, correct as written.

Chairman DeLorme seconded the motion and the vote was as follows:

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Ayes: Board Members Thompson, Sutton, McWhorter, Vice Chairman Levy, Chairman DeLorme
Nays: None
Abstention: None

Motion approved 5-0-0 Chairman DeLorme declared the motion approved.

Motion: Vice Chairman Levy made a motion to approve the meeting minutes of January 22, 2014, correct as written.

Board Member Thompson seconded the motion and the vote was as follows:

Ayes: Board Members Thompson, Sutton, McWhorter, Vice Chairman Levy, Chairman DeLorme
Nays: None
Abstention: None

Motion approved 5-0-0 Chairman DeLorme declared the motion approved.

PUBLIC HEARINGS

2. **Variance Case V-069, public hearing and act upon a variance request for Perry and Valerie Roberts, 1008 Wade Drive, Bedford, Texas, known as Lot 2, Block 7, Brook Hollow Addition, Bedford, Texas. The Applicant seeks a variance from Section 5.1.B(4)g. of the City of Bedford Zoning Ordinance to allow for a closed in porch/patio cover projecting into the required rear yard. The property is generally located north of Pipeline Road and west of Forest Ridge Drive.**

Chairman DeLorme recognized Jacquelyn Reyff, AICP, Planning Manager, who gave an overview of Variance Case V-069.

Chairman DeLorme recognized Valerie Roberts, 1008 Wade Drive, who was there to present this application.

Chairman DeLorme opened the public hearing at 7:29 PM, and there being no one to speak, closed the public hearing at 7:30 PM.

The Board discussed the application.

Motion: Board Member Levy made a motion to approve Variance Case V-069 as requested.

Board Member Sutton seconded the motion and the vote was as follows:

Ayes: Board Members Thompson, Sutton, Vice Chairman Levy
Nays: Board Member McWhorter, Chairman DeLorme
Abstention: None

Motion denied 3-2-0 Chairman DeLorme declared the motion denied.

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3. **Variance Case V-070, public hearing and act upon a variance request for Kirk Challis, 3101 Dogwood Court, Bedford, Texas, known as Lot 24, Block 5, River Forest PH III Addition, Bedford, Texas. The Applicant seeks variances from Section 4.1B(1) and (4) of Chapter 4 of the City of Bedford Zoning Ordinance to locate an accessory structure in the required side yard or beside the Applicant's principle structure so that it may appear to be in the side yard and to locate an accessory building not less than fifty-three feet (53') from the front lot line. The property is generally located north of Bedford Road and west of State Highway 121.**

Chairman DeLorme recognized Jacquelyn Reyff, AICP, Planning Manager, who gave an overview of Variance Case V-070.

Chairman DeLorme recognized Attorney, Ray Oujesky, 201 Main Street, Fort Worth, Texas, who represented Kirk Challis, 3101 Dogwood Court, Bedford, Texas who were there to present this application.

Mr. Oujesty made reference to a petition of 22 names in support of Variance Case V-070. The Board was given a copy of the referenced petition.

Chairman DeLorme opened the public hearing at 8:06 PM, and recognized the following people:

Stacy Challis, 3101 Dogwood Court, Bedford, Texas who spoke in support of Variance Case V-070.

Kenneth Stogvill, 2713 Branch Ct., Bedford, Texas who spoke in support of Variance Case V-070.

Mae Leach, 3104 Dogwood Ct, Bedford, Texas who spoke in support of Variance Case V-070.

Chairman DeLorme closed the public hearing at 8:09 PM.

The Board discussed the application.

Motion: Chairman DeLorme made a motion to deny Variance Case V-070.

Board Member McWhorter seconded the motion and the vote was as follows:

Ayes: Board Members McWhorter, Thompson, and Chairman DeLorme

Nays: Board Members Sutton, Levy

Abstention: None

Chairman DeLorme declared the Variance denied. The motion to deny received 3 votes, and the variance was not approved in the absence of 4 votes in favor.

ADJOURNMENT

Chairman DeLorme adjourned the Zoning Board of Adjustment meeting at 8:22 PM.

ATTEST:

John DeLorme, Chairman
Zoning Board of Adjustment

Yolanda Alonso, Secretary
Zoning Board of Adjustment