

HEWITT TEXAS

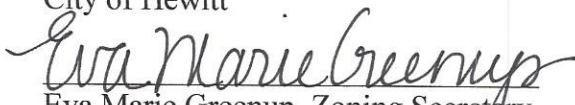
NOTICE OF MEETING OF THE BOARD OF ADJUSTMENT OF THE CITY OF HEWITT, TEXAS

Notice is given that a public meeting will be held before the Board of Adjustment of the City of Hewitt, on Thursday, June 30, 2015, at 7:00p.m. in the City Council Chambers at Hewitt City Hall, 105 Tampico, Hewitt, Texas at which time the following subject will be discussed:

1. Call Board of Adjustment Meeting to order
2. Consider approval of minutes for March 19, 2015 for the Board of Adjustment regular meeting
3. Consider a request for a variance by Lane and Nikki Gonzales, representing Warren Johnson of Warren Johnson Custom Homes, to the City of Hewitt Ordinance, Section 9.102. Residential Accessory Buildings. To be discussed is the current ordinance which does not allow placement of an accessory building within the 60ft front setback of 251 Briarleaf, Hewitt Texas, also known as Ellis Farm South III, Lot 37 Block 1.
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Adjustment of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on June 26, 2015.

City of Hewitt


Eva Marie Greenup, Zoning Secretary

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

BOARD OF ADJUSTMENT – AGENDA ITEM

Agenda Item #2

Item Description

Consider approval of minutes for the March 19, 2015, for the Board of Adjustment regular meeting.

HEWITT TEXAS

MINUTES OF THE BOARD OF ADJUSTMENT MARCH 19, 2015 – 7:00 P.M.

Members Present: Jim Winton, Bruce Dollens, Don Vardeman, Doug Bergen. Quorum was present.

Members Absent: Bradley Turner, Charles Howard

Staff Present: Zoning Secretary Eva Marie Greenup

Item #1. Call Board of Adjustment Meeting to order. *Jim Winton called the meeting to order at 7:07 P.M.*

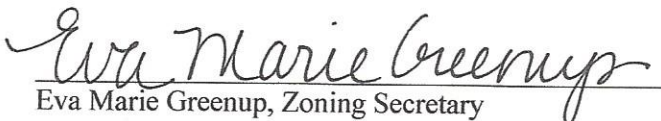
Item #2. Minutes. *A motion was made by Doug Bergen to accept but to allow corrections and seconded by Don Vardeman to approve the minutes as submitted. No corrections noted, all four in favor, motion passed. Minutes dated December 18, 2014, stand approved as written.*

Item #3. Consider a request for a variance by Michael Pate, representing The Electric Guard Dog, to the City of Hewitt Ordinance Section 9.103. Walls and Fences. To be discussed is the current ordinance which does not allow electrical fences except for farm animals and dogs. The variance is for installation of a 10-foot high, 12 volt battery, solar powered security fence at 415 Enterprise Boulevard, Hewitt, Texas 76643. *Jim Winton opened the public hearing for those wishing to speak in favor. Those appearing in favor: Randy Mullin with The Electric Guard Dog, 1107 Stonehouse Road, Shaken S.C. and Jack Kirkland, Sunstate Equipment Co., LLC, 415 Enterprise Blvd., Hewitt, TX. Those speaking against: None. Public Hearing closed at 7:26 P.M. Jim Winton stated this application to be approved but future applications to be brought before Hewitt City Council until the present ordinance can be updated to address this type of fence. A motion was made by Don Vardeman and seconded by Bruce Dollens to approve, all four in favor, motion passed. A recommendation will be forwarded to Hewitt City Council to change the present ordinance.*

Item #4. Adjourn. *Bruce Dollens motioned for adjournment and Doug Bergen seconded to adjourn the meeting at 7:34 P.M., all four in favor, motion passed.*

Chair

Date Approved


Eva Marie Greenup, Zoning Secretary

BOARD OF ADJUSTMENT – AGENDA ITEM

Agenda Item #3

Item Description

Consider a request for a variance by Lane and Nikki Gonzales, representing Warren Johnson of Warren Johnson Custom Homes, to the City of Hewitt Ordinance, Section 9.102. Residential Accessory Buildings. To be discussed is the current ordinance which does not allow placement of an accessory building within the 60ft front setback of 251 Briarleaf, Hewitt Texas, also known as Ellis Farm South III, Lot 37 Block 1.

Explanation

On May 27, 2105, Warren Johnson of Warren Johnson Custom Homes, submitted a Residential Accessory Building permit application and site drawing for a 20'x 20' detached enclosed garage. The square footage is 400 square feet with a value of \$20,000. The permit application and site plan was reviewed by Roy Cole, the City of Hewitt Building Inspector and the request was denied. The City of Hewitt Section 9.102 (Residential Accessory Buildings) state residential accessory buildings may be detached or attached to the main building but shall not encroach in any required front yard and five feet from a main building may be erected within two feet of a side or rear lot line, but must be located at least 60 feet from the from street line as measured from the back of the curb or edge of pavement. The location of this detached garage is within the 60 feet front setback.



360 Hillside Drive
Robinson, Texas 76706
Ofc: 254.722.9213
E-mail: warrenjohnsoncustomhomes@gmail.com
Web: WarrenJohnsonCustomHomes.com

June 10, 2015

To: City of Hewitt, Board of Adjustments/ City Council

Regarding: 251 Briarleaf, Hewitt 76643

To Whom It May Concern:

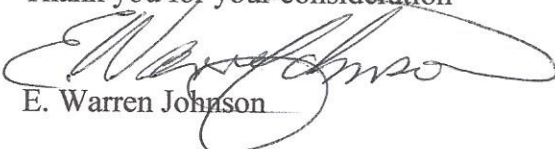
Lane & Nikki Gonzales are purchasing my new home at 251 Briarleaf in Ellis Farm South Phase III. The home is near completion and will be my featured entry in the 2015 HOTBA Parade of Homes in July. This is a very uniquely shaped and oversized lot located at the outside corner of an "Island" within the Briarleaf/Longwood Circle.

Mr. & Mrs. Gonzales wish to add a 20' x 20' outbuilding to the immediate right of the house just across from the Garage opening (see proposed plat). This outbuilding would be of the same exterior look and design as the home (see home photo). Due to both City and subdivision set back requirements, this is the only realistic location for such a building.

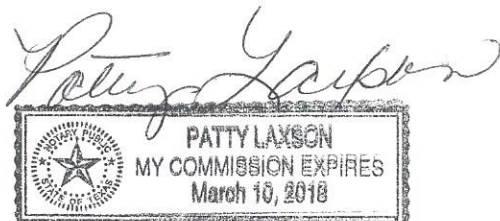
To accomplish this would require a variance to the 60' front setback requirement. It is my opinion as both a Builder and a sitting Council Person in Robinson, that the unique circumstances of this property would qualify it for such a variance. Some of the benefits of approving this variance would be; effective use of the extended side of the property that has no other practical use, the proposed outbuilding would improve the tax base of the property to the City, this building would conceal the Garage opening from the side street, and this building would provide a storage location for secondary vehicles that otherwise would be parked in sight.

This letter is to serve to authorize Mr. & Mrs. Lane Gonzales to act on my behalf, as the present property owner, to pursue said variance.

Thank you for your consideration


E. Warren Johnson

Cc: Lane & Nikki Gonzales





City of Hewitt
Variance of Application
Board of Adjustment

Legal Description of Property:

Lot 4 block 5 Ellis Farms South Phase 3

Describe the location of the property as submitted by this application. This may be in the form of a street address, general physical description, or nearest intersection.

251 Briarleaf Circle
Hewitt, TX 76643

Number of Lots 1 Number of Acres 0.5

Flood Zone: No Zoning Classification: R1

Existing Building(s) on Property: 1

Total sq. ft. of all buildings on property: 3162

I, the undersigned property owner or applicant of the following described real property located in the City of Hewitt, Texas hereby make this application for variance, by requesting approval for the following project: (Include how the project plans vary from the Zoning Ordinance)

Construction of a 20'x 20' outbuilding to the right side of
an existing home and requesting a variance to the
60' front setback requirement due to the unusual and
unique shape of the lot and the inability to do a rear
constructed building due to other established setbacks.

Indicate the number and give a brief description of the Section of the Zoning Ordinance for which the variance is being requested.

Please provide the following recording information and a copy of the document (s) listed below with this application:

Ownership (deed): Doc. #/MCC No. Deed # 2014 03 0073

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule):

The rezoning application must be completed along with the following required information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit 1 copy of survey and 1 copy of building plans.
3. Non-refundable application fee (see fee schedule). — 250.00
4. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule). — June 5, 2015

I attest that the above information is true and correct to the best of my knowledge that I am now or will be fully prepared to present the above proposal at the Board of Adjustment hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I understand that in the event the undersigned is not present or represented at the public hearing, the Board of Adjustment shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Board of Adjustment and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice of the Board of Adjustment hearing shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner: Warren Johnson Phone No. (284) 722-9213

Mailing Address: 360 Hillside Drive City: Robinson State: TX

Email Address: warren.johnson.customhomes@gmail.com

Signature of Property Owner: [Signature] Date: June 4, 2015

Name of Applicant/Representative Lane D. Gonzales Phone No. (512) 997-8743

Mailing Address: 313 Cindy Lane City: Nolanville State: TX 76559

Email Address: lane.d.gonzales@gmail.com

Signature of Applicant/Representative: [Signature] Date: 04 JUNE 2015

CITY OF HEWITT

BUILDING PERMIT APPLICATION

Type of Permit Requested

Description of proposed use/work (Be specific and detailed)

20' x 20' Garage

Project Address 251 Briarleaf Cr

Subdivision Ellis Farm South III Lot 37 Block 1

Valuation of Work \$20,000.00 Square Footage of Project 400

PROPERTY OWNER

Name Warren Johnson Custom Homes

Address 30 Hillside Drive City, State, Zip Code Robinson, Texas 76706

Phone 254.722.9213 Email warrenjohnsoncustomhomes@gmail.com

CONTRACTOR

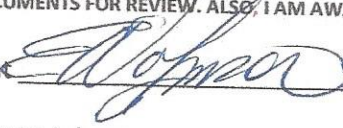
Name: Warren Johnson

Business Name: Warren Johnson Custom Homes

Address 360 Hillside Drive City, State, Zip Code Robinson, Texas 76706

Phone 254.722.9213 Email warrenjohnsoncustomhomes@gmail.com

I HEREBY CERTIFY THAT I AM AN AUTHORIZED AGENT OF THE OWNER, AND HAVE THE OWNER'S CONSENT TO ENTER ONTO THE PROPERTY TO COMPLETE THE WORK. AFTER CLOSE REVIEW OF THIS APPLICATION, I FURTHER CERTIFY THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE WORK SHALL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES, WHETHER SPECIFIED OR NOT. THE GRANT OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY FEDERAL, STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. I HAVE SUBMITTED ALL THE NECESSARY PLANS AND DOCUMENTS FOR REVIEW. ALSO, I AM AWARE THAT THE REVIEW PROCESS CAN TAKE UP TO 10 BUSINESS DAYS.

Signature of Applicant  Date: May 27, 2015

Printed Name E. Warren Johnson

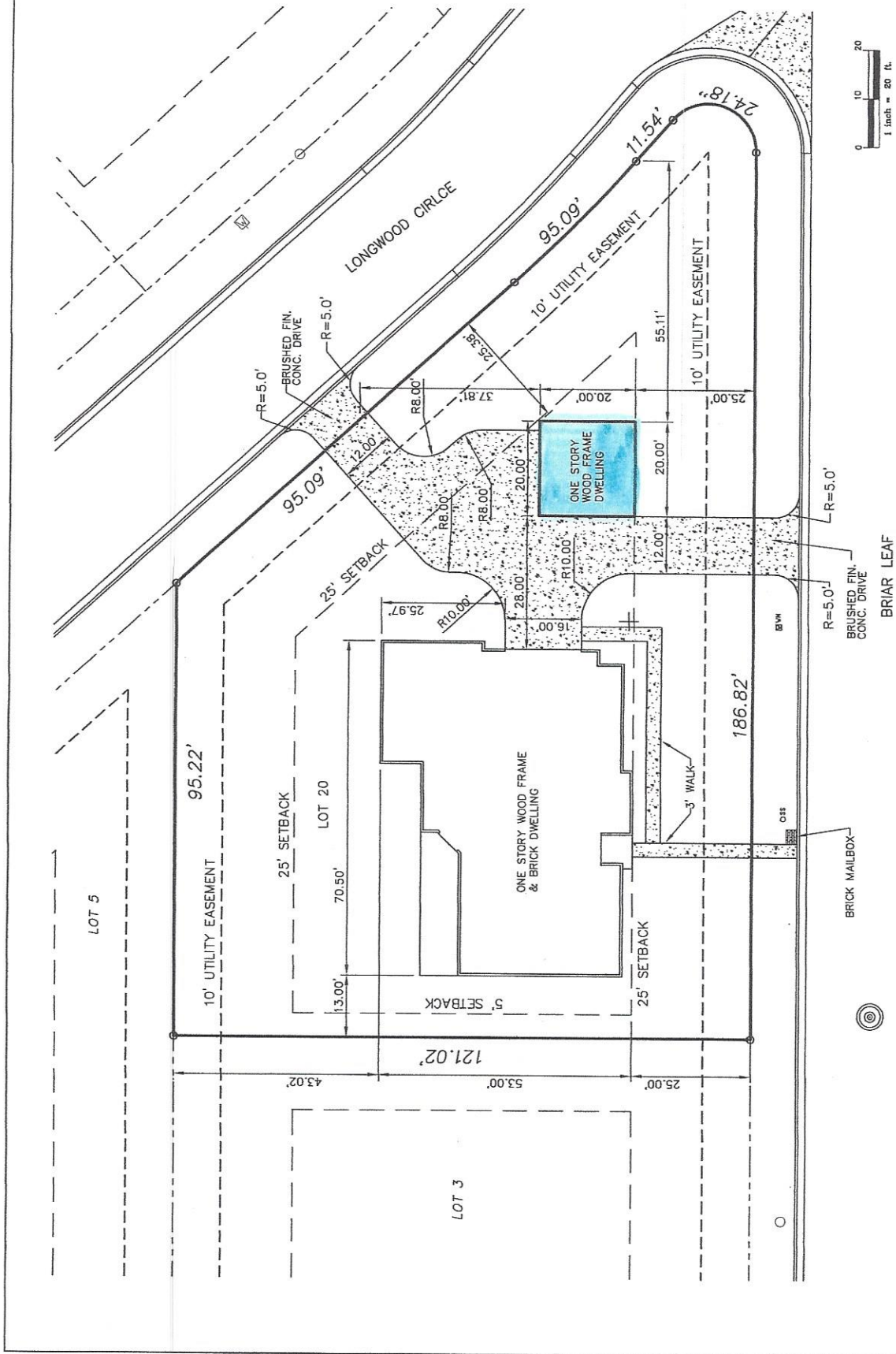
Approval needed by inspector for Alcohol Permit; Auction/Sales Permit; Carport Permit; Commercial Accessory Building; Commercial Building Permit-New; Commercial Building Permit-Temporary 72 hour; Commercial Remodeling Permit; Deck Permit; Demolition Permit; Duplex Permit; Fence Permit; Flatwork Permit; Garage Enclosure; Land Clearing Filling or Grading Permit; Mobile Home Move in Permit; Multi-Family Building Permit; Patio Cover; Residential Accessory Building Permit; Residential Building Permit; Residential Remodeling Permit; Sign Permit; Fire Protection Systems; Swimming Pool Permit; Hot tub/spas Permit, this list may not be all inclusive.

BUILDING DEPARTMENT

103 N Hewitt Drive • P.O. Box 610 • Hewitt, Texas 76643 • Tel: 254.666.6173 • Fax: 254.666.3741
Email: buildingdept@cityofhewitt.com • Website: www.cityofhewitt.com • [MyGov](#)

Lot: 4	Block: 5	Subdivision: ELLIS FARM ADDITION	WARREN JOHNSON CUSTOM HOMES
254-722-9213			Address:
251 BRIAR LEAF			City: HEWITT
PROPOSED SITE PLAN			
Date: 06/2015			

REFER TO FLOOR PLAN FOR EXACT BUILDING DIMENSIONS
 SEE FINAL PLAT FOR EXACT LOT DIMENSIONS, SETBACKS & EASEMENTS.



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Inspections Overview

Requested 1 Failed 1

(Inspector:0d 0h Contractor:0d 0h)

[Print Page](#)[PDF Page](#)[Email PDF](#)

ID# RAB-15-0392	PROJECT Residential Accessory Building	PROJECT DESCRIPTION 20'x20' garage	INSPECTION View All Please Review Floor Plans
Address 251 Briarleaf		Owner Warren Johnson	Contractor Warren Johnson Johnson Builders

[expand location information](#)[View 3 images across](#) ▼

Please Review Floor Plans (Inspector: 0d 5h Contractor:0d 0h)

User	Date	Time	Result
Eva Greenup	05/27/2015 @ 09:58 am CDT	0d 0h	Requested
	05/27/2015 @ 09:58 am CDT	0d 0h	Ready

Note to Inspector: Roy....it doesnt appear to be 60' ft from the front curb line

Roy Cole	05/27/2015 @ 03:28 pm CDT	0d 5h	Failed
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Required Item

Roy Cole on 2015-05-27 at 03:22 pm

[edit](#)[reply](#)[delete](#)

section 9.102 City of Hewitt Code Of Ordinances:(failed) accessory building set backs as follows: An accessory building more than five feet from a main building may be erected within two feet of a side or rear lot line, but must be located at least 60 feet from the front street line as measured from the back of the curb or edge of pavement. The relocation of the detached accessory building will be required on the site plan submitted, and resubmitted for review.

[Back](#)

Eva Greenup

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June 10, 2015

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Section 9.102. [Residential accessory buildings.]

The following regulations shall govern the location, size, and use of accessory buildings located in residential zoned districts R-1, R-2, R-3, R-4, and R-5.

- A. **Permit Required:** All residential accessory structures shall require a permit. Fees for permits shall be in accordance with the most recently adopted fee schedule as approved by the City Council.
- B. **Site Plan Required:** A site plan indicating the proposed location of the accessory building and other structures on the lot shall accompany the permit. Additionally, a description of materials used including color and roofing are required.
- C. **Materials:** All residential accessory structures and buildings shall be erected or constructed in a manner consistent with the materials and colors, including roof pitch and architectural style, of the main structure.
- D. **Lot Coverage:** Accessory structures may not occupy more than thirty (30) percent of the rear yard.
- E. **Placement of residential accessory buildings:** The placement of residential accessory buildings is regulated in accordance with the following:
 - 1. Residential accessory buildings may be detached or attached to the main building but shall not encroach in any required front yard.
 - 2. If detached, no accessory building shall be erected within ten (10) feet of any other building. Exception: A detached residential garage may be erected not less than five (5) feet from the main structure.
 - 3. An accessory building more than five (5) feet from a main building may be erected within two (2) feet of a side or rear lot line, but must be located at least sixty (60) feet from the front street line as measured from the back of

the curb or edge of pavement.

4. Detached Carports: Detached carports must be located ten (10) feet or more from any other building or structure. A detached carport may be erected within two (2) feet of a side or rear lot line, but must be located at least sixty (60) feet from any public right of way as measured from the back of the curb or edge of pavement.
- F. Height: No residential accessory building shall be erected, constructed, or placed with a roof plate line greater than ten (10) feet in height.
- G. Masonry: Masonry veneering for residential accessory structures shall be regulated in accordance with the following:
1. Where masonry veneering is required, materials shall be consistent or similar in type and color to the primary residential structure. Unless otherwise stated, all masonry veneering shall have a visible grout line.
 2. Accessory buildings in residential zoned districts R-1, R-2, R-3, and R-5 that are larger than 400 square feet or have a door(s) larger than six feet (6') wide shall cover 75 percent of the front and two sides of the structures, excluding doors and windows, with a masonry veneer.
 3. In residential zoned district R-4, all residential and accessory buildings shall cover a minimum of 80 percent of each exterior wall of the structures, excluding doors and windows, with a masonry veneer. The remaining area of each exterior wall, excluding doors and windows, shall use stucco, EIFS, or cast concrete modular siding.
 4. Regardless of square footage, any accessory building in residential zoned districts R-1, R-2, R-3, and R-5 with a roof plate line greater than eight (8) feet in height shall have masonry veneering covering 75 percent of the front and two sides, excluding doors and windows.

H. Special requirements for residential accessory structures in neighborhoods or subdivisions developed after December 31, 1994.

1. All accessory structures greater than one hundred eighty-two (182) square feet, in residential zoned districts R-1, R-2, R-3, and R-5, shall have masonry veneering covering 75 percent of the front and two sides, excluding doors and windows.
2. Support Columns for attached or detached carports shall be constructed with one hundred percent (100%) masonry veneering.
3. Accessory structures greater than one hundred eighty-two (182) square feet must be site built.
4. The date the original final plat for the subdivision (regardless of any phase) was filed at the McLennan County Courthouse shall be used to determine the date for purposes of this section.

I. Temporary Accessory Buildings: Temporary structures shall be regulated in accordance with the following:

1. Temporary on-site storage containers (ie. Shipping Containers, P.O.D.S., etc...) shall require a permit. A permit may be issued in fifteen (15) day increments with the maximum number of permits issued in one calendar year to a specific address limited to three (3) permits. The City Council may consider an extension to the number of permits on a case-by-case basis.
2. Temporary buildings used for construction purposes only are permitted in any district during the course of construction.

BOARD OF ADJUSTMENT – AGENDA ITEM

Agenda Item #4

Item Description

Adjourn meeting.