

**NOTICE OF REGULAR MEETING ZONING BOARD OF ADJUSTMENTS MEETING AND
AGENDA
THE CITY OF PRINCETON, TEXAS
October 15, 2019**

The Zoning Board of Adjustments of the City of Princeton will meet in Regular Meeting Session on **Tuesday October 15, 2019 at 6:00 PM** at the regular meeting place, the Council Chamber in City Hall, located at 123 W. Princeton Drive in Princeton to discuss the following

Honorable John-Mark Caldwell,
Mayor

Honorable Rich Hooper,
Mayor Pro Tempore, Place 2

David Kleiber,
Councilmember, Place 1

Nikki Krum,
Councilmember, Place 3

Richard Sheehan,
Councilmember, Place 4

Steven Deffibaugh,
Deputy Mayor Pro Tempore, Place 5

CALL TO ORDER

ROLL CALL

John-Mark Caldwell
Rich Hooper
David Kleiber
Nikki Krum
Richard Sheehan
Steve Deffibaugh

CONSENT AGENDA

Minutes

Discussion and possible action regarding minutes from the Tuesday, May 28, 2019 Regular ZBA meeting.
[ZBA Minutes 5-28-19.doc](#)

Minutes

Discussion and possible action regarding the minutes from the Monday, August 12, 2019 Regular ZBA Meeting.
[ZBA Minutes 8-12-19.doc](#)

REGULAR AGENDA

Variance

Discussion and possible action regarding a request from Kingsbridge Construction for a variance on side yard setbacks to be 7ft 6inch. on each side in lieu of 10ft. at Kingsbridge Addition on the corner of Teakwood Drive and Prairie Creek Drive, Princeton, Texas 75407.

[PH Variance Kingsbridge Addition \(side yard setbacks\).doc](#)

ADJOURNMENT

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Princeton City Hall @ _____ and copies thereof were delivered to the Mayor, Mayor Pro-Tempore and Councilmembers.

Tabatha Monk, City Secretary

STATEMENT FOR ADA COMPLIANCE

The City of Princeton acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. Thus, in order to assist individuals with disabilities who require special services (i.e., sign interpretation services, alternative audio/visual devices, and amanuenses) for participation in or access to the City of Princeton sponsored public programs, services and/or meetings, the City requests the individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Tabatha Monk, City Secretary, or other designated official at 972-734-2416. The City council reserves the right to consult in executive session with its attorney and to receive legal advice regarding any item listed on this agenda pursuant to Section 551.071(b).

Minutes

The City of Princeton

Regular Zoning Board of Adjustments Meeting of May 28, 2019

The Zoning Board of Adjustments for the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on May 28, 2019 at 6:00 p.m.

The following Board Members were present: Councilmember David Kleiber (joined meeting at 6:11 p.m.), Mayor Pro – Tempore Rich Hooper, Councilmember Nikki Krum, Councilmember Richard Sheehan and Councilmember Steve Deffibaugh. The following Staff Members were present: City Manager Derek Borg, Assistant City Manager Lesia Gronemeier, City Secretary Tabatha Monk, Director of Development Services Shawn Fort, Police Lieutenant Jesus Rodriguez, Police Officer David Toler and Director of Public Works Tommy Mapp.

Councilmember **Deffibaugh presided over the meeting and called the Zoning Board of Adjustments meeting to order at 6:06 P.M.**

Councilmember **Deffibaugh** then announced the Consent Agenda: Discussion and possible action regarding the Zoning Board of Adjustments minutes from the July 09, 2018 meeting. Discussion and possible action regarding the Zoning Board of Adjustments minutes from the May 13, 2019 meeting. Councilmember **Sheehan made a motion to approve.** Mayor Pro - Tempore **Hooper seconded the motion.** The **motion carried unanimously.**

Councilmember **Deffibaugh** then announced the first item under the Regular Agenda: “Public hearing regard a request from Big Spray Brewing, LLC, 816 E. Princeton Drive, Princeton, TX 75407 for a variance to the zoning ordinance No. 2018-12-10-01 amending ordinance No. 2016-01-25-01 Sec. 82-29, Special uses and conditions for approval, subsection (k) (5) (a), that would allow the sale of alcohol within

a distance of 300 feet from a school property.”

Councilmember **Deffibaugh** opened the public hearing at 6:08 p.m.

Councilmember **Deffibaugh** closed the public hearing at 6:09 p.m.

Councilmember **Deffibaugh** then announced the second item under the Regular Agenda: “Discussion and possible action regarding a request from Big Spray Brewing, LLC, 816 E. Princeton Drive, Princeton, Texas 75407 for a variance to the Zoning Ordinance No. 2018-12-10-01, amending ordinance No.2016-01-25-01 Sec. 82-29, Special uses and conditions for approval, subsection (k) (5) (a), that would allow the sale of alcohol within a distance of 300 feet from a school property.” Councilmember **Sheehan** made a motion to approve. Councilmember **Krum** seconded the motion. The motion carried unanimously.

Mayor Pro - Tempore **Hooper** made a motion to adjourn. Councilmember **Krum** seconded the motion. The motion carried unanimously.

Councilmember **Deffibaugh** adjourned the meeting at 6:12 p.m.

John – Mark Caldwell, Mayor Date

ATTEST:

Tabatha Monk, City Secretary Date

Minutes

The City of Princeton

Regular Zoning Board of Adjustments Meeting of August 12, 2019

The Zoning Board of Adjustments for the City of Princeton, Texas, met in regular session in the Council Chamber of City Hall on August 12, 2019 at 5:30 p.m.

The following Board Members were present: Mayor, John – Mark Caldwell, Councilmember David Kleiber, Mayor Pro – Tempore Rich Hooper, Councilmember Nikki Krum, Councilmember Richard Sheehan and Councilmember Steve Deffibaugh. The following Staff Members were present: City Manager Derek Borg, Assistant City Manager Lesia Gronemeier, City Secretary Tabatha Monk, Director of Development Services Shawn Fort, Police Lieutenant Jesus Rodriguez, Police Officer David Toler and Director of Public Works Tommy Mapp.

Councilmember **Deffibaugh presided over the meeting and called the Zoning Board of Adjustments meeting to order at 5:30 P.M.**

Councilmember **Deffibaugh** then announced there was no Consent Agenda.

Councilmember **Deffibaugh** then announced the first item under the Regular Agenda: “Discussion and possible action regarding a request from Bonner Carrington for a variance on a 12.00 acre tract of land in the Hardin Wright Survey Abstract No. 957, City of Princeton, Collin County, Texas.” Mayor **Caldwell made a motion to approve.** Mayor Pro-Tempore **Hooper seconded the motion.** The **motion carried unanimously.**

Mayor Pro - Tempore **Hooper made a motion to adjourn.** Councilmember **Kleiber seconded the motion.** The **motion carried unanimously.**

Councilmember **Deffibaugh** adjourned the meeting at 5:55 p.m.

John – Mark Caldwell, Mayor Date

ATTEST:

Tabatha Monk, City Secretary Date

PUBLIC HEARING NOTICE

A request has been received from Kingsbridge Construction, for a variance to the City of Princeton Zoning Ordinance that would allow for a change in side yard setbacks at Kingsbridge Addition corner of Teakwood Drive and Prairie Creek Drive Princeton, TX 75407.

PUBLIC HEARINGS WILL BE HELD IN THE COUNCIL CHAMBER OF CITY HALL LOCATED AT 123 W. PRINCETON DRIVE:

The **Zoning Board of Adjustments** will hold the Public Hearing regarding this request on October 15, 2019 at 6:00 p.m.

AS AN INTERESTED PROPERTY OWNER YOU ARE REQUESTED TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS.

If you have any questions or need additional information please contact the City of Princeton at (972) 734-2416.

Tabatha Monk
City Secretary



PRINCETON TEXAS

City of Princeton Zoning Board of Adjustments Agenda Memo

ZBA Meeting: October 15, 2019 Requestor: Kingsbridge Construction

Prepared by: Shawn Fort, Director of Development Services

Date Prepared: October 4, 2019

STAFF REPORT

I. SITE DATA

SITE DATA

Existing Zoning: **SF-1 Single Family Residential**

Existing use: **Singel Family**

Lot Size: **32 lots miscellaneous sizes**

Direction	Zoning	Existing Land Use
North	SF-1	Single Family 1
East	SF-2	Single Family 1
South	SF-1	Cemetary
West	SF-1	Single Family 1



REQUEST

Applicant requests ZBA approve request for a variance to the setback of Section 82-11 (C) requiring (*A minimum interior side yard setback of 10 feet*) applicant is requesting to setback to be reduced to 7.5'.

II. PROCESS

Sec. 82-34. - Variance procedures.

(a) *Purpose and applicability.*

(1) *Cases for which a variance may be granted.* The board of adjustment may authorize, in specific cases, a variance of from the terms of a zoning ordinance for the following:

- a. Height;
- b. Yard;
- c. Lot area;
- d. Exterior structure;
- e. Lot coverage;
- f. Off-street parking; and
- g. Loading requirements.

(2) *Variance criteria.* A variance may be granted only if the board finds that:

- a. The requested variance is not contrary to the public interest; and
- b. The requested variance does not violate the intent of the zoning ordinance, as amended; and
- c. The requested variance allows the spirit of the zoning ordinance to be observed and substantial justice done; and
- d. The requested variance would not cause injury to or restrict development on any other parcel of land; and
- e. The requested variance is not needed merely to promote economic gain or to prevent economic loss; and
- f. A literal enforcement of the zoning ordinance would result in an unnecessary hardship. An unnecessary hardship only exists when a variance is needed to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- g. The unnecessary hardship, if any, is neither self-created nor personal to the owner of the parcel of land.

(3) *Variance limitations.*

- a. *Completed action required before a variance .* An application or request for a variance shall not be heard or granted with regard to any parcel of property or portion thereof upon which a preliminary site plan, site plan, preliminary plat or final plat, when required by the zoning ordinance or the subdivision ordinance for any parcel of property or portion thereof, has not been finally acted upon by both the planning and zoning commission and, where required, by the city council.
- b. *Exhausted all other options .* The administrative procedures and requirements of the zoning ordinance, and any amendments thereto, with regard to both the planning and zoning commission and city council consideration and action, on preliminary site plans,

site plans, preliminary plats, and final plats, must be exhausted prior to requesting a variance.

(b) *Variance process, public hearing and notice.*

(1) *Public hearing required.*

- a. The board of adjustment shall hold a public hearing for each variance applicant and shall provide the notice and public hearing required by this chapter.
- b. At the public hearing, the board of adjustment shall consider public comments, the zoning administrator's recommendation, and other applicable information and shall approve, approve with conditions, or deny the variance application.

(2) *Written notice of the zoning board of adjustment public hearing.*

- a. Before the tenth calendar day before the hearing date before the zoning board of adjustment, written notice of each public hearing before the zoning board of adjustment on a proposed variance shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of property within 200 feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.

(3) *Published notice of the zoning board of adjustment hearing.*

- a. Notice of a zoning board of adjustment public hearing shall be given by publication in the official newspaper of the city, stating the time and place of such public hearing, a minimum of 15 calendar days prior to the date of the public hearing.

(4) *Planning and zoning commission vote.*

- a. Pursuant to V.T.C.A., Local Government Code § 211.009(c), the concurring vote of 75 percent of the members of the board of adjustment is necessary to grant a zoning variance.

Board Action

The Board has the following options:

1. Approval the variance request.
2. Deny the variance request.

IV. STAFF RECOMMENDATION

Approval of the variance request the request appears to be consistent with the variance criteria of section 82-34 (2).



Shawn Fort, Director of Development services

