

AGENDA



Board of Adjustment [CORRECTED]

Wednesday, January 31, 2024 @ 5:30 PM

The Board of Adjustment of the City of Anna will meet on 01/31/2024 at 5:30 PM in the Anna Municipal Complex-Council Chambers, located at 120 W. 7th Street, to consider the following items.

1. **Call to Order, Roll Call, and Establishment of Quorum.**

2. **Invocation and Pledge of Allegiance.**

3. **Neighbor Comments.**

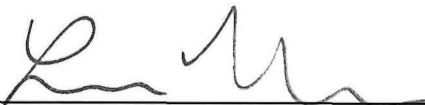
At this time, any person may address the City Council regarding an item on this meeting Agenda that is not scheduled for public hearing. Also, at this time, any person may address the City Council regarding an item that is not on this meeting Agenda. Each person will be allowed up to three (3) minutes to speak. No discussion or action may be taken at this meeting on items not listed on this Agenda, other than to make statements of specific information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

4. **Elect the Board of Adjustments Vice-Chairman.**

5. **Consider/Discuss/Action to approve minutes from the November 1, 2023 Board of Adjustment meeting.**

6. **Conduct a public hearing/consider/discuss/action on a variance request regarding Cedar Ridge Estates, Phase 2, zoned Single-Family Residential (SF-7.2) District, for a variance pertaining to the lot depth of several lots within the subdivision.**

This is to certify that I, Lauren Mecke, Planning Manager, posted this Agenda on the City's website (www.annatexas.gov) and at the Anna Municipal Complex bulletin board at or before 5:00 p.m. on 01/26/2024.



Lauren Mecke, Planning Manager

**MINUTES
BOARD OF ADJUSTMENT
NOVEMBER 1, 2023**

The Board of Adjustment of the City of Anna held a meeting at 5:30 p.m. on November 1, 2023, at the Municipal Complex located at 120 W. 7th Street, to consider the following items.

1. Call to Order and Establishment of Quorum

The meeting was called to order at 5:40 p.m.

Members Present:

Place 1 – Jon Hendricks (arrived at 5:43), Place 2 – Jody Bills – Chaired the meeting, Place 3 Ashley Bergerson, Place 4 – Choya Morrison, Place 5 – Travis Bates, Place 1A – Chad Fisher, & Place 1B – Michael Olivarez.

Staff present

Nader Jeri, Assistant Director of Development Services

Lauren Mecke, Planning Manager

Salena Tittle, Planner II

2. Invocation and Pledge of Allegiance

Mr. Bills gave the invocation and led the Pledge of Allegiance.

- 3. Neighbor Comments:** At this time, any person may address the Planning and Zoning Commission regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Commission regarding an item that is not on this meeting agenda. Each person will be allowed up to three (3) minutes to speak. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

There were no speakers.

- 4. Consider/Discuss/Action to approve minutes from the September 14, 2023 Board of Adjustment meeting.**

The Board approved the September 14, 2023 minutes 5-0.

- 5. Conduct a Public Hearing/Consider/Discuss/Action** on a variance request to the minimum setback requirements within the Single-Family Residential (SF-7.2) District of the Zoning Ordinance, for the property located at 229 E. 7th Street.

Acting Chair Bills opened the public hearing at 5:45 p.m.

Mrs. Tittle gave a brief explanation of the request and answered the Board's questions pertaining to parking requirements and the applicant's plans for the site to build a residential home. The applicant's request for variances from the minimum front yard setback, minimum lot depth, and lot area for a lot that was purchased with the existing condition lot depth and lot area conditions.

The applicant was not able to attend the meeting and there were no speakers for this item.

The Board Members held a discussion. Mr. Hendricks expressed concerns regarding parking and the Downtown Master Plan especially without seeing the associated building plans.

Mrs. Tittle explained that the applicant was required to plat the property before moving forward with the building permit process and is required to meet adopted requirements.

Ms. Mecke provided clarification that the proposed use is in line with the Comprehensive Plan and Downtown Master Plan. She also stated that the Zoning Ordinance requires two off-street parking spaces.

A motion was made by Mr. Bills to grant the requested variance and seconded by Mr. Hendricks. The motion passed unanimously.

6. **Conduct a public hearing/consider/discuss/action** on a variance request regarding Cedar Ridge Estates, Phase 2, zoned Single-Family Residential (SF-7.2) District, for a variance pertaining to the lot depth and lot area of several lots within the development.

Mr. Bills opened the public hearing at 5:57 p.m.

Ms. Mecke gave a brief presentation of the requested variance from the minimum lot depth and minimum lot area requirements.

Landon Darwin, the property owner representative, spoke before the Board about Riverside Homes and the request.

There were no additional speakers.

The Board Members held a discussion.

Mrs. Bergerson asked to explain why they were not able to meet the minimum lot area requirements and suggested approving the variance for the lot depth but not the lot area. Mr. Fisher made the argument that in comparison to the previous case with a 10% reduction, this case is asking for an 8% reduction. Mr. Hendricks reiterated Mrs. Bergerson's question stating that removing two lots would allow for every lot to meet the minimum lot area.

The property owner representative requested to come back to a subsequent meeting to allow their engineers to review the project again to see if they can meet the minimum lot area requirements.

No action was taken by the Board.

Adjourn

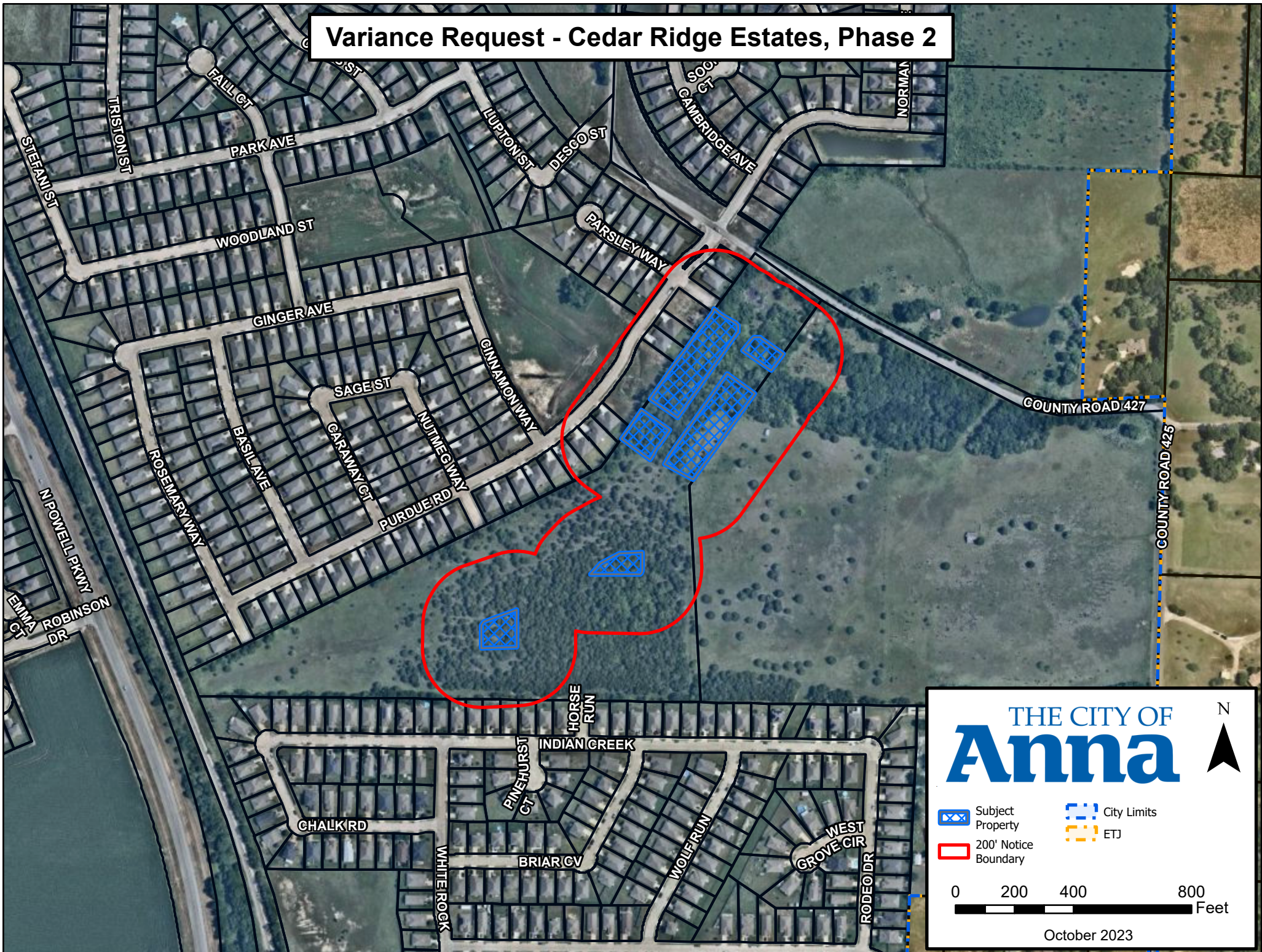
A motion was made by Mr. Bills, seconded by Mrs. Morrison to adjourn the meeting. The vote was unanimous. The meeting adjourned at 6:21 p.m.

Jon Hendricks,
Board of Adjustment, Chair

ATTEST:

Nader Jeri,
Assistant Director of Development Services

Variance Request - Cedar Ridge Estates, Phase 2



CITY OF ANNA

Board of Adjustment

December 13, 2023

Variance: Cedar Ridge Estates, Phase 2

AGENDA ITEM:

Conduct a public hearing/consider/discuss/action on a variance request regarding Cedar Ridge Estates, Phase 2, zoned Single-Family Residential (SF-7.2) District, for a variance pertaining to the lot depth of several lots within the development.

REMARKS:

Within the Zoning Ordinance under Section 9.04.053 (Relief Procedures) it states that the Board of Adjustment shall have the power to authorize upon appeal in specific cases such variance from the terms of this article as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship and so that the spirit of this article shall be observed and substantial justice done, including the following:

- (1) Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of the provisions due to an irregular shape of the lot or topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.

History

The property was subdivided before 1970 and then annexed and zoned in 2021. The property is a unique shape and must provide right-of-way connections to the Camden Parc in Anna, Sweetwater Crossing, and Cedar Ridge Estates, Phase 1 subdivisions (see Image 1). The surrounding subdivisions are also zoned SF-7.2.

Development Services received a Preliminary Plat application on October 6, 2023. Along with the plat application, the applicant, Saginaw 106 LTD, submitted a variance request pertaining to lot depth and lot area. During the November 1, 2023 Board of Adjustment meeting, the Applicant asked to review internally before the Board made their final decision. The Applicant has amended the layout and request by removing two lots in order for every lot to meet the minimum lot area.

The SF-7.2 zoning district requires a minimum 120-foot lot depth. The applicant is requesting 15 lots to have a reduced lot depth less than 120 feet but greater than 110 feet. All other requirements of the zoning district are being met.

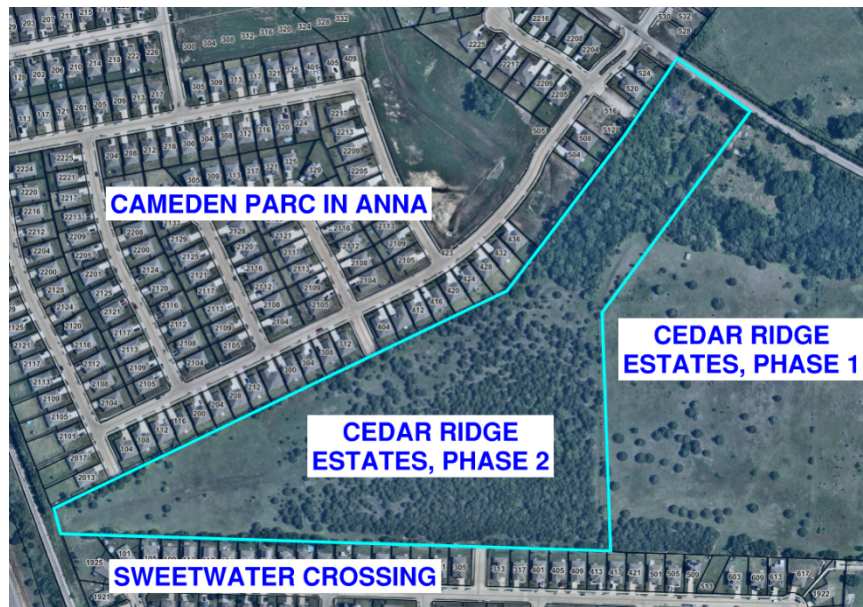


Image 1: Location of Cedar Ridge Estates, Phase 2.

SUMMARY:

A variance would not be contrary to the public interest and literal enforcement of the ordinance would result in unnecessary hardship. Additionally, if granted the variance it would not seriously affect the adjoining property or the general welfare.

§9.02.087 - (a) *Requirements of the zoning district if applicable. Lots shall conform to the minimum requirements of the established zoning district, if located within the city's corporate limits.*

§9.04.015 – Single-Family Residential (SF-7.2) District

1. Minimum Lot Depth (feet): 120

- The applicant is requesting a minimum lot depth of 110 feet due to the unique shape of the tract for 15 lots.

RECOMMENDATION:

City staff has reviewed the variance request and determined that there would be neither an effect on any adjoining property nor the general welfare.

24.803 ACRE PROPERTY DESCRIPTION

BEING a tract of land situated in the Josiah C. Brantley Survey, Abstract Number 114, Collin County, Texas and being all of that certain called 24.82 acre tract of land described in Special Warranty Deed to Saginaw 106 LTD., as recorded in Instrument Number 20211202002450260, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the northwest corner of the plat of Sweetwater Crossing, Phase 1, as recorded in Volume R, Page 197, (Instrument Number 19000101001038500), Official Public Records, Collin County, Texas, being in the east Right-of-Way line of the Dallas Area Rapid Transit tract as recorded in Volume 5443, Page 5532, Official Public Records, Collin County, Texas;

THENCE N 21°53'33"W, a distance of 93.18 feet to a 3/8 inch iron rod found for the northwest corner of said called 24.82 acre tract;

THENCE N 63°43'52"E, along the northerly line of said called 24.82 acre tract, at 2.56 feet pass a 1/2 inch iron rod found at the southwest corner of Camden Parc in Anna, Phase 4, as recorded in Instrument Number 20220222010000710, Official Public Records, Collin County, Texas, and then along the common line of said northerly line and the southeasterly line of said Camden Parc in Anna in all a total distance of 1558.89 feet to a 1/2 inch iron rod found at an angle point in said common line;

THENCE N 35°50'20"E, a distance of 868.35 feet continuing along said common line, passing the southeasterly corner of said Camden Parc in Anna to the most northerly corner of said called 24.82 acre tract, being in the existing southeasterly Right-of-Way line of County Road 427 (generally recognized as a variable width Right-of-Way, no recording documentation found);

THENCE S 58°35'33"E, a distance of 274.57 feet along said southwesterly Right-of-Way line to a 1/2 inch iron rod found for the most northeast corner of said called 24.82 acre tract and being the northwest corner of that certain called 39.747 acre tract of land described in Special Warranty Deed to Saginaw 106 Ltd., as recorded in Instrument Number 20211101002231410, Official Public Records, Collin County, Texas;

THENCE S 35°29'37"W, a distance of 771.75 feet along the common line of the easterly line of said called 24.82 acre tract and the westerly line of said called 39.747 acre tract to 3 inch steel fence post found at an angle in said common line;

THENCE S 02°58'58"E, a distance of 733.91 feet continuing along said common line to a 1/2 inch iron rod with cap stamped "1519 Surveying" found in the northerly line of Sweetwater Crossing, Phase 2, as recorded in Instrument Number 20200512010001640, Official Public Records, Collin County, Texas;

THENCE N 89°11'21"W, a distance of 1696.20 feet along the south line of said called 24.82 acre tract and the north line of said Sweetwater Crossing, Phase 2 and then along the north line of the aforementioned Sweetwater Crossing, Phase 1 returning to the Point of Beginning and containing 1,080,433 square feet or 24.803 acres of land, more or less.

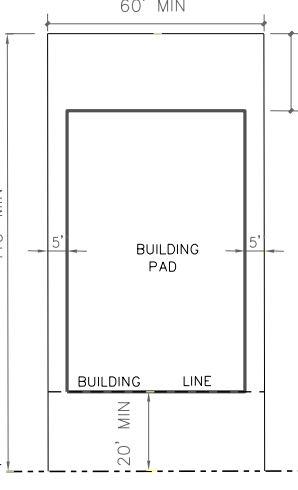
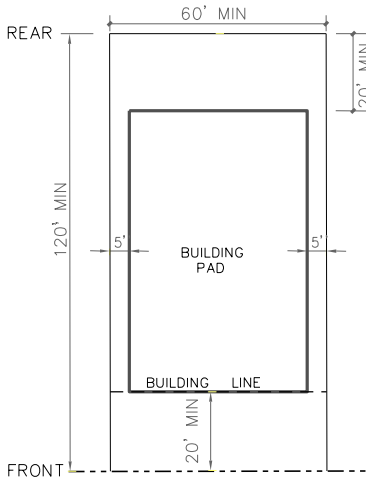
NOTES:

- THE PROPERTY IS IN THE CITY OF ANNA.
- PROPOSED ZONING IS PLANNED DEVELOPMENT.
- ALL PARK AND PRIVATE OPEN SPACE WILL BE MAINTAINED BY THE HOA.
- BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 1983 (NAD2011) EPOCH 2010.00.
- THE SUBJECT PROPERTY IS LOCATED IN DESIGNATED ZONE X AS ILLUSTRATED PER PANEL 0140J WITH AN EFFECTIVE DATE OF JUNE 2, 2009.
- THE DEVELOPER SHALL DEDICATE ALL REQUIRED TRAIL EASEMENTS WITH THE FINAL PLAT.
- THE FINAL LOCATION AND NUMBER OF LOTS SHOWN HEREIN ARE CONTINGENT UPON APPROVAL OF A FLOOD STUDY AND DRAINAGE PLAN DEMONSTRATING NO ADVERSE IMPACT TO ADJACENT PROPERTIES.
- THIS SURVEY WAS PERFORMED IN CONNECTION WITH THE TRANSACTION DESCRIBED IN FILE NO. 21-608869-MM, SCHEDULE "B", ITEM 10 OF FIRST NATIONAL TILE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF JUNE 30, 2021. ISSUED JULY 20, 2021.

DRAINAGE AND DETENTION EASEMENT

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF ANNA

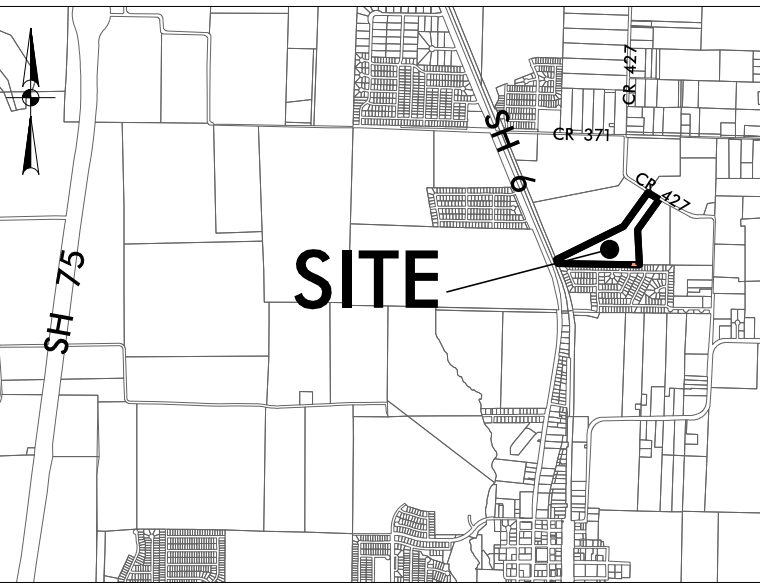
This plat is hereby adopted by the Owners and approved by the City of Anna (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors: The portion of Block 1, as shown on the plat is called "Drainage and Detention Easement." The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement as hereinabove defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.



USES	LOT TYPE A	LOT TYPE B
MINIMUM LOT AREA	7,200 SF	7,200 SF
MINIMUM LOT WIDTH	60'	60'
MINIMUM LOT DEPTH	120'	110'
MINIMUM FRONT YARD	20'	20'
MINIMUM SIDE YARD	5'	5'
MINIMUM REAR YARD ADJACENT TO STREET	15'	15'
MINIMUM REAR YARD	20'	20'
MINIMUM LOT COVERAGE	50%	50%

LAND USE SUMMARY

USES	RESIDENTIAL UNITS	NON-RESIDENTIAL LOTS	±AC	DENSITY
DETACHED SINGLE FAMILY RESIDENTIAL	94		16.9	
R.O.W. DEDICATION			5.1	
PRIVATE OPEN SPACE		3	0.8	
TOTAL	94	3	24.8	3.8



OWNER'S CERTIFICATE:

STATE OF TEXAS

COUNTY OF COLLIN

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SAGINAW 106 LTD, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CEDAR RIDGE ESTATES, PHASE 2, AN ADDITION TO THE CITY ANNA, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANNA'S USE THEREOF. THE CITY OF ANNA AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANNA AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE.

THIS APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, AND REGULATIONS OF THE CITY OF ANNA, TEXAS.

WITNESS, MY HAND, THIS THE DAY OF , 20.

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE DAY OF , 20.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: .

SURVEYOR'S CERTIFICATE:

I, TERENCE A. MURRAY, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON ACCURATELY REPRESENTS THE DESCRIBED PROPERTY AS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION IN AUGUST 2020, AND THAT ALL CORNERS ARE AS SHOWN.

THERE ARE NO ENCROACHMENTS, EASEMENTS, CONFLICTS, OR PROTRUSIONS APPARENT ON THE GROUND EXCEPT AS SHOWN.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

PIERCE - MURRAY LAND SOLUTIONS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6059
FIRM REGISTRATION NO. 10194437

CERTIFICATION DATE: AUGUST 29, 2023

OWNER / DEVELOPER:

SAGINAW 106 LTD
3045 LACKLAND ROAD,
FORT WORTH, TEXAS 76116
TEL: (817) 731-7595

ENGINEER:

PAPE-DAWSON ENGINEERS
201 MAIN STREET, SUITE 901
FORT WORTH, TEXAS 76102
TEL: (817) 870-3668
TBPLS FIRM NO. 470
CONTACT: MICHELLE LASA, P.E.
EMAIL: MLasa@PAPE-DAWSON.COM

SURVEYOR:

PIERCE - MURRAY LAND SOLUTIONS
800 TALLYHO CIRCLE,
TYLER, TEXAS 75703
TEL: (817) 239-5646
TEL: (903) 539-2256
TBPLS FIRM NO. 10194437
CONTACT: TERENCE A. MURRAY
EMAIL: TMURRAY@PIERCEMURRAY.COM

CERTIFICATE OF APPROVAL

APPROVED ON this the day of , 20, by the City Council, City of Anna, Texas.

Mayor
City Secretary

CONCEPT PLAN
OF
CEDAR RIDGE ESTATES

PHASE 2

LOT 27-32, BLK D; LOT 13-16, 16X, BLK E;
LOT 16-53, 53X, BLK G; LOT 1-16, 5X, BLK H;
LOT 1-14, BLK I; LOT 1-16, BLK J

BEING A 24.803 ACRES OF LAND SITUATED IN THE JOSIAH C. BRANTLEY SURVEY, ABSTRACT NUMBER 114, IN COLLIN COUNTY, TEXAS.

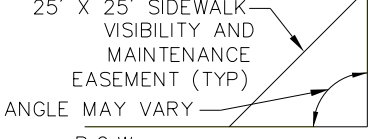
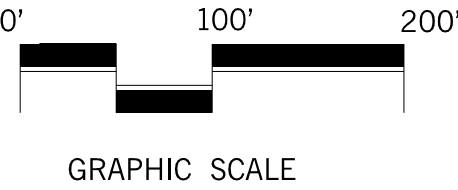
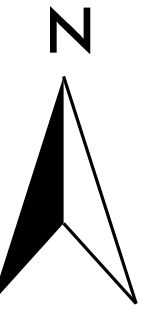
PLANNED DEVELOPMENT

PAPE-DAWSON ENGINEERS

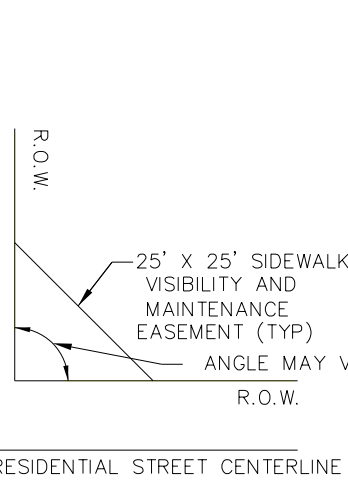
FORT WORTH | SAN ANTONIO | AUSTIN | HOUSTON | DALLAS
201 MAIN STREET, STE 901, FORT WORTH, TX 76102 | 817.870.3668
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION #470

THIS DOCUMENT IS
RELEASED FOR
"REVIEW PURPOSES"
UNDER THE
AUTHORIZATION OF
MICHELLE LASA

AUGUST 29, 2023.
IT IS NOT FOR
CONSTRUCTION OR
PERMIT PURPOSES.



TYPICAL STREET INTERSECTION
25' X 25' V.A.M.E. & S.W.E.
NOT-TO-SCALE



JOB NO. 61389 - 00
PP_SUBMITTAL DATE
PP_REVISION DATE
PP_APPROVE DATE
REFERENCE CASE NUMBER
PRELIMINARY PLAT
ZONING
FINAL PLAT

STREET CENTERLINE CURVE TABLE											
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH	CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	500.00'	05°37'52"	N89°56'35"W	49.12'	49.14'	C9	50.00'	82°47'26"	N67°54'10"W	66.13'	72.25'
C2	1500.00'	02°04'22"	N88°9'50"W	54.26'	54.26'	C10	2000.00'	02°14'29"	N147°52'E	78.24'	78.24'
C3	5000.00'	00°40'59"	N89°32'31"W	59.61'	59.61'	C11	50.00'	62°48'55"	N32°5'5"E	52.11'	54.82'
C4	5000.00'	03°08'24"	S88°32'48"W	273.99'	274.03'	C12	800.00'	07°27'32"	N67°13'19"E	104.07'	104.15'
C5	1800.00'	05°56'31"	S89°56'51"W	186.59'	186.67'	C13	800.00'	07°27'32"	N22°46'41"W	104.07'	104.15'
C6	1800.00'	05°04'54"	N84°14'27"W	178.42'	178.49'	C14	800.00'	17°04'52"	N62°24'39"E	237.61'	238.50'
C7	200.00'	43°04'45"	S77°3'37"W	146.86'	150.37'	C15	200.00'	09°37'20"	N08°40'53"E	33.55'	33.59'
C8	300.00'	15°10'52"	S63°6'41"W	79.36'	79.49'	C16	300.00'	11°59'34"	N57°29'46"E	62.68'	62.79'