



ZONING BOARD OF ADJUSTMENT

AGENDA

Sugar Land City Hall
2700 Town Center Boulevard North
Sugar Land, Texas 77479

WEDNESDAY, MARCH 20, 2024

ZONING BOARD OF ADJUSTMENT

CITY COUNCIL CHAMBER

<https://youtube.com/live/cd4bssvaevI?feature=share>

5:00 PM

I. ATTENTION

- A. *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through videoconferencing means. A quorum of the City Council, Board and/or Commission will be physically present at the above-stated location, and said location is open to the public. Audio/Video of open deliberations will be available for the public to hear/view, and are recorded as per the Texas Open Meetings Act.*

The meeting will live stream at <https://youtube.com/live/cd4bssvaevI?feature=share>.

II. PUBLIC COMMENT

Citizens who desire to address the City Council, Board and/or Commission in person with regard to matters on the agenda must complete a "Request to Speak" form and give it to the City Secretary, or designee, prior to the beginning of the meeting.

Each speaker is limited to three (3) minutes, speakers requiring a translator will have six (6) minutes, regardless of the number of agenda items to be addressed. Comments or discussion by the City Council, Board, and/or Commission Members, will only be made at the time the subject is scheduled for consideration.

Disclaimer: The City of Sugar Land reserves the right to remove any individual for comments deemed inappropriate, impertinent, profane, slanderous and/or for not adhering to the public comment rules outlined in this notice.

For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.

III. MINUTES

- A. Consideration of and action on the minutes of the January 17, 2024 meeting.
Ashley Newsome, Deputy City Secretary

IV. PUBLIC HEARING

- A. **PUBLIC HEARING 5:00 P.M.:** Receive and hear all persons desiring to be heard on a proposed Special Exception to the Rear Yard Setback for 58 Bendwood Drive, Lot 58, Sugar Creek Section 8, in the Zero Lot Line Single-Family Residential (R-1Z) Zoning District.

Consideration of and action on a proposed Special Exception to the Rear Yard Setback for 58 Bendwood Drive, Lot 58, Sugar Creek Section 8, in the Zero Lot Line Single-Family Residential (R-1Z) Zoning District.

Emily Ercius, Planner I

THE ZONING BOARD OF ADJUSTMENT AND APPEALS RESERVES THE

RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY).

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE CITY SECRETARY, (281) 275-2730. REQUESTS FOR SPECIAL SERVICES MUST BE RECEIVED FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING TIME. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

THE AGENDA AND SUPPORTING DOCUMENTATION IS LOCATED ON THE CITY WEB SITE (WWW.SUGARLANDTX.GOV) UNDER MEETING AGENDAS.

Posted on this 15th day of March, 2024 at 12:54 P.M.





Zoning Board of Adjustment Request
MARCH 20, 2024

AGENDA REQUEST NO: III.A.

AGENDA OF: Zoning Board of Adjustment Meeting

INITIATED BY: *Ashley Newsome, Deputy City Secretary*

PRESENTED BY: *Ashley Newsome, Deputy City Secretary*

RESPONSIBLE DEPARTMENT: City Secretary

AGENDA CAPTION:

Consideration of and action on the minutes of the January 17, 2024 meeting.

RECOMMENDED ACTION:

Consider the minutes of the January 17, 2024 meeting.

EXECUTIVE SUMMARY:

Consider the minutes of the January 17, 2024 meeting.

BUDGET

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

FUNDING SOURCE:

ATTACHMENTS:

| Description | Type |
|-------------------|----------------------------|
| 011724zba_minutes | Other Supporting Documents |



ZONING BOARD OF ADJUSTMENT

MINUTES

Sugar Land City Hall
2700 Town Center Boulevard North
Sugar Land, Texas 77479

WEDNESDAY, JANUARY 17, 2024

ZONING BOARD OF ADJUSTMENT

CITY COUNCIL CHAMBER

<https://youtube.com/live/3USDjK22y88?feature=share>

5:00 PM

QUORUM PRESENT

All members of the Board were present except for Chairman Chikeersha Puvvada Member Robert Boettcher and Alternate Ravi Brahmhatt.

I. ATTENTION

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II. PUBLIC COMMENT

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No member of the public addressed the Board.

III. MINUTES

- A. Consideration of and action on the minutes of the December 13, 2023 meeting.

Robin Lenio, City Secretary

A motion to **Approve**, Item III-A, The approval of the December 13, 2023 minutes., was made by David James and seconded by Danilo Alvarado, the motion **Passed**.

Ayes: Alvarado, Butler, James, Morton, White

Absent: Boettcher, Brahmbhatt, Puvvada

IV. PUBLIC HEARING

- A. PUBLIC HEARING 5:00 P.M.:** Receive and hear all persons desiring to be heard on a proposed Special Exception to the Rear Yard Setback for 98 Heathrow Lane, Lot 8, Block 5, Sweetwater, Section 1 in the Restricted Single Family Residential (R-1R) Zoning District.

Consideration of and action on a proposed Special Exception to the Rear Yard Setback for 98 Heathrow Lane, Lot 8, Block 5, Sweetwater, Section 1 in the Restricted Single Family Residential (R-1R) Zoning District.

Emily Ercius, Planner I

Emily Ercius, Planner I gave a presentation, made comments and answered questions from the Board.

A motion to **Approve**, Item IV-A, The approval of the Special Expectation of the Rear Yard Setback for 98 Heathrow Lane., was made by Phillip Butler and seconded by Doug White, the motion **Passed**.

Ayes: Alvarado, Butler, James, Morton, White

Absent: Boettcher, Brahmbhatt, Puvvada

V. ADJOURNMENT

A motion to **Approve**, Adjournment at 5:14 p.m., was made by David James and seconded by Josh Morton, the motion **Passed**.

Ayes: Alvarado, Butler, James, Morton, White

Absent: Boettcher, Brahmbhatt, Puvvada

Chikeersha Puvvada, Chairman

Robin Lenio, City Secretary





Zoning Board of Adjustment Request
MARCH 20, 2024

AGENDA REQUEST NO: IV.A.

AGENDA OF: Zoning Board of Adjustment Meeting

INITIATED BY: *Emily Ercius, Planner I*

PRESENTED BY: *Emily Ercius, Planner I*

RESPONSIBLE DEPARTMENT: Planning & Development Services

AGENDA CAPTION:

PUBLIC HEARING 5:00 P.M.: Receive and hear all persons desiring to be heard on a proposed Special Exception to the Rear Yard Setback for 58 Bendwood Drive, Lot 58, Sugar Creek Section 8, in the Zero Lot Line Single-Family Residential (R-1Z) Zoning District.

Consideration of and action on a proposed Special Exception to the Rear Yard Setback for 58 Bendwood Drive, Lot 58, Sugar Creek Section 8, in the Zero Lot Line Single-Family Residential (R-1Z) Zoning District.

RECOMMENDED ACTION:

Staff recommends that the Special Exception be approved subject to the following conditions:

- The addition is constructed in accordance with the attached site plan.
- The addition is constructed in accordance with the attached elevations.

EXECUTIVE SUMMARY:

This is a request for a Special Exception from the required 10-foot rear yard setback in the Zero Lot Line Single-Family Residential (R-1Z) Zoning District for a proposed addition located at 58 Bendwood Drive. The property was platted in 1972 as Sugar Creek, Section 8. Once the property was annexed into the City of Sugar Land in 1984, R-1Z zoning was subsequently applied to the subdivision, which requires 10-foot rear yard setbacks for

primary structures.

The recorded restriction establishes a 3-foot rear yard setback (Instrument No 2024015070 F.B.C.P.R.).

Per Chapter 2, Article II, Section 2-72 of Sugar Land’s Development Code, primary structures within the Zero Lot Line Single-Family Residential (R-1Z) Zoning District are required to meet a rear yard setback of 10 feet. The proposed addition would project 7 feet into the required rear yard. Granting the Special Exception would relieve the 10-foot rear yard primary setback requirements, allowing the addition to be constructed as proposed.

BUDGET

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

FUNDING SOURCE:N/A

ATTACHMENTS:

| Description | Type |
|----------------------------|----------------------------|
| □ 58 Bendwood Staff Report | Other Supporting Documents |

SPECIAL EXCEPTION 58 BENDWOOD DRIVE

Request for a Special Exception to the Zero Lot Line Single-Family Residential District (R-1Z) rear yard setback standards for 58 Bendwood Drive, Sugar Creek, Section 8.

Analysis of Four Criteria

Criterion One: The latest recorded plat of the property was approved prior to being annexed into the City.

Plat Recorded: 1972

Property Annexed: 1984

Criterion Two: The latest recorded plat or other recorded restriction for the property establishes a setback or other regulation that results in a setback that is less restrictive than the setback required by the City of Sugar Land Development Code (Chapter 2).

The recorded restriction establishes a 3-foot rear yard setback (Instrument No 2024015070 F.B.C.P.R.).

Per Chapter 2, Article II, Section 2-72 of Sugar Land's Development Code, primary structures within the Zero Lot Line Single-Family Residential (R-1Z) Zoning District are required to meet a rear yard setback of 10 feet. The proposed addition is attached to the rear of the existing home. The addition will extend approximately 7' into the required rear yard. Granting the Special Exception would relieve the 10-foot rear yard primary setback requirement, allowing the addition to be constructed as proposed.

Criterion Three: Granting the Special Exception will not establish a setback that is less restrictive than the setback established by the latest approved plat or other recorded restriction.

The recorded restriction establishes a 3-foot rear yard setback (Instrument No 2024015070 F.B.C.P.R.). The Special Exception will not grant a setback that is less restrictive than those established by the recorded plat.

Criterion Four: Granting the Special Exception will not be detrimental to the public welfare or injurious to the property or improvements in the district or neighborhood in which the property is located.

Staff has examined the proposed Special Exception for three key aspects:

- *Public Safety Review:* There do not appear to be any public safety issues associated with this request. Staff has not identified safety concerns as a result of the addition.
- *Proposal and the Neighborhood – Rear Yard Setback Comparison:* The proposed addition appears to be generally compatible with the neighborhood based on an analysis

Special Exception 58 Bendwood Drive

of the surrounding area. Approximately 14 homes within the immediate area do not meet the rear yard setback requirement of 10 feet. There are 0 approved Special Exceptions in the area. The proposed addition is in compliance with the recorded restrictions.

- *Proposal and the Neighborhood* – General Architectural: The proposed addition appears to be architecturally compatible with the existing single-family residence and neighborhood.

PUBLIC HEARING NOTICE

The Notice of Public Hearing was published in a newspaper of general circulation and on the City of Sugar Land's Internet Home Page. All property owners within 200' of the subject property were notified. The public hearing notice included a link to an online form that can be submitted to provide comments in advance of the meeting. A courtesy public hearing sign was placed at the property. At the time of writing this report, staff has received no inquiries and is not aware of any opposition to the Special Exception.

RECOMMENDATION

Staff recommends that the Special Exception be approved subject to the following conditions:

- The addition is constructed in accordance with the attached site plan.
- The addition is constructed in accordance with the attached elevations.

PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING



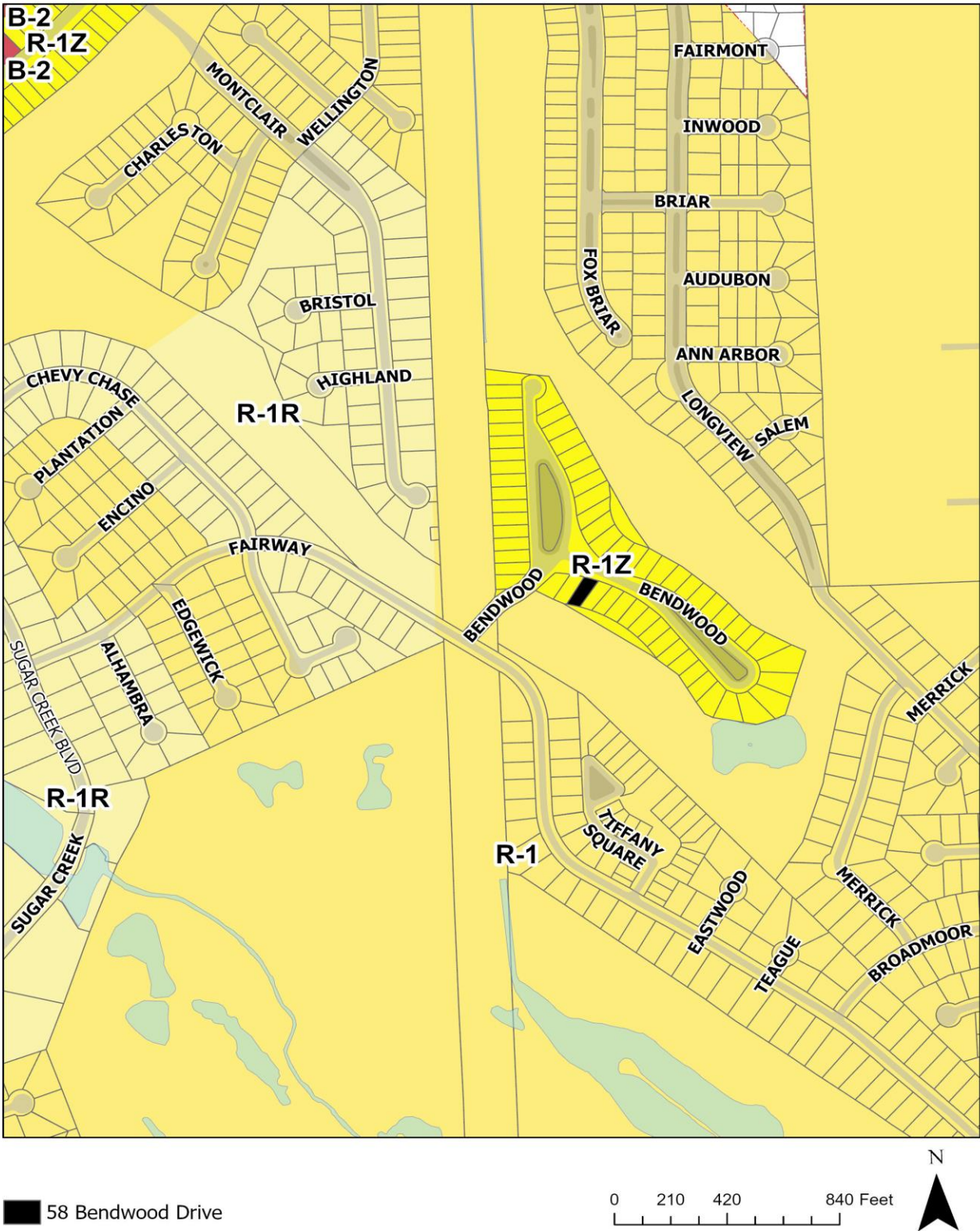
SPECIAL EXCEPTION REQUEST FROM THE REAR YARD SETBACK REQUIREMENTS IN THE ZERO LOT LINE SINGLE-FAMILY RESIDENTIAL (R-1Z) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 58 BENDWOOD DRIVE

Zoning Board of Adjustment Public Hearing 5:00 p.m., March 20, 2024, City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North, hosted via live stream at <http://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/sugarlandtxgov/live> and Sugar Land Comcast Subscribers can also tune-in on Channel 16, to hear all persons interested in the proposed Special Exception to the Rear Yard Setback for 58 Bendwood Drive, Lot 58, Sugar Creek Section 8, in the Zero Lot Line Single Family Residential (R-1Z) Zoning District.

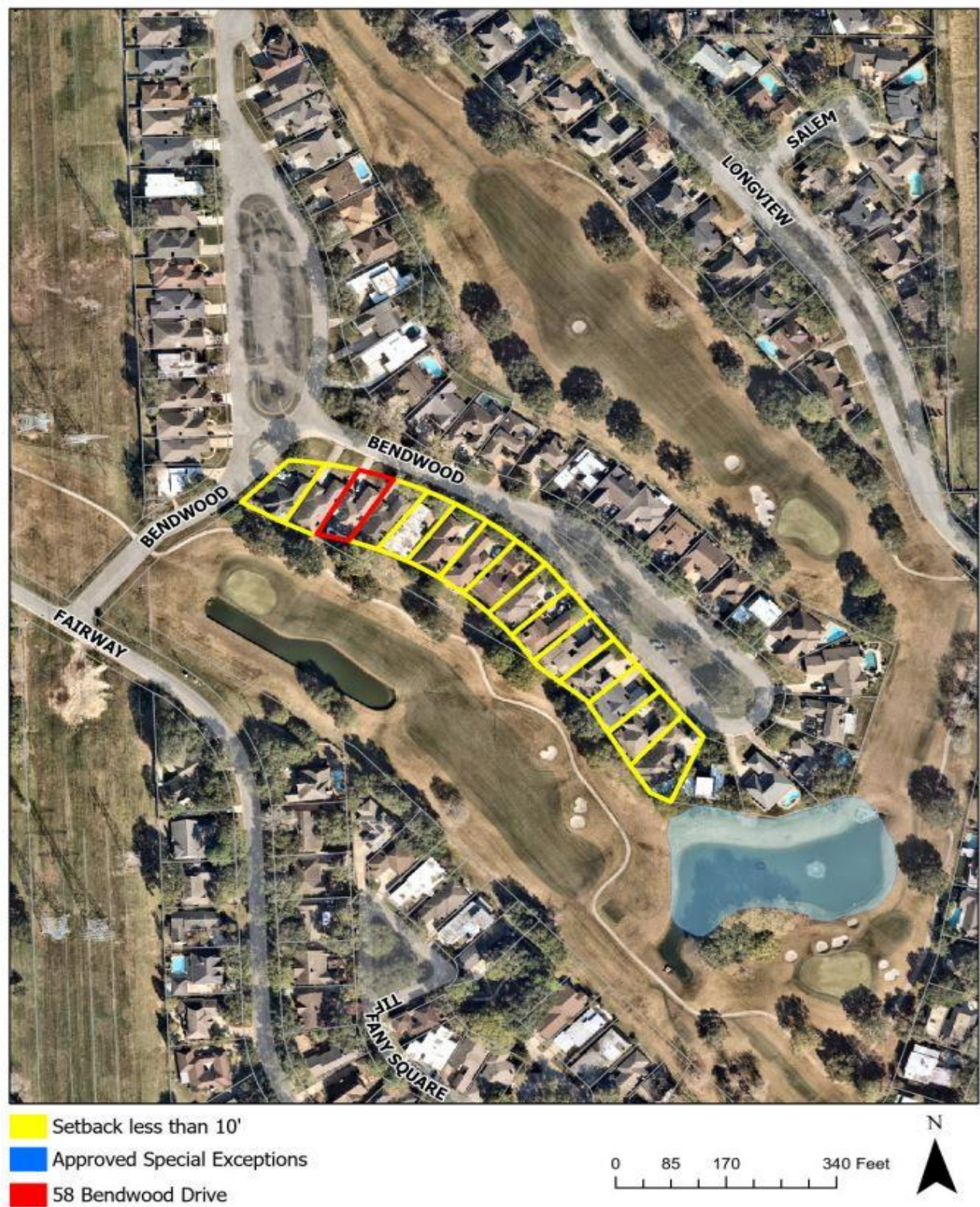
The Special Exception would relieve the 10-foot rear yard primary setback requirement, allowing the new addition to meet the recorded restriction of 3 feet.

The agenda item for this meeting will be placed on the City of Sugar Land website at www.sugarlandtx.gov under "Meeting Agendas" Zoning Board of Adjustment no later than Friday, March 15, 2024. Request details or provide feedback on the proposed special exception online at www.sugarlandtx.gov/PublicHearingComment or contact City of Sugar Land Planning & Development Services Department at (281) 275-2218.

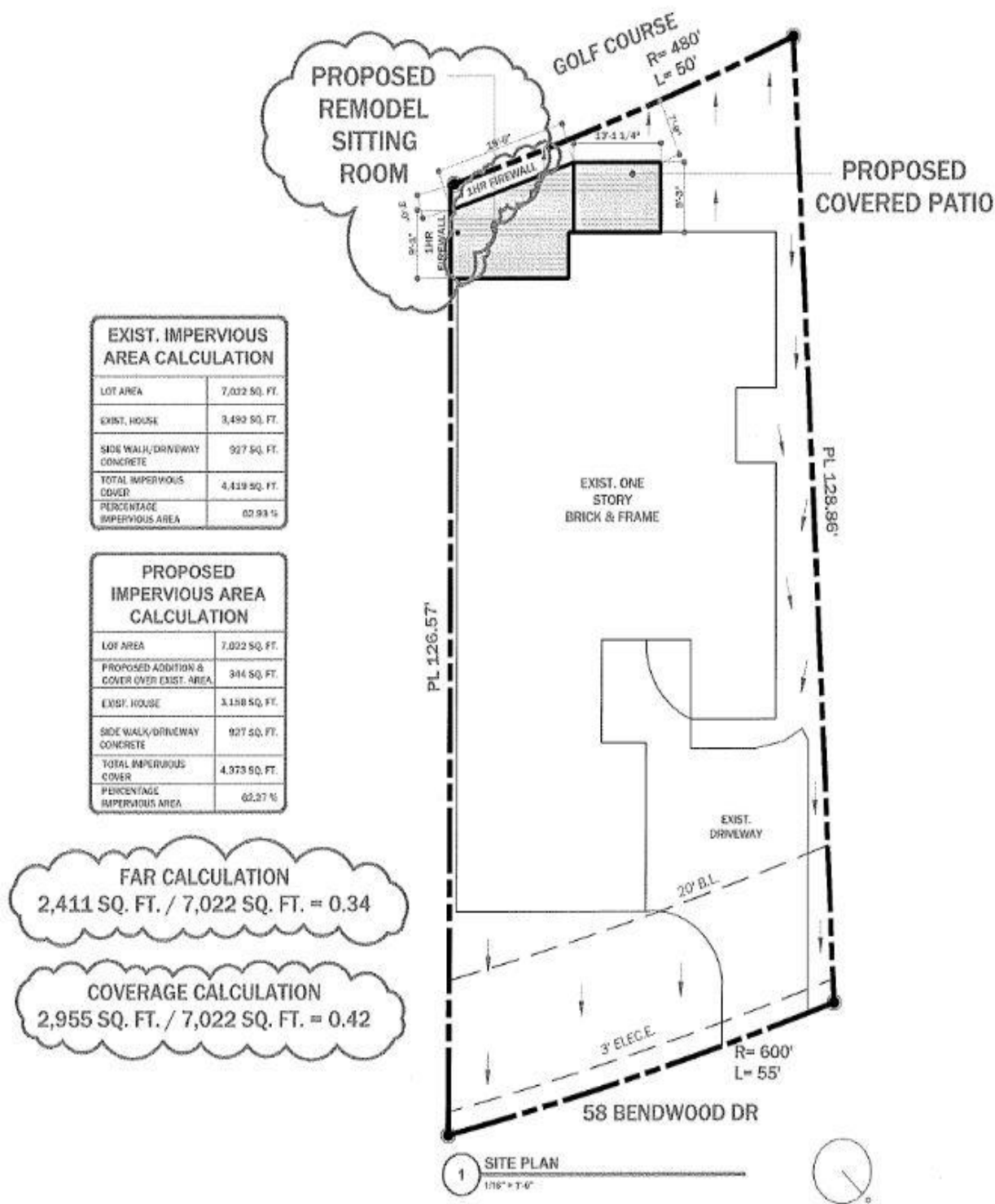
VICINITY MAP



AERIAL MAP



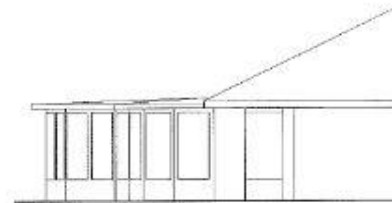
PLOT PLAN



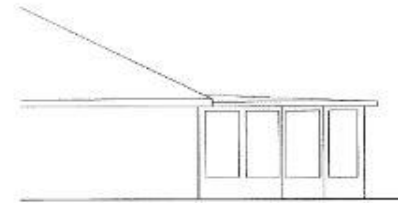
ELEVATIONS



1 EXISTING SOUTH EXTERIOR ELEVATION
18'0" x 11'8"



2 EXISTING EAST EXTERIOR ELEVATION
11'7" x 11'8"



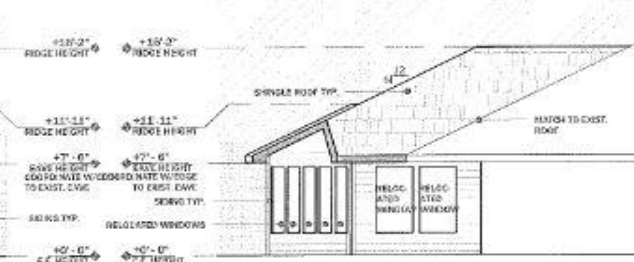
3 EXISTING WEST EXTERIOR ELEVATION
5'5" x 11'8"

PROPOSED SOUTH EXTERIOR ELEVATION: This elevation shows the proposed exterior of the building from the south. It features a gabled roof with a ridge height of 13'0". The building has a new column and a new window. The existing windows are to be replaced with new windows. The existing roof is to be replaced with a new roof. The existing siding is to be replaced with new siding. The existing paint is to be replaced with new paint. The existing landscaping is to be replaced with new landscaping. The existing driveway is to be replaced with a new driveway. The existing parking area is to be replaced with a new parking area. The existing walkway is to be replaced with a new walkway. The existing fence is to be replaced with a new fence. The existing gate is to be replaced with a new gate. The existing gatepost is to be replaced with a new gatepost. The existing gate hardware is to be replaced with new gate hardware. The existing gate finish is to be replaced with new gate finish. The existing gate color is to be replaced with new gate color. The existing gate texture is to be replaced with new gate texture. The existing gate pattern is to be replaced with new gate pattern. The existing gate design is to be replaced with new gate design. The existing gate style is to be replaced with new gate style. The existing gate material is to be replaced with new gate material. The existing gate type is to be replaced with new gate type. The existing gate brand is to be replaced with new gate brand. The existing gate model is to be replaced with new gate model. The existing gate size is to be replaced with new gate size. The existing gate weight is to be replaced with new gate weight. The existing gate length is to be replaced with new gate length. The existing gate width is to be replaced with new gate width. The existing gate height is to be replaced with new gate height. The existing gate depth is to be replaced with new gate depth. The existing gate volume is to be replaced with new gate volume. The existing gate area is to be replaced with new gate area. The existing gate perimeter is to be replaced with new gate perimeter. The existing gate circumference is to be replaced with new gate circumference. The existing gate surface area is to be replaced with new gate surface area. The existing gate total area is to be replaced with new gate total area. The existing gate volume is to be replaced with new gate volume. The existing gate weight is to be replaced with new gate weight. The existing gate length is to be replaced with new gate length. The existing gate width is to be replaced with new gate width. The existing gate height is to be replaced with new gate height. The existing gate depth is to be replaced with new gate depth. The existing gate volume is to be replaced with new gate volume. The existing gate area is to be replaced with new gate area. The existing gate perimeter is to be replaced with new gate perimeter. The existing gate circumference is to be replaced with new gate circumference. The existing gate surface area is to be replaced with new gate surface area. The existing gate total area is to be replaced with new gate total area.

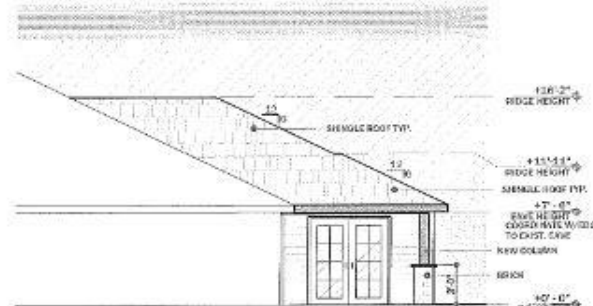


4 PROPOSED SOUTH EXTERIOR ELEVATION
18'0" x 11'8"

PROPOSED EAST EXTERIOR ELEVATION: This elevation shows the proposed exterior of the building from the east. It features a gabled roof with a ridge height of 13'0". The building has a new column and a new window. The existing windows are to be replaced with new windows. The existing roof is to be replaced with a new roof. The existing siding is to be replaced with new siding. The existing paint is to be replaced with new paint. The existing landscaping is to be replaced with new landscaping. The existing driveway is to be replaced with a new driveway. The existing parking area is to be replaced with a new parking area. The existing walkway is to be replaced with a new walkway. The existing fence is to be replaced with a new fence. The existing gate is to be replaced with a new gate. The existing gatepost is to be replaced with a new gatepost. The existing gate hardware is to be replaced with new gate hardware. The existing gate finish is to be replaced with new gate finish. The existing gate color is to be replaced with new gate color. The existing gate texture is to be replaced with new gate texture. The existing gate pattern is to be replaced with new gate pattern. The existing gate design is to be replaced with new gate design. The existing gate style is to be replaced with new gate style. The existing gate material is to be replaced with new gate material. The existing gate type is to be replaced with new gate type. The existing gate brand is to be replaced with new gate brand. The existing gate model is to be replaced with new gate model. The existing gate size is to be replaced with new gate size. The existing gate weight is to be replaced with new gate weight. The existing gate length is to be replaced with new gate length. The existing gate width is to be replaced with new gate width. The existing gate height is to be replaced with new gate height. The existing gate depth is to be replaced with new gate depth. The existing gate volume is to be replaced with new gate volume. The existing gate area is to be replaced with new gate area. The existing gate perimeter is to be replaced with new gate perimeter. The existing gate circumference is to be replaced with new gate circumference. The existing gate surface area is to be replaced with new gate surface area. The existing gate total area is to be replaced with new gate total area.



5 PROPOSED EAST EXTERIOR ELEVATION
11'7" x 11'8"



6 PROPOSED WEST EXTERIOR ELEVATION
11'7" x 11'8"

GENERAL NOTES

- CONTRACTOR TO EXAMINE AND VERIFY FIELD CONDITIONS AND DIMENSIONS.
- THE OWNER & CONTRACTOR SHALL HOLD MAINTAIN THE EXISTING SURVEY & CONSIDER FROM AND AMONGST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES INCURRED BY THE CONTRACTOR ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE WORK BY THE CONTRACTOR AND/OR INFORMATION PROVIDED FROM CLIENT, CONTRACTOR OR THIRD PARTIES.
- ALL WORK AND MATERIALS SHALL MEET THE REQUIREMENTS OF THE LOCAL AND STATE ELECTRIC CODES AND THE AMENDMENTS OF THE NATIONAL BOARD OF THE UNDERWRITERS. THE DRAWINGS SHOW THE GENERAL ARRANGEMENT AND CONTENT OF THE WORK, AS THE WORK PROGRESSES, THE OWNER AND CONTRACTOR AT NO COSTS SHALL MAKE MODIFICATIONS TO MAKE THE WORK ALIGN.
- CHANGES TO THE PLANS BY THE OWNER AND CONTRACTOR SHALL BE THE RESPONSIBILITY OF THE PERSON MAKING SUCH CHANGES. CONTRACTOR SHALL CHECK AND VERIFY ALL PLANS DIMENSIONS AND CONDITIONS BEFORE PROCEEDING WITH CONSTRUCTION. DO NOT SCALE THE DRAWINGS. ALL ADJUSTMENTS SHALL BE MADE TO THE PLANS.

IMPORTANT NOTE:
CONTRACTOR TO FIELD VERIFY AND COORDINATE ALL DIMENSIONS WITH EXISTING FIELD CONDITIONS AND FIELD CONSTRUCTION.

INSTALL 2 LAYERS OF 30# FIBER GLASS ROOFING FELT ON ROOFS WITH LESS THAN 4:12 SLOPE.

SCALE: 1/8" = 1'-0"



C:\Users\jg2021\OneDrive\Documents\Projects\58 Bendwood Dr\58 Bendwood Dr\58 Bendwood Dr.dwg, 3/12/2024 4:21:36 PM, A/E/J: JLD, S/E: JLD, 11'00" x 17'00" (inches)

HOA APPROVAL



Sugar Creek

Homes Association
101 Southwestern Blvd. Suite 117
Sugar Land, TX 77478

October 9, 2023

GEORGE & BARBARA DOLAN
58 BENDWOOD DRIVE
SUGAR LAND, TX 77478

RE: Architectural Submittal
Sec. 08 Block. 00 Lot. 58

Dear Resident,

The Architectural Committee reviewed the application submitted to adding a patio cover and room addition. They voted to **approve** your request based on the information submitted with the application.

Please be advised that the Sugar Creek Homes Association does not warrant improvements including structural design, functional concerns, and building code compliance. It is the responsibility of the homeowner to ensure the quality of craftsmanship and materials, to obtain a permit from the City of Sugar Land, and to verify the adequacy of design. Also, **contractor's signs are not allowed** as they are in violation of deed restrictions. Project must begin within 180 days of this approval letter to avoid resubmittal requirement.

Thank you for cooperating with the architectural review process. Please contact the Association office if you have any questions.

Sincerely,
SUGAR CREEK HOMES ASSOCIATION

Robin Hail
General Manager

RH:ks