

Helen Ward, Commissioner
Larry Granados, Commissioner



Lewis Rice, Chairman

Abigail Mayer, Commissioner
Lauren Turner, Vice Chairman

**ROANOKE ZONING BOARD OF ADJUSTMENT AGENDA
JANUARY 19, 2023
7:00 PM**

**ROANOKE CITY HALL
CITY COUNCIL CHAMBERS – 2ND FLOOR
500 S. OAK STREET
ROANOKE, TEXAS 76262**

A. CALL TO ORDER

B. PUBLIC INPUT

This item is available for citizens to address the Zoning Board of Adjustment on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda. In order to provide the highest quality audio, all speakers need to speak at the podium.

C. APPROVAL OF THE MINUTES

1. Consideration and action on approval of the minutes from the regular meeting of the Zoning Board of Adjustment held on September 15, 2022.

D. NEW BUSINESS

1. Public hearing to consider a Special Exception Request (SEP-2023-01) from Brilliant Home Builders seeking relief from City's Code of Ordinances Section 12.601(3) Building Massing and Scale (A.) & (B.) regarding second story offset and lot coverage for Lot 3R, Block 15, O.T. Roanoke Addition, an addition located within the City of Roanoke, Denton County, Texas, and generally located at 313 Rusk Street.
2. Consideration and action on a Special Exception Permit (SEP 2023-01) requested by Brilliant Home Builders seeking relief from city's code of ordinances section 12.601(3)a. & b., regarding second story offset and lot coverage for 313 Rusk Street, Lot 3R Block 15 in the O.T. Roanoke Addition, an addition located within the City Of Roanoke, Denton County,



**AGENDA FOR THE ROANOKE
ZONING BOARD OF ADJUSTMENT**

**January 19, 2023
Page 2 of 3**

Texas. The property is generally located on the north side of Rusk, west of Walnut Street.

3. Public hearing to consider a Special Exception Request (SEP-2023-02) from Brilliant Home Builders seeking relief from City's Code of Ordinances Section 12.601(3) Building Massing and Scale (A.) & (B.) regarding second story offset and lot coverage for Lot 2R, Block 15, O.T. Roanoke Addition, an addition located within the City of Roanoke, Denton County, Texas, and generally located at 317 Rusk Street.
4. Consideration and action on a Special Exception Permit (SEP 2023-02) requested by Brilliant Home Builders seeking relief from city's code of ordinances section 12.601(3)a. & b., regarding second story offset and lot coverage for 317 Rusk Street, Lot 2R Block 15 in the O.T. Roanoke Addition, an addition located within the City Of Roanoke, Denton County, Texas. The property is generally located on the north side of Rusk, west of Walnut Street.

The Zoning Board of Adjustment reserves the right to adjourn into Executive Session during the course of this meeting to discuss any item on the posted agenda as authorized by Chapter 551 of the Texas Government Code.

E. ADJOURNMENT

CERTIFICATION

I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Thursday, January 12, 2023, by 5:00 pm, in accordance with Chapter 551, Texas Government Code.

April S. Hill, City Secretary

*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRAILLE IS NOT AVAILABLE.**



**AGENDA FOR THE ROANOKE
ZONING BOARD OF ADJUSTMENT**

**January 19, 2023
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A public wireless network is now available in the Council Chambers for use during meetings. It is available from 7am to 11pm Monday thru Friday. The name of the network is: City Hall Guests



AGENDA ITEM

TO: ZBA Board Members

SUBJECT: 09/15/2022 - ZBA Minutes

MEETING DATE: January 19, 2023

DEPARTMENT: City Secretary

ITEM SUMMARY:

Consideration and action on approval of the minutes from the regular meeting of the Zoning Board of Adjustment held on September 15, 2022.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. ZBAMin 09-15-2022



Helen Ward, Commissioner
Larry Granados, Commissioner

Lewis Rice, Chairman

Abigail Mayer, Commissioner
Lauren Turner, Vice Chairman

**ROANOKE ZONING BOARD OF
ADJUSTMENT REGULAR MEETING
MINUTES
SEPTEMBER 15, 2022
7:00 P.M.**

**ROANOKE CITY HALL
500 S. OAK STREET
ROANOKE, TEXAS 76262**

Present: Chairman Lewis Rice; Vice Chairman Lauren Turner; Commissioners: Helen Ward, Larry Granados, and Abigail Mayer; Interim City Manager Cody Petree; City Planner Kelly Carlson and Secretary Sherry Gragg.

A. CALL TO ORDER

Meeting called to order at 7:01p.m.

B. PUBLIC INPUT

No one wished to speak.

C. APPROVAL OF THE MINUTES

1. Motion made by Helen Ward second by Abigail Mayer to approve with corrections, the minutes from the Zoning Board of Adjustment meeting held on December 16, 2021.

Motion carried unanimously.

C. NEW BUSINESS

1. Public hearing to consider a Variance Request (V-2022-02) from Larry Merchant, seeking relief from City's Code of Ordinances Section 12.601 (D)(2), regarding area regulations for side yard requirements for the Old Town Roanoke Neighborhood Design Overlay District. The applicant proposes 5 foot side yard setbacks when development standards for the district provide that the minimum side yard setback is 7.5 feet. The proposed project is located on Lot 3, Block 23, Original Town of Roanoke Addition, and has a property address of 303 Travis Street.

Public hearing started at 7:04 p.m.



**MINUTES FOR THE ZONING BOARD OF
ADJUSTMENT MEETING**

**September 15, 2022
Page 2 of 2**

John Heilman, contractor for this project, gave an overview of the project and stated he is available to answer questions.

Public hearing ended at 7:06 p.m.

2. Motion made by Abigail Mayer second by Helen Ward to approve a Variance (V-2022-02) request from Larry Merchant seeking relief from City's Code of Ordinances Section 12.601(d)(2).a. Table 1 regarding side yard setback requirements for the Old Town Roanoke Neighborhood Design Overlay District, for Lot 3, Block 23, OT Roanoke Addition, and having a property address of 303 Travis Street.

Motion carried unanimously.

3. Public hearing to consider a Special Exception Request (SEP-2022-01) from Larry Merchant, seeking relief from the City's Code of Ordinances Section 12.601 (3)(B) Table 2, regarding area regulations for lot coverage requirements for the Old Town Roanoke Neighborhood Design Overlay District. The applicant proposes 28% lot coverage when development standards for the district provide that the maximum lot coverage should be 25%. The proposed project is located on Lot 3, Block 23, Original Town of Roanoke Addition, and has a property address of 303 Travis Street.

Public hearing started at 7:10 p.m.

John Heilman, contractor for this project, explained the owner wants to have a rear entry garage, which will put the one side over the 25% coverage.

Public hearing ended at 7:11 p.m.

4. Motion made by Helen Ward second by Lauren Turner to approve a Special Exception (SEP 2022-01) request from Larry Merchant seeking relief from City's Code of Ordinances Section 12.601(d)(3).b Table 1 regarding lot coverage standards in the Old Town Roanoke Neighborhood Design Overlay District, for Lot 3, Block 23, OT Roanoke Addition, and having a property address of 303 Travis Street. The property is located on the northwest corner of Travis and Walnut.

Motion carried unanimously.

D. ADJOURNMENT

Motion made by Helen Ward second by Abigail Mayer to adjourn the meeting at 7:16 p.m.

Motion carried unanimously.

Lewis Rice, Chairman

Sherry Gragg, City Secretary



AGENDA ITEM

TO: ZBA Board Members

SUBJECT: PH Notice - 313 Rusk Street - SEP 2023-01

MEETING DATE: January 19, 2023

DEPARTMENT: City Secretary

ITEM SUMMARY:

Public hearing to consider a Special Exception Request (SEP-2023-01) from Brilliant Home Builders seeking relief from City's Code of Ordinances Section 12.601(3) Building Massing and Scale (A.) & (B.) regarding second story offset and lot coverage for Lot 3R, Block 15, O.T. Roanoke Addition, an addition located within the City of Roanoke, Denton County, Texas, and generally located at 313 Rusk Street.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. PH Notice - SEP-2023-01 - 313 Rusk Street - Lot Coverage & 2nd Story Offset



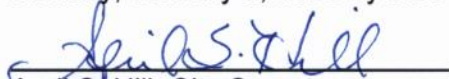
City of Roanoke Notice of Public Hearing Zoning Amendment

CITY OF ROANOKE ZONING BOARD OF ADJUSTMENT SEP-2023-01

THE ROANOKE ZONING BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON THURSDAY JANUARY 19, 2023 TO CONSIDER A SPECIAL EXCEPTION REQUEST FROM BRILLIANT HOME BUILDERS SEEKING RELIEF FROM CITY'S CODE OF ORDINANCES SECTION 12.601(3) BUILDING MASSING AND SCALE (a.) & (b.) REGARDING SECOND STORY OFFSET AND LOT COVERAGE FOR LOT 3R, BLOCK 15, O.T. ROANOKE ADDITION, AN ADDITION LOCATED WITHIN THE CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND GENERALLY LOCATED AT 313 RUSK STREET. THE PUBLIC HEARING WILL BE HELD AT 7:00 P.M. AT THE ROANOKE CITY HALL LOCATED AT 500 S OAK STREET, ROANOKE, TEXAS.

CERTIFICATION

I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Monday, January 2, 2023 by 5:00 p.m.



April S. Hill, City Secretary

*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRILLE IS NOT AVAILABLE.**

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AGENDA ITEM

TO: ZBA Board Members

SUBJECT: Special Exception Permit (SEP 2023-01) 313 Rusk Street

MEETING DATE: January 19, 2023

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on a Special Exception Permit (SEP 2023-01) requested by Brilliant Home Builders seeking relief from city's code of ordinances section 12.601(3)a. & b., regarding second story offset and lot coverage for 313 Rusk Street, Lot 3R Block 15 in the O.T. Roanoke Addition, an addition located within the City Of Roanoke, Denton County, Texas. The property is generally located on the north side of Rusk, west of Walnut Street.

INFORMATION:

Any modifications or appeals to any overlay standard shall be reviewed and considered for approval by a Special Exception Permit Application submitted to the Zoning Board of Adjustment. The lot is narrower than the typical lots for single family development. Special Exceptions have been approved for lots within the Old Town Roanoke Neighborhood Design Overlay.

History:

Variance 2021-01 (V-2021-01) was approved granting 5 ft. side yards and combining the alley for Lots 1,2,3,4,5, and 6.

An Amending Plat was filed on August 10, 2022.

PLANNING ANALYSIS:

- 7,700 sf lot
- 55' lot width
- 2nd story is less than 50% of the first floor square footage.

Sec. 12.601. - Old Town Roanoke Neighborhood Design Overlay.

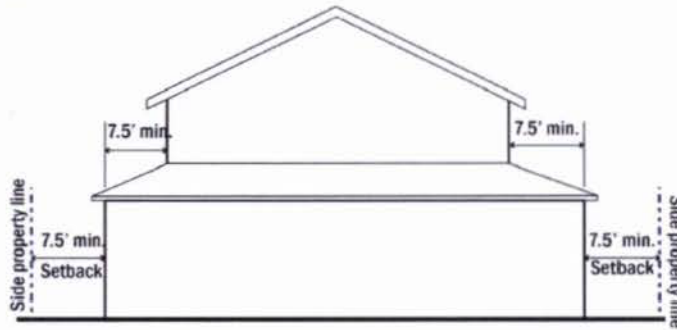
(3)Building massing and scale.

a.Height. Building height shall be a maximum of two (2) stories (not to exceed thirty



AGENDA ITEM

feet (30')). All second floors shall be set back from the side property lines by an additional seven and one-half (7.5) feet.



b. Lot coverage and massing shall be based on the size of the lot per Table 2. Second floor square footage shall be limited to a maximum of fifty percent (50%) of the first floor square footage.

Table 2: Lot Coverage Standards by Lot Size

Lot Size (sq. ft.)	Lot Coverage (maximum)
10,000 sq. ft. and under	25%

STAFF RECOMMENDATION:

The plans meet the intent of the overlay and similar SEP's have been granted. Staff recommends approval.

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. SEP 2023-01 -313 Rusk Street
2. 313 Rusk SEP Sup Docs
3. Pine and Rusk readdress replat 06-25-2022



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411

SPECIAL EXCEPTION APPLICATION

Name of Applicant Aaron Brown	Address of Applicant PO BOX 1398 Roanoke, TX 76262	Phone No./Email 817-527-8588
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Name of Business LMB Properties LLC, Dba Brilliant Home Builders	Type of Business Custom Home Builder
Location of Property 313 Rusk, Roanoke, TX 76262	Lot / Block / Subdivision lot 3 R/ Block 15/ Original town of Roanoke

Exception Requested:

We are requesting a Lot Coverage Exception from 25% to 33%, Also, we would like an exception for

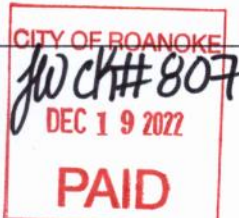
the second story 7.5' offset requirement.

12.60/13)(a)+(b). Table 2 Lot Coverage

The Special Exception fee is \$200.00 per request. This fee is non-refundable. The Roanoke Zoning Board of Adjustment meets on the 3rd Thursday of the month, at 7:00 p.m., at City Hall located at 500 S Oak Street, Roanoke, Texas. You will be notified by phone of the date the request will be presented before the ZBA. Property Owners located within 200 feet will be notified by mail. Electronic drawings and any additional information that needs to be reviewed prior to the meeting must be received with the application.

FOR OFFICE USE ONLY

Date Payment Received	Date of Meeting JAN 19 2023	Date Notified JAN 05 2023	Special Exception No. SEP- <u>2023</u> - <u>01</u>
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8/23/2019

PRELIMINARY
NOT FOR CONSTRUCTION



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Brilliant Design Studio
811 S Oak St.
Roanoke, VA 24062
817-874-7020
www.brilliantdesignstudio.com

Brilliant Home Builders is a registered professional architectural firm. It is the policy of Brilliant Home Builders to provide the highest quality of service to its clients. The firm's commitment to excellence is reflected in its dedication to providing the highest quality of service to its clients. The firm's commitment to excellence is reflected in its dedication to providing the highest quality of service to its clients. The firm's commitment to excellence is reflected in its dedication to providing the highest quality of service to its clients.

BRILLIANT
HOME BUILDERS

Brilliant HB - Spec
Lot 3R
Rusk St. Roanoke
TX 76262

Front View

3D VIEWS 2

3D

Project Name



1 FRONT VIEW (COLOR)
SCALE: 1/8" = 1'-0"

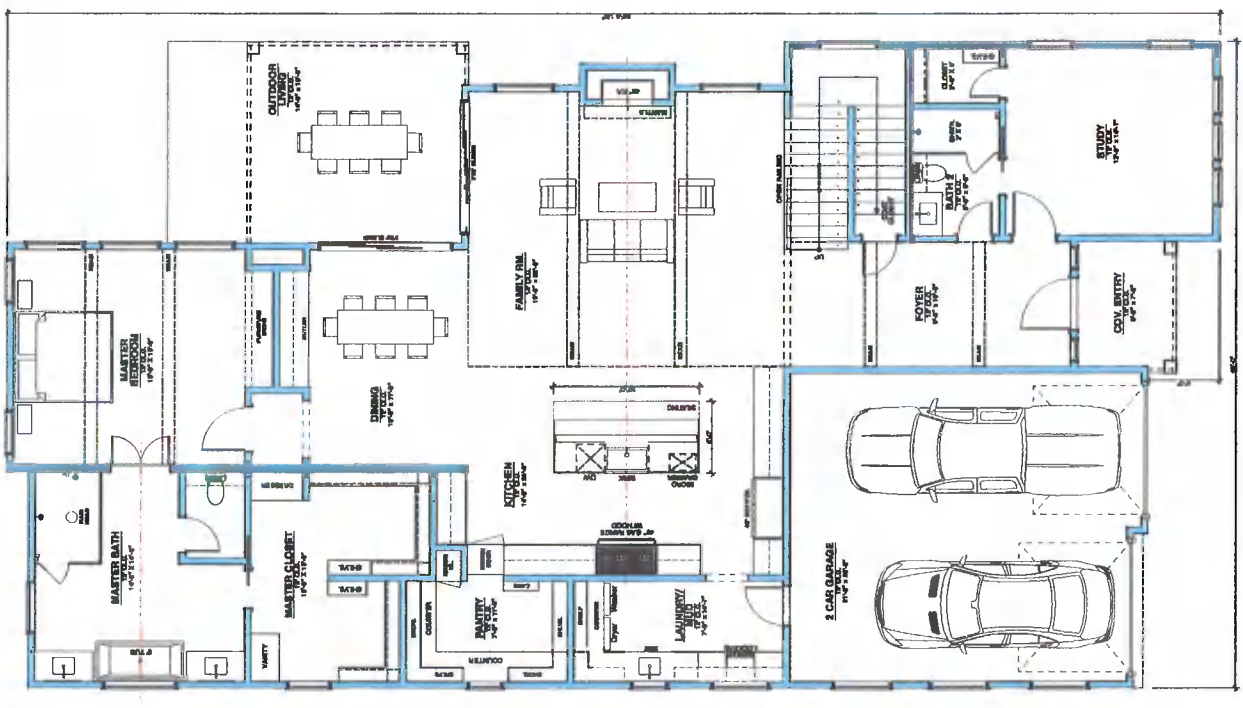


Our designs are based on the best available information and are intended to be used as a guide only. The client is responsible for obtaining all necessary permits and for verifying the accuracy of all information. The client is also responsible for obtaining all necessary approvals from the appropriate authorities. Buckner Design Studio is not responsible for any errors or omissions in this document. Any reproduction is strictly prohibited.

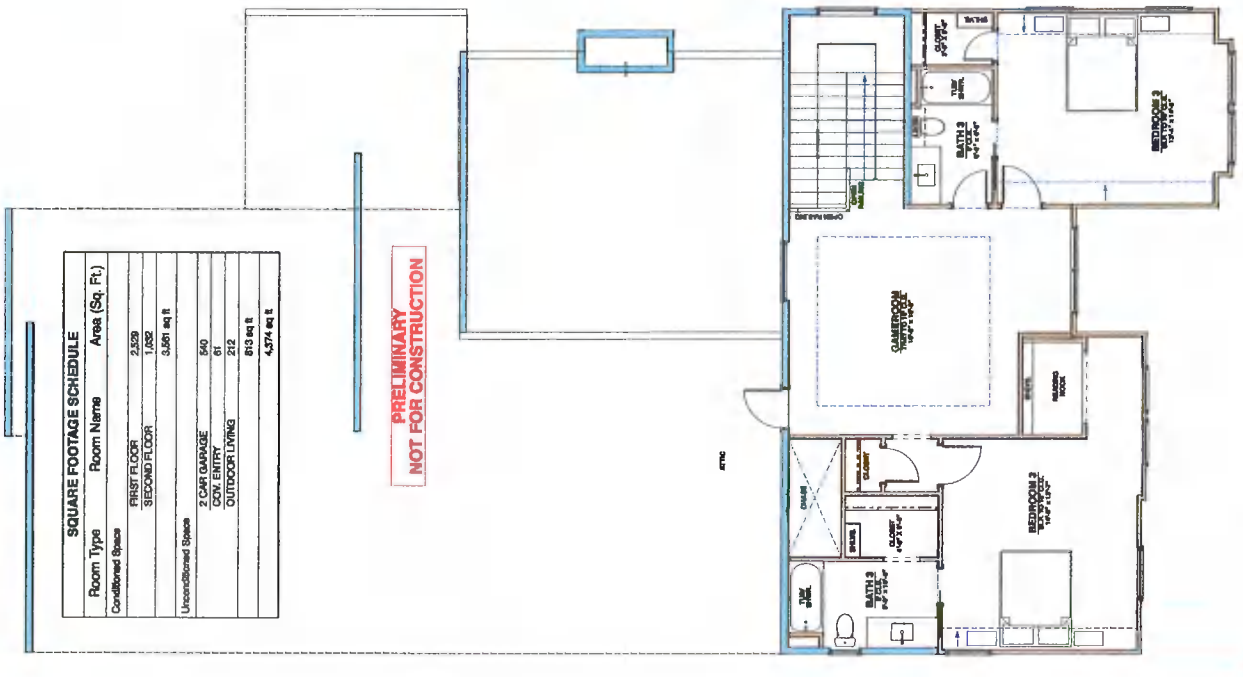
BRILLIANT
 HOME BUILDERS

Brilliant HB - Spec
 Lot 3R
 Rusk St. Roanoke
 TX 76262

Revisions
 Floor Plans
A101
 Project No.



1 First Floor Plan
 SCALE: 1/8" = 1'-0"



2 Second Floor Plan
 SCALE: 1/8" = 1'-0"

SQUARE FOOTAGE SCHEDULE		
Room Type	Room Name	Area (Sq. Ft.)
Conditioned Space	Master Bedroom	168.00
	Master Bath	100.00
	Master Closet	110.00
Unconditioned Space	2 Car Garage	110.00
	Outdoor Living	154.00
	Unconditioned Space	66.00
TOTAL		628.00

PRELIMINARY
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Brilliant Design Studio
311 S. Oak St.
Rusk St. Roanoke
TX 76262
www.brightdesignstudio.com

Brilliant Design Studio is a professional architectural firm that provides a wide range of services to its clients. We are committed to providing the highest quality of service and design to our clients. We are a team of professionals who work together to create a unique and beautiful design for each project. We are a team of professionals who work together to create a unique and beautiful design for each project. We are a team of professionals who work together to create a unique and beautiful design for each project.

BRILLIANT
HOME BUILDERS

Brilliant HB - Spec
Lot 2R
Rusk St. Roanoke
TX 76262

Brilliant HB

3D VIEWS 3

3D

Project 10000



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



2 STREETSCAPE 2
SCALE: 1/8" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION



DETAIL 1

SCALE 1"= 1000'

NOTES:

- 1) 1/2 INCH IRON PINS STAMPED "METROPLEX 10023300" SET AT ALL CORNERS.
- 2) LOT 1R, LOT 2R, AND LOT 3R ZONING - OAK STREET NEIGHBORHOOD TRANSITION ZONE
- 3) ALL BUILDING LINES ARE SET BY CITY OF ROANOKE ORDINANCE ARTICLE IV(1) SECTION 12.601
- 4) BEARINGS ARE BASED ON GPS OBSERVATIONS USING TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 NORTH CENTRAL TEXAS ZONE.
- 5) BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE OF A DESIGNATED 100 YEAR OR 500 YEAR FLOODPLAIN AS SHOWN BY FIRM MAP COMMUNITY-PANEL NUMBER 48121C0515G, DATED APRIL 18, 2011. NO SURVEYING WAS PERFORMED TO DETERMINE THIS FLOOD ZONE.
- 6) FIVE FOOT SIDE YARD VARIANCE APPROVED BY ROANOKE ZONING BOARD OF ADJUSTMENT COMMITTEE ON APRIL 15, 2021.

SURVEYORS CERTIFICATE

THAT I, BRAD G. SHELTON DO HEREBY CERTIFY THAT A SURVEY WAS MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION OF THE PROPERTY DESCRIBED HEREON AND THAT THE IRON RODS WERE PLACED IN ACCORDANCE WITH THE SURVEYOR'S REVIEW OF THE CITY OF ROANOKE, TEXAS. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR ANY PURPOSE OR RELIED UPON AS A FINAL SURVEY DOCUMENT

APPROVAL OF THE CITY OF ROANOKE, TEXAS

This amended plat was submitted to and considered by the City of Roanoke, Texas, and is hereby approved pursuant to Section 212.0065 and 212.016 of the Texas Local Government Code, as amended.

By: Scott Campbell, City Manager DATE

ATTEST: April S. Hill, City Secretary DATE



CALL AT LEAST 48 HOURS BEFORE DIGGING
(800) 545-6005 OR 811

Know what's below.
Call before you dig.

A FEDERAL LAW NOW IN EFFECT ALSO STATES THAT ANY PERSON WHO ENGAGES IN EXCAVATION ACTIVITIES WITHOUT FIRST USING AS AVAILABLE ONE-CALL NOTIFICATION SYSTEM TO DETERMINE LOCATIONS OF UNDERGROUND FACILITIES; OR WITHOUT HEEDING LOCATION INFORMATION OR MARKINGS AND SUBSEQUENTLY DAMAGES A PIPELINE FACILITY SHALL BE SUBJECT TO A FINE, IMPRISONMENT, OR BOTH. THE LAW ALSO STATES THAT OSHA MAY BE NOTIFIED OF ANY ACCIDENT CAUSED BY AN EXCAVATOR.



03/11/2022	CHANGED TO AMENDED PLAT IN SIGNATURE BOX
03/01/2022	LOT 1R DISTANCE REVISION
12/25/2021	REVISIONS PER CITY OF ROANOKE COMMENTS
12/10/2021	UPDATED PUBLIC UTILITY EASEMENTS
12/01/2021	UPDATED SIDE YARDS PER VARIANCE - SEE NOTE SIX

DATE REVISIONS

RLG	DWN.	SCALE
RLG	RLG	1"=20'
CKD.	BGS	DATE
BY:	BGS	10/20/2021



Metroplex
Surveying, Inc.

940-387-0506 223 W. HICKORY, DENTON, TEXAS 76201 info@metroplexsurveying.com

OWNER: LMB PROPERTIES, LLC
DBA BRILLIANT HOME BUILDERS
1216 WORTHINGTON STREET
GRAPEVINE, TEXAS 76051-5026

SURVEYOR: BRAD G SHELTON
METROPLEX SURVEYING INC.
223 W. HICKORY ST.
DENTON, TEXAS 76201
(940) 387-0506

FIRM NO. 10023300

SHEET	1
OF	1
JOB No.	38181

STATE OF TEXAS XX
COUNTY OF DENTON XX

WHEREAS WE, LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, ARE THE OWNERS OF A 0.997 ACRE TRACT OR PARCEL OF LAND AND BEING SITUATED IN THE MEP & PRR CO. SURVEY, ABSTRACT NUMBER 923, DENTON COUNTY, TEXAS, AND BEING ALL OF LOT 1 THROUGH LOT 6, BLOCK 15, ORIGINAL TOWN OF ROANOKE, CITY OF ROANOKE, DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME Q, PAGE 88, DEED RECORDS, DENTON COUNTY, TEXAS AND ALL OF A CALLED TRACT 4, 20-FOOT ALLEY ABANDONED BY CITY OF ROANOKE ORDINANCE 2013-121, DESCRIBED IN A DEED TO LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "METROPLEX 10023300" AT THE NORTHWEST CORNER OF LOT 6, AND THE INTERSECTION OF THE SOUTH LINE OF 20 FOOT ALLEY AND THE EAST RIGHT-OF-WAY LINE OF PINE STREET (60 FOOT RIGHT-OF-WAY);

THENCE SOUTH 65 DEGREES 41 MINUTES 11 SECONDS EAST, WITH THE NORTH LINE OF LOT 6 AND THE SOUTH LINE OF 20' ALLEY A DISTANCE OF 310.30 FEET TO FOUND 1/2 INCH IRON PIN STAMPED "METROPLEX 10023300" AT THE NORTHEAST CORNER OF LOT 1, AND THE INTERSECTION OF THE SOUTH LINE OF SAID 20 FOOT ALLEY AND THE WEST RIGHT-OF-WAY LINE OF WALNUT STREET (60 FOOT RIGHT-OF-WAY);

THENCE SOUTH 24 DEGREES 21 MINUTES 42 SECONDS WEST, WITH THE EAST LINE OF LOT 1 AND THE WEST LINE OF WALNUT STREET, A DISTANCE OF 310.30 FEET TO A FOUND PK NAIL AT THE SOUTHWEST CORNER OF LOT 1 AND THE INTERSECTION OF THE WEST LINE OF WALNUT STREET AND THE NORTH RIGHT-OF-WAY LINE OF RUSK STREET (70 FOOT RIGHT-OF-WAY);

THENCE NORTH 65 DEGREES 41 MINUTES 11 SECONDS WEST, WITH THE SOUTH LINE OF LOT 1, AND THE NORTH LINE OF RUSK STREET, A DISTANCE OF 310.30 FEET TO A FOUND 5/8 INCH IRON AT THE SOUTHWEST CORNER OF LOT 6 AND THE INTERSECTION OF THE NORTH LINE OF RUSK STREET AND THE EAST LINE OF PINE STREET;

THENCE NORTH 24 DEGREES 21 MINUTES 42 SECONDS EAST WITH THE EAST LINE OF LOT 6 AND THE WEST LINE OF PINE STREET A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 0.997 ACRES OF LAND.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT WE, LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, DO HEREBY ADOPT THIS AMENDING PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 1R THROUGH LOT 6R, BLOCK 15 ORIGINAL TOWN OF ROANOKE, CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO PUBLIC USE FOREVER THE STREETS, AND EASEMENTS SHOWN HEREON.

DATE

STATE OF TEXAS XX
COUNTY OF DENTON XX

BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE 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 SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC, STATE OF TEXAS

AMENDING PLAT
LOT 1R THROUGH LOT 6R,
BLOCK 15
OF
THE ORIGINAL
TOWN OF ROANOKE
BEING LOT 1 THROUGH LOT 6, ORIGNAL
TOWN OF ROANOKE,
A 0.997 ACRE TRACT
IN THE MEP & PRR CO. SURVEY,
ABSTRACT NUMBER 923
CITY OF ROANOKE,
DENTON COUNTY, TEXAS



AGENDA ITEM

TO: ZBA Board Members

SUBJECT: PH Notice - 317 Rusk Street - SEP 2023-02

MEETING DATE: January 19, 2023

DEPARTMENT: City Secretary

ITEM SUMMARY:

Public hearing to consider a Special Exception Request (SEP-2023-02) from Brilliant Home Builders seeking relief from City's Code of Ordinances Section 12.601(3) Building Massing and Scale (A.) & (B.) regarding second story offset and lot coverage for Lot 2R, Block 15, O.T. Roanoke Addition, an addition located within the City of Roanoke, Denton County, Texas, and generally located at 317 Rusk Street.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. PH Notice - SEP-2023-02- 317 Rusk Street - Lot Coverage & 2nd Story Offset



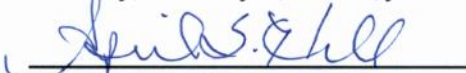
City of Roanoke Notice of Public Hearing Zoning Amendment

CITY OF ROANOKE ZONING BOARD OF ADJUSTMENT SEP-2023-02

THE ROANOKE ZONING BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON THURSDAY JANUARY 19, 2023 TO CONSIDER A SPECIAL EXCEPTION REQUEST FROM BRILLIANT HOME BUILDERS SEEKING RELIEF FROM CITY'S CODE OF ORDINANCES SECTION 12.601(3) BUILDING MASSING AND SCALE (a.) & (b.) REGARDING SECOND STORY OFFSET AND LOT COVERAGE FOR LOT 2R, BLOCK 15, O.T. ROANOKE ADDITION, AN ADDITION LOCATED WITHIN THE CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND GENERALLY LOCATED AT 317 RUSK STREET. THE PUBLIC HEARING WILL BE HELD AT 7:00 P.M. AT THE ROANOKE CITY HALL LOCATED AT 500 S OAK STREET, ROANOKE, TEXAS.

CERTIFICATION

I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Monday, January 2, 2023 by 5:00 p.m.



April S. Hill, City Secretary

*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRILLE IS NOT AVAILABLE.**

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AGENDA ITEM

TO: ZBA Board Members

SUBJECT: Special Exception Permit (SEP 2023-02) 317 Rusk Street

MEETING DATE: January 19, 2023

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on a Special Exception Permit (SEP 2023-01) requested by Brilliant Home Builders seeking relief from city's code of ordinances section 12.601(3)a. & b., regarding second story offset and lot coverage for 317 Rusk Street, Lot 2R Block 15 in the O.T. Roanoke Addition, an addition located within the City Of Roanoke, Denton County, Texas. The property is generally located on the north side of Rusk, west of Walnut Street.

INFORMATION:

Any modifications or appeals to any overlay standard shall be reviewed and considered for approval by a Special Exception Permit Application submitted to the Zoning Board of Adjustment. The lot is narrower than the typical lots for single family development. Special Exceptions have been approved for lots within the Old Town Roanoke Neighborhood Design Overlay.

History:

Variance 2021-01 (V-2021-01) was approved granting 5 ft. side yards and combining the alley for Lots 1,2,3,4,5, and 6.

An Amending Plat was filed on August 10, 2022.

PLANNING ANALYSIS:

- 7,700 sf lot
- 55' lot width
- 2nd story is less than 50% of the first floor square footage.

Sec. 12.601. - Old Town Roanoke Neighborhood Design Overlay.

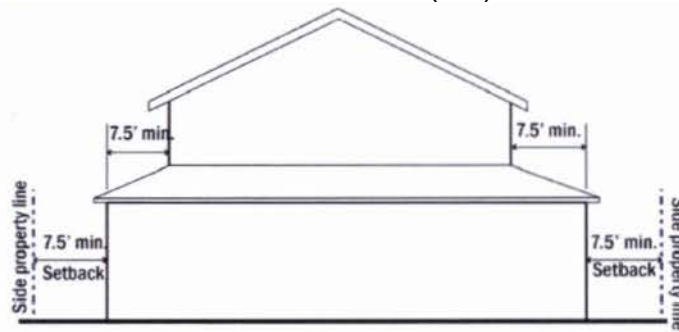
(3)Building massing and scale.

a.Height. Building height shall be a maximum of two (2) stories (not to exceed thirty



AGENDA ITEM

feet (30')). All second floors shall be set back from the side property lines by an additional seven and one-half (7.5) feet.



b. Lot coverage and massing shall be based on the size of the lot per Table 2. Second floor square footage shall be limited to a maximum of fifty percent (50%) of the first floor square footage.

Table 2: Lot Coverage Standards by Lot Size

Lot Size (sq. ft.)	Lot Coverage (maximum)
10,000 sq. ft. and under	25%

STAFF RECOMMENDATION:

The plans meet the intent of the overlay and similar SEP's have been granted. Staff recommends approval.

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. SEP 2023-02 -317 Rusk Street
2. 317 Rusk SEP Sup. Docs
3. Pine and Rusk readdress replat 06-25-2022



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411

SPECIAL EXCEPTION APPLICATION

Name of Applicant Aaron Brown	Address of Applicant PO BOX 1398 Roanoke, TX 76262	Phone No./Email 817-527-8588
----------------------------------	--	---------------------------------

Name of Business LMB Properties LLC, DbA Brilliant Home Builders	Type of Business Custom Home Builder
Location of Property 317 Rusk, Roanoke, TX 76262	Lot / Block / Subdivision lot 2 R/ Block 15/ Original town of Roanoke

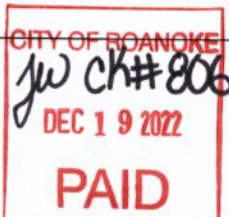
Exception Requested:

We are requesting a Lot Coverage Exception from 25% to 33%, Also, we would like an exception for the second story 7.5' offset requirement.

The Special Exception fee is \$200.00 per request. This fee is non-refundable. The Roanoke Zoning Board of Adjustment meets on the 3rd Thursday of the month, at 7:00 p.m., at City Hall located at 500 S Oak Street, Roanoke, Texas. You will be notified by phone of the date the request will be presented before the ZBA. Property Owners located within 200 feet will be notified by mail. Electronic drawings and any additional information that needs to be reviewed prior to the meeting must be received with the application.

FOR OFFICE USE ONLY

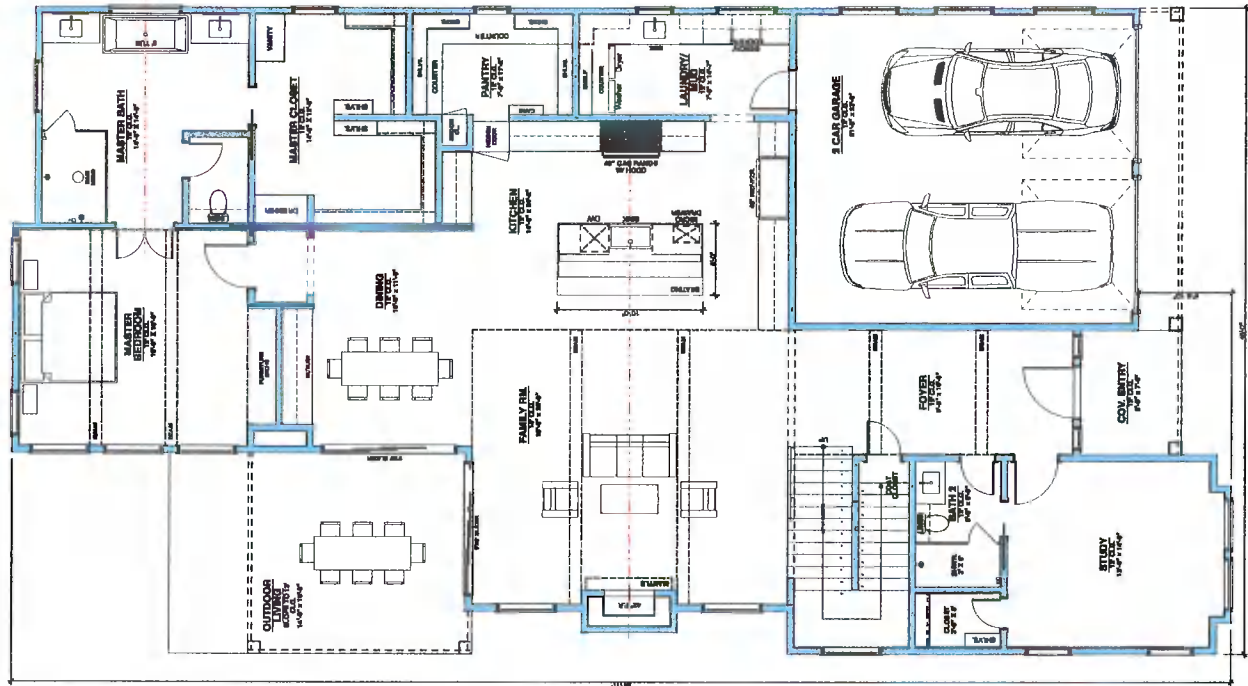
Date Payment Received	Date of Meeting JAN 19 2023	Date Notified JAN 05 2023	Special Exception No. SEP- 2023 - 02
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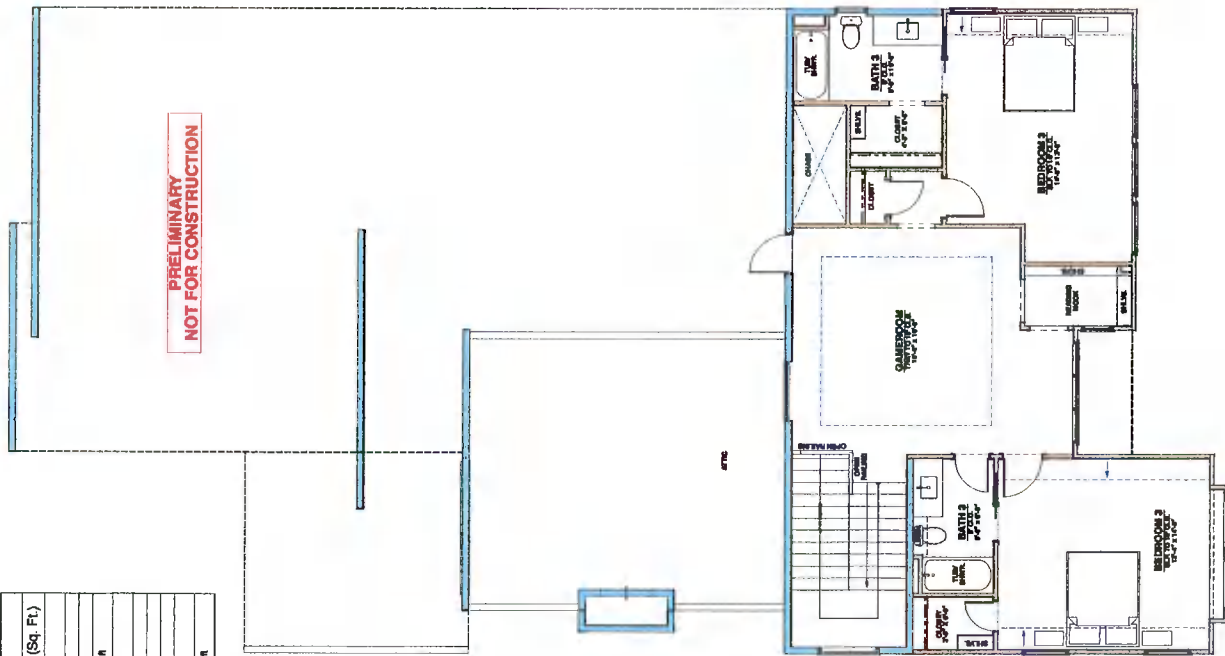
8/23/2019



1
36



1
A101



2
A101

SQUARE FOOTAGE SCHEDULE		
Room Type	Room Name	Area (Sq. Ft.)
Conditioned Space	FIRST FLOOR	2,531
	SECOND FLOOR	1,606
		3,688 sq. ft.
Unconditioned Space	2 CAR GARAGE	628
	CON. ENTRY	81
	OUTDOOR LIVING	212
		801 sq. ft.
		4,487 sq. ft.



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Brilliant Home Builders Studio
311 S Oak St.
Roanoke TX 76262
817-674-7020
www.brilliantdesignstudio.com

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BRILLIANT
HOME BUILDERS

Brilliant HB - Spec
Lot 2R
Rusk St. Roanoke
TX 76262

Revisions

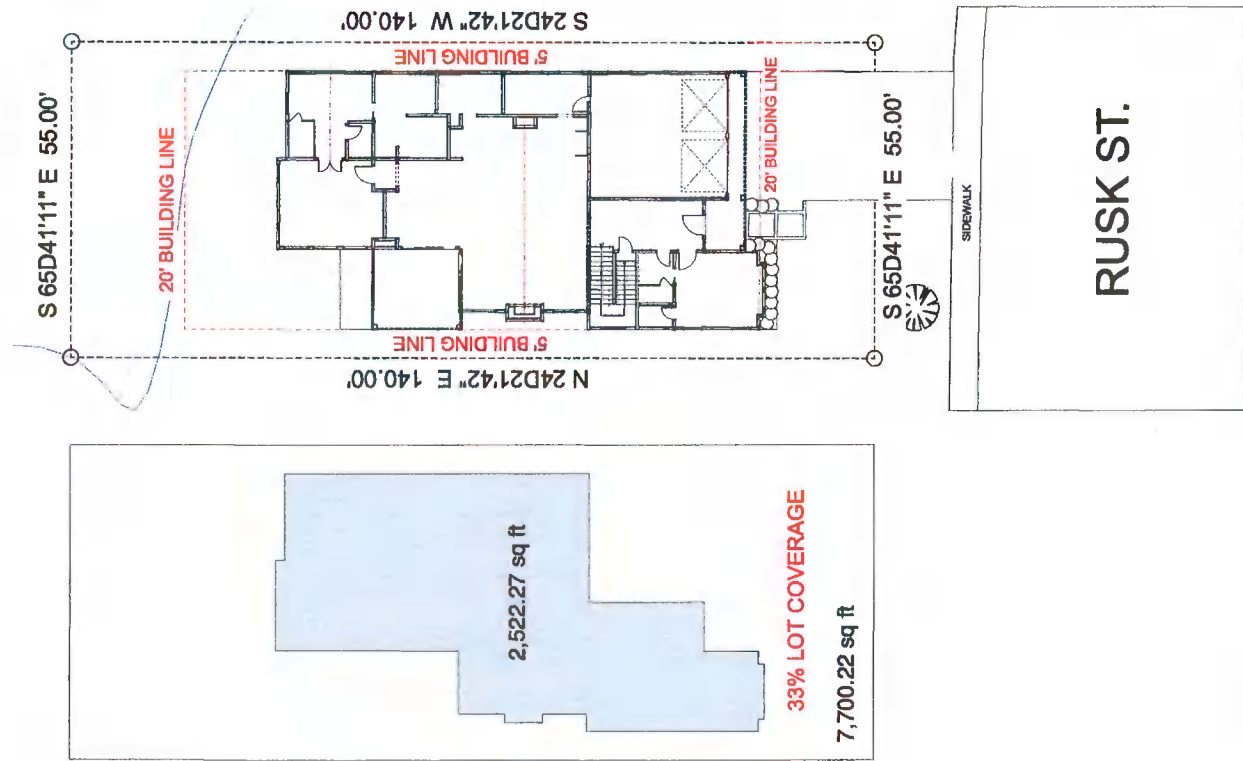
Survey

A002

Project No.

PRELIMINARY
NOT FOR CONSTRUCTION

LOT 2R
0.177 ACRES



1
A002
Site Plan
SCALE 1" = 10'



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311 S. Oak St.
Roanoke, TX 76262
817-474-7020
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BRILLIANT
HOME BUILDERS

Brilliant HB - Spec
Lot 2R
Rusk St. Roanoke
TX 76262

Revisions

3D VIEWS 3

3D

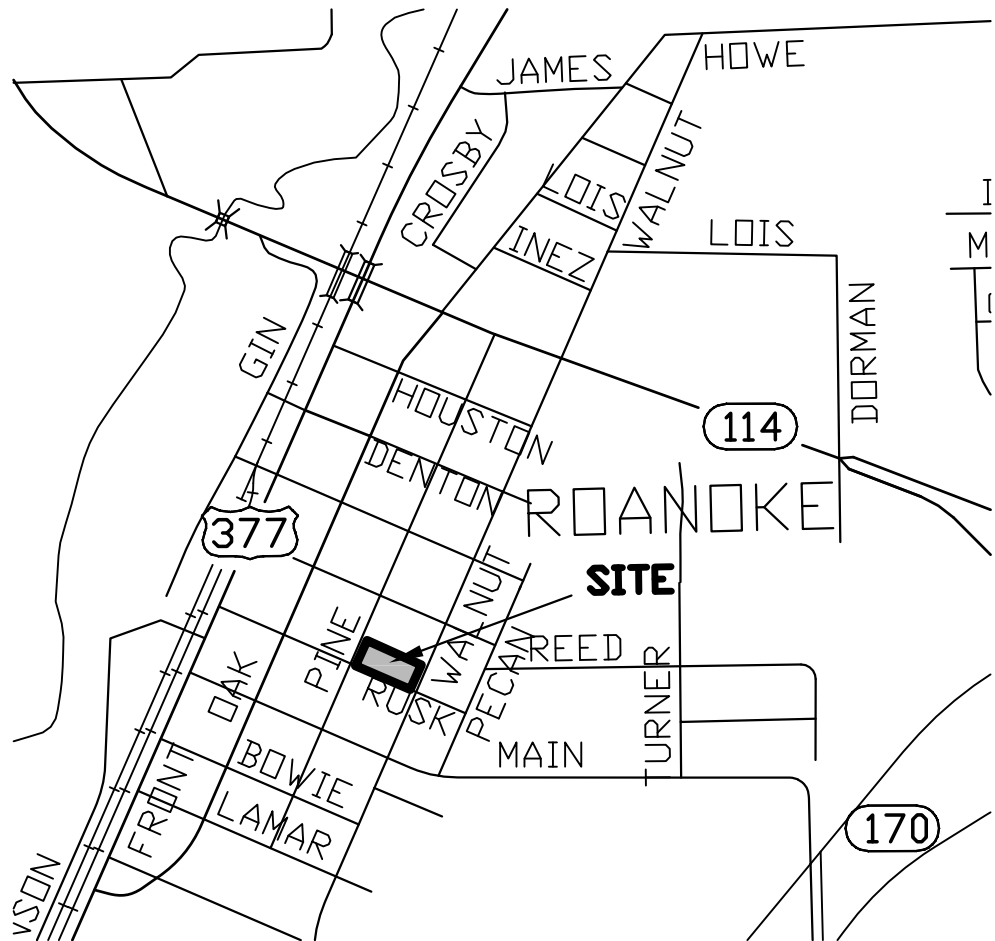
Page 25 of 26



1 STREETSCAPE 1
SCALE 3/8" = 1'-0"



2 STREETSCAPE 2
SCALE 3/8" = 1'-0"



DETAIL 1

SCALE 1"= 1000'

NOTES:

- 1) 1/2 INCH IRON PINS STAMPED "METROPLEX 10023300" SET AT ALL CORNERS.
- 2) LOT 1R, LOT 2R, AND LOT 3R ZONING - OAK STREET NEIGHBORHOOD TRANSITION ZONE
- 3) ALL BUILDING LINES ARE SET BY CITY OF ROANOKE ORDINANCE ARTICLE IV(1) SECTION 12.601
- 4) BEARINGS ARE BASED ON GPS OBSERVATIONS USING TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 NORTH CENTRAL TEXAS ZONE.
- 5) BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE OF A DESIGNATED 100 YEAR OR 500 YEAR FLOODPLAIN AS SHOWN BY FIRM MAP COMMUNITY-PANEL NUMBER 48121C0515G, DATED APRIL 18, 2011. NO SURVEYING WAS PERFORMED TO DETERMINE THIS FLOOD ZONE.
- 6) FIVE FOOT SIDE YARD VARIANCE APPROVED BY ROANOKE ZONING BOARD OF ADJUSTMENT COMMITTEE ON APRIL 15, 2021.

SURVEYORS CERTIFICATE

THAT I, BRAD G. SHELTON DO HEREBY CERTIFY THAT A SURVEY WAS MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION OF THE PROPERTY DESCRIBED HEREON AND THAT THE IRON RODS WERE PLACED IN ACCORDANCE WITH THE SURVEYOR'S REVIEW OF THE CITY OF ROANOKE, TEXAS. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR ANY PURPOSE OR RELIED UPON AS A FINAL SURVEY DOCUMENT

APPROVAL OF THE CITY OF ROANOKE, TEXAS	
This amended plat was submitted to and considered by the City of Roanoke, Texas, and is hereby approved pursuant to Section 212.0065 and 212.016 of the Texas Local Government Code, as amended.	
By:	Scott Campbell, City Manager DATE
ATTEST:	April S. Hill, City Secretary DATE

**CALL AT LEAST 48 HOURS BEFORE DIGGING**
(800) 545-6005 OR 811
Know what's below.
Call before you dig.

A FEDERAL LAW NOW IN EFFECT ALSO STATES THAT ANY PERSON WHO ENGAGES IN EXCAVATION ACTIVITIES WITHOUT FIRST USING AS AVAILABLE ONE-CALL NOTIFICATION SYSTEM TO DETERMINE LOCATIONS OF UNDERGROUND FACILITIES; OR WITHOUT HEEDING LOCATION INFORMATION OR MARKINGS AND SUBSEQUENTLY DAMAGES A PIPELINE FACILITY SHALL BE SUBJECT TO A FINE, IMPRISONMENT, OR BOTH. THE LAW ALSO STATES THAT OSHA MAY BE NOTIFIED OF ANY ACCIDENT CAUSED BY AN EXCAVATOR.



STATE OF TEXAS XX
COUNTY OF DENTON XX

WHEREAS WE, LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, ARE THE OWNERS OF A 0.997 ACRE TRACT OR PARCEL OF LAND AND BEING SITUATED IN THE MEP & PRR CO. SURVEY, ABSTRACT NUMBER 923, DENTON COUNTY, TEXAS, AND BEING ALL OF LOT 1 THROUGH LOT 6, BLOCK 15, ORIGINAL TOWN OF ROANOKE, CITY OF ROANOKE, DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME Q, PAGE 88, DEED RECORDS, DENTON COUNTY, TEXAS AND ALL OF A CALLED TRACT 4, 20-FOOT ALLEY ABANDONED BY CITY OF ROANOKE ORDINANCE 2013-121, DESCRIBED IN A DEED TO LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "METROPLEX 10023300" AT THE NORTHWEST CORNER OF LOT 6, AND THE INTERSECTION OF THE SOUTH LINE OF 20 FOOT ALLEY AND THE EAST RIGHT-OF-WAY LINE OF PINE STREET (60 FOOT RIGHT-OF-WAY);

THENCE SOUTH 65 DEGREES 41 MINUTES 11 SECONDS EAST, WITH THE NORTH LINE OF LOT 6 AND THE SOUTH LINE OF 20 ALLEY A DISTANCE OF 310.30 FEET TO FOUND 1/2 INCH IRON PIN STAMPED "METROPLEX 10023300" AT THE NORTHEAST CORNER OF LOT 1, AND THE INTERSECTION OF THE SOUTH LINE OF SAID 20 FOOT ALLEY AND THE WEST RIGHT-OF-WAY LINE OF WALNUT STREET (60 FOOT RIGHT-OF-WAY);

THENCE SOUTH 24 DEGREES 21 MINUTES 42 SECONDS WEST, WITH THE EAST LINE OF LOT 1 AND THE WEST LINE OF WALNUT STREET, A DISTANCE OF 140.00 FEET TO A FOUND PK NAIL AT THE SOUTHWEST CORNER OF LOT 1 AND THE INTERSECTION OF THE WEST LINE OF WALNUT STREET AND THE NORTH RIGHT-OF-WAY LINE OF RUSK STREET (70 FOOT RIGHT-OF-WAY);

THENCE NORTH 65 DEGREES 41 MINUTES 11 SECONDS WEST, WITH THE SOUTH LINE OF LOT 1, AND THE NORTH LINE OF RUSK STREET, A DISTANCE OF 310.30 FEET TO A FOUND 5/8 INCH IRON AT THE SOUTHWEST CORNER OF LOT 6 AND THE INTERSECTION OF THE NORTH LINE OF RUSK STREET AND THE EAST LINE OF PINE STREET;

THENCE NORTH 24 DEGREES 21 MINUTES 42 SECONDS EAST WITH THE EAST LINE OF LOT 6 AND THE WEST LINE OF PINE STREET A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 0.997 ACRES OF LAND.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT WE, LMB PROPERTIES, LLC DBA BRILLIANT HOME BUILDERS, DO HEREBY ADOPT THIS AMENDING PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 1R THROUGH LOT 6R, BLOCK 15 ORIGINAL TOWN OF ROANOKE, CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO PUBLIC USE FOREVER THE STREETS, AND EASEMENTS SHOWN HEREON.

DATE

STATE OF TEXAS XX
COUNTY OF DENTON XX

BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE 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 SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC, STATE OF TEXAS

AMENDING PLAT
LOT 1R THROUGH LOT 6R,
BLOCK 15
OF
THE ORIGINAL
TOWN OF ROANOKE
BEING LOT 1 THROUGH LOT 6, ORGINAL
TOWN OF ROANOKE,
A 0.997 ACRE TRACT
IN THE MEP & PRR CO. SURVEY,
ABSTRACT NUMBER 923
CITY OF ROANOKE,
DENTON COUNTY, TEXAS

FIRM NO. 10023300

03/11/2022	CHANGED TO AMENDED PLAT IN SIGNATURE BOX
03/01/2022	LOT 1R DISTANCE REVISION
12/25/2021	REVISIONS PER CITY OF ROANOKE COMMENTS
12/10/2021	UPDATED PUBLIC UTILITY EASEMENTS
12/01/2021	UPDATED SIDE YARDS PER VARIANCE - SEE NOTE SIX

DATE REVISIONS

RLG	DWN.	SCALE
RLG	RLG	1"=20'
CKD.	BGS	DATE
BY:	BGS	10/20/2021



Metroplex
Surveying, Inc.

940-387-0506 223 W. HICKORY, DENTON, TEXAS 76201 info@metroplexsurveying.com

OWNER: LMB PROPERTIES, LLC
DBA BRILLIANT HOME BUILDERS
1216 WORTHINGTON STREET
GRAPEVINE, TEXAS 76051-5026

SURVEYOR: BRAD G SHELTON
METROPLEX SURVEYING INC.
223 W. HICKORY ST.
DENTON, TEXAS 76201
(940) 387-0506

SHEET	1
OF	1
JOB No.	38181