

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, AUGUST 9, 2007**

The regular monthly meeting of the Planning & Zoning Commission of the City of Benbrook was held on Thursday, August 9, 2007, at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Joe Hughes
Jay Morrill
Alfredo Valverde
Bret Early
John Dawson
Dian Price
Sanjiv Shah
Larry Marshall

Also Present:

Ed Gallagher, City Planner
Sue Clark, Recording Secretary
Dave Gattis, Deputy City Manager
Bob Rowley, City Engineer
Dan Tully, Councilmember
Jerome Hilderbrand

I. CALL TO ORDER

Chairman Bret Early called the meeting to order at 7:30 p.m.

II. CONSIDERATION OF MINUTES

Regular Meeting – July 12, 2007

Motion by Dr. Marshall to approve the minutes of the July 12, 2007 regular meeting of the Planning and Zoning Commission as presented. Second by Mr. Valverde. The Vice Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Ms. Price, Mr. Hughes, Mr. Dawson, Dr. Marshall, and Mr. Shah

Abstain: Mr. Early and Mr. Morrill

Noes: None

Motion carried 6 – 2 – 0

III. REPORTS OF CITY STAFF

A. ZONING

Z – 07 – 04 Consider rezoning of the south 79.09 feet, being 0.208 acres, of Lot 25, Block 6, Benbrook Estates from “B” One Family District to “CR” Multiple Family Restricted District (103 Del Rio Avenue)

The Chair introduced the item and asked for a presentation by the applicant.

Jerome Hilderbrand, 115 Warden Street, said he is a partner with the owner, J.D. Campbell. He said they would like to build a duplex on the tract. They are hoping to build something that does not require a lot of yard maintenance by having some stone and native plants.

The Chair asked for any comments or questions from the Commission.

Joe Hughes asked if Mr. Hilderbrand was comfortable with the removal of the existing house on the property. Mr. Hilderbrand said yes, they have an interested party that will be moving the house to Azle.

Dian Price asked if the duplex will have garages. Mr. Hilderbrand said they hope to be able to provide two-car garages but because of the size of the lot, one-car may be all that will fit on the site.

Following continued discussion between the Commission and the applicant, the Chair asked for a report from Staff.

Ed Gallagher said J.D. Campbell is the owner of the south 79.09 feet of Lot 25 of Block 6 in the Benbrook Estates subdivision and is represented by Jerome Hilderbrand in the Z-07-04 application to rezone the property from “B” One Family District to “CR” Multiple Family Restricted District that would permit duplex residential construction on the property at 103 Del Rio Avenue.

The Z-07-04 property is the south 79.09 feet of the 90-foot wide Lot 25 as it was platted in 1946. In 1997, the previous owner of both Lot 25 and the adjacent Lot 1, to the north, included the north ten feet of Lot 25 with a conveyance of Lot 1. That conveyance resulted in the illegal subdivision of Lot 25. The remaining 79.09-foot wide portion of Lot 25 does exceed the lot width and lot area requirements of the requested “CR” District.

Mr. Gallagher said Benbrook Estates subdivision is the oldest in Benbrook, having been platted in 1946, a year prior to the incorporation of the City. For the past 50 years, the neighborhood has had a mix of one- and two-family dwellings. Recent construction has also been mixed but predominately two-family dwellings.

Mr. Gallagher said the proposed rezoning is compatible with the Land Use Plan which calls for Medium Density Multiple Family Residential use, thus meeting requirements of Section 211.004 of the Texas Local Government Code.

Staff recommends that after conducting a public hearing, the Planning and Zoning Commission recommend that the City Council approve the Z-07-04 rezoning of the south 79.09 feet of Lot 25, Block 6, Benbrook Estates from “B” One Family District to “CR” Multiple Family Restricted District.

The Chair asked for any comments or questions from the Commission.

Mr. Early asked if the property would require replatting before a building permit would be issued. Mr.

Gallagher said if they can adhere to the Zoning Ordinance with the setbacks from the lot line or property line, whichever is closer to the building site, then it does not require a replat.

Following discussion on landscaping requirements, the Chair opened the public hearing at 7:47 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 7:48 p.m. and asked for any comments, questions, or a motion from the Commission.

Motion by Mr. Shah that the Commission recommends the City Council approve the rezoning of the south 79.09 feet of Lot 25, Block 6, Benbrook Estates from "B" One Family District to "CR" Multiple Family Restricted District. Second by Mr. Valverde. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Early, Ms. Price, Mr. Morrill, Mr. Hughes, Mr. Dawson, Dr. Marshall, and Mr. Shah

Noes: None

Motion carried 8 – 0

B. SUBDIVISION PLATS

None

C. PD SITE PLANS

None

D. GENERAL

None

III. PRESENTATIONS BY PLANNING AND ZONING COMMISSION MEMBERS

None

IV. CITIZEN PRESENTATIONS

None

V. ADJOURNMENT

The Chair noted there were no additional matters of business on the regular Commission agenda and declared the Commission regular meeting adjourned at 7:57 p.m.

APPROVED: _____ 2007

_____ Chair