

# Zoning Board of Adjustment

## Meeting Minutes

Municipal Building  
Thursday, April 1, 2004  
5:30pm

Members present: Jackie Mills, Vic Means, Charlotte Douglass, Suzi Epps, Michael Cooper, Rick Ashe

Members Absent:

Others Present: Alan Rogers – Chief of Police, Dianna Zulauf – Village Secretary, April Allen – Tourism Director, John Kohuteck – John Kohuteck Homes

Mayor Douglass called the meeting to order at 5:30, quorum present.

Just for the record, Mayor Douglass asked the Board if they were willing to continue acting as the Village Zoning Board of Adjustments or if they prefer to appoint one as permitted by the Zoning Ordinance. The Board agreed to continue acting as the ZBA.

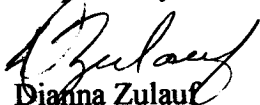
### **Consideration and Possible Recommendation of Variance Request for Backyard Setback at 2201 Chisholm Trail**

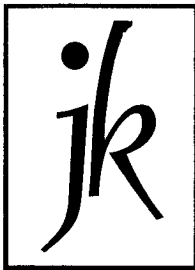
Mayor Douglass reported that the Village received a request for a variance to the zoning ordinance setback requirements for a perspective residence at 2201 Chisholm Trail. There is a large tree located in the middle of the lot and the owner would like to build the house behind the tree which puts the backyard setback at 12.5 feet from the property line instead of 25 feet as required by the ordinance. John Kohutek, contractor for the owner was present to make the request. Salado's Building Code Official, Bruno Matarazzo, has looked at the site and determined that in an effort to save the tree he agrees with the variance request. Notices to property owner within 200 feet of the property were notified by post card and a notice was published in the newspaper of the request. No objections came in.

*Motion was made by Alderman Epps to grant the backyard setback variance allowing the backyard setback to be 12.5 feet from the back lot line with the understanding that the home could not be any closer the 12.5 feet to the back lot line. Motion was seconded by Alderman Means, motion carried unanimously.*

Meeting adjourned at 5:45PM.

Respectfully submitted,

  
Dianna Zulauf



*J<sup>o</sup>h<sup>n</sup>*  
*Kohutek*  
H o m e s  
C u s t o m B u i l d e r

March 9, 2004

City of Salado  
Salado, Texas

Dear Sir:

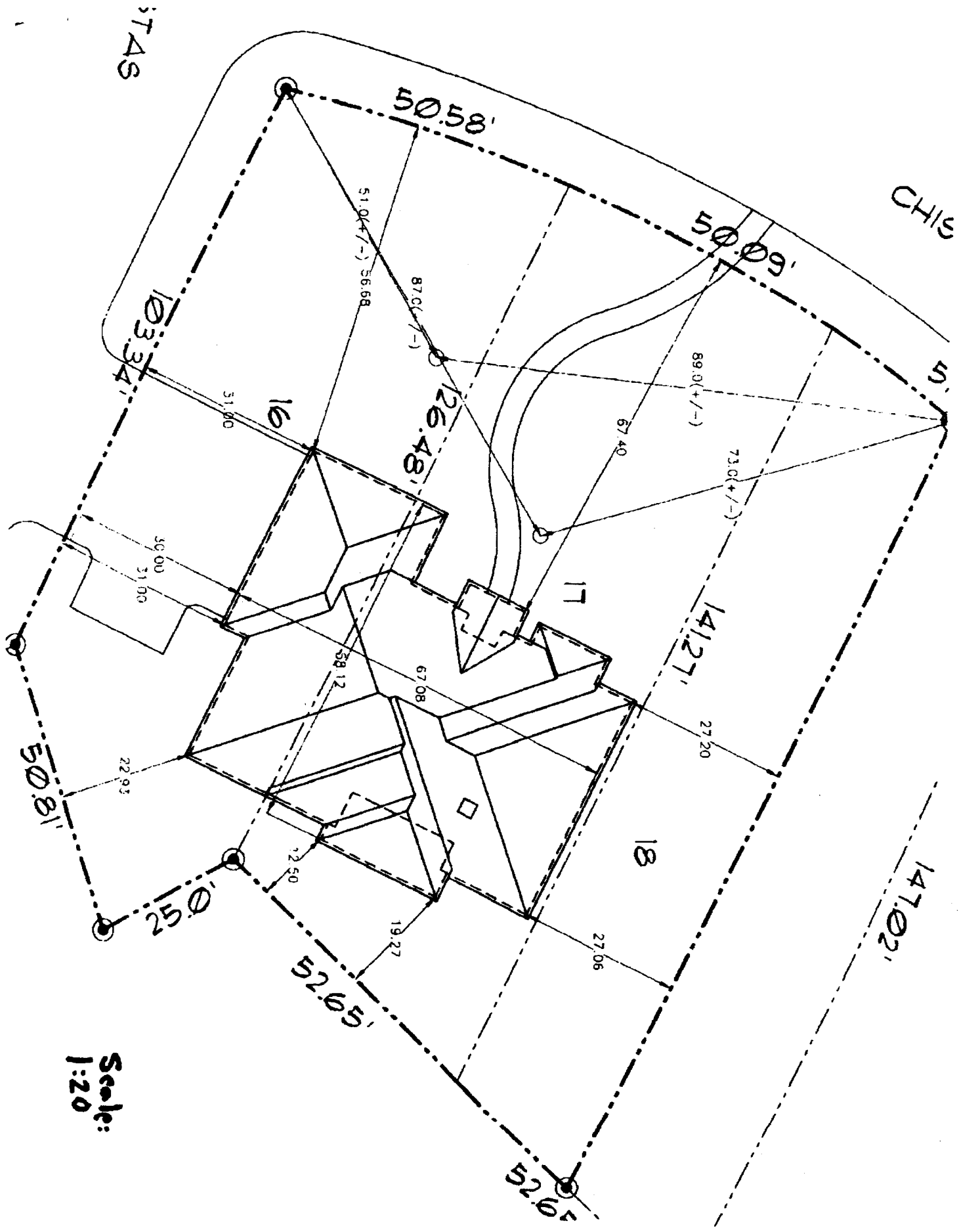
John Kohutek Homes, L.C. is respectfully asking for a variance on the rear set back for Mr. Michael McDougal. The reason we are asking for a variance is to save an extremely large oak tree located at the center of the property. Also, in a lesser note we were supposed to have started construction on May 1, 2003 prior to the City of Salado establishing building codes, however, my client had to have open-heart surgery which delayed construction.

Your consideration on this variance is greatly appreciated. If you have any questions please feel free to give me a call at 254-760-0400.

Sincerely

A handwritten signature in cursive script, appearing to read 'John Kohutek', written over a horizontal line.

John Kohutek  
President



Scale:  
1:20

**BELL COUNTY PUBLIC HEALTH DISTRICT**  
**APPLICATION TO CONSTRUCT OSSF**  
 (Revised Nov, 2003)

MAR - 5 2004

- New Installation
- Repair
- Alteration

BCPHD USE ONLY	
DATE: <u>3-5-04</u>	VARIANCE REQUEST: YES <input type="checkbox"/> NO <input type="checkbox"/>
AUTHORIZATION: <u>[Signature]</u>	
REVIEWED BY: <u>[Signature]</u>	

PROPERTY OWNER'S NAME Michael McDougall

MAILING ADDRESS 301 FM 1417 Sherman TX Zip Code 75092 PHONE # \_\_\_\_\_

SITE LOCATION 2205 Chisholm Trail Salado Zip Code \_\_\_\_\_

LEGAL DESCRIPTION: Subdivision GREEN Ridge Block # 1 Lot # 1617/18 Section # III

or Survey Name \_\_\_\_\_ Abst. # \_\_\_\_\_ Vol. # \_\_\_\_\_ Pg. # \_\_\_\_\_ Acres \_\_\_\_\_

SOURCE OF WATER:  Private Well -  Public Well -  Public Water Supply

RESIDENTIAL: Number of Bedrooms 3 - Square feet of living area 4250

NON-RESIDENTIAL (including multi-family residence) - TYPE OF FACILITY: \_\_\_\_\_

(Number of employees/occupants/units) \_\_\_\_\_ Days occupied per week \_\_\_\_\_

SITE EVALUATOR: Tom Sohn License # 051275 Phone # 770-9159

DESIGNER: " " License # " " Phone # " "

INSTALLER: " " License # " " Phone # " "

I certify that the above statements are true and correct to the best of my knowledge. Authorization is hereby given to the BCPHD to enter upon the above described property for the purpose of lot evaluation and inspection of the on-site facility and that a license to operate the facility will be granted following successful inspection of the installed system which indicates that the system was installed in compliance with this agency's On-Site Sewage Facility Rules, TITLE 30, TAC Chapter 285.

Michael McDougall  
Signature of Owner

Michael McDougall  
(Print Name)

3-5-04  
(Date)

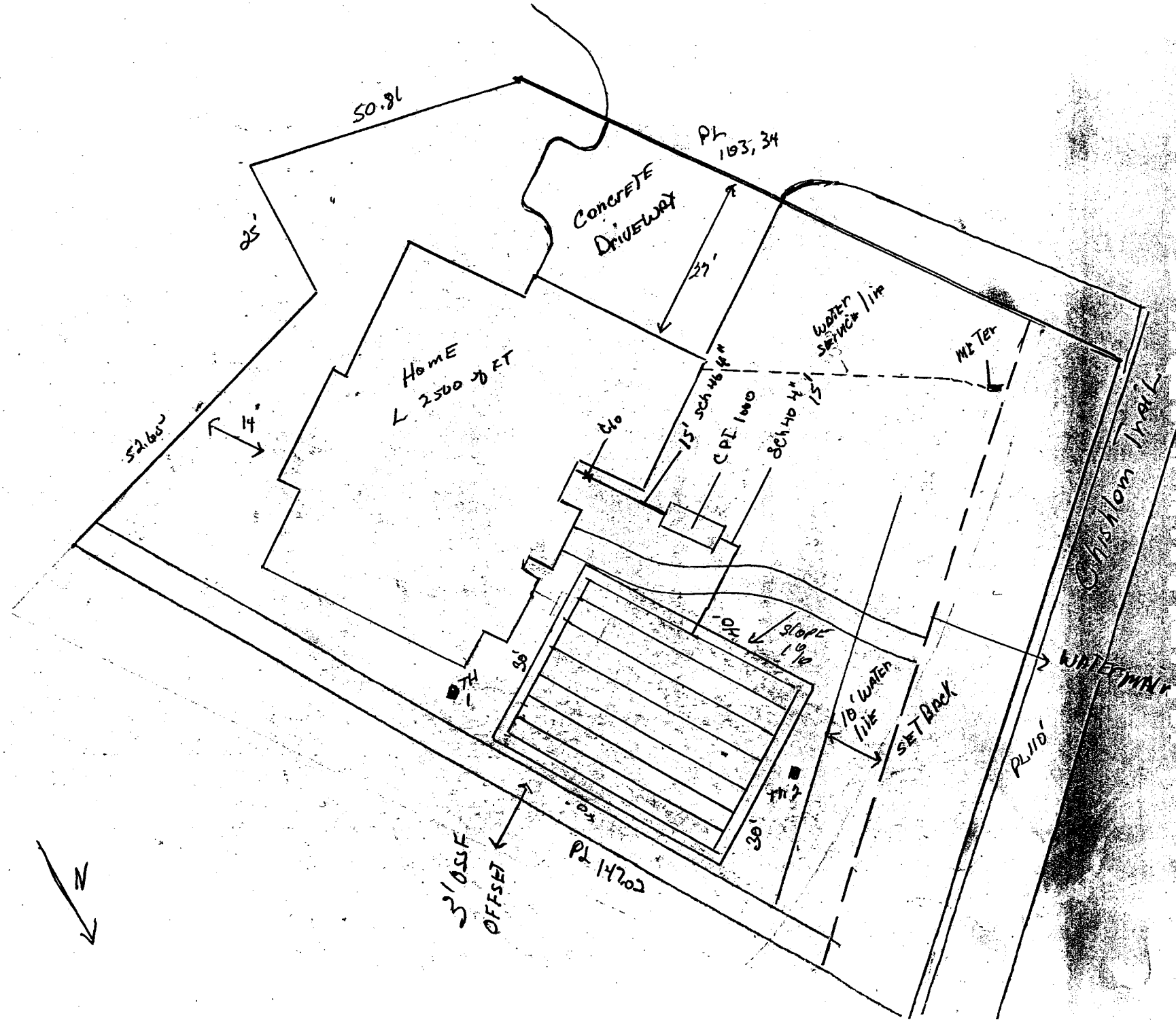
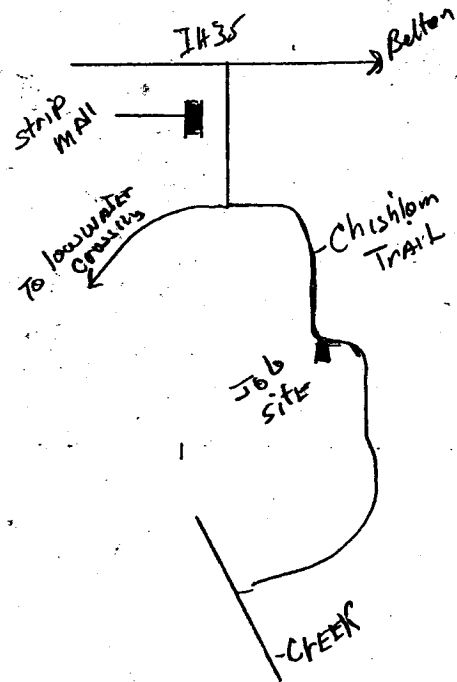
**BCPHD USE ONLY**

Treatment:		Disposal:	
Standard <u>Septic Tank</u>	Size Req. <u>1000</u>	Type <u>Standard Bed</u>	
Aerobic _____	Size Req. _____		
No. of bedrooms <u>3</u>	GPD <u>290</u> Soil Type <u>III</u>	Area Req. <u>1200</u>	

NOTES

3/3/2004 DRAWN BY T.R.S. Michiel Me Douglas Salado 05/275

- ① SCALE 1"=20'
- ② No Swimming Pool
- ③ No WATER WELL Notes within 150'
- ④ TRENCH Depth 18" to 36"
- ⑤  $Q = 240 \text{ GPD} / 0.20 = 1200 \text{ GPD FT}$
- ⑥ No SHARP Breaks on slope





POST OFFICE BOX 219 ↪ SALADO, TEXAS 76571 ↪ 254.947.5060

**OFFICE OF THE CODE ENFORCEMENT OFFICIAL**

**Date: March 21, 2004**

**TO: Dianna Zulauf, Village Secretary**

**FROM: M. Bruno Matarazzo, Code Enforcement Official**

**RE: Variance Request and Permit for 2201 Chisholm Trail  
Property owned by Mr. Michael Douglas**

**I have inspected the above stated property for compliance to current setback requirement as established in the Village of Salado zoning ordinance. I have determined that the property is in violation as noted below:**

**I have inspected the property for compliance to current setback requirement as established in the Village of Salado zoning ordinance. As per the permit request the back yard set back will be a minimum of only 12.50 feet from the current property line currently owned by the Mill Creek Golf Course/ Stage Coach Inn. I have spoken with the residents of 2221 Chisholm Trail Mr. & Mrs. John Newman who advised based on the current plat and design they have no objection to a favorable variance change, I then spoke with Mr. Michael Permenter of 2200 Chisholm Trail and his response was the same as the Newman's. I met with the contractor and made a visual inspection of the jobsite finding the only non-compliant area requiring a variance would be the rear of the residence, with all other property lines complying with current zoning requirements.**

A handwritten signature in black ink, appearing to read 'M. Bruno Matarazzo', is written over a faint, illegible printed name.

**M. Bruno Matarazzo**

**Code Enforcement Official**

**Village of Salado**

**Incl: Plat/Land Survey & addresses within 200 feet**