



**AGENDA
BOARD OF ADJUSTMENT
WEDNESDAY, MARCH 12, 2025
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
7:00 PM**

Page

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS

3. RULES OF DECORUM

4. CONSENT AGENDA

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4.1. Consider approval of Minutes from Dec. 11, 2024 Meeting.
[BOA12.11.2024](#)

5. CITIZEN COMMENTS

6. ITEMS FOR CONSIDERATION

6 - 11

6.1. Consideration and Action for Wes O'Hare - The applicant is requesting approval of a variance to build a detached garage 10 feet from the property line due to an existing pool and unique shape of the property. The property is located at 523 Highwater Crossing, McLendon-Chisholm, Texas 75032
[BOA Staff Report Wes O'Hare 3.12.25](#)
[523 Highwater Crossing Survey](#)

12 - 17

6.2. Consideration and Action for Matthew Brown - the applicant is requesting approval of a variance to build a detached garage 15 feet from the property line due to an existing pergola and encroachment issues for the porch. The property is located at 621 Stampede Run, McLendon-Chisholm, Texas 75032

7. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to see confidential legal advice from the City Attorney on any agenda item herein.

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., March 7, 2025, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**MINUTES
BOARD OF ADJUSTMENT
WEDNESDAY, DECEMBER 11, 2024
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
7:00 PM**

1. CALL TO ORDER

Madame Chair Bev Stibbens called the Meeting to order at 7:06

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS
FLAGS**

**Madame Chair leads board in invocation and pledge to both the US & Texas
Flags**

3. RULES OF DECORUM

Rules in Place to be kind to one another

4. CITIZEN COMMENTS

No Citizen Comments

5. PUBLIC HEARING

The public hearing will receive public comment regarding an application requesting one variance request to the City of McLendon-Chisholm regulations on property located at Chisholm Crossing Phase IV-B, Block C, Lot 28, known as 616 Stampede Run, McLendon-Chisholm, Texas 75032. Regulation requires a minimum of 25 feet for side yard setbacks.

The owner is requesting a reduction from 25 feet to 12 feet for the construction of a single detached garage.

Madame Chair explains that resident is requesting a reduction in feet of setbacks to build a garage. No comments. Public hearing closed at 7:10

6. ITEMS FOR CONSIDERATION

- 6.1 Consider approving Minutes from Sept. 19, 2024 Board of Adjustments meeting.

Motion made to approve minutes from Sept 19, Meeting

Made By: Melody Osorio

Seconded by: Gary Nickel

Approved: Unanimously

- 6.2. Consider approving Minutes from November 13, 2024 Board of Adjustments meeting.

Motion made to approve minutes from November 13, 2025.

Made by Melody Osorio

Seconded by Gary Nickel

Approved: Unanimously

- 6.3. Consideration and Action for Charles Annis - The applicant is requesting approval of a variance to build a detached garage 12 feet from the property line due to an existing pool and encroachment issues in relation to the structure. The property is located at 616 Stampede Rd., McLendon-Chisholm, Texas 75032

City Planner explains citizens requests and how he has changed the variance request to 12 feet based on Boa recommendation from his original 10 ft request.

2 responses returned showing 1 citizen for and 1 against this build.

Applicant responds to questions from the chairwoman and board.

Provision: Building should be angled with the closest corner being 12' property line.

from

Motion to Approve

Made By: Gary Nickel

Second: Bev Stibbens

Approved: Unanimously

Madame Chair announced her resignation from the Board while she takes the Interim City Administrator position for next 6 months, but will return to the Board when a new City Administrator is chosen.

7. ADJOURN

**Motion to adjourn
Made by Melody Osorio
Seconded Herb Harker**

Meeting adjourned at 7:24 P.M.



BOARD OF ADJUSTMENT – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: March 4, 2025

Applicant: Wes & Leigh Anne O’Hare
523 Highwater Crossing
McLendon-Chisholm, Texas 75032

Representative: Brad Parks

Property owner: Wes & Leigh Anne O’Hare
523 Highwater Crossing
McLendon-Chisholm, Texas 75032

Location: The property, located at 523 Highwater Crossing, McLendon-Chisholm, Texas 75032, is a 1.19-acre tract of land located in Chisholm Crossing Phase IV, with frontage on Highwater Crossing. Chisholm Crossing Phase IV-B, Block C, Lot 26, contains 1.19 acres of land. The Rockwall CAD property identification number is 87284.

BOARD OF ADJUSTMENT MEETING DATE: March 12, 2025

REQUEST:

The applicant is requesting approval of a reduction in the required side yard setback from 25 feet to 10 feet for the construction of a single detached garage due to an existing pool and the overall layout of the lot.

[Powers and Duties of the Board of Adjustment]

The board of adjustment shall have the power and exercise the duties of a board in accordance with Texas Local Government Code Chapter 211.009(a). Board members are representatives of the city and may:

1.

Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by a mayor or his/her designee in the enforcement of this ordinance;

2.

Hear and decide special exceptions to the terms of the zoning ordinance; in this regard the board may grant only special exceptions that are authorized by the express terms of the ordinance;

3.

Authorize in specific cases a variance from the terms of the zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done;

4.

Hear and decide other matters authorized by the council;

5.

To consider, decide, and make provisions for the amortization of an owner's investment in nonconforming uses or structures when specifically requested by the city council; and

6.

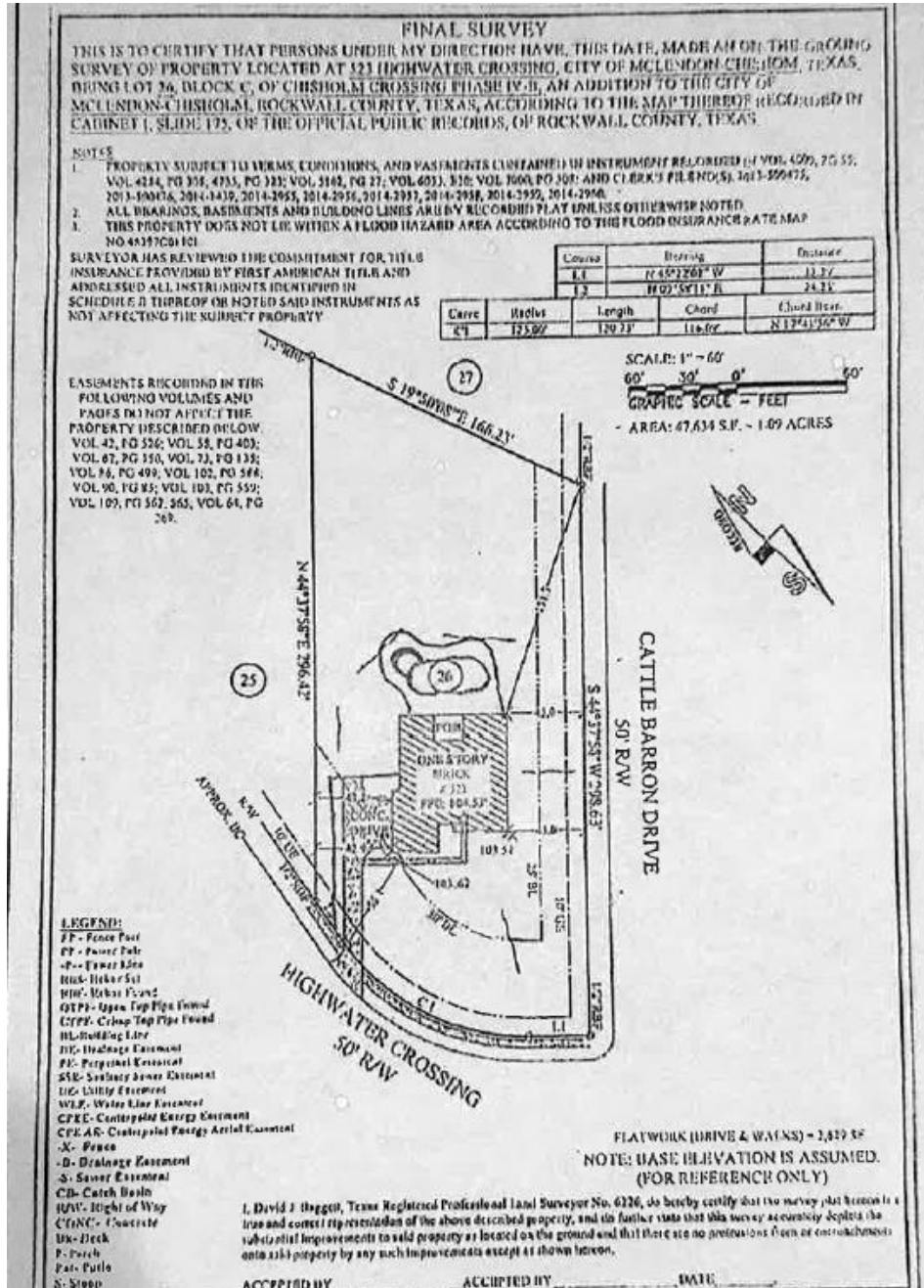
To subpoena witnesses, administer oaths and require the production of documents.

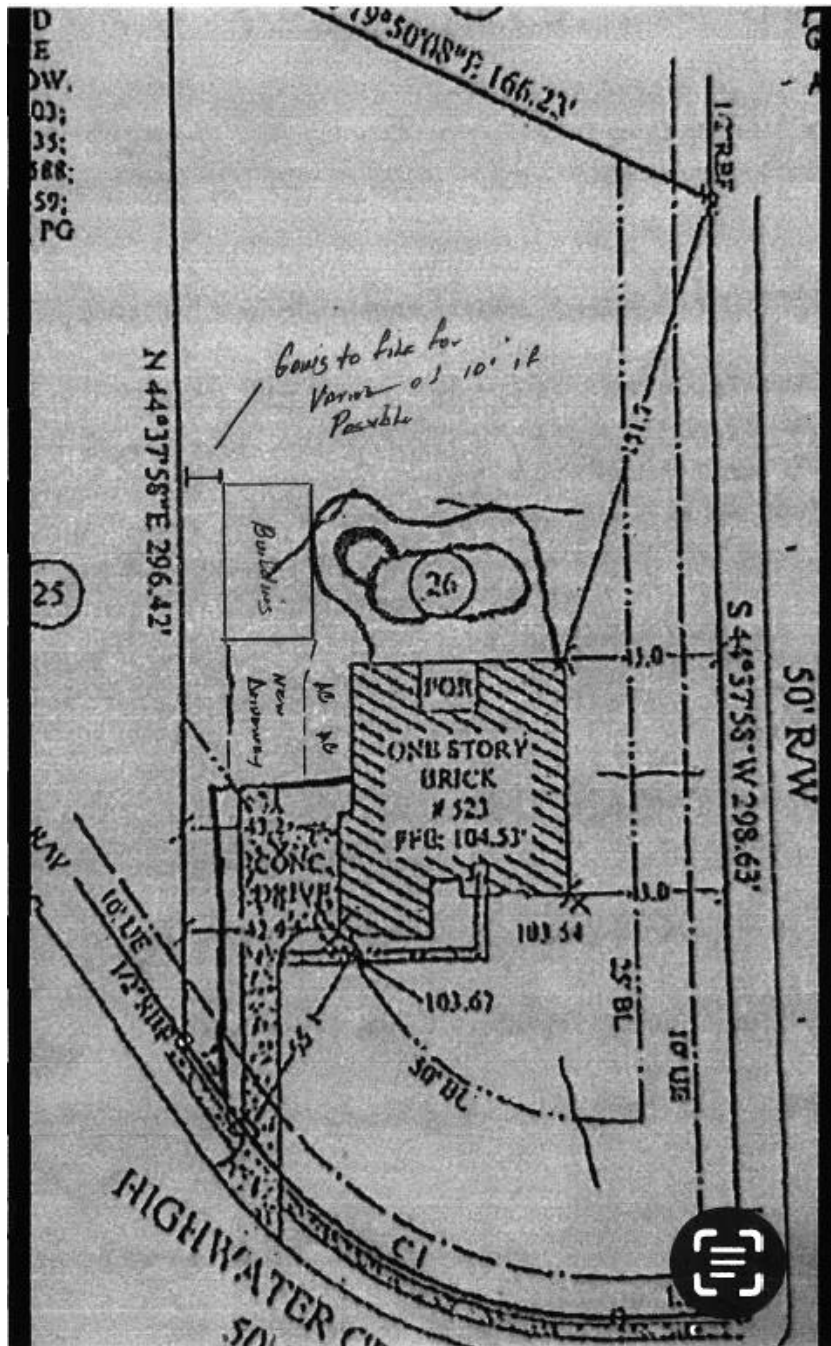
Background Information:

The required side yard setback is 25 feet, however there is a swimming pool present, and the proposed single detached garage would be too close to the pool. The design and layout of this corner lot is not perfectly rectangle and has a unique shape. The current zoning for this development (Chisholm Crossing, Phase IV-B) is a PD – Planned Development that follows the City of McLendon-Chisholm's Single Family (SF) 1.5 zoning district regulations with minor modifications.

Based upon the site plan provided by the applicant, the minimum distance from the side property line to the planned detached garage, which will be adjacent to the pool, is 10 feet.

Requested Survey





Aerial view of subject property





BOARD OF ADJUSTMENT – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: March 5, 2025

Applicant: Matthew Brown
621 Stampede Run
McLendon-Chisholm, Texas 75032

Representative: Brad Parks

Property owner: Matthew Brown
621 Stampede Run
McLendon-Chisholm, Texas 75032

Location: The property, located at 621 Stampede Run, McLendon-Chisholm, Texas 75032, is a 1.00-acre tract of land located in Chisholm Crossing Phase IV, with frontage on Stampede Run. Chisholm Crossing Phase IV-B, Block B, Lot 21, contains 1.00 acres of land. The Rockwall CAD property identification number is 87273.

BOARD OF ADJUSTMENT MEETING DATE: March 12, 2025

REQUEST:

The applicant is requesting approval of a reduction in the required side yard setback from 25 feet to 15 feet for the construction of a single detached garage due to an existing pergola that would interfere with the porch of the building. The applicant will also ensure the new driveway extension will line up and match the existing driveway.

[Powers and Duties of the Board of Adjustment]

The board of adjustment shall have the power and exercise the duties of a board in accordance with Texas Local Government Code Chapter 211.009(a). Board members are representatives of the city and may:

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Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by a mayor or his/her designee in the enforcement of this ordinance;

2.

Hear and decide special exceptions to the terms of the zoning ordinance; in this regard the board may grant only special exceptions that are authorized by the express terms of the ordinance;

3.

Authorize in specific cases a variance from the terms of the zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done;

4.

Hear and decide other matters authorized by the council;

5.

To consider, decide, and make provisions for the amortization of an owner's investment in nonconforming uses or structures when specifically requested by the city council; and

6.

To subpoena witnesses, administer oaths and require the production of documents.

Background Information:

The required side yard setback is 25 feet, however there is a pergola present, and the proposed single detached garage would interfere with the porch of the building. The current zoning for this development (Chisholm Crossing, Phase IV-B) is a PD – Planned Development that follows the City of McLendon-Chisholm's Single Family (SF) 1.5 zoning district regulations with minor modifications.

Based upon the site plan provided by the applicant, the minimum distance from the side property line to the planned detached garage, which will be adjacent to the pergola, is 15 feet.

Aerial view of subject property



