



**CITY OF THE COLONY
BOARD OF ADJUSTMENT AGENDA
WEDNESDAY, OCTOBER 21, 2026
6:30 PM**

TO ALL INTERESTED PERSONS

Notice is hereby given of a **REGULAR SESSION** of the **BOARD OF ADJUSTMENT** of the City of The Colony, Texas to be held at **6:30 PM** on **WEDNESDAY, OCTOBER 21, 2026** at **CITY HALL, 6053 MAIN STREET**, at which time the following items will be addressed:

1.0 CALL REGULAR SESSION TO ORDER

2.0 CITIZEN INPUT

3.0 CONSENT AGENDA

3.1 Consider the approval of the minutes of the July 15, 2026 Regular Session.

4.0 PUBLIC HEARING ITEMS

4.1 SE26-0005 - 4924 Brandenburg Lane - Carport

Conduct a public hearing, discuss and consider Special Exception [Regulations and Design Guidelines for Accessory Structures] to 1) Section 10B-100(e)(2), to allow lot coverage of approximately 42% where 40% is the maximum lot coverage for principal and accessory structures in the SF-4 District; The subject site is located at 4924 Brandenburg Lane within the Single-Family 4 (SF-4) Zoning District. (Groff)

4.2 SE26-0003 - 5129 South Colony Blvd - Carport

Conduct a public hearing, discuss and consider Special Exception [Regulations and Design Guidelines for Accessory Structures] to 1) Section 10B-100(e)(2), to allow lot coverage of approximately 62% where 40% is the maximum lot coverage for principal and accessory structures in the SF-4 District; 2) to Section 10B-300(b) to allow a carport(s) in the side yard where no carport shall occupy space in the front or side yard; 3) to Section to allow carport(s) closer than three feet to the primary structure when used for storage; 4) to Section 10B-100(d) to allow a proposed carport(s) to allow carport(s) to exceed 24 feet on its longest dimension. The subject site is located at 5129 South Colony Boulevard within the Single-Family 4 (SF-4) Zoning District. (Groff)

4.3 SE26-0004 - 5000 Aztec Drive - Detached Garage

Conduct a public hearing, discuss and consider a Special Exception to Section 10B-400 (b) [Regulations and Design Guidelines for Accessory Structures] to allow a detached garage to be located in the side yard where no detached garages shall occupy space in the front or side yard. The subject site is located at 5000 Aztec Drive within the Single-Family 4 (SF-4) Zoning District. (Devin)

EXECUTIVE SESSION NOTICE

Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071

arising out of the attorney's ethical duty to advise the city concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

ADJOURNMENT

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact the City Secretary's Office, at 972-624-3105 or email cs@thecolonytx.gov at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that the above notice of meeting was posted outside the front door of City Hall by 5:00 pm on the 15th day of October, 2026.

Tina Stewart

Tina Stewart, TRMC, CMC, City Secretary



**MINUTES
CITY OF THE COLONY
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, JULY 15, 2026**

After determining that a quorum was present, the Board of Adjustment of the City of The Colony, Texas convened into Regular Session, which was held on Wednesday, July 15, 2026 at 6:30 p.m. in the City Council Chambers located at City Hall, 6053 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Dean Byers, Melissa Werner, Kimberly Stillwagon, Georgiana Bustos, Matthew Sanders and Christopher Patterson (alternate)

Board Members Absent: Constance Yahwak

Staff Present: Isaac Williams, Planning Director; Melissa Devin, Planning Technician and Alan Lathrom, Attorney

1.0	<i>CALL REGULAR SESSION TO ORDER</i>
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Chair Byers called the Regular Session of the Board of Adjustment meeting to order at 6:31 p.m.

2.0	<i>CITIZEN INPUT</i>
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3.0	<i>CONSENT AGENDA</i>
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3.1	Consider approval of the minutes of the May 20 th Regular Session.
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Chair Byers read item 3.1 into record.

Member Bustos made a motion to approve the minutes, seconded by Member Werner. The motion carried (5-0)

4.0	<i>PUBLIC HEARING ITEMS</i>
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4.1	BOA26-0004 - 5676 Powers Street - Garage Requirement Conduct a public hearing, discuss and consider a variance to Section 13-101(f) [Vehicle Parking-Generally] to allow conversion of a garage where an enclosed, attached or detached garage of not less than 440 square feet in floor area and with a minimum width of 20 feet shall be required for all single-family dwelling uses. The subject site is located at 5676 Powers Street within the Single-Family-4 (SF-4) Zoning District.
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Chair Byers read Public Hearing Item 4.1 into record.

Mr. Williams presented the staff report.

Member Bustos asked about the homeowner's plans to add covered parking as stated in the project narrative.

Mr. Williams stated that that could be a consideration, but the request was to eliminate the existing garage, not to add a carport. He further added that the alley was not intended to be used for entry and explained the potential issues that could arise.

Member Stillwagon asked what the purpose of the alleys was.

Mr. Williams explained that he's not entirely sure as much of the city was built before his time here but he stated that it could potentially have been done as a way of running utilities through the property or things of that nature or simply because at the time, some neighborhoods thought alleys looked nice.

Mr. Lathrom added that at the time, a lot of alleys were designed for storm water conveyance because the FHA rules and regulations required that stormwater be conveyed to the front of the property or the rear of the property so a lot of the times the alleys were constructed to accommodate the regulations. Mr. Lathrom further added that if the covered parking is added to the back of the lot there is also a concern regarding lot coverage.

Member Stillwagon asked if that was something they would need to consider because she was unsure of whether or not the Board could require the covered parking as a condition.

Mr. Lathrom stated that they could not.

Member Werner asked for clarification on the alley way access.

Mr. Williams provided some details and explanation.

Member Patterson asked about the number of vehicles currently on property.

Mr. Williams stated that he would allow the homeowner to respond to that question but the standard was 2 vehicles per housing unit.

Chair Byers opened the public hearing at 6:42pm.

Luis Licea, a representative and the applicant of the case approached the mic. Luis explained the reason for the conversion and provided a bit more context to the narrative.

Member Werner asked for clarification on the timeline of the project since the narrative and Mr. Licea's explanation were conflicting.

Mr. Licea explained that the conversion had already been started prior to the current homeowners purchase of the property.

Member Werner asked what the current garage is being used for.

Mr. Licea, with the assistance of the homeowner's mother clarified that the conversion had already taken place prior to them purchasing the home. It was only when they attempted to remove the garage door that they realized the proper permits had not been pulled and the conversion had been done without the City's approval.

Chair Byers asked who started the conversion.

The homeowner's mother, Veronica Morales approached the mic. She reiterated that the conversion had already taken place when the home was purchased and provided additional details.

Member Patterson asked how the City found out about the conversion.

Mr. Licea explained that it was the removal of the garage door that prompted code enforcement to investigate.

Member Werner asked what was left in order to complete the conversion.

Mrs. Morales explained that it was pretty much finished and only minor details remained.

Member Patterson asked about the plumbing and whether it was up to code.

Mrs. Morales explained that they didn't add any additional plumbing and stated that the inspector advised that they would need to make sure that the work done by the previous homeowner was up to code.

Member Werner asked where the car on property was parking.

Mr. Licea responded that the vehicle was parked in the driveway.

Chair Byers asked how many cars they could park in the driveway.

Mr. Licea responded by saying they could fit 2 but if they needed additional space, they wouldn't be opposed to pulling permits to add a carport.

Member Bustos stated that she felt that adding a carport would actually add additional issues.

Member Werner explained that by adding a carport, they could run the risk of exceeding their lot coverage.

Chair Byers asked if there was any inspections done to the addition.

Mr. Licea responded that they had not received the permit yet so no inspections had been done thus far.

Mr. Williams added that the City had not yet had the benefit of any permit review. He further stated that this variance would need to be approved first prior to the permits being reviewed and approved.

Member Stillwagon asked what would happen if the request was denied.

Mr. Williams explained the process of what would occur if the request was denied.

Member Stillwagon asked for further explanation.

Mr. Williams provided further clarification.

Member Patterson asked what the process would be regarding inspections and permits if the request was approved but the work done was not up to code.

Mr. Williams explained that no permits would be released or granted without the property being up to code.

Member Bustos added that she didn't feel that denying this due to restricted parking in the back would work due to the alley situation.

Mr. Williams addressed the Board and explained that they are evaluating what's in front of them and whether the applicant has provided justification for a hardship related to the property itself.

Chair Byers asked if they should consider the situation regarding the inspections still pending.

Mr. Williams provided additional context and information.

Chair Byers closed the public hearing at 7:00pm.

Member Werner made a motion to deny Public Hearing Item 4.1, seconded by Member Patterson.

Mr. Lathrom clarified that Member Patterson was attending tonight's meeting as an alternate and since a quorum was present, he was not able to vote. A new vote was cast.

Member Werner made a motion to deny Public Hearing Item 4.1, seconded by Member Stillwagon. The motion carried (4-1).

Board elections were held.

Member Werner was nominated as Chair by Member Stillwagon, seconded by Member Sanders. The motion carried (5-0).

Member Stillwagon was nominated as Vice Chair by Member Sanders, seconded by Member Werner. The motion carried (5-0).

There being no further business to come before the Board, Chair Byers adjourned the Regular Session of the Board of Adjustment at 7:06pm.

Dean Byers, Chairman

Isaac Williams, Planning Director

BOARD OF ADJUSTMENT REPORT

AGENDA DATE: October 21, 2026
DEPARTMENT: Planning and Development Department
PLANNER: Keyl Groff, Senior Planner

SUBJECT: SE26-0005 – 4924 Brandenburg Lane – Carport

Conduct a public hearing, discuss and consider Special Exception [Regulations and Design Guidelines for Accessory Structures] to 1) Section 10B-100(e)(2), to allow lot coverage of approximately 42% where 40% is the maximum lot coverage for principal and accessory structures in the SF-4 District; The subject site is located at 4924 Brandenburg Lane within the Single-Family 4 (SF-4) Zoning District.

OWNER/APPLICANT

Owner/Applicant: James Lanham The Colony, TX

EXISTING CONDITION OF PROPERTY

The subject property is developed with a one-story detached single-family residence.

ADJACENT ZONING AND LAND USES

North	Single-Family -4 (SF 4) – Single-Family Residential
South	Single-Family -4 (SF 4) – Single-Family Residential
East	Single-Family -4 (SF 4) – Single-Family Residential
West	Single-Family -4 (SF 4) – Single-Family Residential

BACKGROUND

The subject property contains an existing one-story single-family residence within an established single-family neighborhood. The surrounding SF-4 area consists primarily of residential lots with similar lot dimensions, dwelling scale, and development patterns.

The request before the Board of Adjustment were initiated after the applicant applied for required building permits and payment of associated review fees. Upon DRC comments, the applicant reduced and relocated the proposed carport. The carport was no longer in the side yard and the reduced the size of the carport will now cover two cars instead of three.

The applicant seeks relief from the maximum lot coverage requirement in Section 10B-100(e)(2). The requested special exection would allow approximately 42 percent lot coverage, compared with the 40 percent maximum applicable to the property.

CONSIDERATION : Lot Coverage

Section 10B-100 states the following:

“Maximum lot coverage. The principal use or structure, together with the accessory use/structure, shall not violate the maximum lot coverage requirements of this Code of Ordinances or the governing planned development standards, whichever is greater.”

Section 11-703 states the following:

“In the SF-1, SF-2, SF-3 and SF-4 districts, the maximum lot coverage for the main structure shall be 40 percent of the lot.”

For this request from lot coverage, the Board should evaluate compatibility based on the submitted site plan, proposed height and location, design/materials, lot coverage, relationship to adjacent lots, and the applicable special-exception criteria.

FINDINGS: Special Exception:

According to Section 10B-1200 of the Special Exception procedures, The Board of Adjustment will consider:

1. The impact on adjacent property owners:

Based on the submitted site plan and elevations, the proposed carport is centered over the existing driveway and is located free of sideyard location impacts. The proposed carport is lower in height than the principal dwelling. Given its location, scale, and height, staff does not identify a material adverse impact on adjacent property owners associated with the requested lot-coverage special exception.

2. The existence of a hardship that is not a result of the property owner's action:

The applicant has stated that both homeowners have mobility issues which make the use of street front parking difficult compared to the use of their driveway. Discussions with the application suggest the street front parking is limited as a cluster mailbox is located near the property's street frontage and limits the availability of unassigned on-street parking in that area. The mailbox location is relevant is suggesting there is a impact in reduced street parking in front of the applicants home. However, the availability of on-street parking does not independently establish a nexus for relief from the maximum lot-coverage standard. Critically, the number of driveway parking spaces is not increased or decreased by the applicants request, thus the proximity of site specific parking is not reduced.

3. The location and height of the proposed accessory structure:

The proposed accessory structure has a length of 21 ft., a width of 19 ft. and a height of 8 ft, 6.94 inches. The accessory structure will sit on a concrete driveway located in the rear yard of the property. No yard location special exception is required as the carport will be properly located entirely within rear yard standards. Based on staff review this is a common placement of existing accessory carport structures in the area.

4. The compatibility with the existing uses on the lot and surrounding uses:

The existing single family home with the addition of an accessory garage would be consistent with the types of development in the surrounding area. The proposed addition is not intended to affect the street facing façade.

Staff observed detached accessory carports on 9 of the 39 developed residential lots within the one-block study area. The study area consists of homes located on the block bounded by Blair Oaks Drive and Mayes Drive that share a common alley and face either Brandenburg Lane or Strickland Avenue. The observed carports vary in size, location, and apparent age.

Staff has not relied upon the observed structures as evidence of zoning compliance or as a basis for granting the requested Special Exception. Of the seven observed carports for which staff did not identify building permits, each appears to exceed the 40 percent maximum lot-coverage standard. While similar lot conditions in excess of 40 percent lot coverage can be found, the presence of potentially nonconforming or unpermitted structures does not establish entitlement to the requested Special Exception.

5. Provision of adequate access to the accessory use or structure, existing uses on the lot, and surrounding properties for fire and police protection

The DRC has reviewed the proposed structure and the carport is not anticipated to create an inadequacy for fire and police access.

6. The impact of the proposed accessory use or structure on provision of public facilities.

The proposed structure is not anticipated to create additional impact on public facilities.

RECOMMENDATION: Special Exception:

Staff recommends denial of the special exception because the applicant request has not demonstrated a property-specific hardship that is not self-created or attributable to the owner's actions, as required for approval.

NOTIFICATION

Board of Adjustment public hearings for Special Exception require newspaper notification a minimum of fifteen (15) days prior to the meeting date. A legal notice was published in the *Dallas Morning News* on October 1, 2026. One neighbor called in support of the request, no other comments either for or against this request were received as of the printing of this packet.

ATTACHMENTS

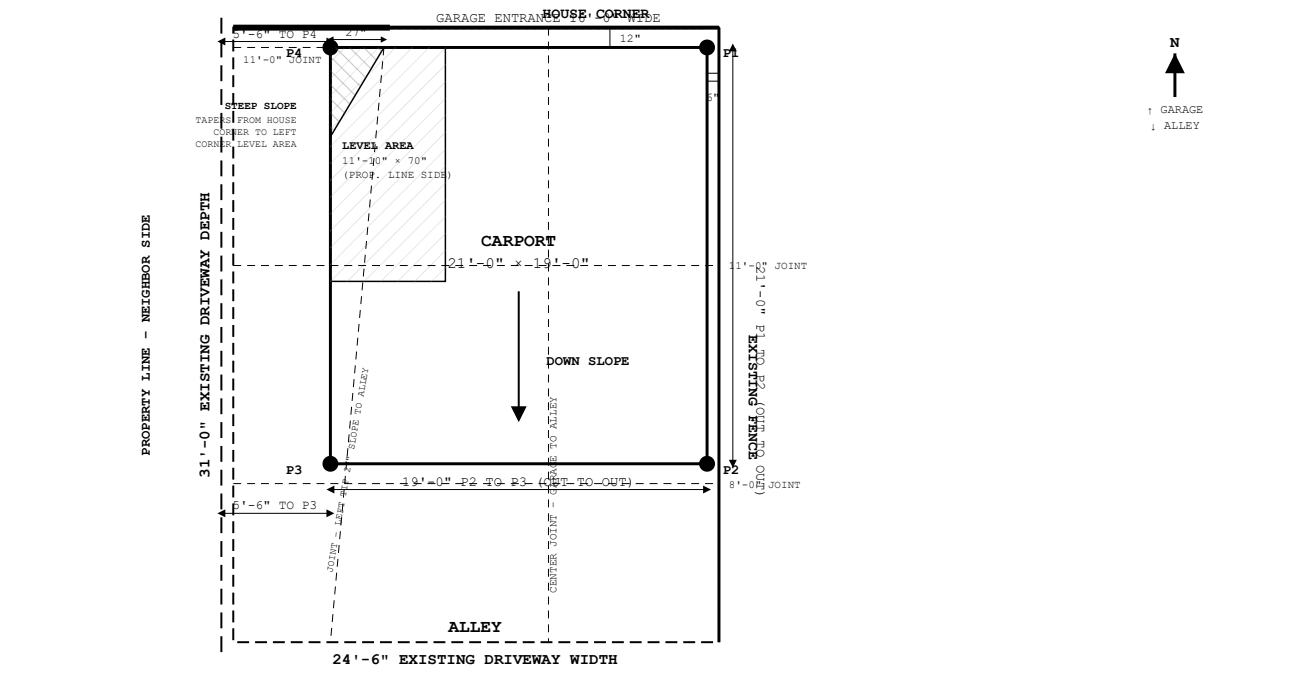
1. Location Map
2. Applicant narrative

3. Special Exception Exhibits

CARPORT ON EXISTING DRIVEWAY - PLAN & SLOPE SECTION

Driveway 31'-0" deep x 24'-6" wide | Carport 21'-0" deep x 19'-0" wide | 4 posts, no center posts | NOT TO SCALE

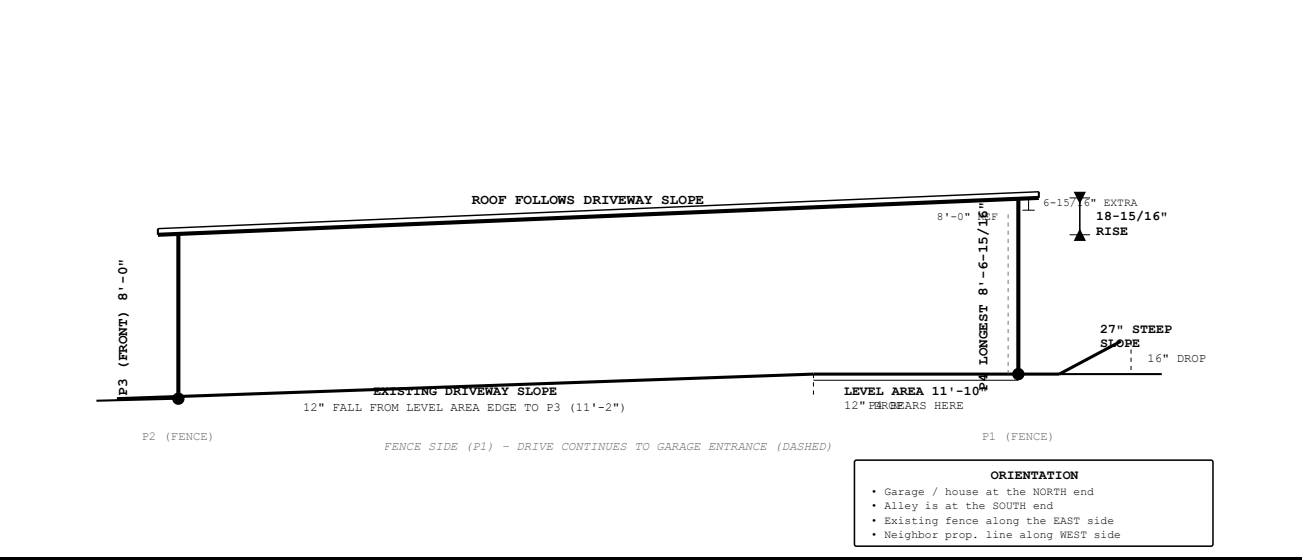
PLAN VIEW



GENERAL NOTES

- Existing driveway: 31'-0" deep to garage entrance, 24'-6" wide
- Carport starts 12" out from the garage entrance and runs 21'-0" down slope
- P1 (garage end, fence side) set 6" clear of the existing fence
- P1 to P2 = 21'-0" out to out, measured down slope
- P2 to P3 = 19'-0" out to out across the front
- Property line sits 5'-6" off the P3 / P4 post line
- P4 closes the fourth corner at the garage end
- Level area sits on the property line side at the garage end; existing fence is on the opposite side
- Garage entrance opening is 16'-0" wide, starting at the bottom edge of the 27" slope and running toward P1
- Steep slope starts at the garage entrance (27" wide) on the far side of the level area and tapers to that corner of the level area
- Top of that steep slope is 16" above the level area, dropping over the 27" run
- Drive falls 12" from the level area edge down to P3, a run of 11'-2"
- Fence side (P2 to P1) has no level area - drive runs continuously to the bottom of the garage entrance; P1 = 8'-0"
- Driveway includes a level area 11'-10" deep x 70" wide at the garage; the drive slopes down to it
- P4, the garage-end post on the property line side, lands at the level area and is the longest post
- Existing concrete expansion joints at 8'-0", 11'-0" and 11'-0" from the alley entrance toward the garage
- Center expansion joint runs from the center of the garage entrance straight out to the alley
- Second joint runs from the left tip of the 27" slope at the level area out to the alley
- 4 posts only - no center post front or back; drive-through to remain clear
- P2 and P3 (front, alley end) are 8'-0" high; roof rises 18-15/16" from there to P1 and P4
- P1 = 8'-0" following the drive slope; P4 bears on the flat level area 12" above P3 and picks up the remaining 6-15/16", for 8'-6-15/16"
- Contractor to field verify all post lengths, grade elevations and setbacks prior to fabrication
- Footing sizes, embedment depth and roof framing members by supplier / contractor to meet local code

SECTION - PROPERTY LINE SIDE (P3-P4), FENCE SIDE (P2-P1) SHOWN DASHED



RESIDENTIAL CARPORT OVER EXISTING DRIVEWAY

OWNER: JAMES LANHAM SHEET: A-1 OF 1

SITE ADDRESS: 4924 Brandenburg Ln **DATE:** 8/24/2022 **11**

DATE: 8/24/2021



4924 Brandenburg Lane

Keyl Groff

From: Lee Lanham <jlanhamiii@gmail.com>
Sent: Friday, September 18, 2026 2:40 PM
To: Keyl Groff
Subject: Updated Narative

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Mr. Groff,

I'm providing the updated narrative and clarifications regarding our proposed detached carport so they can be added to the case file.

We have revised the structure to a 19' × 21' design, totaling 399 sq. ft., fully measured from outside edge to outside edge including all eaves and overhangs. The carport will remain detached, with an approximate one-foot separation from the house to allow safe access for elderly and disabled individuals while still meeting the intent of a detached structure. Drainage will be handled with gutter-style routing that does not interfere with existing flow.

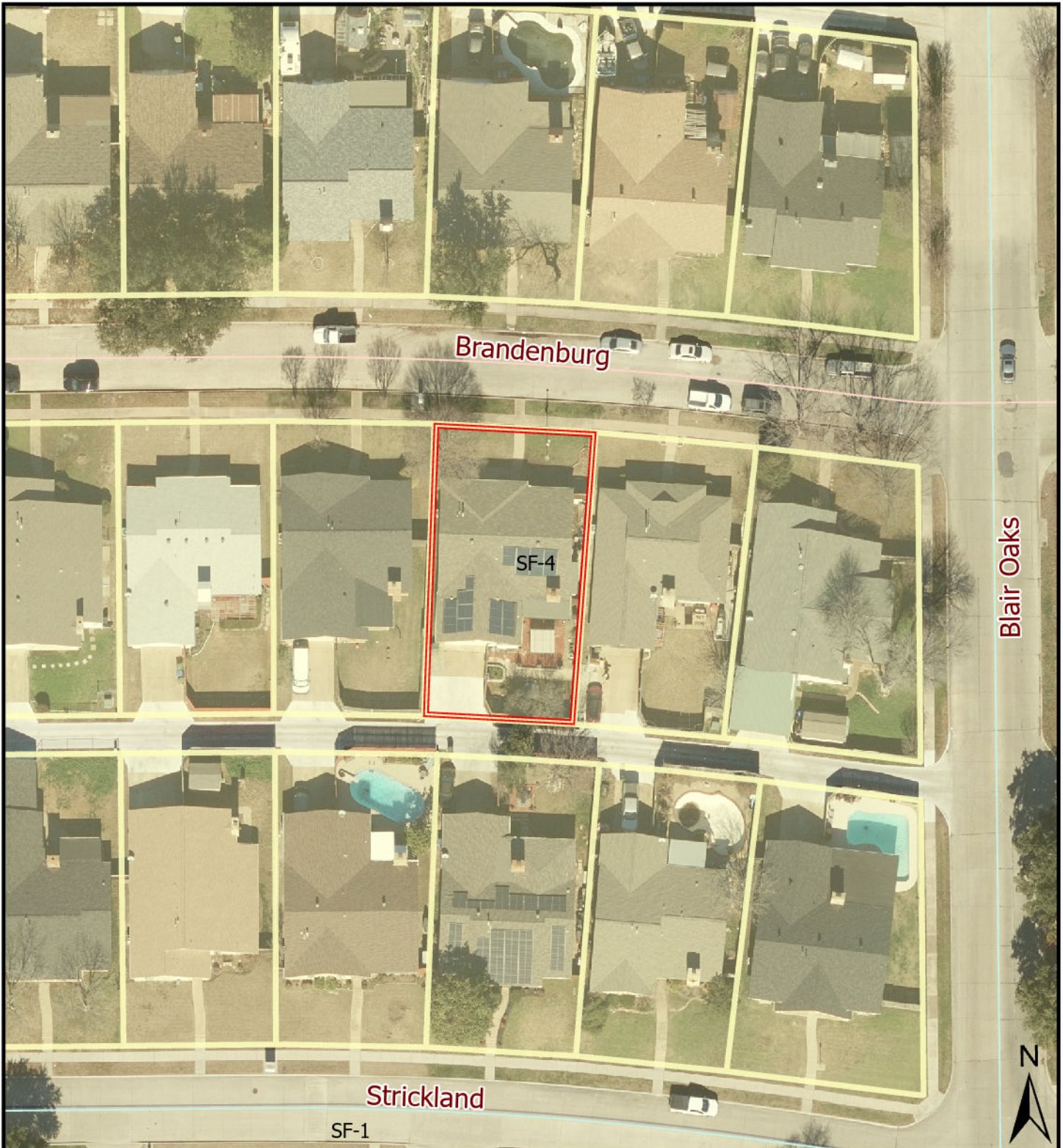
As noted in the appeal narrative, the requested special exceptions are based on practical hardships created by the existing driveway layout, traffic conditions on Brandenburg Lane, and safety concerns for both of us as senior citizens, including my status as a 100% disabled veteran. The carport will allow us to park off the street, reduce congestion, and improve safety when entering and exiting our vehicles.

It would add additional hardship for us to relocate our antique vehicle from the garage to adequately protect it from theft and inclement weather. Other personal items in the garage are mobility equipment utilized by disabled residents, refrigerator and a freezer which would not fare well in an outside storage building.

Please let me know if you need any additional clarification or if further revisions to the drawings or narrative would be helpful.

Thank you,
James Lanham

SE26-0005 - CARPORT



 4924 Brandenburg Ln

 Parcels

Zoning Areas

 Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department.
The City of The Colony does not guarantee the correctness or accuracy of any features on this map.
These digital products are for illustration purposes only and are not suitable for site-specific decision making.



BOARD OF ADJUSTMENT REPORT

AGENDA DATE: October 21, 2026
DEPARTMENT: Planning and Development Department
PLANNER: Keyl Groff, Senior Planner

SUBJECT: SE26-0003 – 5129 South Colony Blvd – Carport

Conduct a public hearing, discuss and consider Special Exception [Regulations and Design Guidelines for Accessory Structures] to 1) Section 10B-100(e)(2), to allow lot coverage of approximately 62% where 40% is the maximum lot coverage for principal and accessory structures in the SF-4 District; 2) to Section 10B-300(b) to allow a carport(s) in the side yard where no carport shall occupy space in the front or side yard; 3) to Section to allow carport(s) closer than three feet to the primary structure when used for storage; 4) to Section 10B-100(d) to allow a proposed carport(s) to allow carport(s) to exceed 24 feet on its longest dimension. The subject site is located at 5129 South Colony Boulevard within the Single-Family 4 (SF-4) Zoning District.

OWNER/APPLICANT

Owner/Applicant: Maria Sanchez The Colony, TX

EXISTING CONDITION OF PROPERTY

The subject property is developed with a one-story detached single-family residence and existing carport structures.

ADJACENT ZONING AND LAND USES

North	Single-Family -4 (SF 4) – Single-Family Residential
South	Single-Family -4 (SF 4) – Single-Family Residential
East	Single-Family -4 (SF 4) – Single-Family Residential
West	Single-Family -4 (SF 4) – Single-Family Residential

BACKGROUND

The subject property contains an existing one-story single-family residence within an established single-family neighborhood. The surrounding SF-4 area consists primarily of residential lots with similar lot dimensions, dwelling scale, and development patterns.

The requests before the Board of Adjustment were initiated after the applicant received notice of violations and a stop work order related to the construction of a carport, including the absence of required permits and payment of associated review fees. The applicant subsequently requested special exceptions to allow the existing structure to remain.

The applicant seeks relief from four provisions governing accessory structures:

- Lot coverage: Approximately 62 percent overall lot coverage, compared with the 40 percent maximum.
- Side-yard location: Portions of both carports occupy the side yards. The submitted survey depicts the east carport approximately 2.2 feet from the east property line and the west carport approximately 3.3 feet from the west property line.
- Separation from the primary structure: Both carports appear to be located less than three feet from the dwelling. The applicant's narrative identifies vehicle protection and storage of work-related materials as intended uses.
- Carport dimensions: The east carport measures approximately 47 feet by 32 feet, and the west carport measures approximately 26 feet by 22 feet. Both exceed 24 feet on their longest dimension.

The Board's evaluation should address the submitted configuration and the applicable special exception criteria, including hardship, location, height, compatibility, impacts on adjacent property owners, public-safety access, and public facilities.

CONSIDERATION 1: Lot Coverage

Section 10B-100 states the following:

"Maximum lot coverage. The principal use or structure, together with the accessory use/structure, shall not violate the maximum lot coverage requirements of this Code of Ordinances or the governing planned development standards, whichever is greater."

Section 11-703 states the following:

"In the SF-1, SF-2, SF-3 and SF-4 districts, the maximum lot coverage for the main structure shall be 40 percent of the lot."

Section 15-100 states the following:

"Yard, rear means an open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot to the other side lot line and having a depth between the building and the rear lot line as specified in the district in which the lot is situated."

The applicant requests a special exception to allow approximately 62 percent lot coverage, compared to the maximum permitted lot coverage of 40 percent. The request exceeds the applicable maximum by 22 percent, representing an approximately 55 percent increase over the permitted lot coverage. Staff finds that this increase constitutes a substantial departure from the development standard applicable to SF-4 properties.

The requested relief is attributable to the combined footprint of two carports. Based on the submitted survey, the carports cover approximately 80 percent of the rear-yard area, leaving approximately 20 percent of that area outside the carport footprints. The built

carports encroach both side yards and intensive lot coverage are inconsistent with the observed surrounding single-family development pattern.

CONSIDERATION 2: Location of Carport

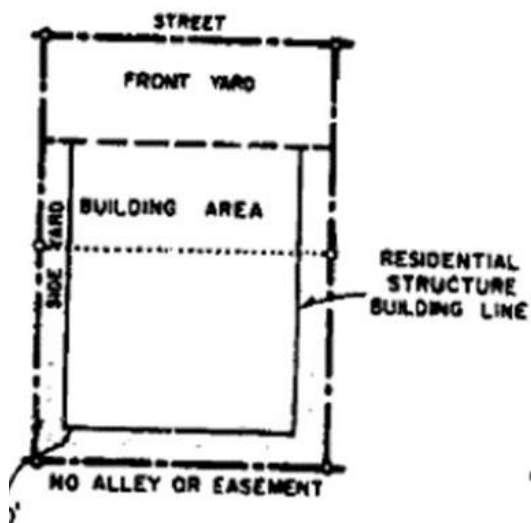
Section 10B-300 states the following:

“No carport shall occupy space in the front or side yard.”

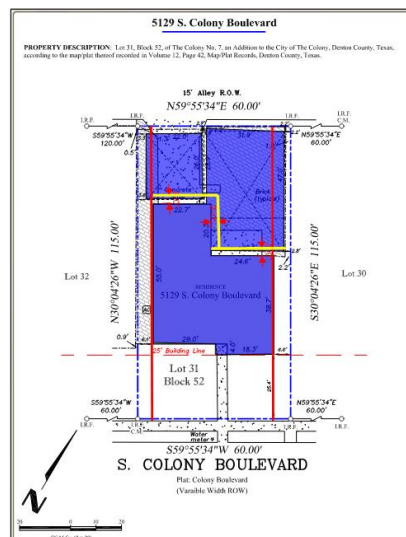
The 47 feet long carport presents a continuous roof line at in close proximity to the adjacent property. The scale of encroachment is significant compared to open space character of the neighborhood.

The ordinance definition for side yard states the following:

Yard, side means an open, unoccupied space or spaces on one or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear yard. Any lot line not the rear line or a front line shall be deemed a side line. (See Appendix Illustrations 3 and 4.). (see also Illustrations 3)



Zoning Illustrations – 3. Yards



Overlaid Survey

Based on the applicant's survey and staff's review of the side-yard boundary, a substantial portion of the existing carport encroaches the required side yard. The applicant therefore requests special exception from the prohibition against locating a carport within this designated open space.

The scale of this encroachment alters the open-space character of the a single-family lot. While the zoning ordinance requires the primary residence to maintain a minimum six-foot side yard setback, carports are prohibited from being in the side yard, which is the yard to the sides of the home. Carports would need to meet the equivalent 6.1' side yard to the west and 6.6' side yard to the east. The 47' long carport encroaches 3.8' (57%) of the east side yard width. The 24' long carport encroaches 2.8' (46%) into the west side yard width.

Staff observed predominantly open side-yard conditions throughout the study area. Given the length of the carport and its direct encroachment into the setback, staff finds that the requested side-yard structural coverage is inconsistent with the established surrounding development pattern.

CONSIDERATION 3: Separation of Carport and Storage

Section 10B-300 states the following:

“Setbacks. Detached carports may be located closer than three feet to the primary structure if the accessory structure is properly permitted, is not used for storage, and does not have walls.”

The existing east carport appears to have no discernible separation from the dwelling, while the existing west carport appears to be approximately two feet from the dwelling. These distances have not been confirmed by field measurements. As of printing of this report, the applicant has not applied for building permits, structures closer than 3 feet must be properly permitted.

The applicant’s narrative indicates the storage of business supplies under the carports. That proposed does not satisfy the no-storage condition in Section 10B-300(c) for allowing a detached carport within three feet of the primary structure.

CONSIDERATION 4: Dimensions of carport

Section 10B-100 states the following:

“Carport shall mean a structure that is open on a minimum of two sides and designed or used to shelter not more than three vehicles and not to exceed 24 feet on its longest dimension.”

The existing east side carport measures approximately 47 feet in length and 32 feet in width. The west side carport is 26 feet in length and 22 feet in width. Both carport structures exceed the 24-foot maximum dimension.

The size and footprint of the structure are substantially larger than the maximum carport size contemplated by the ordinance. The proposed dimensions also contribute to the increased lot coverage and the extent of side-yard encroachment.

FINDINGS: Special Exception:

According to Section 10B-1200 of the Special Exception procedures, The Board of Adjustment will consider:

1. The impact on adjacent property owners:

The adjoining property owner to the west has expressed support for the requested special exceptions. The tenant of the adjoining property to the east has also expressed support; however, that property’s owner has not provided input on the

request. Staff acknowledges that the distinction between owner and tenant support is relevant to evaluating aggrieved parties.

Staff considered the overall number and location of structures on the subject property. The requested relief involves overall lot coverage, carport dimensions and location, and separation from the primary structure in connection with storage use. The requested departures from accessory standards would allow extensive roofed structure coverage, including coverage within the side yard near the shared property boundary.



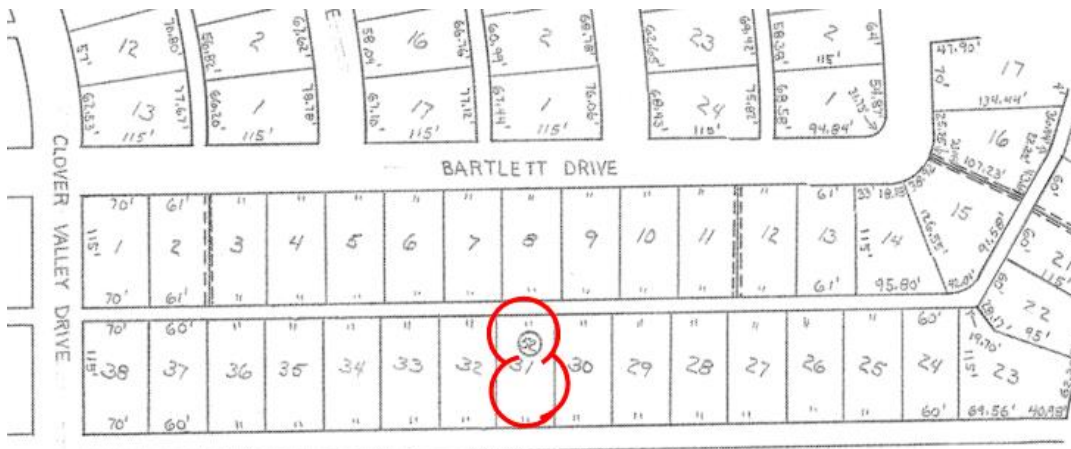
2026 Denton County Appraisal Aerial of study area.

2. The existence of a hardship that is not a result of the property owner's action:

The applicant's narrative identifies vehicle protection and storage as the purposes of the carports. However, the narrative does not explain how those purposes establish a hardship, independent of the property owner's actions.

The submitted survey depicts a rectangular lot measuring approximately 60 feet wide by 115 feet deep. The submitted information identifies no easement or topographic constraint that would necessitate the requested departures in lot coverage, carport dimensions and location, or separation from the primary structure.

Based on the applicant's narrative and the submitted site information, staff finds that the application does not demonstrate the existence of a physical hardship that is not a result of the property owner's action, as contemplated by Section 10B-1200(e)(3).



Final Plat "The Colony No.7.

3. The location and height of the proposed accessory structure:

Based on the applicant's survey and staff's delineation of the side yard boundaries, portions of both existing carports occupy the side yards. The survey depicts the east carport approximately 2.2 feet from the east property line, compared to approximately 6.6 feet for the primary residence. The west carport is approximately 3.3 feet from the west property line, compared to approximately 6.1 feet for the primary residence. Both carports therefore extend closer to the respective side property lines than the dwelling.

The east carport is approximately 47 feet long and presents a continuous roofline, a portion of which extends within the side yard. Staff considers its length and placement relevant to evaluating the extent of structural coverage within that area. The applicant reports that the east carport is approximately 10 feet tall. However, the submitted documentation has not been verified by a building permit application. Staff therefore treats the stated height as applicant-reported rather than confirmed.

Staff finds that the location of both carports introduces roofed structural coverage into the side yards. The east carport's length further and dramatically increases the extent of that coverage.

4. The compatibility with the existing uses on the lot and surrounding uses:

In evaluating compatibility under Section 10B-1200(e)(5), staff considered the cumulative effect of the requested departures, including overall lot coverage, the carport's dimensions and location, its separation from the primary structure, and the proposed storage use. With structures alone covering 62% of the lot, the composite runoff could not meet The Engineering Design Manual runoff coefficient (C) of 0.50 for single-family residential development. This exceeds the manual's single-family design value and raises a drainage concern for consideration in the compatibility evaluation.

5. Provision of adequate access to the accessory use or structure, existing uses on the lot, and surrounding properties for fire and police protection

The Development Review Committee has reviewed the request and does not anticipate inadequate access from fire and police protection.

6. The impact of the proposed accessory use or structure on provision of public facilities.

The Engineering Design Manual would suggest a runoff coefficient “C” is 0.50 for Single-Family Zoning Districts. The proposed structure coverage is inconsistent with the standards.

RECOMMENDATION: Special Exception:

Staff recommends denial of the special exceptions as the application lacks evidence of a hardship that is not a result of the owners action.

NOTIFICATION

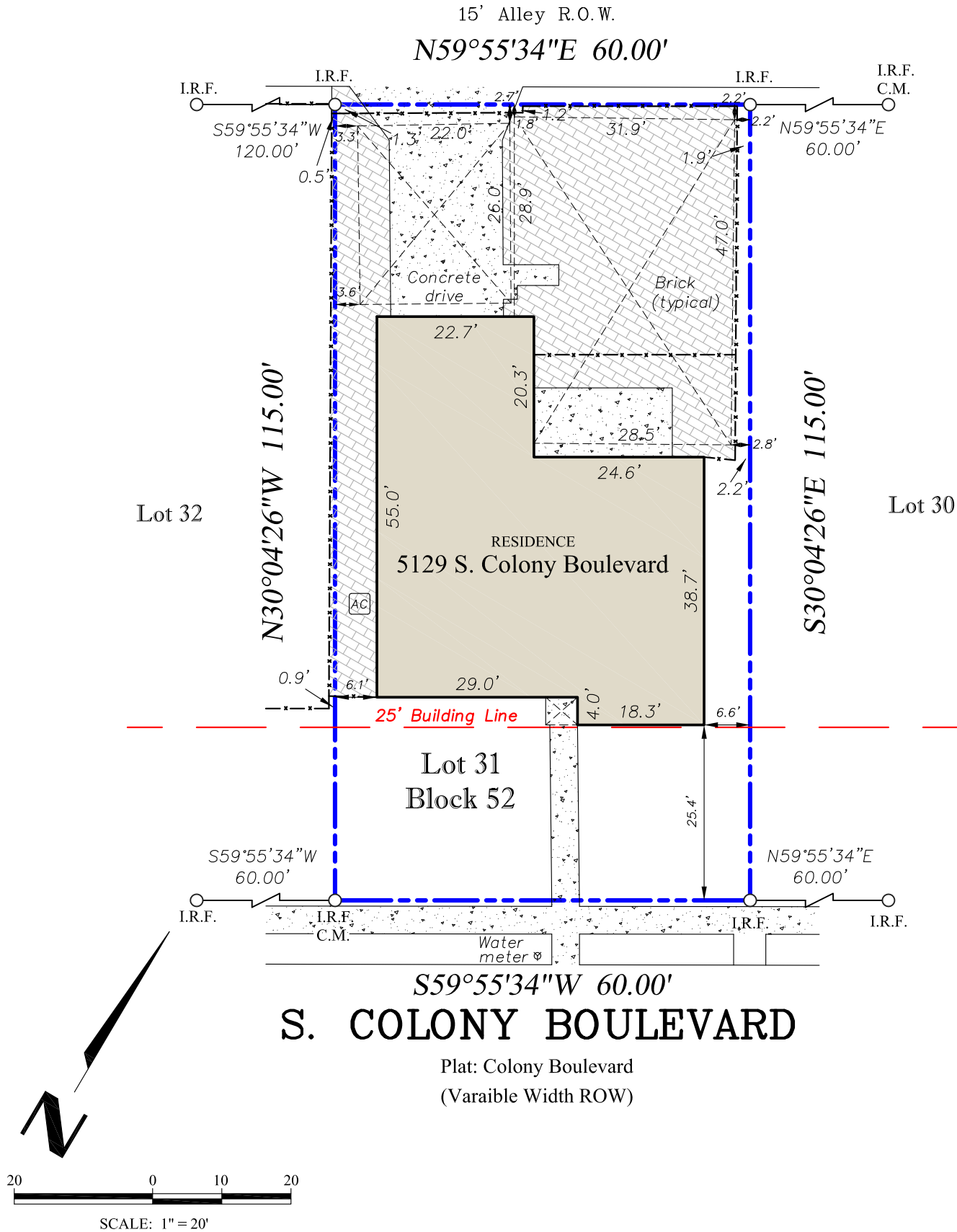
Board of Adjustment public hearings for Special Exception require newspaper notification a minimum of fifteen (15) days prior to the meeting date. A legal notice was published in the *Dallas Morning News* on Sept 29, 2026. The applicant has submitted letters of support.

ATTACHMENTS

1. Location Map
2. Applicant narrative
3. Special Exception Exhibits

5129 S. Colony Boulevard

PROPERTY DESCRIPTION: Lot 31, Block 52, of The Colony No. 7, an Addition to the City of The Colony, Denton County, Texas, according to the map/plat thereof recorded in Volume 12, Page 42, Map/Plat Records, Denton County, Texas.



FLOOD NOTE: It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 481581 0560 G, present Effective Date of map 4/18/2011, herein property situated within Zone "X" (Unshaded).

LEGEND:	
~ Boundary Line	C.M. Controlling Monument
~ Overhead Utility Line	I.R.F. 1/2" Iron Rod Found (unless otherwise noted)
~ Fence Line	I.P.F. 1/2" Iron Pipe Found
Basis of Bearings: Bearings shown hereon are based on the above mentioned record plat unless otherwise noted.	
	I.R.S. 1/2" Iron Rod Set
	"Old Town Surveying" (blue cap)

Jose & Maria Sanchez	
Fieldwork Date: 7/27/2026	Party Chief: CE
Job No.: 202607152	Tech: J.A.J.

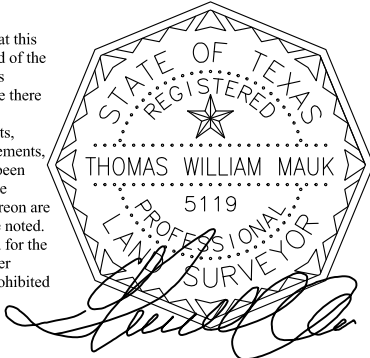


5129 S. Colony Boulevard
The Colony, Texas

Note: This survey was prepared without the benefit of a title search, therefore no search of recorded easements was performed on subject property.

SURVEYORS CERTIFICATION:
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. The building lines and easements shown hereon are per record map or plat unless otherwise noted. Use of this document is solely intended for the transaction reflected by the G.F. Number referenced hereon. Any other use is prohibited and at user's risk.

7/28/2026



Old Town Surveying, LLC
Professional Land Surveyors

810 Office Park Circle., Ste. 130, Lewisville, Texas, 75057
Ph. 469-293-8079 info@oldtownsurveying.com
TFRN Number: 10194611

PROJECT NARRATIVE & JUSTIFICATION STATEMENT

Date: September 22, 2026

To: The City of The Colony Board of Adjustment

From: Jose Sanchez & Maria del Carmen Sanchez

Property Address: 5129 S. Colony Blvd, The Colony, TX 75056

Subject: Project Narrative & Justification Statement for Special Exception Requests Regarding Side/Rear Setbacks, Driveway Widths, and Lot Coverage Limits (Case SE26-0003)

Executive Summary

To the Members of the Board of Adjustment, we are writing today to request Special Exception approval for our existing freestanding carport structures at 5129 S. Colony Boulevard.

Our family takes great pride in being long-term residents of The Colony. We love our community and are deeply committed to maintaining a beautiful, organized, and structurally sound property that harmonizes with our surrounding neighborhood. We are currently working collaboratively with city planning and development staff to bring our existing structures into full legal compliance under Ordinance No. 08-1756. This Special Exception request is the final step required to successfully complete that permitting process.

This formal narrative is submitted alongside our Revised No. 2 Survey (certified by Old Town Surveying, LLC) to address the specific items scheduled for this public hearing. As certified by our professional site survey, these structures sit 100 percent inside our deeded property lines with zero encroachment onto public land or adjacent lots. We respectfully outline below how our property layout fulfills the spirit and intent of the city's zoning criteria, balances infrastructure safety with everyday functional necessity, and carries the enthusiastic, unanimous backing of our community.

1. Justification for Setback Buffers & Boundary Materials

The city's standard setback guidelines are primarily designed to protect visual privacy, maintain open space, and establish clear structural boundaries between homes. Our layout achieves these core zoning goals perfectly:

- **Certified Boundaries and Setbacks:** As explicitly stamped on our Revised No. 2 Survey, the main carport structure maintains a verified physical setback of 3.3 feet and 3.6 feet from the true western property line shared with Lot 32. It also maintains a clear physical clearance of 2.7 feet from the northern property line adjacent to the 15' Alley Right-of-Way.
- **Premium Galvanized Steel Permanence:** The carport framework is engineered from high-grade galvanized steel. This material was selected intentionally for its rust-proof permanence, structural integrity, and fire-resistant profile, ensuring it maintains a clear, continuous physical boundary buffer without ever warping or corroding.
- **Complete Privacy Screening:** This structure is entirely screened from view at the ground level by a tall, premium, solid wood privacy fence. As verified by the survey, this fence line sits 0.5 feet to 0.9 feet onto the adjacent Lot 32 property. Because this physical barrier sits entirely to the west of our true legal boundary line, it fully screens the carport posts and vehicles from the neighbor's direct line of sight, ensuring complete visual privacy at the ground level.

- **Clean Structural Extension:** The carport framework functions as an organized, clean extension of the existing fence lines rather than a visual disruption to the neighborhood layout.

2. Comprehensive Civil Drainage & Stormwater Management

The primary intent of the city's lot coverage restrictions is to prevent excessive storm runoff from overloading municipal street gutters or causing localized street flooding. We have carefully and proactively engineered our layout to account for this environmental concern:

- **Self-Contained Inward Roof Slope:** The carports have been explicitly designed and engineered with an inward-sloping roofline that pitches entirely away from our neighbors' property boundaries and toward our own lot.
- **Zero Runoff Impact to Adjacent Lots:** Due to this deliberate slope configuration, 100 percent of the rainfall captured by the carport roofs sheds directly onto our own property footprint. It is physically impossible for rainwater to spill over the fence line, dump water next door, or place an unmanaged drainage burden on Lot 30 or Lot 32.

3. Lot Coverage Efficiency & Material Permeability

While the combined footprint of our primary home, paved drive, and outdoor carports places the overall property footprint above the standard 40 percent lot coverage threshold (at approximately 60%), the physical design minimizes traditional civil engineering drawbacks:

- **Open-Air Infrastructure:** Unlike solid residential room additions or enclosed garages, these carports are completely open on the sides. They do not block natural neighborhood airflow, trap ambient atmospheric heat, or create wall crowding.
- **Permeable Surface Integration:** The parking surface beneath the larger carport structure utilizes a brick paver layout rather than a solid, monolithic poured concrete slab. As detailed on our revised site map, the carport is built neatly over our existing drive footprint. The individual brick paver joints naturally allow heavy stormwater to filter down through the sand beds directly into the subsoil below. This maintains soil absorption while providing a clean, stable parking surface that entirely prevents mud ruts, pools of standing water, or property deterioration.

4. Integrated Alley Entry Infrastructure & Driveway Width Necessity

One of the key focuses of this hearing is the driveway width, which measures 22.7 feet wide near the main residence. Rather than functioning as a standard detached patio structure, this installation is an intentionally engineered piece of secure driveway infrastructure:

- **Alley Access Alignment:** The carport framework directly integrates with a long, custom rolling privacy door that serves as our primary secure entry point from the public alleyway.
- **Heavy-Duty Rolling Gate Infrastructure:** The structure features durable rolling gate guide wheels and heavy-duty steel tracking integrated into the framework. This layout allows for smooth, safe, and secure vehicle transit directly from the public alley into our residential parking area. By serving as the tracking mechanics for our custom rolling privacy gate, the framework functions as a logical, highly organized extension of standard, secure alley-load driveway infrastructure that fits cleanly within our property boundaries.

5. Everyday Functional Necessity, Mailbox Hardships, & Frontage Safety

A key benchmark for granting a Special Exception is establishing that a property owner faces distinct constraints and unique architectural limitations on their specific lot:

- **Demonstrated Track Record of Code Cooperation & Proactive Property Investment:** Our deep commitment to regulatory compliance is proven by our history with the city. A long time ago, when we had an open storage layout that resulted in a city code violation notice, we did not delay or contest it. Instead, we immediately took definitive action to address the city's request to ensure absolutely nothing was out of order or visible from the street. We worked quickly to ensure complete visual containment behind the existing tall wood privacy fence line running along our western border. Once this high-quality screening barrier was utilized to ensure a clean, completely contained residential aesthetic, we realized our rear brick-paver driveway area provided the perfect, orderly footprint to safely house our vehicles as well.
- **Proactive Conflict Resolution & Street Clearance History:** Our decision to construct these rear-yard carports was directly motivated by a desire to remain exceptional, community-minded neighbors. In the past, following a street-parking complaint from a new nearby tenant, we proactively consulted with The Colony's Chief of Police regarding curb-side parking regulations. While the Chief of Police explicitly confirmed that we maintain the full legal right to park our personal vehicles along the public front curb footprint, we chose not to crowd the street with all of our household transportation assets. Instead, we invested our own hard-earned resources to transition our bulkier vehicles to the rear brick-paver driveway area via the alleyway. By intentionally relocating these larger-frame vehicles to the back behind our privacy fence, we successfully relieved congestion along our front curb footprint, giving our long-term neighbors and their guests significantly more breathing room to park on our block.
- **Front-Yard Mailbox Restrictions & Frontage Traffic Hazards:** The official community mailbox sits directly in front of our residential curb space. To comply with federal regulations, we must maintain a strict 10-foot clearance zone on both sides of the mailbox structure for the carrier vehicle. This permanent public infrastructure eliminates 20 feet of available front curb parking space, preventing us from parking our everyday family vehicles in front of our home. Furthermore, the front of our property directly faces South Colony Boulevard—a high-traffic, divided four-lane municipal thoroughfare routinely utilized by heavy commercial transit vehicles and 18-wheelers. Leaving our primary daily vehicles exposed at the front curb or an open driveway subjects them to an elevated risk of vehicular side-swipe collisions and flying road debris. Relocating these assets to our covered rear footprint is an absolute safety and practical necessity.
- **Maximum Residential Garage Capacity & Specialized Automotive Preservation:** Our property features a standard two-car residential garage structure. As demonstrated by our official property records, this interior garage footprint is utilized at 100 percent capacity to securely house and preserve our family's two classic personal passenger vehicles—a classic 1979 Pontiac Trans Am and a classic 2003 Ford Mustang. Because this enclosed structural footprint is fully occupied by these long-term household automotive assets, it is physically impossible to utilize the garage for daily-use vehicles.
- **Vertical Clearance Restrictions for Daily Vehicles:** In addition to the garage operating at maximum capacity, our primary daily-use vehicle is a heavy-duty Ford F-250 Super Duty Platinum truck. Due to its significant frame height and vertical clearance requirements,

this vehicle physically cannot clear the header or fit underneath the opening of our standard, traditional residential garage door under any circumstances. Utilizing these exterior carports is our only viable option to protect our daily investments from devastating seasonal Texas hail events.

- **Orderly Subcontractor Asset Management & 20-Year Trade History:** As an established plumbing subcontractor with over 20 years of dedicated experience serving 8-10 plumbing companies across the region, maintaining immediate access to standard trade tools and plumbing service supplies is an operational reality for responding to emergency off-site service calls. Storing these work-ready items in specialized containers under the structure simply maximizes the utility of our existing paved footprint. This storage layout is strictly accessory to our residential property; because this is our private residence, there are zero commercial storefront operations, customer visits, or retail transactions conducted at this address. All items are visually contained inside the privacy fence line, entirely screened from public view.
- **Complete Transparency & On-Site Property Review:** When administrative inquiries were raised regarding our daily residential footprint, we immediately and repeatedly invited city staff to walk our property with us in person to view our family vehicles and verify our operations. We have nothing to hide. Storing our tools safely behind our borders and keeping our daily vehicles tucked neatly in the back reflects our complete transparency and commitment to an un-cluttered neighborhood aesthetic.
- **Comprehensive Household Vehicle Accommodations:** In full alignment with the administrative review process, we explicitly outline below the standard personal passenger vehicles utilizing this covered footprint. Every vehicle listed represents a standard family transportation asset that requires rear-yard sheltering due to the un-alterable physical garage constraints and public mailbox street-parking restrictions detailed above:

Household Transportation Asset

Primary Parking Hardship & Protective Necessity

Ford F-250 Super Duty Platinum Truck

Frame height physically exceeds standard residential garage headers; requires specialized vertical clearance protection from seasonal hail events.

Full-Size Luxury SUV (2021 Cadillac Escalade)

Large-frame family transportation asset; requires secure rear-yard footprint behind the privacy fence line to maximize property organization and safety.

Classic Ford Pickup Truck (1994 White/Blue)

Specialized personal automotive asset; kept securely off the dangerous 4-lane thoroughfare of South Colony Blvd to prevent vandalism or side-swipe damage.

Special-Edition Ford Pickup Truck (2003 Harley-Davidson)

Restricted from front street footprint due to public mailbox laws; safely sheltered in the rear yard to preserve neighborhood aesthetics and protect a high-value collector asset from severe weather.

American Classic Ford Bronco (1982)

Highly valuable personal automotive asset; neatly integrated into the organized residential footprint to protect a classic investment from severe weather and keep street parking clear.

6. Absolute Neighborhood Harmony & Community Support

The definitive test of a residential Special Exception is whether the structure alters the essential character of the block or creates a nuisance for surrounding citizens. We have actively engaged our neighbors, and the feedback has been overwhelmingly supportive:

- **Immediate Next-Door Approval:** The immediate residents directly adjacent to our boundaries on both Lot 30 and Lot 32 have personally reviewed our layout and signed formal Letters of No Objection. They have confirmed in writing that the carports do not impact their views, safety, drainage, or private property use in any way.
- **Overwhelming Block Support:** In addition to our immediate next-door neighbors, we have secured 13 additional signed letters of support from homeowners living on our surrounding block. This total of 15 neighborhood signatures serves as concrete proof that our structures exist in complete harmony with the street, improve the aesthetic of the alleyway, and are fully embraced by the local community.

Conclusion

We have acted in good faith to resolve all city staff inquiries, establish structural integrity, and ensure zero drainage impact on our surrounding neighborhood. Denying this request would create an immediate operational hardship by forcing our large daily-use vehicles onto a high-velocity thoroughfare due to un-alterable garage footprint limitations and public infrastructure restrictions. This practical logistical reality would directly create the exact street congestion and neighborhood friction we have spent years actively trying to prevent. Forcing our family vehicles back onto the front curb penalizes us for trying to be conscientious citizens and disrupts the peaceful community standard we work hard to maintain.

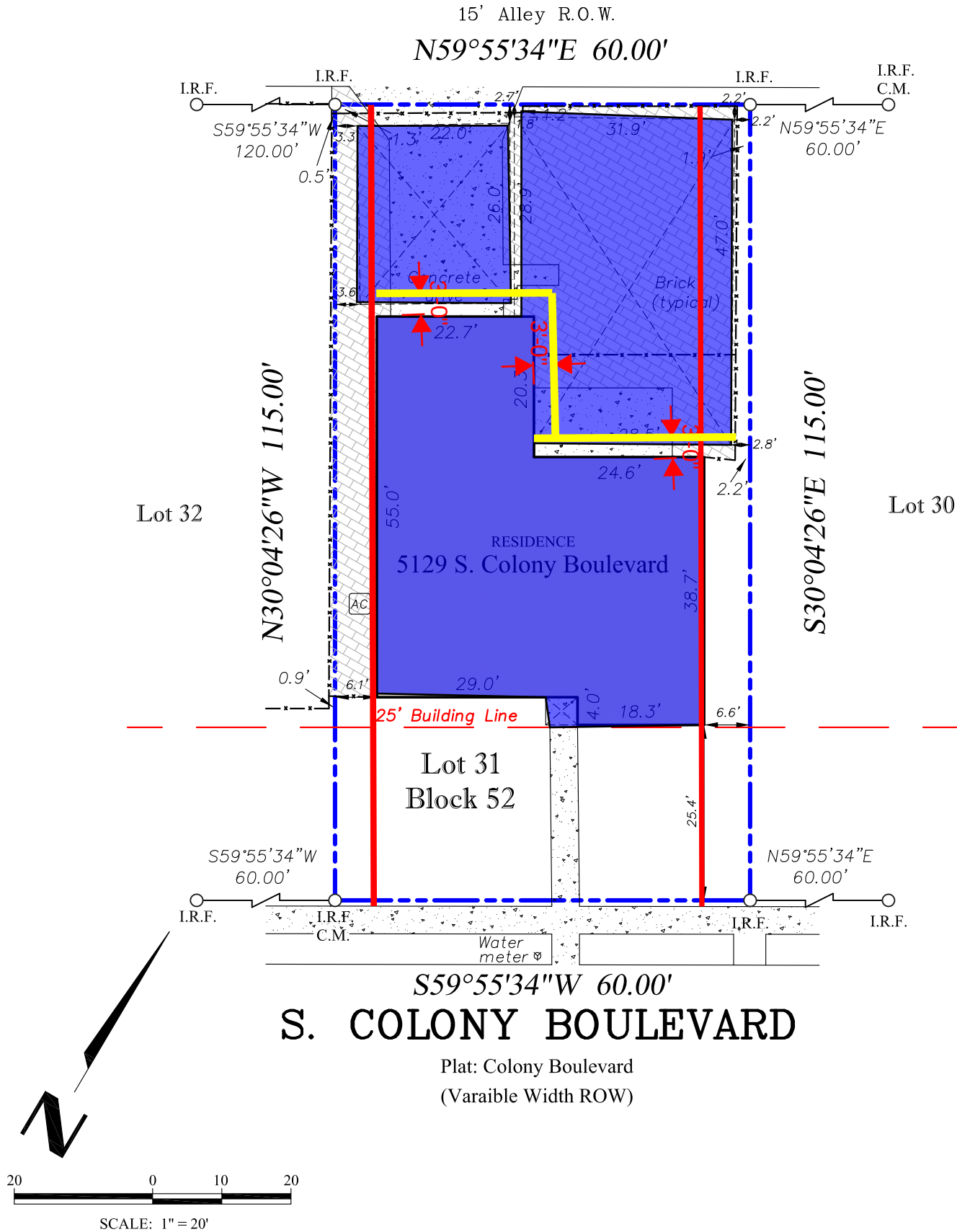
Thank you for your valued time, your civil service, and your consideration of our family's application.

Sincerely,

Jose Sanchez & Maria del Carmen Sanchez
Property Owners & Applicants
Case SE26-0003

5129 S. Colony Boulevard

PROPERTY DESCRIPTION: Lot 31, Block 52, of The Colony No. 7, an Addition to the City of The Colony, Denton County, Texas, according to the map/plat thereof recorded in Volume 12, Page 42, Map/Plat Records, Denton County, Texas.



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

To The Colony Board of Adjustment,

I am a neighboring property owner near 5129 S. Colony Blvd. I have been informed about the existing freestanding carports located in the rear yard abutting the alleyway, and the owner's request for a structural setback variance.

By signing below, I formally state to the Board that:

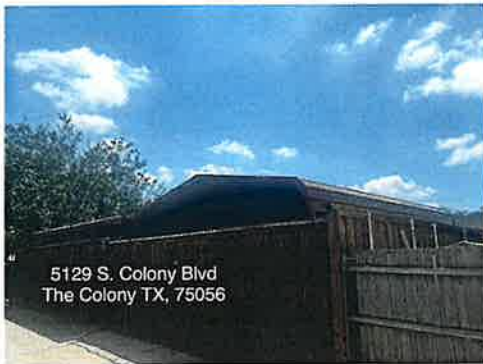
- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Heika Muller

Neighbor Address: 5145 Bartlett Dr. The Colony TX 75056

Neighbor Signature: [Signature]

Date: 8/27/26



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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- I support the city approving this variance request.

Neighbor Name (Printed):

Amanda L. [unclear]

Neighbor Address:

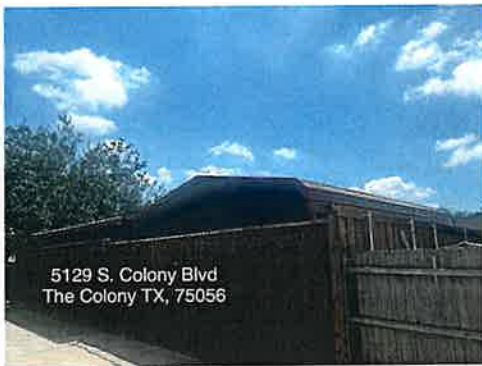
5121 S. Colony Blvd

Neighbor Signature:

[Signature]

Date:

8.27.20



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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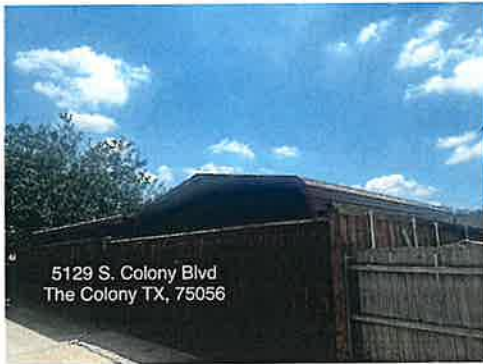
- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): James Willard

Neighbor Address: 5105 S. Colony The Colony TX 75056

Neighbor Signature: James Willard

Date: 8/27/26



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

To The Colony Board of Adjustment,

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By signing below, I formally state to the Board that:

- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Pearlene Scails

Neighbor Address: 5113 S. Colony

Neighbor Signature: Pearlene Scails

Date: Aug 27 2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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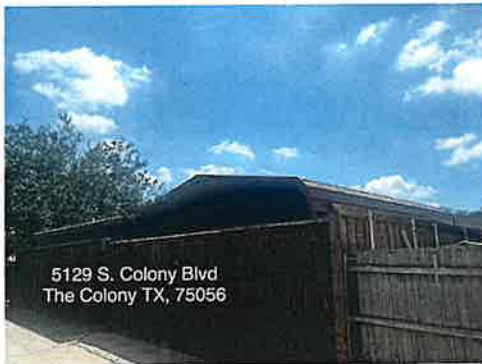
- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Sebastian Comissoris

Neighbor Address: 5125 S Colony Blvd, The Colony, TX 75056

Neighbor Signature: Boyc

Date: 8/29/2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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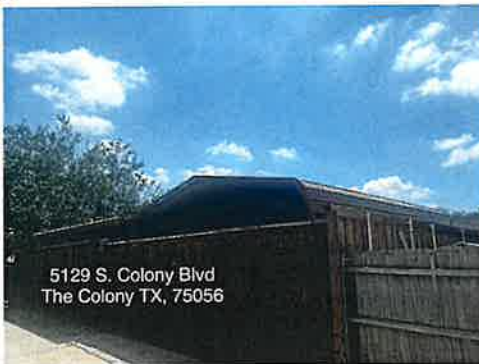
- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Alexia Daniels

Neighbor Address: 5133 S. Colony Blvd

Neighbor Signature: [Signature]

Date: 8-27-26



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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- I support the city approving this variance request.

Neighbor Name (Printed): Maricela Rojas

Neighbor Address: 5149 S Colony Blvd

Neighbor Signature: THE COLONY TX 75056

Date: 08 27 2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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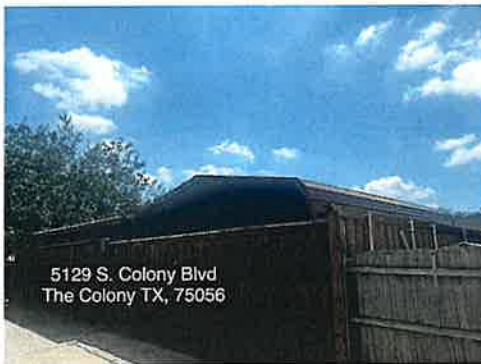
- I have no objections to the carports remaining in their current location.
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- I support the city approving this variance request.

Neighbor Name (Printed): Elizabeth Quisenberry

Neighbor Address: 5013 Griffin Dr.

Neighbor Signature: Elizabeth Quisenberry

Date: 8/27/20



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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Neighbor Name (Printed): Seabast KHONG

Neighbor Address: 5157 S. Colony Blvd

Neighbor Signature: Seabast KHONG

Date: 08/27/2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

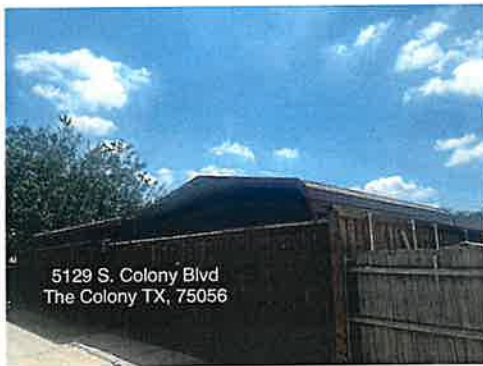
To The Colony Board of Adjustment,

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- I support the city approving this variance request.

Neighbor Name (Printed): Johnny Essa
Neighbor Address: 5129 Bartlett Drive The Colony TX 75056
Neighbor Signature: Johnny Essa
Date: 8-27-2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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- I support the city approving this variance request.

Neighbor Name (Printed): Norma Carr

Neighbor Address: 5137 Bartlett Dr

Neighbor Signature: [Signature]

Date: 08/29/26



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

To The Colony Board of Adjustment,

I am a neighboring property owner near 5129 S. Colony Blvd. I have been informed about the existing freestanding carports located in the rear yard abutting the alleyway, and the owner's request for a structural setback variance.

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- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Elaine Hemmingsham

Neighbor Address: 5153 S Colony Blvd

Neighbor Signature: [Signature]

Date: 7/29/2026



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

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I am a neighboring property owner near 5129 S. Colony Blvd. I have been informed about the existing freestanding carports located in the rear yard abutting the alleyway, and the owner's request for a structural setback variance.

By signing below, I formally state to the Board that:

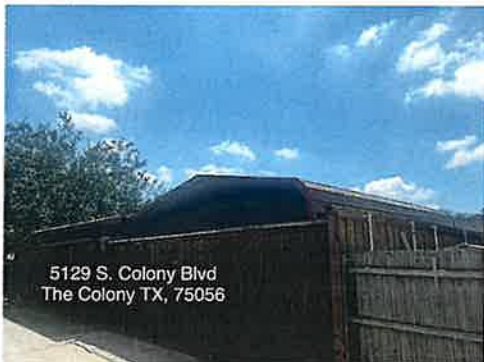
- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Julia Hill

Neighbor Address: 5145 S. Colony Blvd

Neighbor Signature: Julia Hill

Date: 9/4/2016



NEIGHBOR LETTER OF NO OBJECTION

Regarding Property: 5129 S. Colony Blvd, The Colony, TX 75056

Proposed Request: Zoning Variance for Rear/Side Yard Freestanding Carports

To The Colony Board of Adjustment,

I am a neighboring property owner near 5129 S. Colony Blvd. I have been informed about the existing freestanding carports located in the rear yard abutting the alleyway, and the owner's request for a structural setback variance.

By signing below, I formally state to the Board that:

- I have no objections to the carports remaining in their current location.
- The structures do not block my view, interfere with my property use, or cause any safety concerns.
- I support the city approving this variance request.

Neighbor Name (Printed): Kim Sawyer

Neighbor Address: 5141 South Colony

Neighbor Signature: [Signature]

Date: 9/22/26



SE26-0003 - CARPORT



 5129 S. Colony Blvd.

 Parcels

Zoning Areas

 Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department.
The City of The Colony does not guarantee the correctness or accuracy of any features on this map.
These digital products are for illustration purposes only and are not suitable for site-specific decision making.





AGENDA DATE: October 21, 2026

DEPARTMENT: Planning & Development Department

PLANNER: Melissa Devin, Planning Technician

SUBJECT: SE26-0004 – 5000 Aztec Drive – Detached Garage

Conduct a public hearing, discuss and consider a Special Exception to Section 10B-400 (b) [Regulations and Design Guidelines for Accessory Structures] to allow a detached garage to be located in the side yard where no detached garages shall occupy space in the front or side yard. The subject site is located at 5000 Aztec Dr within the Single-Family 4 (SF-4) Zoning District.

OWNER/APPLICANT

Owner: Garrett Booker, 5000 Aztec Drive – The Colony, TX

Applicant: Garrett Booker, 5000 Aztec Drive – The Colony, TX

EXISTING CONDITION OF PROPERTY

The property is developed with a Single-Family dwelling.

ADJACENT ZONING AND LAND USES

North: Single-Family 4 (SF-4) – Single-Family Residential

South: Single-Family 4 (SF-4) – Single-Family Residential

East: Single-Family 4 (SF-4) – Single-Family Residential

West: Single-Family 4 (SF-4) – Camey Elementary School

BACKGROUND

The subject site contains an existing 2,315 square foot single-family dwelling. The surrounding area is an established neighborhood with similar lot dimensions and dwelling profiles.

The applicant requests relief from the Section 10B-400 (b) requirement that no detached garage shall occupy space in the front or side yard. The request is to accommodate the addition of a 12-foot x 20-foot detached garage, allowing the detached garage to be in the side yard where no detached garages shall occupy space in the side yard. The applicant intends to utilize the detached garage for car storage and personal use.

The request has been made by the owner, and the application includes a survey and structural calculations for the detached garage. The proposed detached garage is 12-foot x 20-foot (240

square feet) and has a peak height of 11 feet. The structure will be in the side yard of the property, constructed over a concrete pad.

CONSIDERATION:

Section 10B-400 (b) states the following:

“No detached garage shall occupy space in the front or side yard.”

The property is in the Single-Family 4 (SF-4) Zoning District, where no accessory structure shall occupy space in the side yard. However, it is not uncommon to find dwellings with accessory structures located in the side yard in the surrounding area.

FINDINGS: SPECIAL EXCEPTION:

According to Section 10B-1200 of the Special Exception procedures, The Board of Adjustment will consider:

1. The impact on adjacent property owners:

Staff does not anticipate a significant impact on adjacent property owners. The subject site is located within the Single-Family 4 (SF-4) Zoning District and a few of the adjacent properties have an accessory structure of similar location and size as the proposed request.

2. The existence of a hardship that is not a result of the property owner’s action:

Staff found no existence of hardship as it relates to the applicant request. The project narrative states, *“Strict compliance with the standard side yard setback under these lot-specific conditions would impose a hardship distinguished from mere inconvenience, as it would leave no practical or structurally suitable location on the property for a detached accessory structure of reasonable size.”*

3. The location and height of the proposed accessory structure:

The proposed detached garage has a length of 20 feet, a width of 12 feet, and a peak height of 11 feet. The accessory structure will be located approximately 4.45 feet in the side yard, constructed over an existing concrete pad which was previously approved and reviewed by the city under permit number 2605-0100.

4. The compatibility with the existing uses on the lot and surrounding uses:

The existing single-family home with the addition of a detached garage is compatible with existing uses in the surrounding area. Properties in the surrounding area were found to have accessory structures; some being located in the side yard.

5. Provision of adequate access to the accessory use or structure, existing uses on the lot, and surrounding properties for fire and police protection

The proposed structure is not anticipated to create an inadequacy for fire and police access.

6. The impact of the proposed accessory use or structure on provision of public facilities.

The proposed structure is not anticipated to create additional impact on public facilities.

RECOMMENDATION:

Staff recommends denial of the Special Exception request as the request does not demonstrate a hardship that is not a result of the property owner's actions.

NOTIFICATION:

Board of Adjustment public hearings require newspaper notification a minimum of 15 days prior to the meeting date. A legal notice was published in the *Dallas Morning News* on October 1st 2026. No comments either for or against this request were received as of the printing of this packet.

OPTIONS OF THE BOARD:

1. Approve the request
2. Deny the request
3. Postpone consideration
4. Table item

ATTACHMENTS:

1. Location Map
2. Narrative
3. Site Survey
4. Structural Calculations

SE26-0004 - 5000 AZTEC - DETACHED GARAGE



-  5000 Aztec Dr.
-  Parcels

Zoning Areas

-  Single Family Dwelling

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PROJECT NARRATIVE

Special Exception Request

5000 Aztec Drive, The Colony, Texas 75056

Lot 1, Block 11, The Colony No. 2

Applicant/Owner: Garrett Booker

PROPOSED REQUEST

I am respectfully requesting a Special Exception to allow the placement of a 12' x 20' detached metal garage accessory structure in the side yard at 5000 Aztec Drive, The Colony, Texas 75056. The proposed structure is a certified, engineered metal building manufactured by Safeguard Metal Buildings, Inc., rated for 140 mph wind load and 30 PSF snow load in accordance with the 2021 International Building Code.

1. IMPACT ON ADJACENT PROPERTY OWNERS

The proposed garage will have minimal to no impact on adjacent property owners. The structure is located at the rear of the lot, adjacent to the 15' alley along the north property boundary. The garage is not visible from Aztec Drive and does not obstruct sightlines, access, or natural light for neighboring properties. The structure will not generate noise, traffic, or activity beyond that of a standard residential accessory use. No adverse impact to adjacent property values or quality of life is anticipated.

2. EXISTENCE OF A HARDSHIP NOT CAUSED BY THE PROPERTY OWNER

The hardship in this case arises from the particular physical shape and configuration of the subject lot, which are unique to this property and not applicable generally to other properties in the surrounding area. Lot 1, Block 11 is a corner lot, with frontage on both Aztec Drive to the south and Blair Oaks Road to the east, and is additionally bounded by a 15-foot platted alley to the north. As a corner lot, the property is subject to setback requirements along multiple sides simultaneously, which substantially reduces the buildable area available for accessory structures compared to a standard interior lot with setback requirements on only one side. These physical and geometric constraints are inherent to the lot as platted and are not the result of any discretionary choice or action by the applicant. Strict compliance with the standard side yard setback under these lot-specific conditions would impose a hardship distinguished from mere inconvenience, as it would leave no practical or structurally suitable location on the property for a detached accessory structure of reasonable size.

3. PROPOSED LOCATION AND HEIGHT OF THE STRUCTURE

The proposed garage is a 12' wide by 20' long enclosed gable-end metal building with a vertical roof. The structure will be installed on the existing approved concrete pad located in the rear of the lot near the north alley boundary. The eave height is 9 feet. With a 3:12 pitch roof on a 12' wide building, the total height from grade to ridge peak is 11 feet — well within the City's 16-foot

maximum height for accessory structures. The structure maintains the required 3-foot minimum setback from the rear property line as reflected on the updated survey prepared by CBG Surveying Texas LLC (Job No. 28138, dated 07/27/2026). The structure is sited approximately 4.45 feet beyond the side wall of the existing residence, representing the extent of the encroachment into the side yard.

4. COMPATIBILITY WITH EXISTING AND SURROUNDING USES

The proposed detached garage is compatible with the existing residential use of the property. The structure will be used for storage of seasonal items, landscaping equipment, and general household maintenance tools, which is consistent with the property's single-family residential zoning designation. The garage is an accessory use subordinate to the principal residential use of the lot. No change of use or intensification of use is proposed or intended. The existing attached garage no longer provides adequate space for the seasonal items, landscaping equipment, and miscellaneous tools necessary to properly maintain the property. As a visible corner lot that has served as a gathering point for neighbors during local parades and community events, the property's well-maintained landscaping and appearance are a point of pride for the applicant. The proposed structure will allow adequate, organized storage of maintenance equipment, directly supporting the continued upkeep of the property's landscaping and exterior appearance. The modest scale of the structure — 12' wide by 20' long, with a total height of 11 feet — ensures it remains secondary to the primary dwelling and does not alter the residential character of the property.

5. ADEQUATE ACCESS FOR FIRE AND POLICE PROTECTION

The proposed garage does not obstruct or impede emergency access to the property or to any adjacent properties. The 15' alley along the north boundary of the lot remains fully open and accessible to emergency vehicles. The structure does not block any access points, easements, or rights-of-way. Fire and police protection for the subject property and surrounding properties will not be diminished in any way by the approval of this Special Exception.

6. IMPACT ON PUBLIC FACILITIES

The proposed accessory structure will have no significant impact on public facilities. There will be no increase in impervious cover beyond the existing approved concrete pad. Stormwater drainage patterns will not be altered. No additional demand will be placed on public roads, utilities, or municipal services as a result of this structure.

CONCLUSION

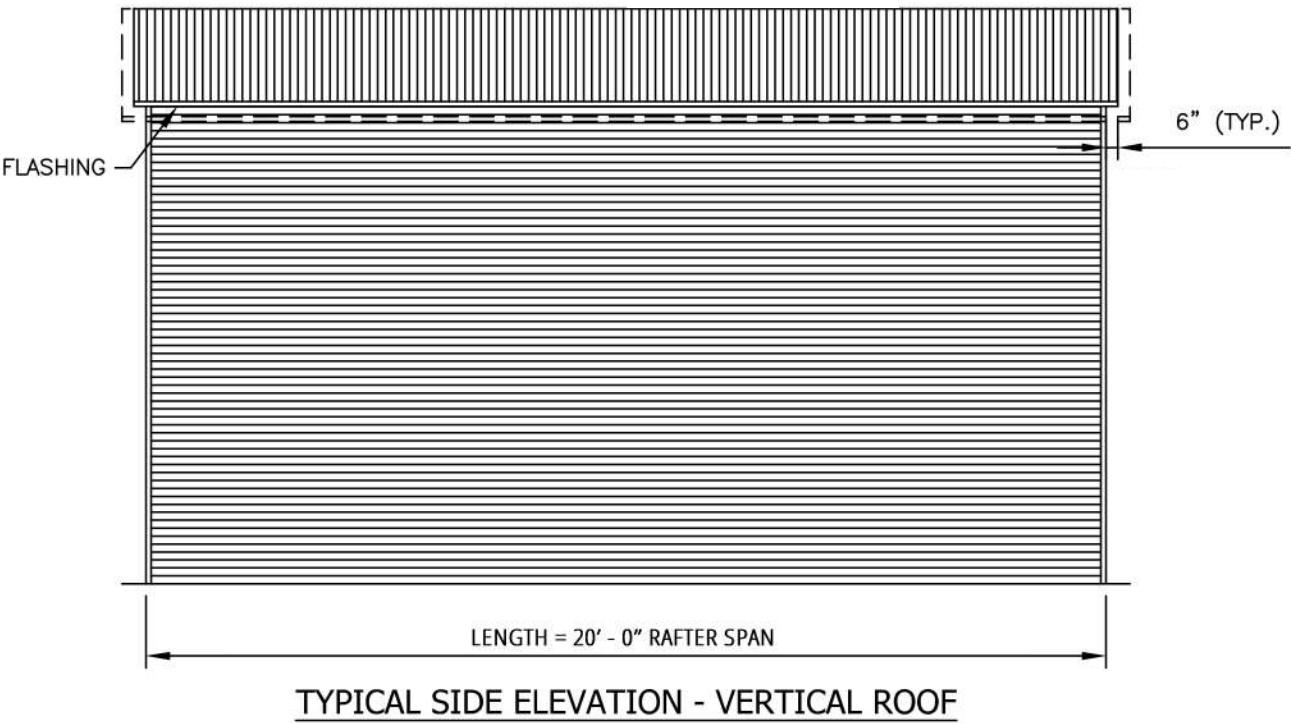
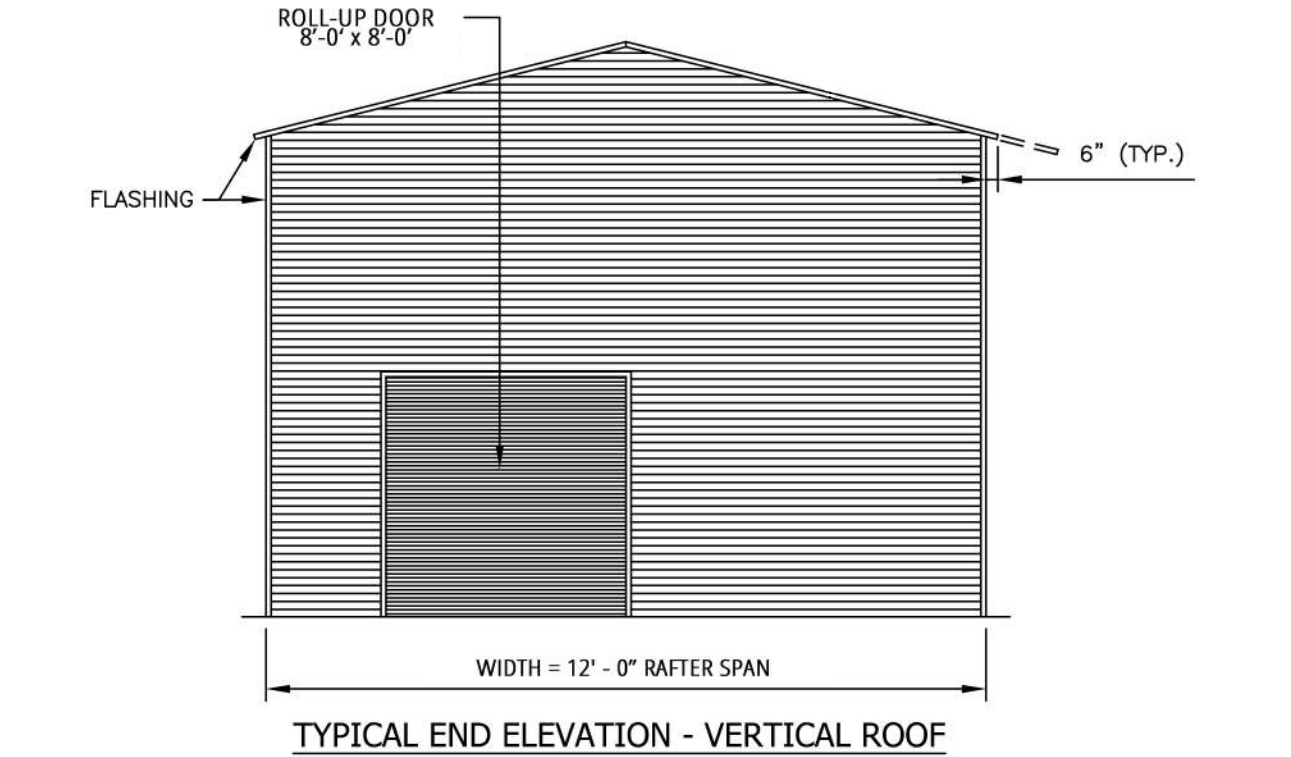
I respectfully submit that all six criteria for a Special Exception have been met. The proposed garage is modest in scale, compatible with the residential use of the property, and poses no adverse impact to adjacent property owners, emergency access, or public facilities. I respectfully request approval of this Special Exception to allow the placement of the proposed

detached garage accessory structure at 5000 Aztec Drive, The Colony, Texas 75056 as described herein.

Respectfully submitted,

Garrett Booker
5000 Aztec Drive
The Colony, Texas 75056
(901) 378-4426
gbooker.mail@gmail.com

BOX EVE FRAME RAFTER STRUCTURE



JCMT
ASSOCIATES, PLLC
PO BOX 27
PILOT MOUNTAIN, NC28641
828-310-7160


SAFEGUARD
METAL BUILDINGS
855-857-5264

GARRETT BOOKER 5000 AZTEC DR THE COLONY, TX 75056		Project No. 1626-0033	Sheet No. S1
Date: 08/23/26	Revisions: -		



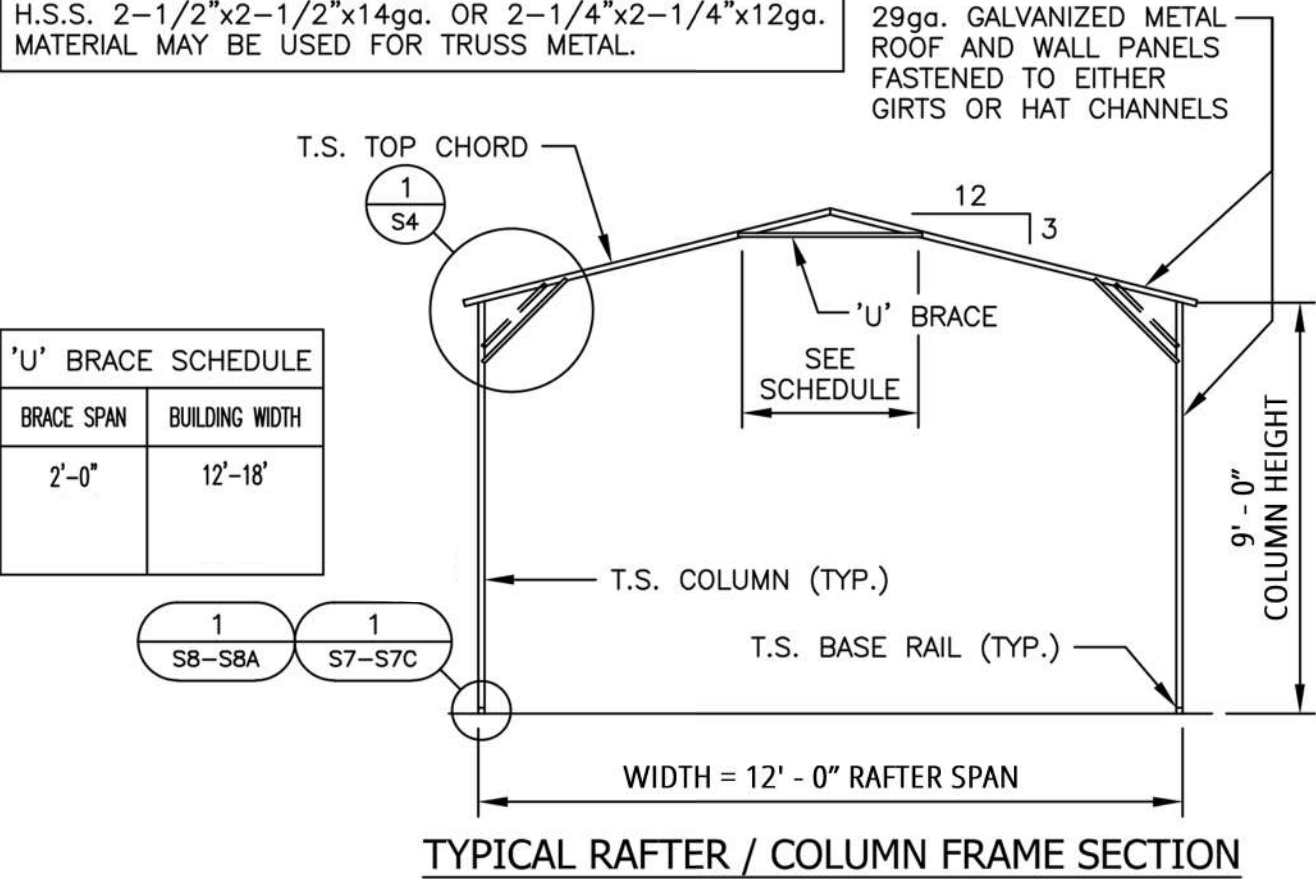
026

53



(12' WIDE / 9' EAVE) BOX EVE RAFTER END WALL SECTIONS

NOTE:
H.S.S. 2-1/2"x2-1/2"x14ga. OR 2-1/4"x2-1/4"x12ga.
MATERIAL MAY BE USED FOR TRUSS METAL.



JCMT
ASSOCIATES, PLLC
PO BOX 27
PILOT MOUNTAIN, NC28641
828-310-7160



Project No.
1626-0033

Sheet No.
S2

GARRETT BOOKER
5000 AZTEC DR
THE COLONY, TX 75056

Date:
08/23/26

Revisions:
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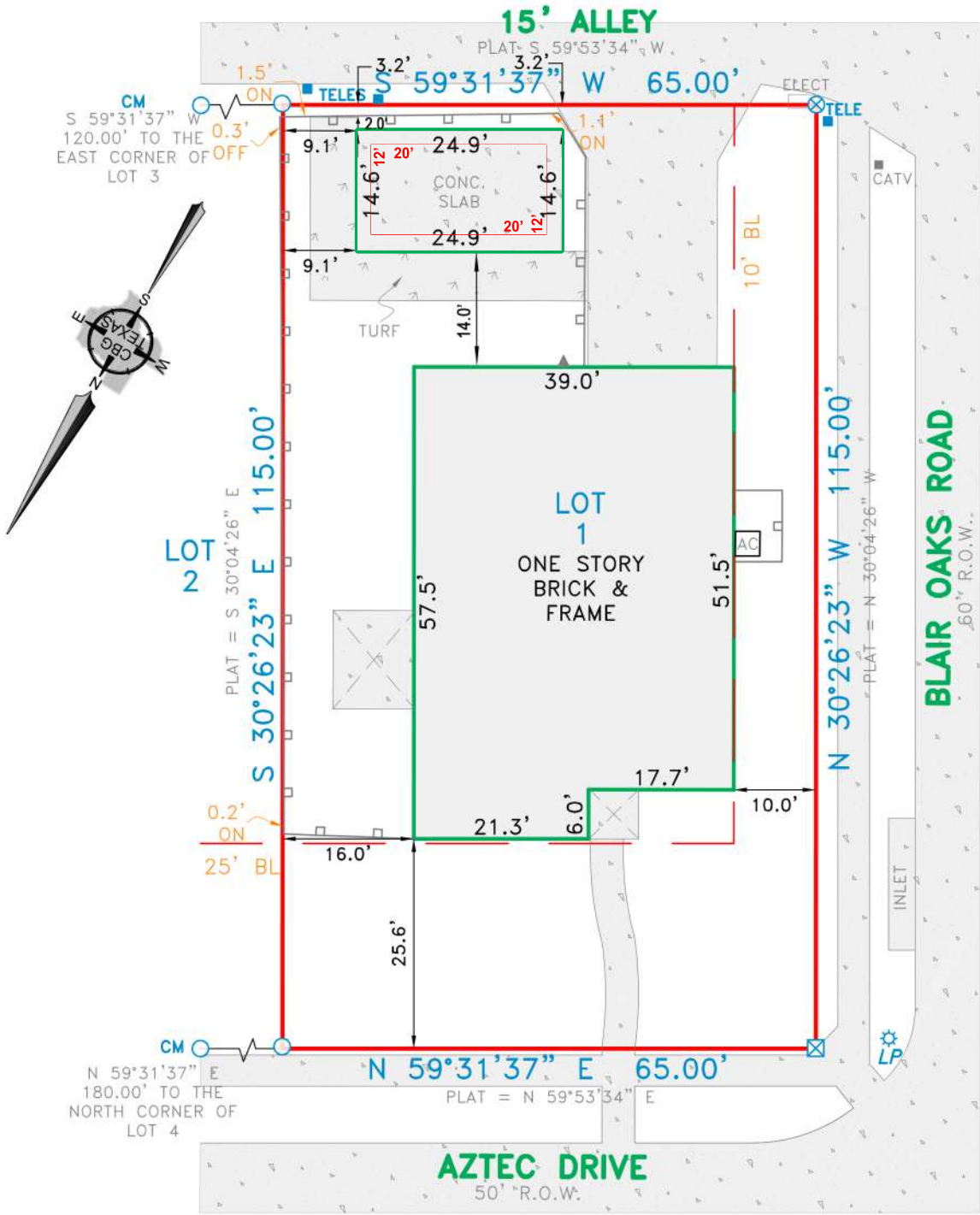


5000 Aztec Drive

Being Lot 1, Block 11, of The Colony No. 2, an Addition to the City of The Colony, Texas, according to the Plat thereof recorded in Volume 11, Page 16, of the Plat Records of Denton County, Texas.



○ 1/2" ROD FOUND	□ FENCE POST FOR CORNER	TE TRANSFORMER PAD	LEGEND	SSE SANITARY SEWER EASEMENT	—OHP— OVERHEAD ELECTRIC POWER	/// PIPE FENCE	CONCRETE
⊗ 1/2" ROD SET	CM CONTROLLING MONUMENT	TELE TELEPHONE PEDESTAL	LP LIGHT POLE	UE UTILITY EASEMENT	—OES— OVERHEAD ELECTRIC SERVICE	WOOD DECK	COVERED AREA
○ 1" PIPE FOUND	AC AIR CONDITIONER	▲ UNDERGROUND ELECTRIC	BL BUILDING LINE	—○— CHAIN LINK	WOOD FENCE 0.5' WIDE TYPICAL	EDGE OF ASPHALT	BRICK
⊗ "X" FOUND/SET	PE POOL EQUIPMENT	△ OVERHEAD ELECTRIC	AE AERIAL EASEMENT			EDGE OF GRAVEL	STONE
⊕ 5/8" ROD FOUND			IRON FENCE				
● POINT FOR CORNER							
■ COLUMN							



EXCEPTIONS:

NOTE: This survey is made in conjunction with the information provided by the client. CBG Surveying Texas, LLC has not researched the land title records for the existence of easements, restrictive covenants or other encumbrances.

NOTE: BEARINGS SHOWN ARE BASED ON NAD 83 TEXAS NORTH CENTRAL ZONE

NOTES:

NOTE: Bearings, easements and building lines are by recorded plat unless otherwise noted.

FLOOD NOTE: According to the F.I.R.M. No. 48121C0560G, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Garrett Booker. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: AT

Scale: 1" = 20'

Date: 07/27/2026

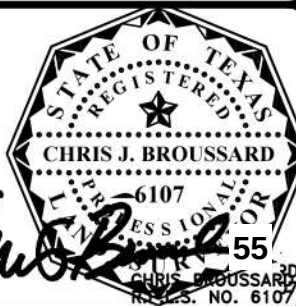
GF No.:

GFN

Job No. 28138

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SURVEYING TEXAS LLC

419 Century Plaza Dr., Ste. 210
Houston, TX 77073
P 214.349.9485
F 214.349.2216
Firm No. 10194280
www.cbgtllc.com



Accepted by:

Purchaser

Date:

Purchaser