



AGENDA

Board of Adjustments Meeting February 10, 2016

6:00 PM

City Hall - 665 Country Club Road – Lucas, Texas

Notice is hereby given that a regular meeting of the Board of Adjustments of the City of Lucas will be held on Wednesday, February 10, 2016 at 6:00 PM at the City Hall, 665 Country Club, Lucas, Texas, at which time the following agenda will be discussed.

Call to Order

Roll Call
Determination of Quorum
Reminder to turn off or silence cell phones
Pledge of Allegiance

Public Hearings

1. Consider the variance request by Veronica Aquirre to allow a fence to be located within the side and rear yard setbacks that is less than 50% see through, for the property located at 1 Santa Fe Trail located in the Kirkland Estates West, Lot 43, being 1.76 acres. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

2. Consider the variance request by Elaine Ford on behalf Brockdale Estates, LLC., to allow an off-site development sign on the southwest corner of the intersection at East Lucas Road and Brockdale Park Road. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Regular Agenda

3. Consider approval of the minutes of the November 17, 2015 Board of Adjustments meeting. **(City Secretary Stacy Henderson)**

4. Consider the appointment of a Chairman and Vice Chairman to serve for a period of one (1) year with the term ending December 31, 2016 **(City Secretary Stacy Henderson)**

Executive Session

The Board of Adjustments may convene into a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

An Executive Session is not scheduled for this meeting.

5. Adjournment.

Certification

I hereby certify that the above notice of meeting was posted on the bulletin board at Lucas City Hall by 5:00 p.m. on or before Friday, February 5, 2016 as required in accordance with Government Code §551.041.

Stacy Henderson, City Secretary

This building is wheelchair accessible. Any requests for sign interpretive services or other special requests for assistance of the hearing impaired must be made 48 hours in advance of the meeting. To make such arrangements, please call 972-727-8999 or send email to shenderson@lucastexas.us.



City of Lucas

Board of Adjustments Agenda Request

February 10, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the variance request by Veronica Aquirre to allow a fence to be located within the side and rear yard setbacks that is less than 50% see through, for the property located at 1 Santa Fe Trail located in the Kirkland Estates West, Lot 43, being 1.76 acres.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Background Information:

Mrs. Aquirre is currently building a new home and would like to add a privacy fence that will be eight (8) feet tall and constructed of stone extending the entire length of the property. The fence will be located along Parker Road and will cut down on noise during the Parker Road widening project and assist with providing a buffer from traffic noise as well.

Section 3.19.002 (b) of the Code of Ordinances relating to residential, agricultural and estate districts states “fencing located within the required front, side and rear yard setbacks shall be a minimum of 50% see through.

Attachments/Supporting Documentation:

1. Map depicting fence location

Budget/Financial Impact:

N/A

Recommendation:

Staff is recommending approval of the variance due to the close proximity to Parker Road that serves as a regional collector to reduce the impact of noise.

Motion:

I make a motion to approve/deny the variance request by Veronica Aquirre to allow a fence located within the side and rear yard setbacks that is less than 50% see through, for the property located at 1 Santa Fe Trail.

**APPEAL TO THE BOARD OF ADJUSTMENT
CITY OF LUCAS, TEXAS**

DATE: _____ FEE: \$300.00 APPEAL # _____

SUBMITTED BY: Name Veronica H Aguilera
Address 1 Santa Fe Trail
City Lucas State Tx Zip 75002
Phone 214 929 2442

FILING DEADLINE: An appeal shall be filed with the Board within ten (10) days after the date of decision of the Enforcing Officer. Every appeal shall be filed with the City Secretary no later than fifteen (15) days prior to the scheduled Board meeting. When the filing deadline falls on a holiday, the following workday shall be observed as the filing deadline.

TYPES OF APPEALS: Please check the type of appeal you are filing. The Board shall consider two types of appeals authorized under Article 1011G, Revised Civil Statutes of Texas, as amended:

- 1. For a special exception for use or development of property on which the Board is required to act.
- 2. For a variance from the literal enforcement of the Ordinance in order to achieve a reasonable development of property.

BRIEFLY DESCRIBE YOUR APPEAL:

8' Stone privacy fence on Southern Boundary,
to block noise from Parker Rd.

PLEASE NOTE: Contact City Secretary for proper filing procedures. If applicant fails to appear without notice, the Board may require the applicant to re-file appeal.

EXPIRATION OF GRANDTED APPEAL: Approval of any appeal shall expire 90 days after the Board's decision unless authorized construction or occupancy permits have been obtained, or unless a greater time is requested in the application and is authorized by the Board. Any approval may be granted one extension of an additional 90 days on written request filed with the Board before expiration of original approval. The time limit for every granted appeal shall commence on the first day of the month succeeding the month in which the Board renders its decision.

SIGNATURE OF PERSON FILING FOR APPEAL:

Vanessa M. Davis

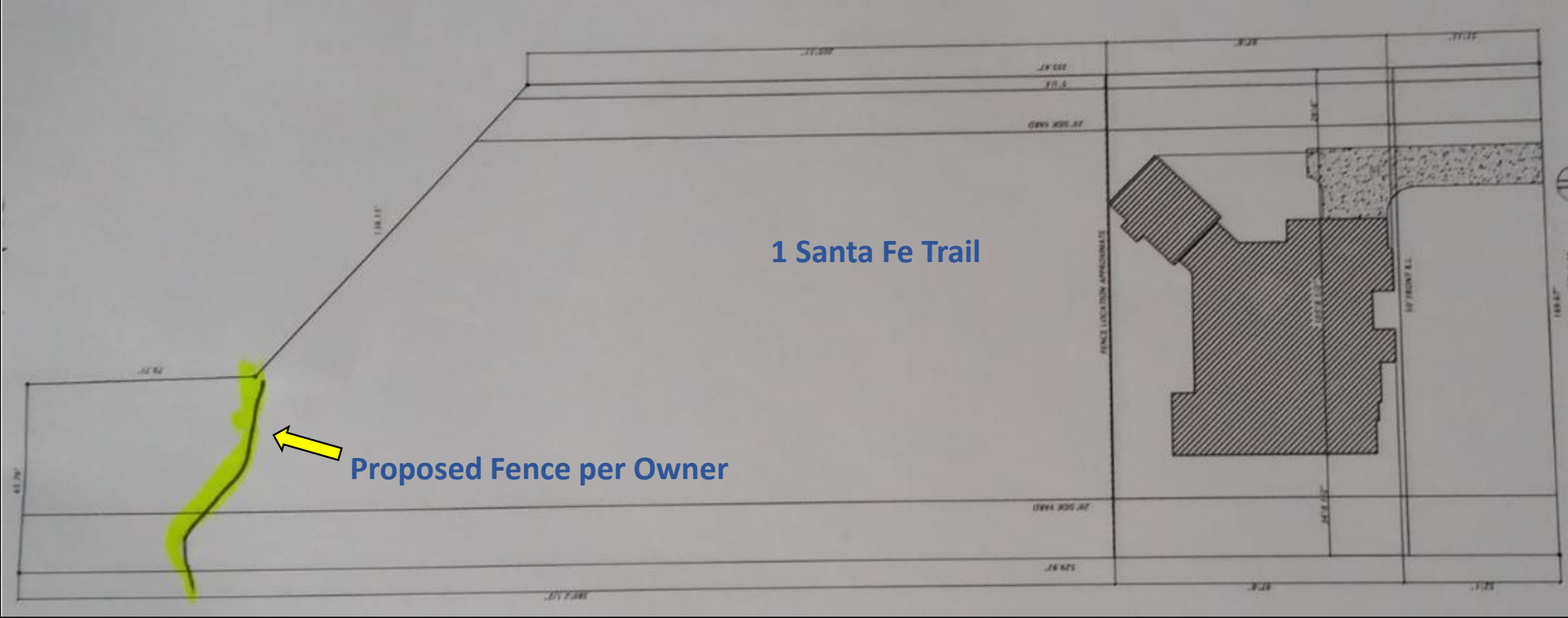
DECISION OF BOARD _____ DATE _____

If not granted by the Board, state reason why.

Chairman

Proposed Fence for 1 Santa Fe Trail ~ Aquirre Property

Parker Road



Santa Fe Trail



City of Lucas

Board of Adjustments Agenda Request

February 10, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the variance request by Elaine Ford on behalf Brockdale Estates, LLC., to allow an off-site development sign on the southwest corner of the intersection at East Lucas Road and Brockdale Park Road.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Background Information:

On January 4, 2013 Brockdale Estates requested a variance for a specific sign at two locations. One sign was proposed at the southwest corner of Brockdale Park Road and FM 1378, which was approved and the second sign was proposed at East and West Lucas Road, this request was denied.

On August 27, 2015, Brockdale Estates requested for a second time to locate an off-site development sign at the northwest corner of the intersection of East and West Lucas Road, this request was denied again. This request was identical to the previous requests.

Brockdale Estates, LLC., is now requesting a variance for a new style of sign at the location that was approved January 4, 2013, the southwest corner of Brockdale Park Road and FM 1378.

Attachments/Supporting Documentation:

- 1. Application
- 2. Map depicting sign location

Budget/Financial Impact:

N/A

Recommendation:

Staff recommends denial of the request. Accommodations should have been made prior to the start of development not annually for the length of the development.



City of Lucas
Board of Adjustments Agenda Request
February 10, 2016

Requester: Development Services Director Joe Hilbourn

Motion:

I make a motion to approve/deny the variance request by Elaine Ford on behalf Brockdale Estates, LLC., to allow an off-site development sign on the southwest corner of the intersection at East Lucas Road and Brockdale Park Road.

**APPEAL TO THE BOARD OF ADJUSTMENT
CITY OF LUCAS, TEXAS**

DATE: 1-12-16 FEE: \$300.00 APPEAL # _____

SUBMITTED BY: Name Brockdale Community, LLC
Address 3090 Olive Street Ste 300
City Dallas State Tx Zip 75028
Phone 972-201-2934

FILING DEADLINE: An appeal shall be filed with the Board within ten (10) days after the date of decision of the Enforcing Officer. Every appeal shall be filed with the City Secretary no later than fifteen (15) days prior to the scheduled Board meeting. When the filing deadline falls on a holiday, the following workday shall be observed as the filing deadline.

TYPES OF APPEALS: Please check the type of appeal you are filing. The Board shall consider two types of appeals authorized under Article 1011G, Revised Civil Statutes of Texas, as amended:

- 1. For a special exception for use or development of property on which the Board is required to act.
- 2. For a variance from the literal enforcement of the Ordinance in order to achieve a reasonable development of property.

BRIEFLY DESCRIBE YOUR APPEAL:

Request approval to re install the
Brockdale Community offsite sign that
was located on the SW corner of
E. Lucas Rd and Brockdale park Road.
Brockdale is located on a Dead End
street and does not have visibility for
drive by traffic. This offsite sign was
previously approved with a different sign
graphic. Thank you for your consideration
of this Request.

PLEASE NOTE: Contact City Secretary for proper filing procedures. If applicant fails to appear without notice, the Board may require the applicant to re-file appeal.

EXPIRATION OF GRANDTED APPEAL: Approval of any appeal shall expire 90 days after the Board's decision unless authorized construction or occupancy permits have been obtained, or unless a greater time is requested in the application and is authorized by the Board. Any approval may be granted one extension of an additional 90 days on written request filed with the Board before expiration of original approval. The time limit for every granted appeal shall commence on the first day of the month succeeding the month in which the Board renders its decision.

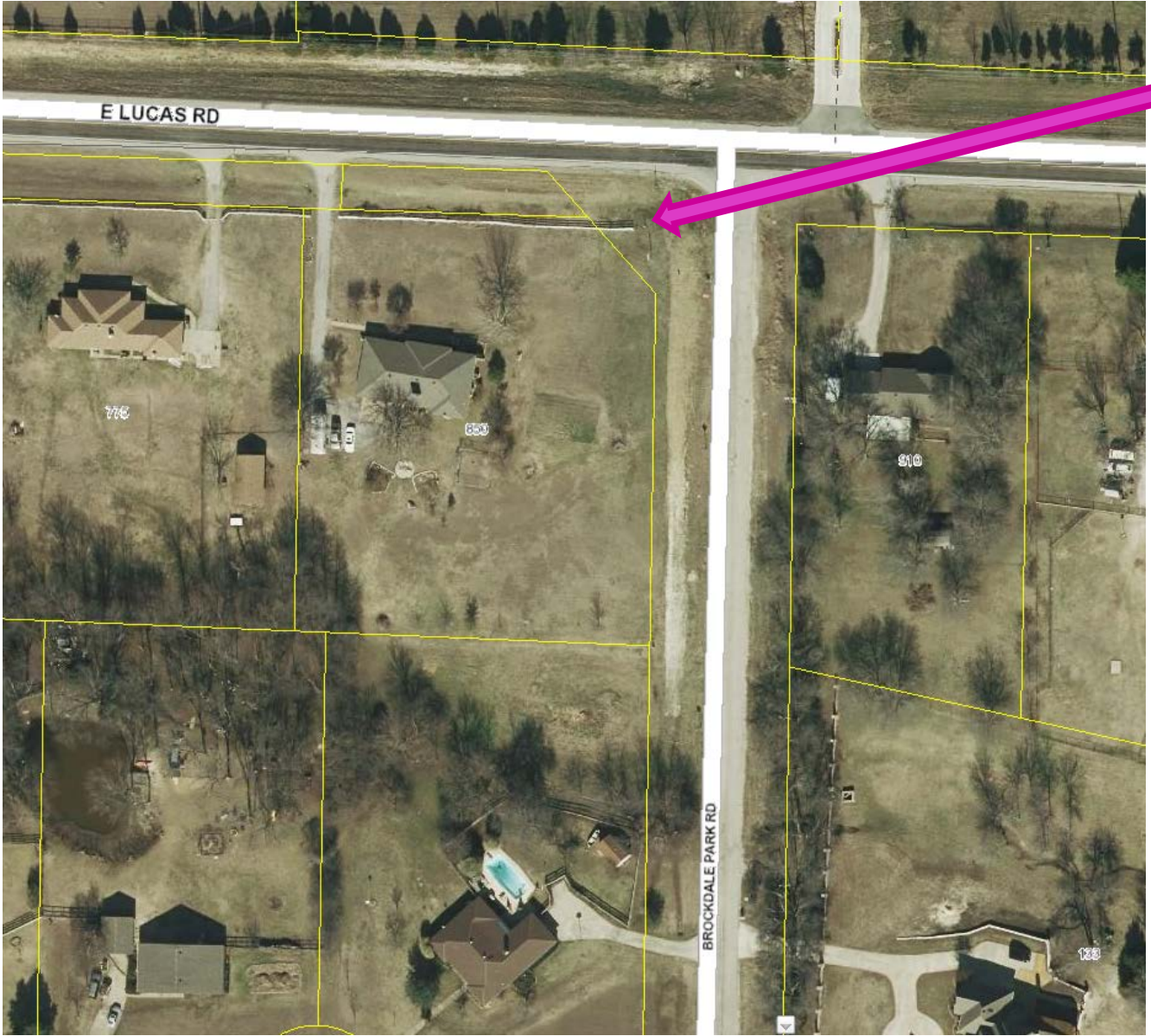
SIGNATURE OF PERSON FILING FOR APPEAL:

Glavin Ford

DECISION OF BOARD _____ DATE _____

If not granted by the Board, state reason why.

Chairman



Proposed Sign Location



**City of Lucas
Board of Adjustments Agenda Request
February 10, 2016**

Requestor: City Secretary, Stacy Henderson

Agenda Item:

Consider approval of the minutes of the November 17, 2015 Board of Adjustments meeting.

Background Information:

N/A

Attachments/Supporting Documentation:

1. Minutes from the November 17, 2015 Board of Adjustments meeting.

Budget/Financial Impact:

N/A

Recommendation:

N/A

Motion:

I make a motion to approve/deny the minutes from the November 17, 2015 Board of Adjustments meeting as presented.



Board of Adjustments Meeting

November 17, 2015

6:00 PM

City Hall - 665 Country Club Road – Lucas, Texas

Minutes

Call to Order

Chairman Fink called the meeting to order at 6:00 p.m.

Present:

Chairman Stuart Fink
Member Craig Williams
Member Andrew Sisson
Member Chris Bierman
Alternate Member Tommy Tolson

Absent:

Member Randy Barnes
Alternate Member Adam Sussman

Staff Present:

City Manager Joni Clarke
Development Services Director Joe Hilbourn
City Secretary Stacy Henderson

City Council Liaison:

Mayor Pro Tem Kathleen Peele

It was determined that a Quorum was present. Everyone was reminded to turn off or silence cell phones. Chairman Fink led the Pledge of Allegiance.

Public Hearing

- 1. Public Hearing: Consider the request by Oak Crest Custom Homes for a variance from the literal interpretation of the City's Code of Ordinances to allow a fence exceeding 8 feet in height within the required front and side yard setbacks, and that is not 50% see through for the property located at 13 Manor Lane.**

- A. Presentation by Development Services Director Joe Hilbourn**
- B. Conduct Public Hearing**
- C. Take Action**

A presentation was given by Development Services Director Joe Hilbourn stating that the proposed fence would be approximately 180 feet long following the natural contour of the land with a maximum fence height in that span of 15 feet tall. The tallest portion of the fence will be located on the side and rear of the property. Mr. Hilbourn stated that staff recommends approval of this request.

Chris Rodden with Oakcrest Custom Homes came forward and shared with the Board the site plan drawing of the property with the proposed fencing. The Board discussed the fence materials of stone and cedar as well as the proposed height of the fence along the fence line.

Chairman Fink opened the public hearing at 6:08pm and asked if anyone in the audience wanted to speak regarding this request.

Jerry Reber, 101 Manor Circle, stated that he lived adjacent to the applicant and was in favor of the fence proposed.

There being no one else wanting to speak, Chairman Fink closed the public hearing at 6:09pm.

MOTION: *A motion was made by Mr. Sisson seconded by Mr. Bierman to approve the request for a fence exceeding 8 feet in height within the required front and side yard setbacks, and that is not 50% see through for the property located at 13 Manor Lane. The motion passed unanimously by a 5-0 vote.*

2. Consider approval of the minutes of the August 27, 2015 Board of Adjustment meeting.

MOTION: *A motion was made by Mr. Bierman seconded by Mr. Sisson to approve the minutes as submitted. The motion passed unanimously by a 5 to 0 vote.*

3. Adjournment.

MOTION: *Chairman Fink adjourned the meeting at 6:11pm.*

Stuart Fink, Chairman

ATTEST:

Stacy Henderson, City Secretary



City of Lucas

Board of Adjustment Request

February 10, 2016

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider the appointment of a Chairman and Vice Chairman to serve for a period of one (1) year with a term ending December 31, 2016.

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

I make a motion to appoint _____ as Chairman of the Board of Adjustment for a one year period with a term ending December 31, 2016.

I make a motion to appoint _____ as Vice Chairman of the Board of Adjustment for a one year period with a term ending on December 31, 2016.