



# AGENDA

## Board of Adjustments Meeting

August 27, 2015

6:30 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 Thursday, August 27, 2015 at 6:30 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. Public Hearing: Consider the request by Elaine Ford on behalf of Hillwood Communities for a variance from the City's Code of Ordinances for an off-site sign located at the Brockdale Estates Subdivision at the intersection of East and West Lucas Road.
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing
  - C. Take Action

### Regular Agenda

2. Consider approval of the minutes from the May 27, 2015 Board of Adjustments meeting.

### Executive Session

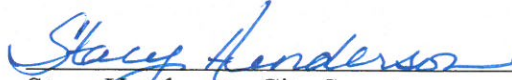
The Board of Adjustments may convene into a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

An Executive Session is not scheduled for this meeting.

3. 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, August 21, 2015 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](mailto:shenderson@lucastexas.us).*



# City of Lucas

## Board of Adjustments Agenda Request

### August 27, 2015

**Requester:** Development Services Director Joe Hilbourn

#### **Agenda Item:**

Public Hearing: Consider the request by Elaine Ford on behalf of Hillwood Communities for a variance from the City's Code of Ordinances for an off-site sign located at the Brockdale Estates Subdivision at the intersection of East and West Lucas Road.

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

#### **Background Information:**

This subdivision is located off of Brockdale Park Road and due to its location it is difficult for potential buyers to find the development. The applicant states that extra signage would assist in development of the subdivision. Hillwood Communities applied for two variance requests previously and was granted one. The request that was previously denied is the same request as this evening.

One of the existing home builders in this subdivision continually places illegal off-site signage in the City, and Staff is regularly working weekends to remove the signs following repeated requests by the City to stop placing off-site signage for this development.

#### **Attachments/Supporting Documentation:**

- 1. Application
- 2. Supporting documents
- 3. Section 3.16.008 of the Code Ordinances - Prohibited signs

#### **Budget/Financial Impact:**

N/A

#### **Recommendation:**

Staff recommends denial of the request. The City has an approved set of ordinances regarding signage. This subdivision was granted one adjustment from the City's regulations. The developer knew where the subdivision was located when the property was purchased and any variance needed should have been part of the original submittal package.



Item No. 01

# **City of Lucas**

## **Board of Adjustments Agenda Request**

### **August 27, 2015**

**Requester: Development Services Director Joe Hilbourn**

**Motion:**

I hereby make a motion to approve/deny a request made by Hillwood Communities for a variance from the City's Code of Ordinances to allow offsite signage at the intersection of East and West Lucas Road.



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

DATE: 06.18.15 FEE: \$300.00 APPEAL # \_\_\_\_\_

SUBMITTED BY: Name Hillwood Communities  
Address 3090 Olive St., Ste. 300  
City Dallas State TX Zip 75219  
Phone 972.201.2937 or 214.803.4566

**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:

Hillwood Communities purchased 136 acres on December 21, 2012 in the ETJ of Lucas, TX. Our builders are fully engaged in selling homes in this community and we respectfully request a sign to direct traffic to our Brockdale community. Buyers and Realtors are having a difficult time finding the community without proper directional signage and there is no drive-by traffic to the Brockdale neighborhood. The addition of this sign would greatly help people who are trying to find Brockdale.

The requested location and type of sign:

1. Northeast corner of Southview Dr. (FM 1378) and E. Lucas Rd. (FM 3286). We have secured approval from the property owner.
2. Sign requested:
  - a. 4' wide x 8" tall, double-faced, flush with ground (see attached artwork)
  - b. Painted wooden posts with alumilite faces and vinyl copy
  - c. Posts securely installed in concrete 2' in ground
  - d. Positioned perpendicular to Southview Dr. (FM 1378) out of the sight triangle



# Brockdale

M. Christopher  
and  
Standard Pacific  
Homes



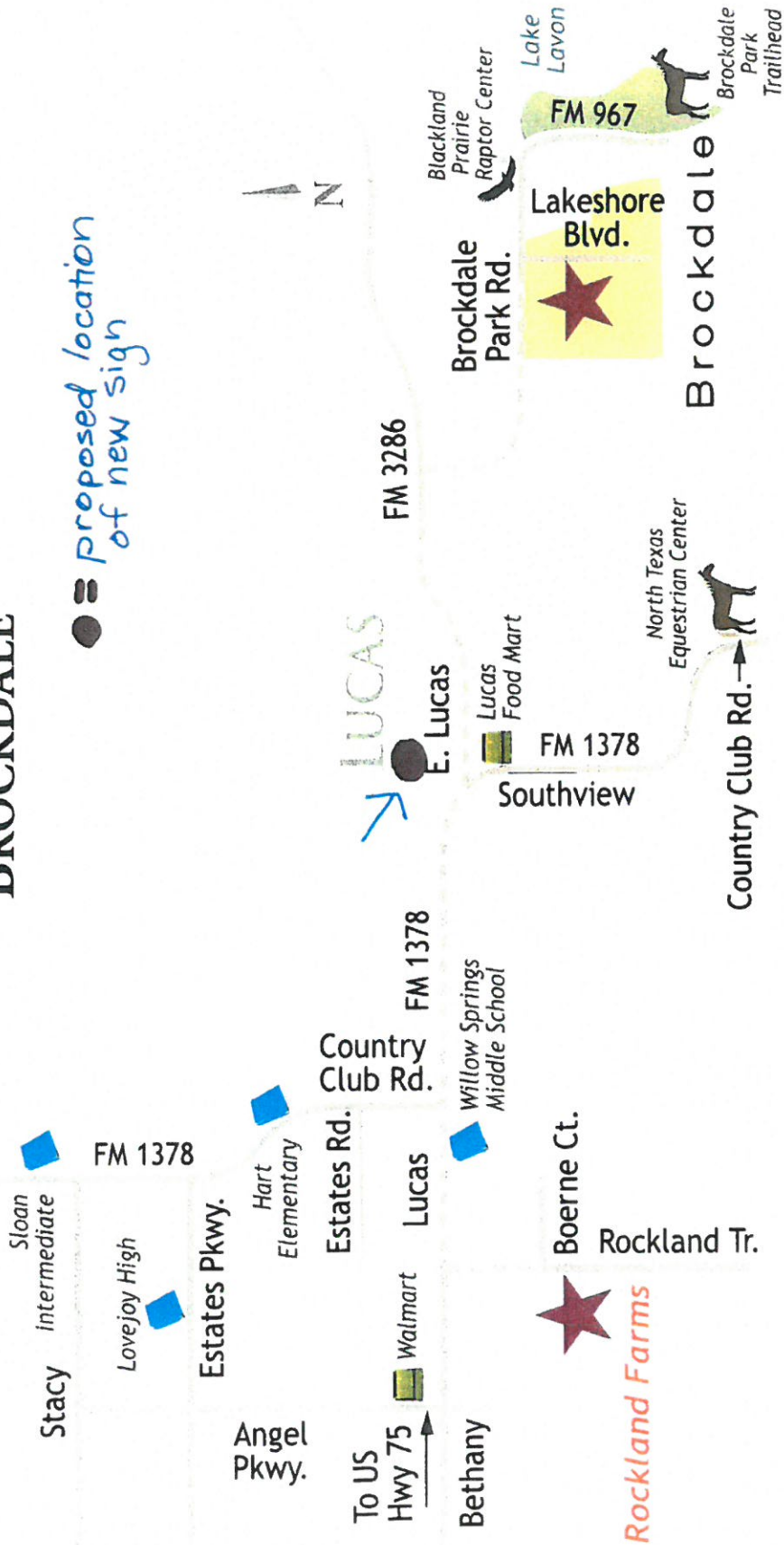
From \$600s  
Lovejoy ISD

[BrockdaleLiveSmart.com](http://BrockdaleLiveSmart.com)

 HILLWOOD<sup>®</sup>  
COMMUNITIES  
A PERST COMPANY



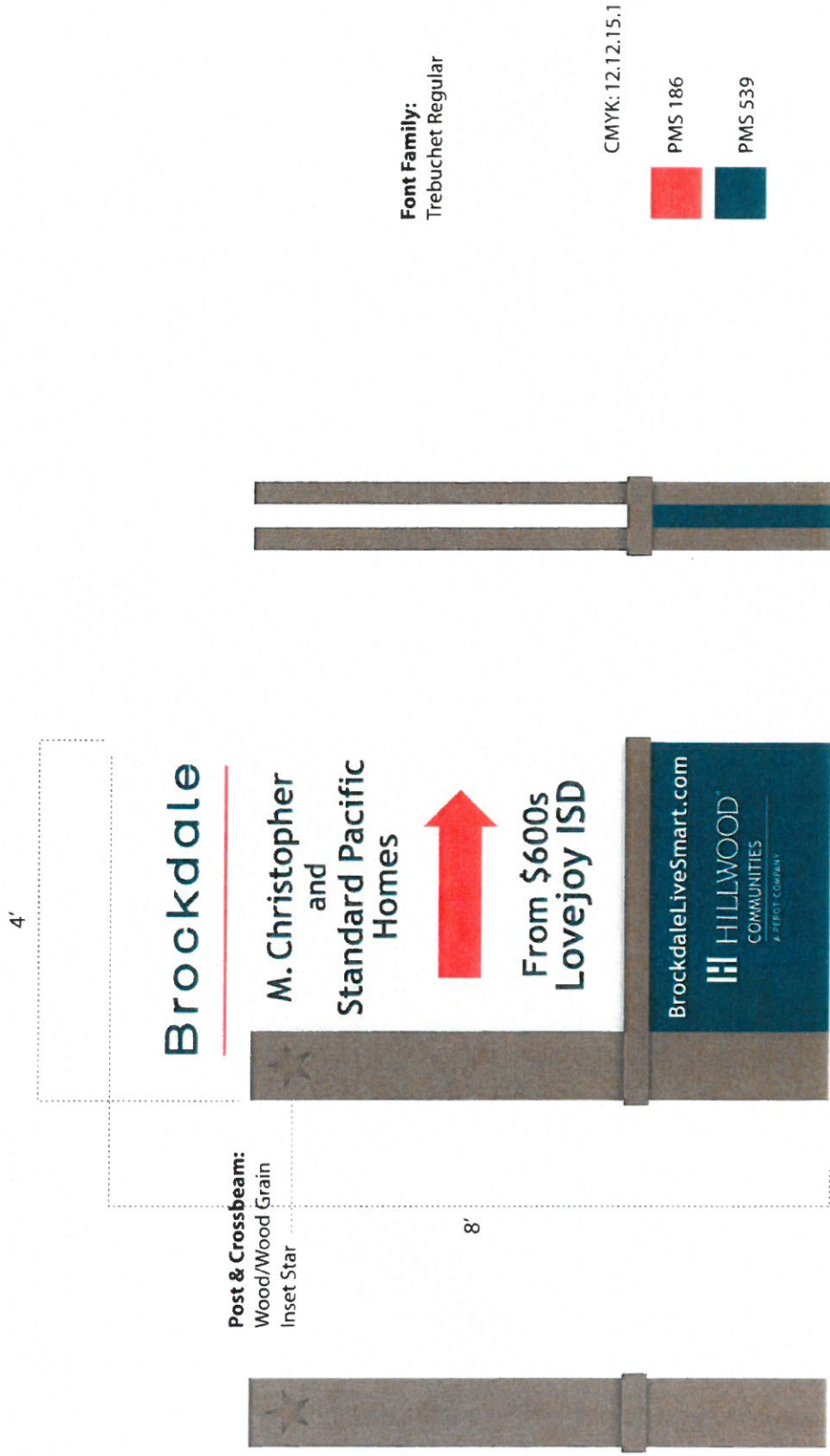
# ROCKLAND FARMS TO BROCKDALE



**Brockdale**  
HOME ★ LOVE ★ JOY

**HILLWOOD**  
COMMUNITIES  
Live Smart

## Brockdale Signage – 4x8 – Red Arrow







June 18, 2015

Board of Adjustments  
City of Lucas  
665 Country Club  
Lucas, TX 75002

RE: Installation of 4' wide x 8' high double-faced sign on my property at the northeast corner of Southview Dr. (FM1378) and E. Lucas Rd. (FM 3286)

Dear Members of the Board:

I acknowledge that I am the owner of the above-referenced property and do hereby agree to allow Hillwood Communities (DBA Brockdale Community, LLC) to install the above-referenced sign on my property as noted on the attached map as a marketing directional for its Brockdale community.

This sign will be constructed with a wooden framework, alumilite faces with vinyl copy, installed flush with the ground in concrete 2' in the ground and perpendicular to Southview Dr. (FM 1378) outside of the sight triangle. Hillwood Communities agrees to maintain the sign in a manner agreeable to both my standards and those of the City of Lucas, TX. Hillwood Communities agrees to remove the sign when 95% of the homes in its Brockdale community have been closed and occupied.

Sincerely,

Mr. Rudy Rivas  
M. Christopher Homes  
630 Oakmont Court  
Fairview, TX 75059-8500  
972.529.1474

### **Sec. 3.16.008 Prohibited signs**

- (a) Signs using any combination of forms, words, colors, or lights which imitate standard public traffic regulatory or emergency signs or signals are prohibited. No sign shall make use of the word "stop," "go," "look," "slow," "danger," or any other similar word, phrase, symbol or character or employ any red, yellow, orange, green or other colors or light in such a manner as to interfere with, mislead or confuse vehicular or pedestrian traffic.
- (b) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape except signs relating directly to a standpipe or fire escape.
- (c) Animated signs, including but not limited to those signs or sign parts which flash, reflect, blink, or effect changes in hue or intensity or illumination, are prohibited. Signs or sign parts illuminated to such intensity or in such a manner as to cause glare or brightness to a degree that they constitute hazards or nuisances are prohibited, including searchlights and beacons. Signs which employ the use of luminescent inert gases, including but not limited to neon, argon and krypton, and which are visible from the exterior of structures, are specifically prohibited.
- (d) Moving signs, including but not limited to signs which rotate, move or reflect, pennants, banners, streamers, flags (except as specifically permitted under [section 3.16.007\(4\)](#)), and generally, signs having parts which may be set in motion by mechanical, electrical or atmospheric means.
- (e) Signs which emit sound, odor or visible matter are prohibited.
- (f) A sign shall not project above the top of the second floor or the roofline, whichever is lower, of the building to which it is affixed.
- (g) Off-premises signs, including but not limited to temporary real estate directional signs and billboards are prohibited unless specifically authorized by another section of this article.
- (h) Portable signs are specifically prohibited.
- (i) Signs attached to or upon any vehicle where any such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be using the vehicle and signs for purposes of advertising an establishment, service or product, are prohibited.
- (j) No person shall attach or maintain any sign upon any public utility pole or tree.
- (k) Freestanding signs that exceed forty (40) square feet in area or six (6) feet in height are prohibited unless specifically authorized by another section in this article.





**City of Lucas  
Board of Adjustments Meeting  
August 27, 2015**

**Name & Title of Requestor:** City Secretary, Stacy Henderson

**Agenda Item:**

Consider approval of the minutes of the May 27, 2015 Board of Adjustments meeting.

**Background Information:**

N/A

**Attachments/Supporting Documentation:**

1. Minutes from the May 27, 2015 Board of Adjustments meeting.

**Budget/Financial Impact:**

N/A

**Recommendation:**

Recommend approval.

**Motion:**

I make a Motion to approve/deny the minutes from the May 27, 2015 Board of Adjustments meeting as presented.



Board of Adjustments Meeting  
May 27, 2015  
6:30 PM  
City Hall - 665 Country Club Road

## Minutes

### Call to Order

Chairman Fink called the meeting to order at 7:00 p.m.

**Present:**

Chairman Stuart Fink  
Member Chris Bierman  
Member Andrew Sisson  
Member Craig Williams

**Absent:**

Member Randy Barnes

**Staff Present:**

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

**City Council Liaison:**

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) **Consider a variance request from Chris Vanhorn for the property located at 1515 Shady Lane for a variance from the literal interpretation of the City's Code of Ordinances reducing the required setback of twenty five feet from the water's edge of a swimming pool to five feet from the water's edge of a swimming pool.**
  - A. **Presentation by Development Services Director Joe Hilbourn**
  - B. **Conduct Public Hearing**
  - C. **Take Action**

Development Services Director Joe Hilbourn gave a presentation discussing lot size and the floodway area on the property. Mr. Hilbourn stated that the property owner cannot build anything on south side of his property due to the floodway area that creates limitations with setbacks.

Chairman Fink opened the public hearing at 6:43pm asked if anyone in the audience wanted to speak regarding this request.



Chris Vanhorn, property owner, 1515 Shady Lane, came forward and stated he was available to answer any questions.

Member Bierman stated that the pool adds value to the home and the lot next door will also have the same setback issues because of the floodway area.

Chairman Fink closed the public hearing at 6:44pm.

**MOTION:** A motion was made by Member Bierman, seconded by Member Sisson to approve an application for a variance from the literal interpretation of the City's Code of Ordinances reducing the required setback of 25 feet from the water's edge to 5 feet from the water's edge for a parcel of land located at 1515 Shady Lane. The motion passed unanimously by a 4-0 vote.

**2. Consider approval of the minutes of the March 10, 2015 Board of Adjustments meeting.**

**MOTION:** A motion was made by Member Bierman, seconded by Member Sisson to approve the minutes of the March 10, 2015 Board of Adjustments meeting. The motion passed unanimously by a 4-0 vote.

**3. Adjournment.**

**MOTION:** A motion was made by Chairman Fink, seconded by Member Williams to adjourn the meeting at 6:45pm. The motion passed unanimously by a 4-0 vote.

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Stuart Fink, Chairman

ATTEST:

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Stacy Henderson, City Secretary