



AGENDA
City of Lucas
Board of Adjustments Meeting
February 20, 2018
7:00 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 Monday, February 20, 2018 at 7:00 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 Hearing(s)

1. Public hearing to consider the variance request by Robert and Boris Rapin, 500 Holly Lane from the City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts, to add a privacy fence within the required setback. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Regular Agenda

2. Consider approval of the minutes of the December 4, 2017 Board of Adjustments meeting. **(City Secretary Stacy Henderson)**
3. Consider the appointment of a Chairman and Vice Chairman to serve for a period of one (1) year with a term ending December 31, 2018. **(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.

4. 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 16, 2018 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 972-912-1211 or send an email to shenderson@lucastexas.us.



City of Lucas

Board of Adjustments Agenda Request

February 20, 2018

Item No. 01

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Public hearing to consider the variance request by Robert and Boris Rapin, 500 Holly Lane from the City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts, to add a privacy fence within the required setback.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action

Background Information:

A privacy fence located at 500 Holly Lane on the south side of the property between 500 Holly and 440 Holly was destroyed recently in a fire. The applicant is requesting to be able to repair the privacy fence located on the property line. In doing so, the proposed privacy fence would be located within the required setbacks.

The City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts requires the following:

- (a) Height.
 - (1) Maximum height of 6 feet (6') for front yards.
 - (2) Maximum height of 8 feet (8') for side and rear yards.
- (b) Fencing located within the required front, side and rear yard setbacks shall be a minimum of 50% see through.
- (c) If property is used to pasture or control livestock, for farming or other similar agricultural uses, and such uses are permitted, the fencing requirements in section 3.19.003(b) are permitted.
- (d) Fencing located outside of the required, rear and side yard setbacks may be privacy-style.

Attachments/Supporting Documentation:

- 1. Public Hearing Notice
- 2. Map showing fence location

Budget/Financial Impact:

NA



City of Lucas
Board of Adjustments Agenda Request
February 20, 2018

Recommendation:

Staff is in favor of this variance request.

Motion:

I make a motion to approve/deny the variance request by Robert and Boris Rapin for the property located at 500 Holly Lane for a variance from the City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts, to add a privacy fence within the required setback.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Board of Adjustments of the City of Lucas, Texas will conduct a public hearing on February 20, 2018 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a request for a variance from the literal interpretation of the City's Code of Ordinances more particularly described as follows:

An application submitted by Robert and/or Boris Rapin for a parcel of land located in Lucas Country Estates, #1-e (Unrecorded), Lot 7a, being all of a 2.08 acre tract of land, otherwise known as 500 Holly Lane, Lucas Texas. The request is for variance from the literal interpretation of the City's Code of Ordinance to allow a fence located within the side and rear yard setbacks that is less than 50% see through.

The City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, agricultural and estate districts states the following:

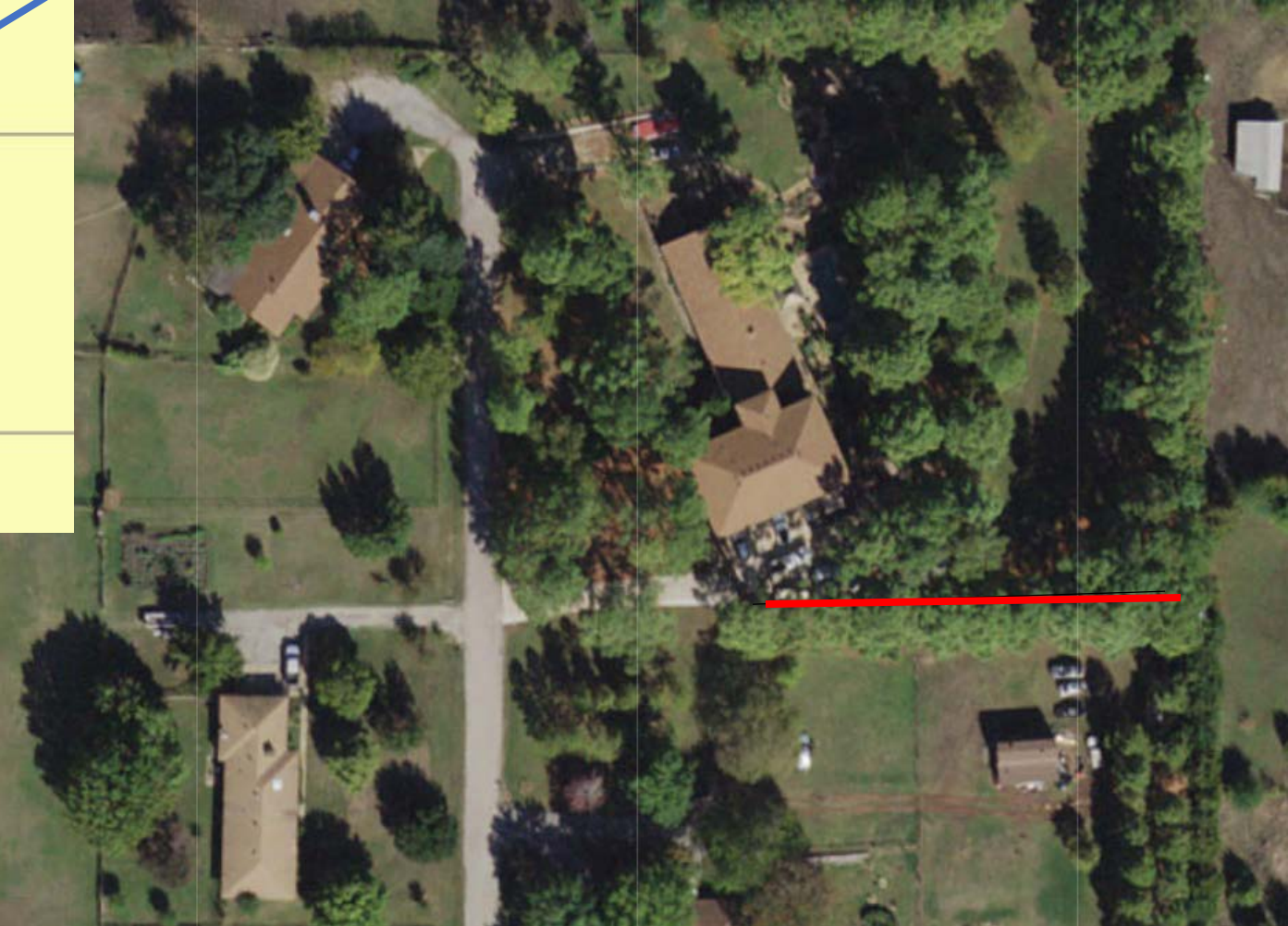
(b) Fencing located within the required front, side and rear yard setbacks shall be a minimum of 50% see through.

Those wishing to speak **FOR** or **AGAINST** the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email shenderson@lucastexas.us and it will be presented at the hearing. If you have any question about the request please contact Joe Hilbourn at jhilbourn@lucastexas.us.

500 HOLLY LANE

BOA ~ PRIVACY FENCE

Fence Location





City of Lucas
Board of Adjustments Agenda Request
February 20, 2018

Item No. 02

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider approval of the minutes of the December 4, 2017 Board of Adjustments meeting.

Background Information:

NA

Attachments/Supporting Documentation:

1. Minutes from the December 4, 2017 Board of Adjustments meeting.

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

I make a motion to approve/deny the minutes from the December 4, 2017 Board of Adjustments meeting as presented.



City of Lucas
Board of Adjustment Meeting
December 4, 2017
7:00 PM

City Hall - 665 Country Club Road – Lucas, Texas

Minutes

Call to Order

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

Present:

Vice Chairman Chris Bierman
Adam Sussman
Brian Blythe
Robin Ahmadi, Alternate
James Foster, Alternate

Staff Present:

Development Services Director Joe Hilbourn
City Secretary Stacy Henderson
City Attorney Julie Doshier

It was determined that a quorum was present and Vice Chairman Bierman led the Pledge of Allegiance.

Vice Chairman Bierman noted that Alternate Members Robin Ahmadi and James Foster would serve as voting members due to the absence of two regular members.

Vice Chairman Bierman identified all witnesses that would be presenting before the Board, including Development Services Director Joe Hilbourn, and conducted the swearing in process for all witnesses.

Public Hearing

- 1. Public Hearing to consider the variance request by Randy Cimprich, 14 Kingswood Drive from the City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts to add a privacy fence within the required setback.**

Development Services Director Joe Hilbourn explained that a privacy fence currently existed on the property and the applicant was proposing to extend the privacy fence to the property line. The extended portion of the fence would be located within the required setback and the City's Code of Ordinances requires the fence to be 50% see through. The privacy fence proposed would be in violation of the Code of Ordinances and requiring a variance. Mr. Hilbourn stated that this type of variance request did not require a hardship and staff was recommending approval as the surrounding neighbors were not opposed to the request.

Mr. Hilbourn discussed with the Board the setback requirements for the front, rear and side yards and privacy fence requirements.

Vice Chairman Bierman opened the public hearing at 7:06 pm.

Randy Cimprich, 14 Kingswood Drive distributed photographs of the existing fence and placement of the proposed fencing to the Commission. Mr. Cimprich stated that he was not fencing his entire property just a portion to block the travel trailers located on his property from public view. Mr. Cimprich explained that he would replace all wood fencing so that it would be cohesive, and the fencing would not be visible from the roadway.

There being no one else in the audience wishing to speak, Vice Chairman Bierman closed the public hearing at 7:15 pm.

Mr. Sussman asked the applicant if he could comply with Code requirements and provide 50% see through fencing rather than a privacy fence.

Mr. Cimprich stated that he could provide a 50% see through fence, but it would not conceal the travel trailers located in the back portion of the lot, which was the intent of the fencing along with security purposes.

Mr. Sussman noted his concern that the fencing would be visible from the street when entering the neighborhood, and the fencing would not provide adequate coverage and screen the top portion of the travel trailers that protrude past the fence line. Mr. Sussman noted that he was not in support of the request stating that there were other options available where the applicant could comply with City ordinances and maintain some privacy for the travel trailers.

Mr. Foster noted that the existing fencing was not quite visible from the street and enhancements would be made to the existing fencing improving the overall appearance. Mr. Foster noted his approval of the request.

Mr. Ahmadi stated he appreciated the applicant being cognizant of his neighbors and keeping his trailers from public view.

Vice Chairman Bierman read emails into the record from the following individuals in support of the variance request by Mr. Cimprich:

Mike Tower, 15 Kingswood
Matt Helm, 1795 Lynn Lane
Steve McGoldrick, 12 Kingswood
Maurice and Karen McPeck, 8 Kingswood
Rebecca and Moises Ospina, 11 Kingswood

MOTION: A motion was made by Mr. Foster, seconded by Mr. Blythe to approve the variance request by Randy Cimprich, 14 Kingswood Drive from the City's Code of Ordinances, Chapter 3, Article 3.18, Section 3.19.002 – Residential, Agricultural and Estate Districts to add a privacy fence within the required setback. The motion passed by a 4 to 1 vote with Mr. Sussman voting in opposition.

2. Consider approval of the minutes of the July 25, 2016 Board of Adjustments meeting.

MOTION: A motion was made by Mr. Sussman, seconded by Mr. Foster to approve the minutes as submitted. The motion passed unanimously by a 5 to 0 vote.

3. Adjournment.

A motion was made by Mr. Blythe, seconded by Mr. Sussman to adjourn the meeting at 7:24 pm. The motion passed unanimously by a 5 to 0 vote.

Chris Bierman, Vice Chairman

Stacy Henderson, City Secretary



City of Lucas

Board of Adjustment Agenda Request

February 20, 2018

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, 2018.

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, 2018.

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, 2018.