



City of Lucas
Board of Adjustment Meeting

May 7, 2018
6:30 PM

City Hall - 665 Country Club Road – Lucas, Texas

Minutes

Call to Order

Chairman Bierman called the meeting to order at 6:32 p.m.

Members Present:

Chairman Chris Bierman
Vice Chairman Adam Sussman
Robin Ahmadi, Alternate
Brenda Rizos, Alternate

Staff Present:

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

Members Absent:

Brian Blythe
James Foster

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

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 an application submitted by John Dunaway for a variance from the literal interpretation of Section 14.04.304(3) of the City's Code of Ordinance to reduce the required side yard setback for an accessory building from 20 feet to 10 feet for a parcel of land located at 120 McMillen in the McMillen 2 Addition, Block A, Lot 1, being all of a 2.4-acre tract of land.**

Development Services Director Joe Hilbourn gave a presentation explaining that due to the irregular shape of the property, should the applicant locate the accessory building where required by ordinance, it would require trees to be removed and the property regraded, and would change the natural flow of water directing the flow to the neighbors property. Mr. Hilbourn stated that staff was in favor of granting the variance request.

John Dunaway, property owner of 120 McMillen distributed drawings depicting where the accessory building would be located. He explained that several trees would have to be removed on his property to locate the accessory building where required, and he did not want to cause drainage

problems to his neighbors property. Mr. Dunaway stated that he spoke with his neighbor and he was in support of the alternate location for the accessory building.

Chairman Bierman opened the public hearing at 6:41 pm.

Milton Gosney, 216 McMillen stated that if the new location of the accessory building did not change the flow of drainage on the property he was in favor of the request. Mr. Gosney asked if there were other properties on McMillen that had been granted variances, and if there were currently any violations in the area.

Mr. Hilbourn stated that he was not aware of any variances that had been granted in the last ten years on McMillan. He also explained that some buildings had a legal nonconforming status due to City code changes, but he was not aware of any current code violations.

Chairman Bierman closed the public hearing at 6:46 pm.

MOTION: A motion was made by Ms. Rizos, seconded by Mr. Ahmadi to grant a variance from the literal interpretation of Section 14.04.304(3) of the City's Code of Ordinance to reduce the required side yard setback for an accessory building from 20 feet to 10 feet for a parcel of land located at 120 McMillen in the McMillen 2 Addition, Block A, Lot 1, being all of a 2.4-acre tract of land. The motion passed unanimously by a 4 to 0 vote.

2. **Public hearing to consider an application submitted by Sinichan Jacob for a variance from the literal interpretation of Section 3.16.011(c) of the City's Code of Ordinances to allow a sign to be replaced after a change of business or activity to which the sign pertains, on property located at 630 Southview, a parcel of land located in the Jas Lovelady Survey, Abstract A0538, Tract 28, 8.240 acres, being all of a 8.24 acre tract of land.**

Development Services Director Joe Hilbourn explained that the applicant was requesting to continue the use of a nonconforming sign but alter the message and characteristics of the sign. The applicant has requested the sign be 4 feet wide by 6 feet high. Mr. Hilbourn noted that a hardship was not required to grant the sign variance.

Joseph Parker, 630 Southview, part owner of the property, explained that the business being advertised was a horse boarding facility. The barn has been remodeled, along with a new fence constructed. Mr. Parker explained that he would like to locate the sign advertising the business approximately 25 feet from the roadway and would be setback approximately 45 feet from the center of the road.

Chairman Bierman opened the public hearing at 6:56 pm.

Holly Kellen, 220 Brookhaven, noted her concerns with the signage blocking a drivers line of vision when turning onto the roadway and concern with the business causing increased traffic in the area.

Jonathan Maashio, 200 Brookhaven, expressed his concern related to the parties that take place on the property, loud music, lighting on the property and the increased traffic with new signage.

Alis Brantl, 210 Brookhaven, expressed her concern with the increased business bringing more disruption to the neighborhood as well as the signage blocking the roadway.

The Board discussed the placement of the signage, site triangles as well as code enforcement items that could be addressed such as lighting and noise.

Mr. Parker stated that he would have the music turned off so it did not disturb the neighborhood.

Rich Adducci, 150 Brookhaven, noted his concern to the increased traffic to the area and asked that the sign not be placed in a location that would block the view of oncoming traffic.

Chairman Bierman read an email received into the record from Erica Carver, 630 Southview that expressed her concern related to the larger signage that would hinder the ability to view oncoming traffic.

The Board discussed other boarding facilities that have signage and the zoning district they were located within, which was R-2 zoning.

Chairman Bierman closed the public hearing at 7:15 pm.

The Board discussed placement of the sign closer to the fence area as to not obstruct the view and discussed whether the sign met the intent of the sign ordinance.

Vice Chairman Sussman expressed his concern related to the sign and its proposed placement. He noted that there were other ways to promote a business that did not require signage.

Development Services Director Joe Hilbourn suggested the applicant create a mock sign, 4 feet by 6 feet and place it in the proposed location for a week to give the neighborhood the opportunity to view the sign and if it causes any obstruction.

MOTION: A motion was made by Ms. Rizos, seconded by Vice Chairman Sussman to table this request to June 4, 2018 at 6:30 pm, and the applicant create a mock sign 4 feet by 6 feet in size and place it in the proposed location the week of May 21 to May 25. The motion to table passed unanimously by a 4 to 0 vote.


Regular Agenda

3. Consider approval of the minutes of the February 20, 2018 Board of Adjustments meeting.

MOTION: A motion was made by Vice Chairman Sussman, seconded by Mr. Ahmadi to approve the minutes as submitted. The motion passed unanimously by a 4 to 0 vote.

4. **Adjournment.**

Chairman Bierman adjourned the meeting at 7:31 pm.



Chris Bierman, Chairman



Stacy Henderson, City Secretary

