



**AGENDA**  
**City of Lucas**  
**Board of Adjustments Meeting**  
**February 24, 2021**  
**6:30 PM**  
**Lucas City Hall and**  
**Video Conference**  
**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 24, 2021 at 6:30 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas at which time the following agenda will be discussed.*

On March 16, 2020 Governor Abbott suspended some provisions of the Open Meetings Act in response to the COVID-19 emergency. In order to practice safe distancing, Lucas Board of Adjustments meetings will be open to on-site visitors in a limited capacity of 15 audience members. Board of Adjustments meetings will also be available through Zoom Webinar from your computer or smartphone. To join the meeting, please click this URL:

<https://zoom.us/j/93183020358?pwd=aGpYVEpzWmZZNkNRb2QyT3NqTWFGQT09> and enter your name and email address.

To join by phone: 1-346-248-7799

Webinar ID: 925 8764 3327

Passcode: 869915

## **Call to Order**

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- Roll Call
- Determination of Quorum
- Reminder to Silence Electronic Devices
- Pledge of Allegiance

## **Public Hearing Agenda**

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1. Public hearing to consider an application submitted by Ryan Davis for a variance from Section 14.04.304(3)(A) of the City's Code of Ordinance to construct an accessory building even with the front build line of the main residence for a parcel of land located at 600 East Lucas Road in the Woodmoor Addition, Lot 1A, being all of a 1.74-acre tract of land. (Development Services Director Joe Hilbourn)
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct public hearing
  - C. Take action on the variance request

## **Regular Agenda**

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2. Consider approval of the minutes of the December 16, 2020 Board of Adjustment meeting. (City Secretary Stacy Henderson)

## **Executive Session Agenda**

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*The Board of Adjustment may convene into a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting.*

3. Executive Session: An Executive Session is not scheduled for this meeting.
4. Adjournment.

## **Certification**

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*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 February 16, 2021 as required in accordance with Government Code §551.041.*

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*Stacy Henderson, TRMC*

*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 Stacy Henderson at [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us).*



# City of Lucas

## Board of Adjustments Agenda Request

### February 24, 2021

Requester: Development Services Director Joe Hilbourn

### **Agenda Item Request**

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Public hearing to consider an application submitted by Ryan Davis for a variance from Section 14.04.304(3)(A) of the City's Code of Ordinance to construct an accessory building even with the front build line of the main residence for a parcel of land located at 600 East Lucas Road in the Woodmoor Addition, Lot 1A, being all of a 1.74-acre tract of land.

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

### **Background Information**

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The applicant would like to deviate from the ordinance due to the following reasons:

- In the homeowners opinion it makes no difference in the view from East Lucas Road or Woodmoor Circle. You can see the building from either road whether the building is even with my primary residence or 10 feet behind my primary residence.
- By pushing the new metal building 10 feet behind the primary residence, it creates a pinch point between the new building and the existing five car garage to be able to turn around on the property with an F250 truck and a 38-foot 5th wheel trailer. By placing the new metal building even with my primary residence, it greatly reduces this pinch point.
- By pushing the new metal building 10 feet behind the primary residence, it makes for a lack of symmetry on the property. The new building would then not line up with either the main residence or the existing five car garage and just look like a random building that was not placed properly on the property. By placing the new metal building even with the front of the foundation of the main residence, it aligns the building with the front of the house to make it look like it was placed properly on the property.

The City's Code of Ordinances, Chapter 14, Zoning Section 14.04.304(3)(A) General accessory buildings and structures regulations requires the following:

(3) Setbacks.

(A) Accessory buildings.

- (i) Front yard setback, a minimum of ten feet behind the rear build line of the main structure unless the building is attached and is designed to be architecturally compatible with the main building and constructed of similar materials as the main building. Then a fifty-foot front yard setback is required.
- (ii) Rear yard setback, a minimum of twenty feet.
- (iii) Side yard setbacks, a minimum of twenty feet."



# City of Lucas

## Board of Adjustments Agenda Request

### February 24, 2021

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

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1. Public Hearing Notice
2. Application and depictions of area
3. Location Map

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

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NA

#### **Recommendation**

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Staff recommends denying the variance request as presented. The homeowner could place the building where he would like it and comply with the minimum requirements by making the structure similar to the main building.

#### **Motion**

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I make a motion to approve/deny the variance request from Section 14.04.304(3)(A) of the City's Code of Ordinances requested by Ryan Davis to construct an accessory building even with the front build line of the main residence for a parcel of land located at 600 E Lucas Road in the Woodmoor Addition, Lot 1A, being all of a 1.74-acre tract of land.



## 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 24, 2021 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 Ryan Davis for a parcel of land located in the Woodmoor Addition, Lot 1A, being all of a 1.74-acre tract of land, otherwise known as 600 E. Lucas Road, Lucas Texas. The request is for a variance from the literal interpretation of the City's Code of Ordinance to construct an accessory building even with the front build line of the main residence.

Those wishing to speak **FOR** or **AGAINST** the above item are invited to attend in person or via Zoom. 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](mailto:shenderson@lucastexas.us) and it will be presented at the hearing. If you have any questions about the request, please contact Joe Hilbourn at [jhilbourn@lucastexas.us](mailto:jhilbourn@lucastexas.us).



# APPEAL TO THE BOARD OF ADJUSTMENT CITY OF LUCAS

DATE: 1/18/2021

FEE: \$450.00

APPEAL # \_\_\_\_\_

**SUBMITTED BY:** Name: Ryan Davis  
Address: 600 E Lucas Road  
City: Lucas State: TX Zip: 75002  
Phone: 972-832-1511

**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:**

Exhibit A is attached to this appeal. I plan to submit an  
accessory building permit to build a new 30'x50' metal building on my property. The requirement to have the  
accessory building at least 10 feet behind my main residence causes an issue between my new proposed  
metal building and my existing detached garage. It creates a pinch point where I can't turn around a  
20+ foot F250 truck and a 38 foot 5th wheel trailer on my property. When I pull in my driveway I still need  
a way to turn around on my property to head back out of my driveway. By placing the building even with  
my primary residence, it allows room for me to turn around between the metal building and my garage. I'm  
building the new metal building to be able to house the truck and 5th wheel.

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:

*Ryan Davis*

\_\_\_\_\_

DECISION OF THE BOARD: \_\_\_\_\_

DATE: \_\_\_\_\_

If not granted by the Board, state reason why:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

CHAIRMAN

# 600 E Lucas Road Lucas, TX 75002

City of Lucas, TX Board of Adjustments:

I plan to submit an Accessory Building Permit in the next 2-3 weeks for a new metal building that I plan to have built on my property. I understand that the new building should be at least 20' from the rear of my property, at least 20' from the side of my property and 10' behind the main residence in order to not have the requirement of matching the building materials on the main residence (brick) which would significantly increase the cost of the building and put the cost out of reach.

My new building would be more than 20' from the side and back of my residence. I would like to submit this letter for an exception to the rule of being 10' behind the main residence. I would like to start the building even with the front of my main residence. I have enclosed photos of the proposed area and the reasons for this requested exception are as follows:

- It makes no difference in the view from Lucas Road or Woodmoor Circle. You can see the building from either road whether the building is even with my primary residence or 10' behind my primary residence.
- By pushing the new metal building 10' behind the primary residence, it creates a pinch point between the new building and my existing 5 car garage to be able to turn around on the property with an F250 truck and a 38 foot 5<sup>th</sup> wheel or other trailer. By placing the new metal building even with my primary residence, it greatly reduces this pinch point. Page 6 of this letter shows the area in question.
- By pushing the new metal building 10' behind the primary residence, it makes for a lack of symmetry on the property. The new building would then not line up with either the main residence or the existing 5 car garage and just look like a random building that was not placed properly on the property. By placing the new metal building even with the front of the foundation of the main residence, it aligns the building with the front of the house to make it look like it was placed properly on the property.



# 600 E Lucas Road Lucas, TX 75002

Lucas Road street view showing it makes no difference in the view whether the new metal building is even with the main residence or 10' behind the main residence.





# 600 E Lucas Road Lucas, TX 75002

View from the north side of  
the main residence.





# 600 E Lucas Road Lucas, TX 75002

View from the driveway.





# 600 E Lucas Road Lucas, TX 75002

View looking towards the east and the main residence. The red rectangle shows where I would like to place the new metal building which is even with the main residence foundation.





# 600 E Lucas Road Lucas, TX 75002

View between the proposed new metal building and the existing garage showing where the pinch point would be to turn around a truck and 5<sup>th</sup> wheel.





# 600 E Lucas Road Lucas, TX 75002

View towards the north and Lucas Road including the garage and main residence.



# 600 E Lucas Road Lucas, TX 75002

## Summary:

Please approve my request to adjust the location of my new proposed metal building so that I can start the foundation even with my main residence for the reasons previously mentioned. Should you have any questions or if you would like to stop by to look at the proposed new metal building location in person please let me know. Thank you.

Sincerely,

Ryan Davis

600 E Lucas Road

Lucas, TX 75002

972-832-1511

[Ryan@RyanDavisGroup.com](mailto:Ryan@RyanDavisGroup.com)



# Location Map

600 E Lucas Rd







# City of Lucas Board of Adjustment February 24, 2021

Item No. 02

Requester: City Secretary Stacy Henderson

## **Agenda Item Request**

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Consider approval of the minutes of the December 16, 2020 Board of Adjustment meeting.

## **Background Information**

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NA

## **Attachments/Supporting Documentation**

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1. December 16, 2020 Board of Adjustment minutes.

## **Budget/Financial Impact**

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NA

## **Recommendation**

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NA

## **Motion**

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I make a motion to approve the minutes of the December 16, 2020 Board of Adjustment meeting.



**City of Lucas  
Board of Adjustment**

Regular Meeting  
December 16, 2020  
6:30 PM

City Hall – 665 Country Club Road – Lucas, Texas

**MINUTES**

**Call to Order**

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Chairman Bierman called the meeting to order at 6:30 p.m. and noted that Alternate Members Brenda Rizos and Michael Dunn would be serving as voting members. Chairman Bierman led the Pledge of Allegiance.

**Members Present:**

Chairman Chris Bierman  
Ron Poteete  
Tom Redman  
Michael Dunn, Alternate Member  
Brenda Rizos, Alternate Member

**Staff Present:**

Development Services Director Joe Hilbourn  
City Secretary Stacy Henderson  
City Attorney Courtney Morris

**Absent:**

Brian Blythe

Chairman Bierman identified all witnesses that would be presenting before the Board, including City staff members and the applicant, Charles Glover and conducted the swearing in process for all witnesses.

**Public Hearing Agenda**

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- 1. Continuation of a Public hearing to consider an application submitted by Charles and Tiffany Glover for a variance from Section 14.04.304(3)(B) of the City's Code of Ordinance to reduce the required side yard setback for an in-ground pool from 20 feet to 10 feet and one-inch for a parcel of land located at 200 Stanford Drive in Stonegate, Blk C, Lot 2, being all of a one-acre tract of land.**

Development Services Director Joe Hilbourn gave a presentation regarding the variance request and discussed legal hardships and guidelines for granting a variance.

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

Mr. Charles Glover spoke in favor of his request discussing the HOA requirements for his property, trees that would need to be removed to comply with the setback requirements, and line of sight needed from the house to the pool area.

Chairman Bierman read the following emails into the record:

- David and Laura Alvarado, 125 Stanford Drive, spoke in favor of the request.
- John Stemniski, 155 Stanford, spoke in favor of the request.
- Brad Bradford, 2395 Westchester Drive, spoke in favor of the request.
- Betsy Ybarra, 2390 Westchester Drive, spoke in favor of the request.

There being no one further wanting to speak, Chairman Bierman closed the public hearing at 7:00 pm.

**MOTION:** A motion was made by Mr. Redman seconded by Mr. Dunn to deny the request by Charles and Tiffany Glover for a variance from Section 14.04.304(3)(B) of the City's Code of Ordinances to reduce the required side yard setback for an in-ground pool from 20 feet to 10 feet and one-inch for a parcel of land located at 200 Stanford Drive. The motion to deny passed unanimously by a 5 to 0 vote.

## **Regular Agenda**

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**2. Consider approval of the minutes of the November 18, 2020 Board of Adjustments meeting.**

**MOTION:** A motion was made by Ms. Rizos seconded by Mr. Redman to approve the minutes of the November 18, 2020 Board of Adjustments meeting. The motion passed unanimously by a 5 to 0 vote.

**3. Consider the appointment of a Chairman and Vice Chairman of the Board of Adjustments to serve for a period of one (1) year with a term ending December 31, 2021.**

**MOTION:** A motion was made Chairman Bierman seconded by Ms. Rizos to table this item to the January 27, 2021 meeting. The motion passed unanimously by a 5 to 0 vote.

## **Executive Session Agenda**

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**4. Executive Session.**

An Executive Session was not held at this meeting.

**5. Adjournment.**

Chairman Bierman adjourned the meeting at 7:13 pm. The motion passed unanimously by a 5 to 0 vote.

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Chris Bierman, Chairman

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Stacy Henderson, City Secretary