



AGENDA
City of Lucas
Board of Adjustments Meeting
August 25, 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, August 25, 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. Board of Adjustment meetings are also available through Zoom from your computer or smartphone. To join the meeting, please click this URL:

<https://us06web.zoom.us/j/93183020358?pwd=aGpYVEpzWmZZNkNRb2QyT3NqTWFGQT09>

enter your name and email address.

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

Webinar ID: 931 8302 0358

Passcode: 445112

If you would like to watch the meeting live, and not participate via Zoom, you may go to the City's live streaming link at <https://www.lucastexas.us/live-streaming-videos/>.

How to Provide Input at a Meeting:

Speak In Person: Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

Speak Remotely Via Zoom: If you would like to attend a meeting remotely and speak via Zoom, email the City Secretary at shenderson@lucastexas.us by 5:00 pm noting the item you wish to speak on and noting your attendance will be remote. Any requests received after 5:00 pm will not be included at the meeting.

Submit Written Comments: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email the City Secretary at shenderson@lucastexas.us by no later than 5:00 pm the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. Any requests received after 5:00 pm will not be included at the meeting.

Call to Order

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

Public Hearing Agenda

1. Public hearing to consider the variance request by Tractor Supply to permit an off-premise sign in an easement purchased by the applicant for the purpose of installing a sign on a parcel of land located south of the intersection of McGarity Lane and Angel Parkway, being 0.018 acres in the William Snider Survey, ABS #821 in the City of Lucas, Collin County. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct public hearing
 - C. Take action on the variance request
2. Public hearing to consider the request by Philip Cash, Jr. for two variances from the literal interpretation of the City's Code of Ordinances: 1) Decrease side yard setback from the required 25 feet to 5 feet; 2) Decrease lot size from the required minimum of 1.5 acres to a minimum of 1.2 acres on a parcel of land located at 2305 Toole Drive, lot 29 of Kirkland Estates. **(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

3. Consider approval of the minutes of the June 23, 2021 Board of Adjustment meeting. **(City Secretary Stacy Henderson)**

Executive Session Agenda

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.

4. Executive Session: 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 August 19, 2021 as required in accordance with Government Code §551.041.

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.



City of Lucas

Board of Adjustments Agenda Request

August 25, 2021

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider the variance request by Tractor Supply to permit an off-premise sign in an easement purchased by the applicant for the purpose of installing a sign on a parcel of land located south of the intersection of McGarity Lane and Angel Parkway, being 0.018 acres in the William Snider Survey, ABS #821 in the City of Lucas, Collin County.

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

Background Information

The City's Board of Adjustments has received a request to allow an off-premise sign in an easement purchased by the applicant for the purpose of installing a sign.

The City's Code of Ordinances, Article 3.16 Signs does not permit off-premise signs without a variance as stated in the following sections:

Section 3.16.008 - Prohibited Signs

- (g) off-premise signs, including but not limited to temporary real estate, directional signs, and billboards are prohibited unless specifically authorized by another section of this article.

Section 3.16.012 – Variances

The Board of Adjustments shall have authority to grant special variance exceptions from the provisions of this article on proper application. Special exceptions may be granted when circumstances permit and when the proposed exception does not violate the spirit or intent of this article, on such conditions and requirements as may reasonably be required by the board.

Attachments/Supporting Documentation

- 1. Application
- 2. Public Hearing Notice
- 3. Tractor Supply Sign Exhibit
- 4. Location Map

Budget/Financial Impact

NA



City of Lucas
Board of Adjustments Agenda Request
August 25, 2021

Recommendation

NA

Motion

I make a motion to approve/deny the variance request by Tractor Supply to permit an off-premise sign in an easement purchased by the applicant on a parcel of land located south of the intersection of McGarity Lane and Angel Parkway, being 0.018 acres in the William Snider Survey, ABS #821 in the City of Lucas, Collin County.



APPEAL TO THE BOARD OF ADJUSTMENT CITY OF LUCAS

DATE: 7/27/2021

FEE: \$450.00

APPEAL # _____

SUBMITTED BY: Name: Mendy Shapiro

Address: 3455 Shenandoah St

City: Dallas State: TX Zip: 75205

Phone: 214-522-2252

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:

Appeal to allow easment for and construction of a proposed monument sign on an adjacent

property in order to allow increased visibility of retail store.

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:

DocuSigned by:
Mendy Shapiro
061082016F23498...

DECISION OF THE BOARD: _____ DATE: 7/26/2021

If not granted by the Board, state reason why:

CHAIRMAN






Proposed



Existing

Scope of work:

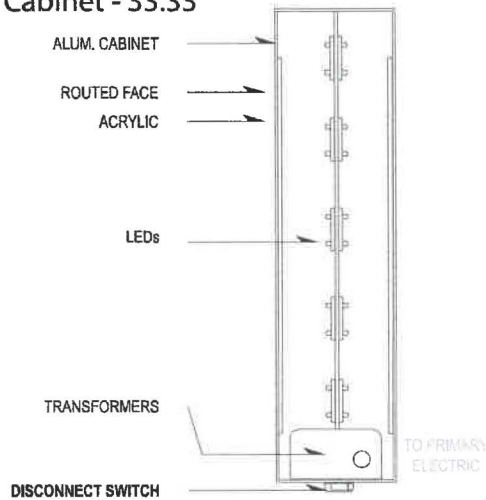
- Remove existing Cabinet
- Discard
- Manufacture and install new Cabinet

	Client: Lucas Plaza 2	Sales: Mike Prezioso	Revisions:	Initials/Date:	<p>TSCL# 18741</p> <p><small>THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.</small></p> <p><small>© COPYRIGHT 2014, BY PRIORITY SIGNS AND GRAPHICS. ALL DESIGNS PRESENTED ARE THE SOLE PROPERTY OF PRIORITY SIGNS AND GRAPHICS AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM PRIORITY SIGNS AND GRAPHICS.</small></p> <p><small>PHOTO ELEVATION DEPICTION INTENDED FOR GENERAL CONCEPT ILLUSTRATION. ACTUAL SIZES AND PERSPECTIVE WILL VARY SLIGHTLY FROM IMAGE.</small></p>
	Location: ██████ S Angel Pkwy, Lucas, TX 75002	Designer: Michael	1 -	-	
	Contact: Cliff Gillespie Contact #: 817-688-7786	Date: 07/16/2021	2 -	-	
	Email: cliff@legacyallianceholdings.com	Approval Signature:	3 -	-	
			4 -	-	
			 INTERNATIONAL SIGN ASSOCIATION	 MEMBER	

New Monument Structure
Painted Aluminum Capstone on Column
Colors TBD

- Sign Specifications:**
18" d Aluminum Cabinet - Double Sided
Illumination: White LEDs
Faces: White
Vinyl: 3M
Painted: Black - Semigloss
Retainers: 2" - Black
Divider Bars: 1" - Black
Mounted: To Structure New Structure
WILL REQUIRE ENGINEERING

Qty: 1
S.F.: Cabinet - 33.33



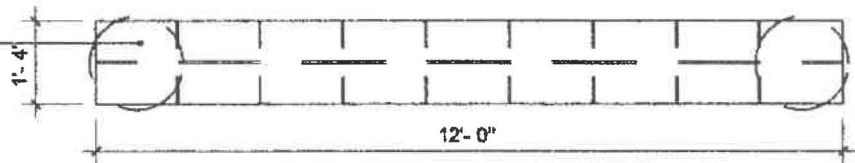
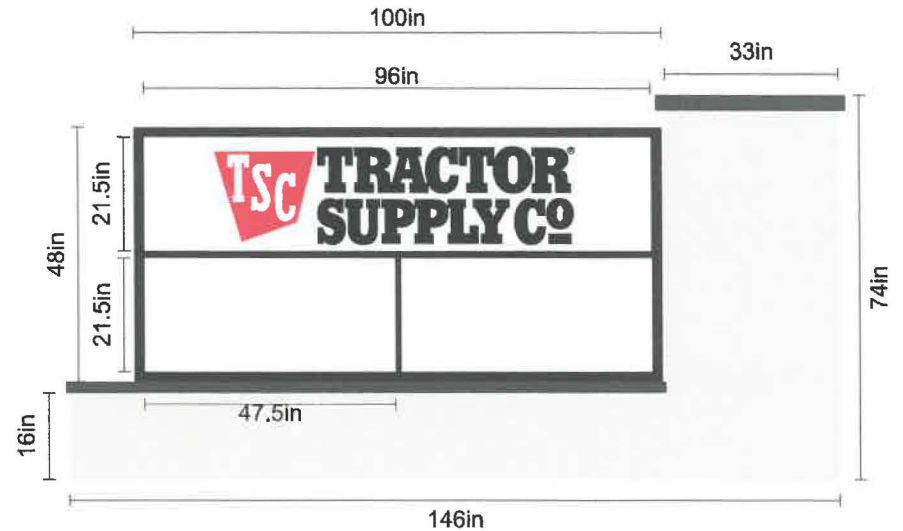
SIGN BOX BY SIGNAGE SUPPLIER
 PROVIDE SHOP DRAWING TO ARCHITECT --
 AND OWNER FOR APPROVAL

EFIS WITH COLOR AND FINISH TO MATCH --
 THE EFIS ON MAIN BUILDING

EFIS CAP / PROJECTED WITH SLOPED --
 TOP FOR DRAINAGE

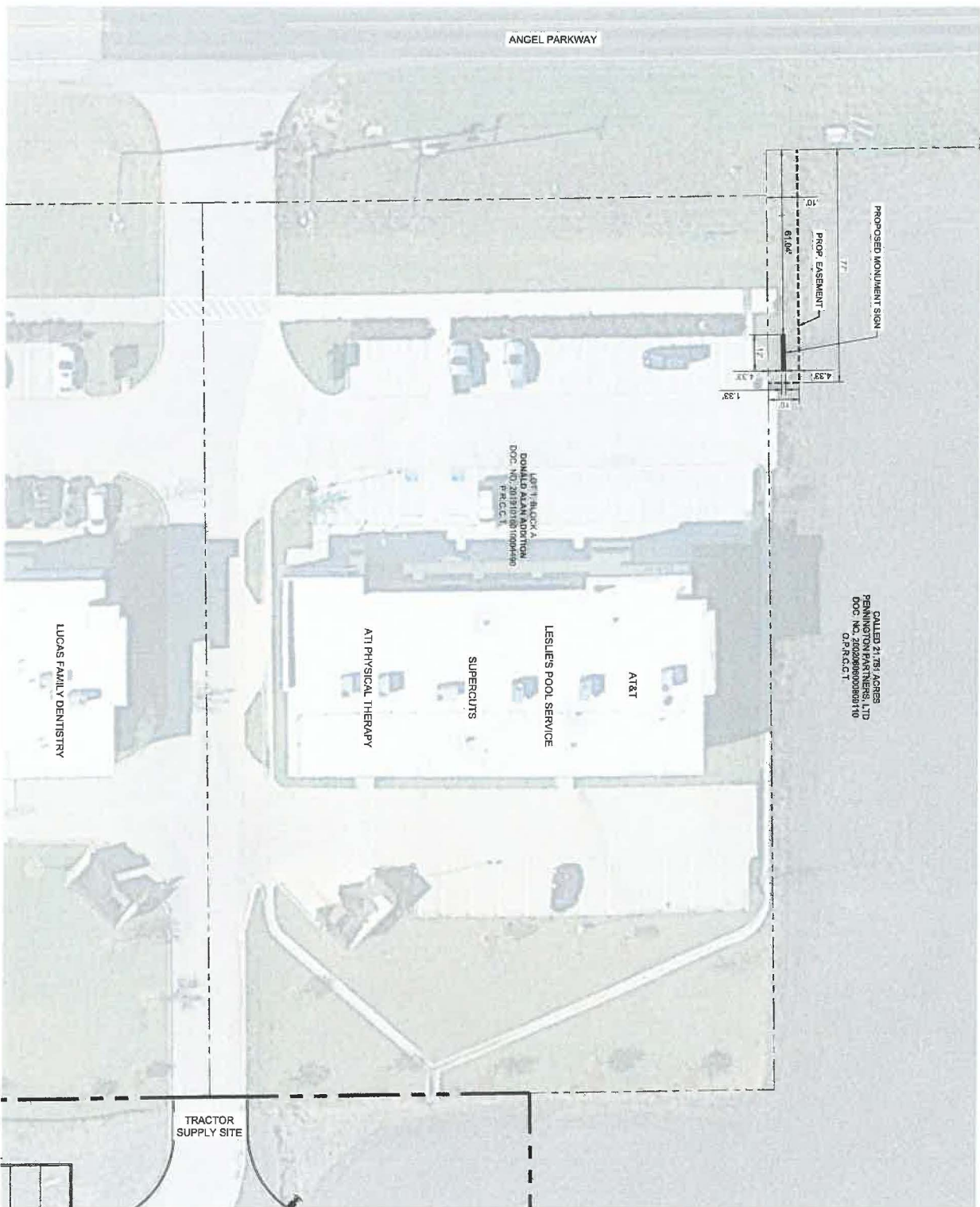
8 X 8 X 16 NOMINAL UTILITY GRADE
 CMU BLOCK WALL WITH #4 FULL HEIGHT
 STEEL REBAR AT 24" O.C. TYP. WITH
 GROUTED CORES AT EACH REBAR
 NOTE: PROVIDE BLOCK FILLER PRIMER
 AND EXTERIOR GRADE LATEX PAINT
 WITH COLOR TO MATCH STUCCO AT
 INTERIOR FACES

REFER TO MAIN BUILDING FOUNDATION
 DETAILS FOR STEEL REINFORCEMENT
 AT DUMPSTER SLABS



03 MONUMENT SIGN DETAIL

	Client: Lucas Plaza 2	Sales: Mike Prezioso	Revisions:	Initials/Date:	TSCL# 18741 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. © COPYRIGHT 2014, BY PRIORITY SIGNS AND GRAPHICS. ALL DESIGNS PRESENTED ARE THE SOLE PROPERTY OF PRIORITY SIGNS AND GRAPHICS AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM PRIORITY SIGNS AND GRAPHICS. PHOTO ELEVATION DEPICTION INTENDED FOR GENERAL CONCEPT ILLUSTRATION. ACTUAL SIZING AND PERSPECTIVE WILL VARY SLIGHTLY FROM IMAGE.
	Location: S Angel Pkwy, Lucas, TX 75002	Designer: Michael	1 -	-	
	Contact: Cliff Gillespie Contact #: 817-688-7786	Date: 07/16/2021	2 -	-	
	Email: cliff@legacyallianceholdings.com	Approval Signature:	3 -	-	
			4 -	-	INTERNATIONAL SIGN ASSOCIATION MEMBER



ANGEL PARKWAY

PROPOSED MONUMENT SIGN

7'

PROP. EASEMENT

6'10"

4.33'

1.33'

LOT 1, BLOCK A
DONALD ALAN ADDITION
DOC. NO. 2019101001004480
P.R.C.C. 1

CALLED 21.731 ACRES
 PENNINGTON PARTNERS, LTD
 DOC. NO. 200208000000001110
 G.P.R.C.C.T

LUCAS FAMILY DENTISTRY

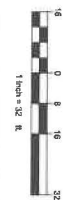
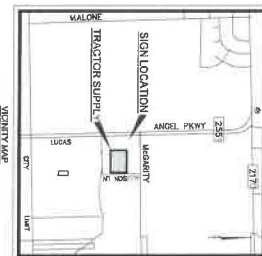
ATI PHYSICAL THERAPY

SUPER CUTS

LESQUIES POOL SERVICE

ATI

TRACTOR SUPPLY SITE



OFF PREMISE SIGN EXHIBIT

TRACTOR SUPPLY CO.
 LOT 1, BLOCK A TRACTOR SUPPLY ADDITION
 LUCAS, TX

PENNINGTON PARTNERS, LTD
 21.731 ACRES
 DONALD ALAN ADDITION
 DOC. NO. 2019101001004480
 P.R.C.C. 1



DATE	DESCRIPTION
07/23/2021	ISSUE FOR PERMITS
07/23/2021	ISSUE FOR PERMITS
07/23/2021	ISSUE FOR PERMITS
07/23/2021	ISSUE FOR PERMITS

EX-1

NO.	DATE	REVISION	BY

SIGN EASEMENT

William Snider Survey, Abstract No. 821
City of Lucas, Collin County, Texas

LEGAL DESCRIPTION

BEING a 0.018 acre tract of land out of the WILLIAM SNIDER SURVEY, ABSTRACT NUMBER 821, situated in the City of Lucas, Collin County, Texas, being a part of a called 21.751 acre tract conveyed to Pennington Partners, LLC by Warranty Deed with Vendor's Lien of record in Document Number D20020606000809110 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2 inch iron rod with yellow plastic cap stamped "VOTEX" found in the East right-of-way line of Farm to Market Road 2551/Angel Parkway (right-of-way varies), being in the West line of said 21.751 acre tract, also being the Northwest corner of a 15 foot wide right-of-way dedication of record in Donald Alan Addition, a subdivision of record in Volume 2019, Page 700 of the Plat Records of Collin County, Texas, for the Southwest corner hereof;

THENCE, N00°45'30"W, along the East right-of-way line of Farm to Market Road 2551/Angel Parkway and the common West line of said 21.751 acre tract, a distance of 10.00 feet to the Northwest corner hereof, from which a 1/2 inch iron rod with unreadable red plastic cap found at the Northwest corner of said 21.751 acre tract bears N00°45'30"W, a distance of 317.34 feet;

THENCE, leaving the East right-of-way line of Farm to Market Road 2551/Angel Parkway, over and across said 21.751 acre tract, the following two (2) courses and distances:

1. N89°15'23"E, a distance of 77.00 feet to the Northeast corner hereof ;
2. S00°44'37"E, a distance of 10.00 feet to a point in the North line of Lot 1, Block A of said Donald Alan Addition, for the Southeast corner hereof;

THENCE, S89°15'23"W, in part, along the North line of said Lot 1 and in part, along the North line of said 15 foot wide right-of-way dedication, passing at a distance of 62.00 feet, a 1/2 inch iron rod found at the Northwest corner of said Lot 1 and continuing a total distance of 77.00 feet to the **POINT OF BEGINNING** and containing an area of 0.018 Acres, or (770 Square Feet) of land, more or less.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a licensed Land Surveyor under the laws of the State of Texas.

PG. 1 OF 2



EAGLE SURVEYING, LLC
210 S. ELM STREET
SUITE: 104
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

Matthew Raabe

Matthew Raabe
R.P.L.S. # 6402

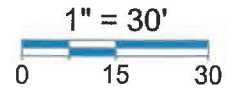
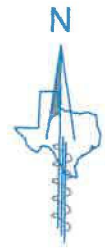


07-13-21
Date

JOB NUMBER	DRAWN BY	DATE
2104.028-02	TMR	07/13/2021

SIGN EASEMENT

William Snider Survey, Abstract No. 821
 City of Lucas, Collin County, Texas



1/2" CIRF
 "UNREADABLE"

ANGEL PARKWAY
 FARM TO MARKET ROAD NO. 2551
 VARIABLE WIDTH RIGHT-OF-WAY

N 00°45'30" W 317.34'

WILLIAM SNIDER SURVEY
 ABSTRACT NO. 821

CALLED 21.751 ACRES
 PENNINGTON PARTNERS, LTD
 DOC. NO. 20020606000809110
 O.P.R.C.C.T.

SIGN EASEMENT

0.018 ACRES
 770 SQUARE FEET

N 89°15'23" E 77.00'

1/2" IRF 62.00'

S 89°15'23" W 77.00'

POB

1/2" CIRF
 "VOTEX"

15' RIGHT-OF-WAY
 DEDICATION
 DONALD ALAN ADDITION
 VOLUME 2019, PAGE 700
 P.R.C.C.T.

LOT 1, BLOCK A
 DONALD ALAN ADDITION
 VOLUME 2019, PAGE 700
 P.R.C.C.T.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00°45'30" W	10.00'
L2	S 00°44'37" E	10.00'

PG. 2 OF 2



EAGLE SURVEYING, LLC
 210 S. ELM STREET
 SUITE: 104
 DENTON, TX 76201
 (940) 222-3009
 TX FIRM # 10194177

LEGEND

- Boundary Monumentation
- CIRF Capped Iron Rod Found
- IRF Iron Rod Found
- POB Point of Beginning
- O.P.R.C.C.T. Official Public Records Collin County, Texas
- P.R.C.C.T. Plat Records, Collin County, Texas

JOB NUMBER	DRAWN BY	DATE
2104.028-02	TMR	07/13/2021



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 August 25, 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 Curtis Peters on behalf of Tractor Supply to permit an off-site sign on an easement dedicated for the purpose of installing a sign on a parcel of land being 0.018 acres of land in the William Snider Survey, ABS #821 situated in the city of Lucas, Collin County.

The City's Code of Ordinances does not permit off site signs without a variance. Chapter 3 Section 3.16.008 Prohibited Signs, Subsection (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.

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 questions about the request, contact Joe Hilbourn at jhilbourn@lucastexas.us.






Proposed



Existing

Scope of work:
 Remove existing Cabinet
 Discard
 Manufacture and install new
 Cabinet

	Client: Lucas Plaza 2	Sales: Mike Prezioso	Revisions:	Initials/Date:	TSCL# 18741 <small>THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.</small> <small>© COPYRIGHT 2014, BY PRIORITY SIGNS AND GRAPHICS. ALL DESIGNS PRESENTED ARE THE SOLE PROPERTY OF PRIORITY SIGNS AND GRAPHICS AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM PRIORITY SIGNS AND GRAPHICS.</small> <small>PHOTO ELEVATION DEPICTION INTENDED FOR GENERAL CONCEPT ILLUSTRATION. ACTUAL SIZING AND PERSPECTIVE WILL VARY SLIGHTLY FROM IMAGE.</small>
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	Contact: Cliff Gillespie Contact #: 817-688-7786	Date: 07/16/2021	2 -	-	
	Email: cliff@legacyallianceholdings.com	Approval Signature:	3 -	-	
			4 -	-	
					

New Monument Structure
Painted Aluminum Capstone on Column
Colors TBD

Sign Specifications:

18" d Aluminum Cabinet - Double Sided

Illumination: White LEDs

Faces: White

Vinyl: 3M

Painted: Black - Semigloss

Retainers: 2" - Black

Divider Bars: 1" - Black

Mounted: To Structure New Structure

WILL REQUIRE ENGINEERING

Qty: 1

S.F.: Cabinet - 33.33

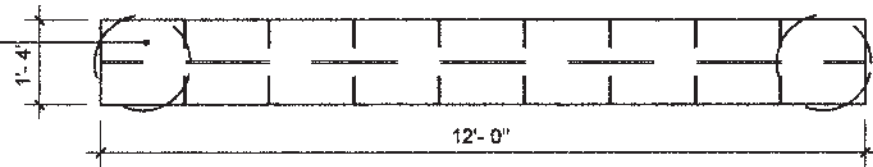
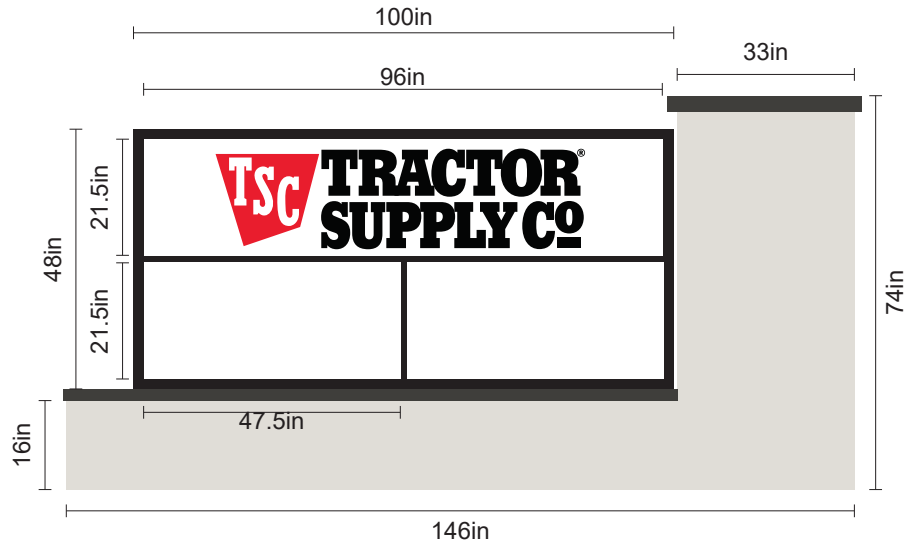
SIGN BOX BY SIGNAGE SUPPLIER
 PROVIDE SHOP DRAWING TO ARCHITECT --
 AND OWNER FOR APPROVAL.

EFIS WITH COLOR AND FINISH TO MATCH --
 THE EFIS ON MAIN BUILDING

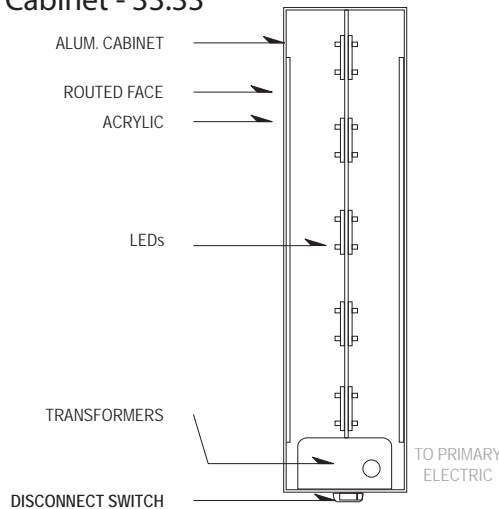
EFIS CAP / PROJECTED WITH SLOPED --
 TOP FOR DRAINAGE

8 X 8 X 16 NOMINAL UTILITY GRADE
 CMU BLOCK WALL WITH #4 FULL HEIGHT
 STEEL REBAR AT 24" O.C. TYP. WITH
 GROUTED CORES AT EACH REBAR --
 NOTE: PROVIDE BLOCK FILLER PRIMER
 AND EXTERIOR GRADE LATEX PAINT
 WITH COLOR TO MATCH STUCCO AT
 INTERIOR FACES

REFER TO MAIN BUILDING FOUNDATION
 DETAILS FOR STEEL REINFORCEMENT
 AT DUMPSTER SLAB

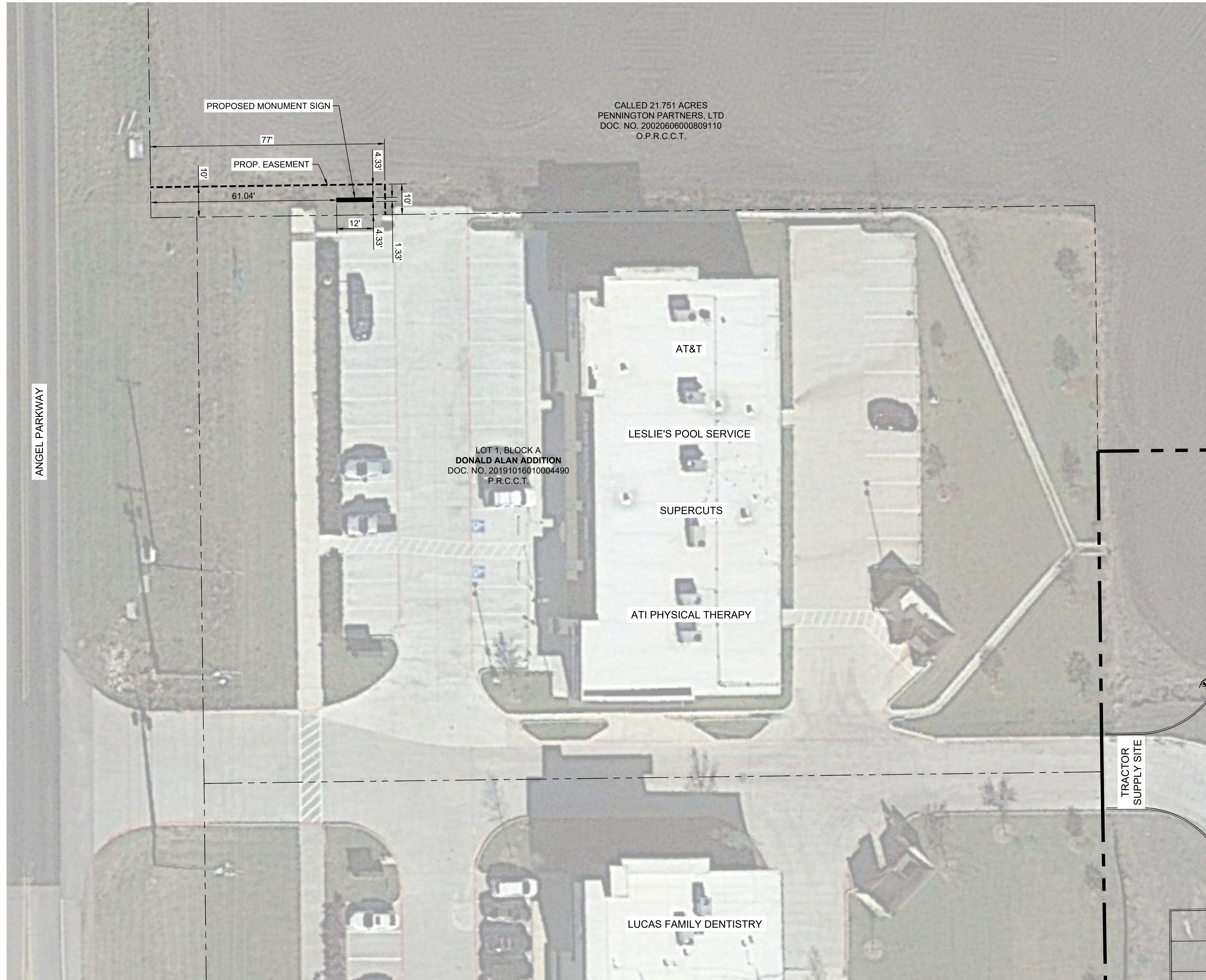


03 MONUMENT SIGN DETAIL



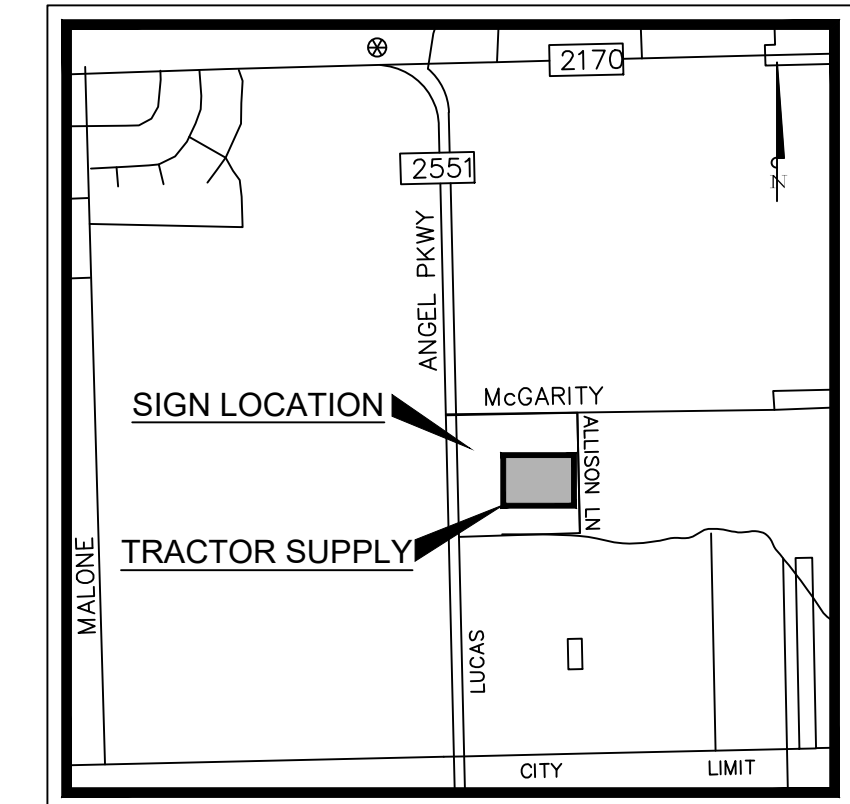
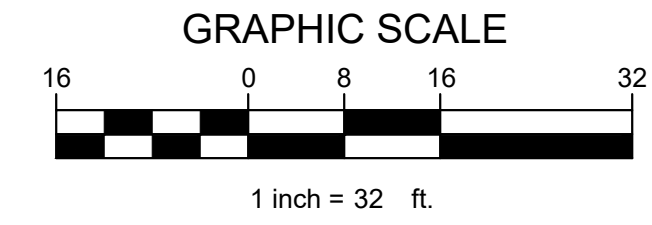
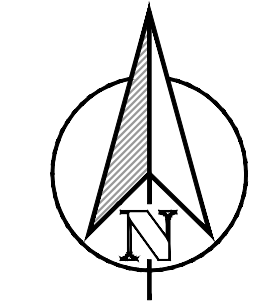
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	Contact: Cliff Gillespie Contact #: 817-688-7786	Date: 07/16/2021	2 -	-	
	Email: cliff@legacyallianceholdings.com	Approval Signature:	3 -	-	
			4 -	-	INTERNATIONAL SIGN ASSOCIATION MEMBER

PLOTTED BY: CURTIS, PETERS
 PLOT DATE: 7/23/2021 3:48 PM
 LOCATION: Z:\PROJECTS\2021-049 LUCAS TSC\CADD\EXHIBIT\SIGN EXHIBIT\OFF PREMISE SIGN EXHIBIT.DWG
 LAST SAVED: 7/9/2021 11:16 AM



CALLED 21.751 ACRES
 PENNINGTON PARTNERS, LTD
 DOC. NO. 20020606000809110
 O.P.R.C.C.T.

LOT 1, BLOCK A
 DONALD ALAN ADDITION
 DOC. NO. 20191016010004490
 P.R.C.C.T.



TEXAS REGISTRATION #14199
CLAY MOORE
ENGINEERING
 PHONE: 817.261.0622
 1105 CREEK SPARGER RD. SUITE #1
 COLLEVILLE, TX 76834
 WWW.CLAYMOORE.COM

PRELIMINARY
 FOR REVIEW ONLY
 Not for construction purposes.
 CLAYMOORE ENGINEERING
 ENGINEERING AND PLANNING
 COREY FANT
 DREW DONOSKY
 Engineer
 P.E. No. 12565 License Z/23/2021

TRACTOR SUPPLY CO.
LOT 1, BLOCK A TRACTOR SUPPLY ADDITION
LUCAS, TX

No.	DATE	REVISION	BY

OFF PREMISE SIGN EXHIBIT

DESIGN: CWP
 DRAWN: SD
 CHECKED: ASD
 DATE: 7/23/2021

SHEET
EX-1

SIGN EASEMENT

William Snider Survey, Abstract No. 821
City of Lucas, Collin County, Texas

LEGAL DESCRIPTION

BEING a 0.018 acre tract of land out of the WILLIAM SNIDER SURVEY, ABSTRACT NUMBER 821, situated in the City of Lucas, Collin County, Texas, being a part of a called 21.751 acre tract conveyed to Pennington Partners, LLC by Warranty Deed with Vendor's Lien of record in Document Number D20020606000809110 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2 inch iron rod with yellow plastic cap stamped "VOTEX" found in the East right-of-way line of Farm to Market Road 2551/Angel Parkway (right-of-way varies), being in the West line of said 21.751 acre tract, also being the Northwest corner of a 15 foot wide right-of-way dedication of record in Donald Alan Addition, a subdivision of record in Volume 2019, Page 700 of the Plat Records of Collin County, Texas, for the Southwest corner hereof;

THENCE, N00°45'30"W, along the East right-of-way line of Farm to Market Road 2551/Angel Parkway and the common West line of said 21.751 acre tract, a distance of 10.00 feet to the Northwest corner hereof, from which a 1/2 inch iron rod with unreadable red plastic cap found at the Northwest corner of said 21.751 acre tract bears N00°45'30"W, a distance of 317.34 feet;

THENCE, leaving the East right-of-way line of Farm to Market Road 2551/Angel Parkway, over and across said 21.751 acre tract, the following two (2) courses and distances:

1. N89°15'23"E, a distance of 77.00 feet to the Northeast corner hereof ;
2. S00°44'37"E, a distance of 10.00 feet to a point in the North line of Lot 1, Block A of said Donald Alan Addition, for the Southeast corner hereof;

THENCE, S89°15'23"W, in part, along the North line of said Lot 1 and in part, along the North line of said 15 foot wide right-of-way dedication, passing at a distance of 62.00 feet, a 1/2 inch iron rod found at the Northwest corner of said Lot 1 and continuing a total distance of 77.00 feet to the **POINT OF BEGINNING** and containing an area of 0.018 Acres, or (770 Square Feet) of land, more or less.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a licensed Land Surveyor under the laws of the State of Texas.

PG. 1 OF 2



EAGLE SURVEYING, LLC
210 S. ELM STREET
SUITE: 104
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

Matthew Raabe

Matthew Raabe
R.P.L.S. # 6402



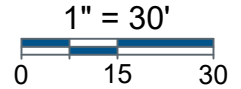
07-13-21

Date

JOB NUMBER	DRAWN BY	DATE
2104.028-02	TMR	07/13/2021

SIGN EASEMENT

William Snider Survey, Abstract No. 821
City of Lucas, Collin County, Texas



1/2" CIRF
"UNREADABLE"

ANGEL PARKWAY
FARM TO MARKET ROAD NO. 2551
VARIABLE WIDTH RIGHT-OF-WAY

N 00°45'30" W 317.34'

WILLIAM SNIDER SURVEY
ABSTRACT NO. 821

CALLED 21.751 ACRES
PENNINGTON PARTNERS, LTD
DOC. NO. 20020606000809110
O.P.R.C.C.T.

SIGN EASEMENT

0.018 ACRES
770 SQUARE FEET

N 89°15'23" E 77.00'

L1

1/2" IRF 62.00'

L2

S 89°15'23" W 77.00'

POB

1/2" CIRF
"VOTEX"

LOT 1, BLOCK A
DONALD ALAN ADDITION
VOLUME 2019, PAGE 700
P.R.C.C.T.

15' RIGHT-OF-WAY
DEDICATION
DONALD ALAN ADDITION
VOLUME 2019, PAGE 700
P.R.C.C.T.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°45'30" W	10.00'
L2	S 00°44'37" E	10.00'



EAGLE SURVEYING, LLC
210 S. ELM STREET
SUITE: 104
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

LEGEND

○	Boundary Monumentation	POB	Point of Beginning
CIRF	Capped Iron Rod Found	O.P.R.C.C.T.	Official Public Records Collin County, Texas
IRF	Iron Rod Found	P.R.C.C.T.	Plat Records, Collin County, Texas

JOB NUMBER
2104.028-02

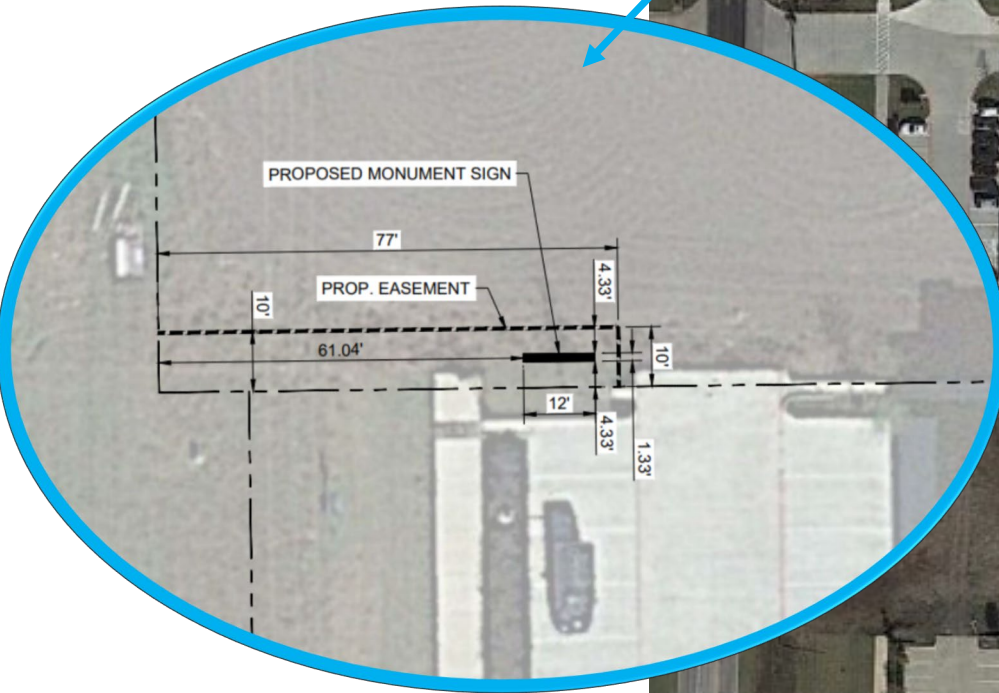
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TMR

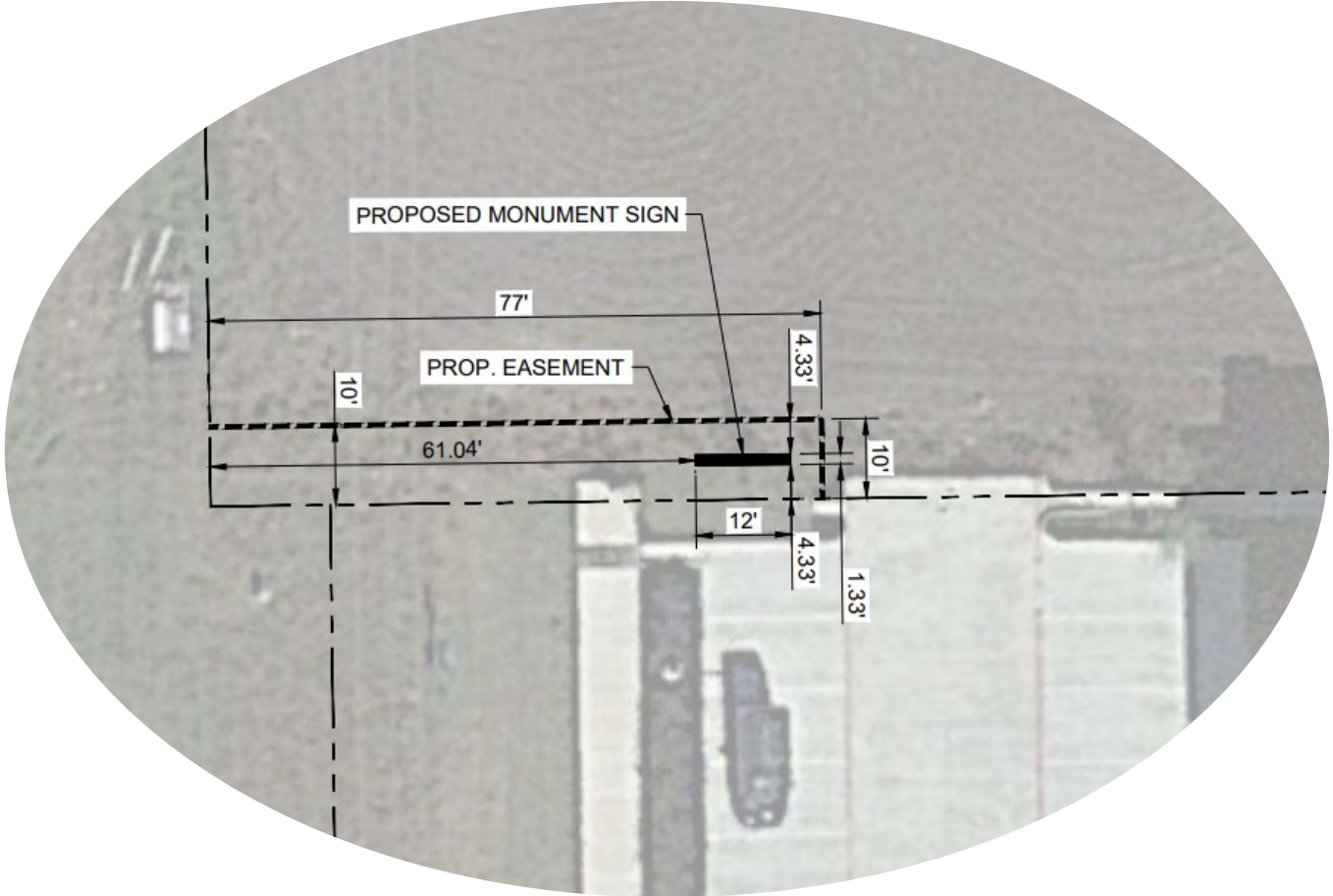
DATE
07/13/2021

Location Map

Proposed Tractor Supply
Offsite Sign Location

Tractor Supply Site







City of Lucas

Board of Adjustments Agenda Request

August 25, 2021

Item No. 02

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider the request by Philip Cash, Jr. for two variances from the literal interpretation of the City's Code of Ordinances: 1) Decrease side yard setback from the required 25 feet to 5 feet; 2) Decrease lot size from the required minimum of 1.5 acres to a minimum of 1.2 acres on a parcel of land located at 2305 Toole Drive, lot 29 of Kirkland Estates.

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

Background Information

The City's Board of Adjustments has received a request for two variances from the literal interpretation of the City's Code of Ordinances: 1) Decrease side yard setback from the required 25 feet to 5 feet; 2) Decrease lot size from the required minimum of 1.5 acres to a minimum of 1.2 acres on a parcel of land located at 2305 Toole Drive, lot 29 of Kirkland Estates.

The City's Code of Ordinances, Article 14.03 Single Family Residential District requires the following related to size of yard and setbacks in residential areas:

Section 14.03.113 - Area regulations

- (a) Size of yards.
 - (2) Side yard. There shall be a side yard on each side of the lot having a width of not less than ten percent (10%) of the lot width, [or] twenty feet (20'), whichever is less. A side yard adjacent to a side street shall not be less than twenty-five feet (25'). No side yard for allowable nonresidential uses shall be less than twenty-five feet (25').

Section 14.03.173 - Area regulations

- (b) Size of lot.
 - (1) Lot area. No building shall be constructed on any lot of less than one and one-half (1-1/2) acres (65,340 square feet).

Attachments/Supporting Documentation

1. Application
2. Public Hearing Notice
3. 2305 Toole Drive Survey
4. Location Map



City of Lucas
Board of Adjustments Agenda Request
August 25, 2021

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to approve/deny the variance request by Philip Cash, Jr. for two variances from the literal interpretation of the City's Code of Ordinances: 1) Decrease side yard setback from the required 25 feet to 5 feet; 2) Decrease lot size from the required minimum of 1.5 acres to a minimum of 1.2 acres on a parcel of land located at 2305 Toole Drive, lot 29 of Kirkland Estates.



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

DATE: 8/4/2021

FEE: \$450.00

APPEAL # _____

SUBMITTED BY: Name: Amber Cash
Address: 2305 Toole Dr
City: Lucas State: TX Zip: 75002
Phone: 214 235 7226

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:

UPON EXPANSION OF Parker Rd,
approx. 1/2 acre was taken/purchased. Now 2305 Toole
does not comply with set-back requirements. A
variance is requested so a loan may be obtained
to purchase property from my husband's grandfather.
Also, we would like to request an ADA Accommodation
so a privacy fence may be erected to ensure the
safety & prevent elopement of a minor child with
Autism. We thank you for your time &
consideration.

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:



DECISION OF THE BOARD: _____

DATE: _____

If not granted by the Board, state reason why:

CHAIRMAN



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 August 25, 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 Amber Cash on behalf of Philip L. Cash Jr. for two variances from the city's code of ordinances, One for side yard setbacks from the required 25' to 5', request number two is on lot size from the required minimum of 1.5 acres to a minimum of 1.2 acres on a parcel of land located at 2305 Toole Drive, lot 29 of the Kirkland Estates

Sec. 14.03.173 Area regulations

(a) Size of yards. See section 14.03.113. (1995 Code, sec. 9-42)

(b) Size of lot.

(1) Lot area. No building shall be constructed on any lot of less than one and one-half (1-1/2) acres (65,340 square feet).

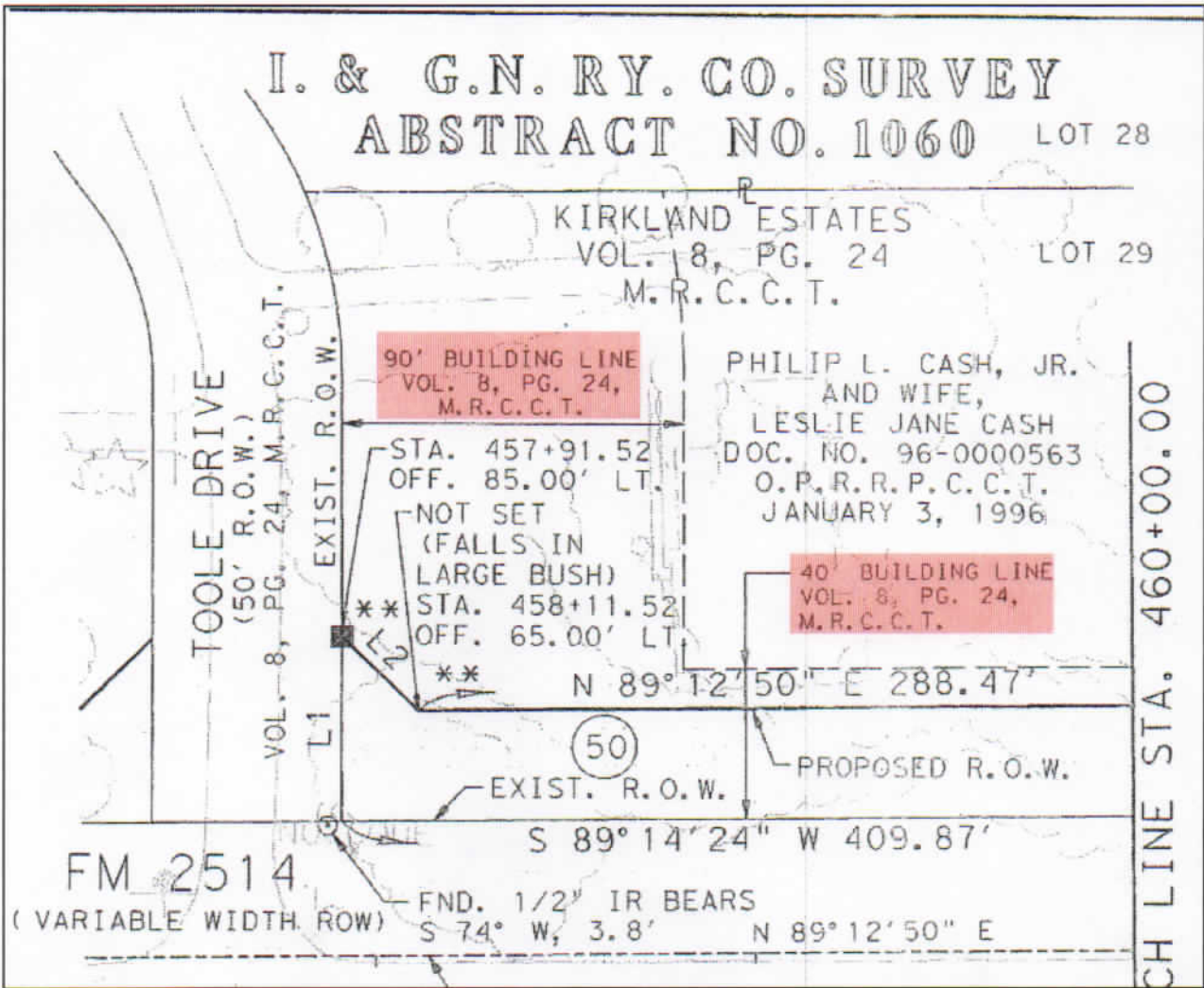
Sec. 14.03.113 Area regulations

(a) Size of yards.

(2) Side yard. There shall be a side yard on each side of the lot having a width of not less than ten percent (10%) of the lot width, [or] twenty feet (20'), whichever is less. A side yard adjacent to a side street shall not be less than twenty-five feet (25'). No side yard for allowable nonresidential uses shall be less than twenty-five feet (25').

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 questions about the request, contact Joe Hilbourn at jhilbourn@lucastexas.us.

the remaining residents in the same subdivision attempt to enforce the restrictions through the legal system. Given that this residence has not been in conformance with the building setback line in the last 42 years, we do not expect this to be an issue that affects the current use and highest and best use of the subject property in the future.



The City of Lucas requires a side setback of 20 feet or more and the subject property will now not conform to the existing zoning ordinance. According to Stanton Forester, Public Works Director with the City of Lucas the subject property will not be granted a legal non-conforming status in the remainder with only a 5 foot setback. Thus, the residence would be required to be brought into conformance. The only way to do this is to demolish the existing residence and redevelop the subject site.

Thus, we believe the subject improvements are completely diminished in the remainder after.

The subject remainder tract size of 1.285 acres will be non-conforming to the current zoning ordinance which requires a minimum lot size of 1.5000 acres. Surrounding communities typically allow for legal non-conforming status for property impacted by a governmental taking. The City of Lucas has no codified ordinance or offered any verbal indication that legal non-conforming status will be granted to properties impacted by governmental takings. At the direction of the client, the remainder property has been valued under a worst-case scenario (i.e. the subject will be considered a non-conforming property). Thus, the residual land area will also be diminished as it does not conform to the minimum required lot size anymore. We consider the remainder land to be a non-economic unit.

Location Map

2305 Toole Dr





City of Lucas

Board of Adjustment Agenda Request

August 25, 2021

Item No. 03

Requester: City Secretary Stacy Henderson

Agenda Item Request

Consider approval of the minutes of the June 23, 2021 Board of Adjustment meeting.

Background Information

NA

Attachments/Supporting Documentation

1. June 23, 2021 Board of Adjustment minutes.

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to approve the minutes of the June 23, 2021 Board of Adjustment meeting.



**City of Lucas
Board of Adjustment**

Regular Meeting
June 23, 2021
6:30 PM

City Hall – 665 Country Club Road – Lucas, Texas

MINUTES

Call to Order

Chairman Redman called the meeting to order at 6:35 p.m. and led the Pledge of Allegiance.

Members Present:

Chairman Tom Redman
Vice Chairman Ron Poteete
Brian Stubblefield
Brian Dale
Brenda Rizos
Alternate Member Sean Watts

Staff Present:

Development Services Director Joe Hilbourn
Building Inspector Scott DeJong
Graduate Intern Kevin Becker
City Attorney Courtney Morris

Members Absent:

Alternate Member Michael Dunn

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

Public Hearing Agenda

- 1. Public hearing to consider a variance request by Harry Villers from the literal interpretation of the City's Code of Ordinances to allow a parcel of land to be divided where one parcel will be less than the required size of two acres, for a parcel of land located at 2590 Rock Ridge Road, ABS A0318 Gabriel Fitzhugh Survey, Tract 50 being all of 3.9952-acres in the City of Lucas, Texas.**

Building Inspector Scott DeJong gave a presentation regarding the proposed request.

Chairman Redman opened the public hearing at 6:43 pm with the following individuals speaking regarding the request.

- Harry Villers, 2590 Rock Ridge Road, Lucas was wanting to receive clarification on how the platting process is completed.

Chairman Redman closed the public hearing at 6:52 pm.

MOTION: A motion was made by Vice Chairman Poteete seconded by Mr. Dale to deny the variance request by Harry Villers to allow a parcel of land to be divided where one parcel will be less than the required size of two acres, where one parcel will be 1.65 +/- acres, less than the required size of two acres, for a parcel of land located at 2590 Rock Ridge Road, ABS A0318 Gabriel Fitzhugh Survey, Tract 50, being all of 3.9952-acres in the City of Lucas, Texas. The motion to deny passed unanimously by a 5 to 0 vote.

Regular Agenda

2. Consider approval of the minutes of the May 26, 2021 Board of Adjustment meeting.

MOTION: A motion was made by Mr. Dale seconded by Mr. Stubblefield to approve the minutes of the May 26, 2021 Board of Adjustment meeting. The motion passed unanimously by a 5 to 0 vote.

Executive Session Agenda

3. Executive Session.

An Executive Session was not held at this meeting.

4. Adjournment.

Chairman Redman adjourned the meeting at 6:56 pm. The motion passed unanimously by a 5 to 0 vote.

Tom Redman, Chairman

Stacy Henderson, City Secretary