



MINUTES

BOARD OF ADJUSTMENT MEETING

March 22, 2023 | 5:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Prior to the regular meeting, there was a workshop with Baxter IT for the migration of City issued emails to Microsoft 365. Members of the Board of Adjustment present were:

- Chairman Tom Redman
- Vice-Chairman Ron Poteete
- Member Brian Stubblefield

Call to Order

The meeting was called to order at 6:30 pm. It was determined that a quorum was present, and the Pledge of Allegiance was recited.

Members Present:

Chair Tom Redman
Vice-Chairman Ron Poteete
Member Brenda Rizos
Member Brian Stubblefield

Staff Present:

City Manager Joni Clarke
Assistant City Manager Kent Souriyasak
Development Services Director Joe Hilbourn
City Secretary Erin Day
City Attorney Courtney Morris
Deputy Daniel Gillespie

Members Absent:

Member Brian Dale
Alternate Member Sean Watts
Alternate Member Frank Hise

City Council Members Present:

Mayor Pro Tem Kathleen Peele

Chairman Redman conducted the swearing in process for all witnesses.

Public Hearing Agenda

1. **Conduct a public hearing and consider the request by Wai Ho for a variance from the City of Lucas Code of Ordinances to allow a fence over eight feet tall around a sports court in the backyard located at 872 Bristol Park, Phase 2, Lot 21 being all of a 1.52-acre tract of land.**

Development Services Director Joe Hilbourn gave a presentation highlighting the history of this variance request, basic timeline for the variance request, section of the code relating to fencing requirements, location of the property, submitted plans, and examples of the fencing material of the request and the screen materials.

Chairman Redman asked if there was any representation made that screening was a requirement. Mr. Hilbourn advised that was a homeowner’s association requirement. Chairman Redman asked if the plan was resubmitted to the city. Mr. Hilbourn advised it was with more detailed information. Chairman Redman asked if there was any differentiation in the code of ordinances on what a fence is being used for.

Chairman Redman opened the public hearing at 6:38 pm.

Wai Ho, 872 Bristol Park, spoke advising she is there to answer any questions. Vice-Chairman Poteete asked why the applicant wanted a 10-foot fence. Mrs. Ho responded advising they intend to play pickleball and the balls may fly out.

Chairman Redman read an email submitted from the public from Mrs. Jennie Tissing, 1190 Stenson Road, advising that the code should be consistently applied, and a sport court should not be exempt.

Chairman Redman closed the public hearing at 6:41 pm.

Chairman Redman advised the code is clear and it limits the fence height, and that the reason for using the fence is for recreational use and that granting this variance would set a bad precedent.

Member Rizos advised the city ordinances are there for a reason and once they are undercut, they lose their authority. Vice-Chairman Poteete agreed.

Chairman Redman reopened the public hearing at 6:44 pm to allow the applicant to speak.

Wai Ho, 872 Bristol Park, advised the 10-foot fence is because the hoop is 10-foot high and will prevent the ball from flying out, and that the ball unrestrained could cause a safety hazard for cars in the street.

Chairman Redman closed the public hearing at 6:45 pm.

Chairman Redman advised that if there is an existing fence of 10 feet then they are in violation and could perhaps be remedied.

MOTION: A motion was made by Vice-Chairman Poteete, seconded by Member Rizos to deny the request by Wai Ho for a variance from the City of Lucas Code of Ordinances to allow a fence over eight feet tall around a sports court in the backyard located at 872 Bristol Park, Phase 2, Lot 21 being all of a 1.52-acre tract of land. The motion passed unanimously by a 4 to 0 vote. Member Dale, Alternate Member Watts, and Alternate Member Hise were not present.

Regular Agenda

- 2. Consider approval of the minutes of the January 25, 2023 Board of Adjustment meeting.**

MOTION: A motion was made by Chairman Redman, seconded by Vice-Chairman Poteete, to approve the minutes of the January 25, 2023 Board of Adjustment meeting. The motion passed unanimously by a 4 to 0 vote.

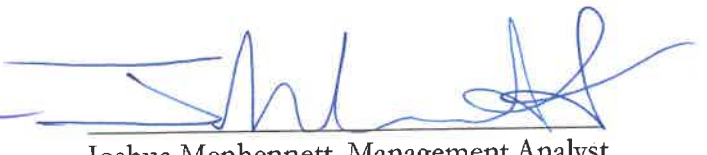
- 3. Adjournment.**

MOTION: A motion was made by Chairman Redman, seconded by Member Rizos, to adjourn the meeting. The motion passed unanimously by a 4 to 0 vote.

Chairman Redman adjourned the meeting at 6:49 pm.



Tom Redman, Chairman



Joshua Menhennett, Management Analyst