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 Dosher

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 McPeek, 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

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