

**State of Texas
County of Denton
City of Lake Dallas**

The Board of Adjustment of the City of Lake Dallas met in a special meeting on October 29, 2009 at 7:32 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

Members present: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Staff present: City Manager Earl Berner and Planning & Zoning Commission Secretary Char DuPree

2. Consideration and Action on approval of Minutes for the May 11, 2009 meeting.

Motion to approve the Minutes for the May 11, 2009 meeting was made by Bruce Martin; second by Sandy Payne.

Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Noes: None

Motion Passed

3. Public Hearing on request for a special exception regarding the replat of Lots 17, 18, 19, & 20, Block F, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for the lots to change from four (4) lots to three (3) lots of 6600 square feet each and to allow a rear setback of twenty (20) feet where thirty (30) feet is required in an R-1-6000, Single Family Dwelling district.

Clyde Fisher, 747 Carlisle, is the owner of the subject lots. He wants to replat the four lots into three larger lots to build a larger 1500 sq. ft. home than is required. In response to questions from Sandy Payne, Mr. Fisher stated there is not an alleyway behind the homes but Stockard would be paved and opened up to traffic, however it would not extend through to Hundley Drive.

Sandra Caldwell, 421 Stadium, asked if these lots were vacant. She also would like to see Stockard extend through to Hundley Drive because right now there is only one way in or out of this area. She also is concerned about fire department access in adding these new homes. Mr. Fisher responded stating the lots were vacant.

Earl Berner added Stockard would not be extended to Hundley Drive at this time but would end at the Lake Cities Municipal Utility Authority property.

Sandy Payne asked how the building of these homes with the 20 ft. setback would affect the fire department access.

Mr. Berner explained there is a water hydrant at the corner of Stockard and Stadium and the department vehicles would be able to turn around using the Lake Cities Municipal Utility Authority (LCMUA) properties in emergencies. In addition Mr. Berner informed the Board which lots belonged to LCMUA on the plat.

Barbara Davis, 529 Beck Avenue, was not sure where these lots were located and asked to see the plat. In response, Sandy Payne showed Ms. Davis exactly where the proposed lots were located on the plat.

Earl Berner stated the City supported this project and feels this development would be an asset to the community.

Steven Bertrand closed the public hearing.

- 4. Consideration and Action on request for a special exception regarding the replat of Lots 17, 18, 19, & 20, Block F, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for the lots to change from four (4) lots to three (3) lots of 6600 square feet each and to allow a rear setback of twenty (20) feet where thirty (30) feet is required in an R-1-6000, Single Family Dwelling district.**

Motion to approve the special exception to allow a rear setback of twenty (20) feet where thirty (30) feet is required was made by Bruce Martin; second by Sandy Payne.

Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Noes: None

Motion Passed

- 5. Public Hearing on a request by the City of Lake Dallas for a special exception to allow construction of a garage on the southeast end of the Municipal Complex at 212 Main Street that will have a zero (0) rear setback where twenty five (25) feet is required and a side yard of two (2) feet where ten (10) feet is required.**

Earl Berner addressed the Board on behalf of Police Chief Ristagno and explained the purpose of the requested special exception is to build a garage that will secure the new communications vehicle and equipment. The door will be a roll-up type garage door due to limited space.

There has been one comment opposing the special exception by Mr. Ted Freeman who owns the 12 acre railroad property, however, once he understood that the city hall property did not directly abut up to his property he no longer opposed the approval of the special exception. No other property owners opposed this request.

Steven Bertrand closed the public hearing.

- 6. Consideration and Action on a request by the City of Lake Dallas for a special exception to allow construction of a garage on the southeast end of the Municipal Complex at 212 Main Street that will have a zero (0) rear setback where twenty five (25) feet is required and a side yard of two (2) feet where ten (10) feet is required.**

Motion to approve the special exception of a zero (0) rear setback and a two (2) feet side setback was made by Bruce Martin; second by Sandy Payne.

Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Noes: None

Motion Passed

7. Adjournment

Steven Bertand closed the meeting at 8:05 p.m.

Steven Bertrand, Chair

Char DuPree, Planning & Zoning Secretary