

**REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
REMOTE MEETING
TUESDAY, DECEMBER 15, 2020**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location.

Call to Order

Meeting called to order at 6:34 pm by Chairman Crawford.

Roll Call

PRESENT

Chairman Larry Crawford
Member David Jones
Member Jan Bowman
Member Brian Engle

ABSENT

Vice-Chairman Joey Hernandez
Alternate 2 Dennis Day

ALSO PRESENT

Trey Sargent, Town Attorney
Ian Theodore, Council Liaison
Chris Chaudoir, Administrative Assistant

Pledge of Allegiance to the U.S. And Texas Flags

Pledge of Allegiance to U.S. and Texas Flags led by Chairman Crawford.

Invocation

Invocation given by Councilmember Theodore.

Public Comment

No Public Comment

Consent Agenda

1. November 17, 2020 Meeting Minutes

Motion to approve the minutes made by Member Jones, Seconded by Member Engle.

Voting Yea: Chairman Crawford, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

Regular Agenda

2. Conduct a public hearing regarding a request from Tiffany Haertling for a variance of Chapter 14, Exhibit A, Article IX SF-3 Residential District, Section 3 (3) Rear Yard and consider and act on the same. The property is located at 1245 Sycamore Bend Road and is legally described as Lost Sycamore Addition, lot 2.

Public Hearing opened at 6:40 p.m.

Tiffany Haertling, property owner 1245 Sycamore Bend Road, stated the property is located on Sycamore Bend Road and backs up to the Corps property. She is requesting a variance of the required rear 30-foot setback to a 10-foot setback. The property backs onto the Corps and will not encroach on the neighbors. The move will take the house further away from the Murray home on the south. They are also trying to stay as far away from the road as possible and to allow for a front circular drive. Chairman Crawford stated the site plan currently shows the house 31 to 40 feet from rear property line and asked if it was correct. Ms. Haertling said that was the original site plan but, when they put in the foundation forms, they realized there was not enough room and would like to move it back to 10 feet from the rear property line. The side yards will remain the same. Chairman Crawford wished for clarification on the reason 2 acres was not sufficient without the variance. Ms. Haertling explained the unusual shape of the lot makes it difficult.

Member Bowman asked if there was any issue with the Corps of Engineers. Ms. Chaudoir stated she had received a call from the Corps the previous week inquiring about the variance and they had no objections once the request was explained to them.

Member Jones asked for clarification the difficulty in getting cars into the property and the proximity to the road from Ms. Haertling.

Richard Hayes, 1225 Sycamore Bend Road, stated the shape of the lot makes the rear line more like a side setback. The eastern boundary has about 75 to 100 feet of heavily wooded land on Corps property so there would be no encroachment. They support the variance.

Councilman Theodore stated the town has put a hiking trail on the Corps land behind the property, asked if she was comfortable with the public coming within 10 feet of the house and if there would be a fence installed. Ms. Haertling stated she was not planning on putting in a fence and felt the natural barrier created by the tree line was significant. She also thought the trail was further away from the property line. Councilman Theodore asked if there were plans for the clearing of any of the brush which the Corps considered natural habitat. Ms. Haertling stated they liked the brush and the natural barrier it created. Mr. Theodore expressed concern about the possibility of flooding in excess of the 100-year floodplain. Ms. Haertling stated they were prepared, and the rear of the property was built up in for that possibility. Councilman Theodore asked if they were considering any further development of rear of the property: i.e. pool, hot tub, gardening, etc. There are no plans for the rear of the property and any gardening can be done on the northern acreage.

Jim and Kerry Murray, 1301 Sycamore Bend Road, were unable to attend the meeting but sent in a letter which Ms. Chaudoir read.

"This will serve to inform the Board of Adjustments of the Town of Hickory Creek, that we are in support of the requested variance by Tiffany Haertling. The address of the property is 1245 Sycamore Bend Road, and is legally described as Lost Sycamore Addition, block A, lot 2. The variance is in connection to Chapter 14, Exhibit A, Article IX SF-3 Residential District, Section 3 (3) Rear Yard setback.

Please note that this letter should serve as our support for our new neighbors in this request in lieu of our absence at the public hearing via Zoom tonight, December 15th at 6:30 p.m."

Public Hearing closed at 6:55 p.m.

Motion made by Member Engle to approve the variance request with a 10-foot setback, Seconded by Member Bowman.

Voting Yea: Chairman Crawford, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

Adjournment

Motion to adjourn made by Member Jones, Seconded by Member Bowman. Voting Yea: Chairman Crawford, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

Meeting adjourned at 7:00 p.m.

TOWN OF HICKORY CREEK BOARD OF ADJUSTMENTS

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Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

Chris Chaudoir,
Administrative Assistant
Board of Adjustments