

**SPECIAL MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
WEDNESDAY, APRIL 21, 2021**

MINUTES

Call to Order

Meeting called to order at 6 p.m. by Chairman Crawford.

Roll Call

PRESENT

Chairman Larry Crawford
Member David Jones
Member Brian Engle
Alternate Alex Valderrey
Alternate Dennis Day

ABSENT

Vice-Chairman Joey Hernandez
Member Jan Bowman

ALSO PRESENT

Trey Sargent, Town Attorney
Chris Chaudoir, Administrative Assistant

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

Pledge to The U.S. and Texas flags led by Chairman Crawford.

Invocation

Invocation given by Chairman Crawford.

Public Comment

This item allows the public an opportunity to address the Board of Adjustment. To comply with the provisions of the Open Meetings Act, the board cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the board. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

No Public Comment

Consent Agenda

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Board of Adjustments.

1. March 16, 2021 Meeting Minutes

Motion to approve the minutes as presented made by Member Day, Seconded by Member Jones.

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

Regular Agenda

2. Conduct a public hearing regarding a request from Lisa Kupersmith for a variance of Ordinance 2014-05-721 establishing a zoning designation of Planned Development for the Shadow Creek Addition, Exhibit B (5), (E) Lot Areas and Setbacks and Exhibit C and consider and act on the same. The property is located at 329 Kellan Court and is legally described as Shadow Creek Estates Phase II, Block E, Lot 6..

Public Hearing opened at 6:05 p.m.

Lisa Kupersmith, 329 Kellan Court, explained that she needed a shed to store her 0-turn mower and other wood working equipment. Her HOA restrictive covenants do not allow for an accessory structure to be taller than a fence. That section is 3 feet from her rear building line.

Chairman Crawford asked questions to clarify the HOA requirements. Member Day asked if it was possible to place it along the Corps of Engineers fence line at the building line. Ms. Kupersmith explained it would not meet HOA guidelines.

Member Jones said he saw where the HOA ACC had already approved her request within the setback but she needed the variance to the 15 foot line in the PD to construct. He said he remembered the front of the shed was 8 feet tall and asked about the rear wall height. She wishes to build a lean-to style shed but, in order to have a functional interior height of 7.5 feet, she needs to build it in the lowest section of her yard to allow for an extra 20 inches. The fence to the south is an 8 foot perimeter fence. Member Jones asked about drainage. Ms. Kupersmith stated the ground was sandy soil. She took a photo during the last heavy rain and water did not stand in the area.

Chairman Crawford stated he had gone by the property and looked at the yard from the construction site next door. He had observed the Corps property behind the lot was lower and did not see that drainage would be an issue.

Member Valderrey asked why she was proposing a 3 foot offset from the 6 foot fence on the east side of the property instead of moving 12 feet to the west to maintain the setback. Ms. Kupersmith explained that moving the shed to another section would make it higher and require the removal of trees.

Chairman Crawford confirmed that the required letters had been sent and there were no other expressing opinions.

Public Hearing closed at 6:14

Motion to approve the variance as submitted made by Member Day, Seconded by Member Jones.

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

Adjournment

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

Meeting adjourned at 6:15 p.m.