

**REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, OCTOBER 15, 2024**

MINUTES

Call to Order

The meeting was called to order at 6:05 p.m. by Chairman Crawford.

Roll Call

PRESENT

Vice Chairman Joey Hernandez

Chairman Larry Crawford

Member Jeff Tucker

Member Brian Engle

Alternate Dennis Day

ABSENT

Member David Jones

Alternate Smita Pascual

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 Member Day.

Public Comment

No Public Comment

Consent Agenda

1. September 17, 2024 Meeting Minutes

Motion to approve the minutes made by Member Engle, Seconded by Vice Chairman Hernandez.

Voting Yea: Vice Chairman Hernandez, Chairman Crawford, Member Tucker, Member Engle, Member Day. Motion passed unanimously.

Regular Agenda

2. Conduct a Public Hearing regarding a request from Michael and Susan Robinson for a variance of Chapter 14, Article IX SF-3 Residential District, Section 3 Area Regulations, (3) for an attached deck cover in the required rear yard and discuss, consider and act on the same. The property is located at 26 Royal Oaks Boulevard and is legally described as Royal Oaks Addition, Block C, Lot 32.

Public Hearing called to order at 6:08 p.m.

Mike Robinson, 26 Royal Oaks Boulevard, explained he was there to discuss his back roof and deck. The house is at the end of the street and backs onto to Lake Lewisville on an extended hill. The back deck and the roof are not visible to the public due to its placement. He apologized for not understanding that attaching the deck and roof to the back of the house infringed on an ordinance and for not obtaining a permit. They do want a deck roof attached to the house due to the Texas weather and Mrs. Robinson's health. Previous to the addition of the roof, rain would pour onto the deck. The new deck and roof channel the water into gutters on both sides to downspouts into the yard.

Chairman Crawford inquired if the house was purchased, and the deck and roof completed in 2020. Mr. Robinson stated they were, and the work was done by a local company called MG, possibly Construction. The size of the deck is 41 ft long by 34 ft wide. The construction company had engineers and architects working for them, but Mr. Robinson is unaware if the plans were stamped. The deck foundation is the same size as the deck and was built with what looked like 2 x 4 or 2 x 6 beams on the previously existing cement piers. He does not know the number, exact locations, or depth of the piers or how the posts were connected. The roof is attached to the house, but the deck is not.

Chairman Crawford discussed the requirements for the foundation and deck per the 2018 building codes. The header beam on the rear of the deck, as viewed in the supplied photos, does not appear to have the required strapping nor does the center post have a visible post connection. The beams or rafters seen in the photos are structural not decorative, per Mr. Robinson, but do not appear to be on the proper 16' span, use alternate approved sheathing materials, or contain hurricane ties for the wind load. Mr. Robinson is unaware of how the deck roof construction was tied into the existing house roof structure, just that the shingles were removed. He did say the contractor used a number of ties in the construction but covered them with cedar. The town also does not have any wind load calculations for the deck roof.

Chairman Crawford noted that additional electrical devices are visible and asked if an electrician had tied into the existing electric system or added circuitry. Mr. Robinson stated an electrician installed additional wiring on the side of the house. He assumes the electrician employed by the contractor is licensed and used the proper gauge of wiring for the circuits and mounting boxes for the ceiling fans.

Chairman Crawford expressed concern about a contractor who works in multiple jurisdictions neglecting to get permit, and what else may have been omitted, based on the concerns raised by the photos. He also mentioned that the deck and roof structure are not in compliance with the required 30-foot rear setback. Mr. Robinson stated his contractor has been in business for years and he would gladly have the contractor come in to talk to the Board since he has faith in him. The deck has been in existence for 4 years and has not had any issues.

Public Hearing closed at 6:37 p.m.

Vice Chairman Hernandez asked Chairman Crawford if he would rather hear from the actual contractor before taking action on the variance. Chairman Crawford explained the purpose of the hearing was to determine if the structure would be approved to be built. There are visible problems with the build, and the contractor did not pull the proper permit prior to building in the required setback.

Motion to deny the request made by Chairman Crawford, Seconded by Vice Chairman Hernandez.

Voting Yea: Vice Chairman Hernandez, Chairman Crawford, Member Tucker, Member Engle.

Voting Nay: Member Day. Motion passed.

Adjournment

Motion to adjourn made by Vice Chairman Hernandez, Seconded by Member Tucker.

Voting Yea: Vice Chairman Hernandez, Chairman Crawford, Member Tucker, Member Engle, Member Day. Motion passed unanimously.

Meeting adjourned at 6:42 p.m.

Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

Chris Chaudoir,
Administrative Assistant