



**NOTICE OF
REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
REMOTE MEETING
1-888-475-4499
MEETING ID: 820 5718 5593
TUESDAY, DECEMBER 15, 2020, 6:30 PM**

AGENDA

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 member of the public be physically present at a meeting location. [Remote Meeting Participation Information.](#)

Call to Order

Roll Call

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

Invocation

Public Comment

This item allows the public an opportunity to address the Board of Adjustments. To comply with the provisions of the Open Meetings Act, the commission cannot discuss or take action on items brought before them not posted on the agenda. Please submit a [Public Comment Form](#) at least five minutes prior to the meeting 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.

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.](#) November 17, 2020 Meeting Minutes

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.

Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Chris Chaudoir, do hereby certify, that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on December 9, 2020 at 4:00 p.m.



Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, NOVEMBER 17, 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 6:44 p.m. by Chairman Crawford.

Roll Call

PRESENT

Chairman Larry Crawford
Vice-Chairman Joey Hernandez
Member Jan Bowman
Member Brian Engle

ABSENT

Member David Jones
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 the U.S. And Texas Flags led by Chairman Crawford.

Invocation

Invocation given by Councilman Theodore.

Public Comment

No Public Comment

Consent Agenda

1. July 21, 2020 Meeting Minutes

Motion to accept the minutes as presented made by Vice-Chairman Hernandez,
Seconded by Member Engle.

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Bowman,
Member Engle. Motion passed unanimously.

Regular Agenda

2. Conduct a public hearing regarding a request from Loyed Ezzell for a variance of Chapter 14, Exhibit A, Article VIII SF-2 Residential District, Section 2 (2)(b) for a 1750 square foot detached garage and consider and act on the same. The property is located at 121 Woody Trail and is legally described as Hundley Area of Hickory Estates Addition, lot 7R.

Public Hearing opened at 6:55 p.m.

Ms. Chaudoir gave an overview of the purpose for the variance. Mr Ezzell, the property owner, was available to answer any additional questions.

Janet Marck, 110 Woody Trail, emailed in a comment that the garage was the size of a small house but that she did not have any objections.

Public Hearing closed at 7:03 p.m.

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

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Bowman,
Member Engle. Motion passed unanimously.

Adjournment

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

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Bowman, Member Engle. Motion passed unanimously.

Meeting adjourned at 7:06 p.m.

Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

Chris Chaudoir,
Administrative Assistant
Board of Adjustments

Please attach a copy of the deed to the property. If you are currently purchasing the property, please include a copy of the contract for the purchase of the property. Also include a copy of any and all restrictive covenants pertaining to any property to be developed or rezoned.

Appeals and Zoning Changes

What is the proposed use?

request a variance from the 30' set back requirement, I am requesting a 10' set back or in the alternative a 20' set back off the back property line.

Why do you believe that the approval of the request would be in harmony with the character of the neighborhood?

The purpose of building setbacks are to ensure that the use of ones property does not infringe on the rights of another property rights

Why do you believe that the approval of this request would not be detrimental to the property or persons in the neighborhood?

This property backs up to the Corp property. The Corp does not have any setback require. Additionally I have spoken with the adjoining neighbors and they are in favor of the variance being granted

Why do you believe that there is a need in this area for the uses that would be allowed under this proposed zoning change?

This lot has a unique shape. The ability to get cars in and out of the property is difficult. Also, the road is close to the house

Lien holder:

Is the property burdened by a lien of any nature? () Yes (X) No

If so, describe the lien and give the name and address of lien holder and secure their consent to the requested zoning change with their signature.

Other:

Approximate cost of work involved? _____

Include a schematic drawing of the site.

To the Applicant:

I, Tiffany Haertling, understand the above requirements and have read them thoroughly and my statements are true and correct.

Tiffany Haertling
Applicant

11/17/20
Date

Lien holders (if any)

STATE OF TEXAS:

COUNTY OF DENTON:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Tiffany Haertling, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

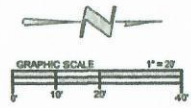
Given under my hand and seal of office, this 17th day of November, 2020.

Gayle Ann Grubbs
Notary Public, in and for the State of Texas

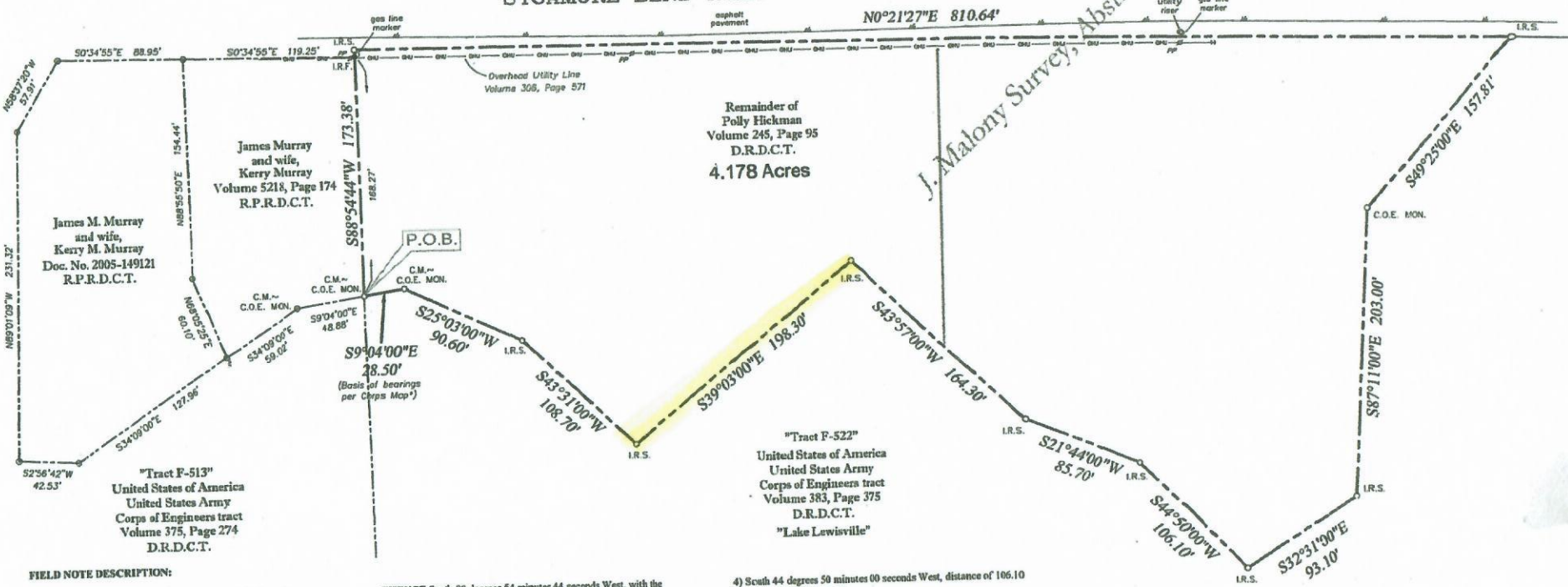
My Commission Expires On:



Hidden Hill, Inc.,
a Texas corporation
Volume 614, Page 661
D.R.D.C.T.



SYCAMORE BEND ROAD



Remainder of
Polly Hickman
Volume 245, Page 95
D.R.D.C.T.
4.178 Acres

"Tract F-522"
United States of America
United States Army
Corps of Engineers tract
Volume 383, Page 375
D.R.D.C.T.
"Lake Lewisville"

FIELD NOTE DESCRIPTION:

BEING a 4.178 acre tract of land situated in the J. Malony Survey, Abstract No. 819, in the Town of Hickory Creek, Denton County, Texas, and being a portion of that certain tract of land described by deed to Polly Hickman, as recorded in Volume 245, Page 95, of the Deed Records of Denton County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a United States Army Corps of Engineers monument (C.O.E. Mon.) found for the southeast corner of the herein described tract, same being the southwest corner of that certain tract of land described by deed to the United States of America, known as "Tract F-522", as recorded in Volume 383, Page 375, D.R.D.C.T., same being a salient northwest corner of that certain tract of land described by deed to the United States of America, known as "Tract F-522", as recorded in Volume 375, Page 274, D.R.D.C.T., same being the northeast corner of that certain tract of land described by deed to James Murray and wife, Kerry Murray, as recorded in Volume 5218, Page 174, of the Real Property Records of Denton County, Texas, same from which a C.O.E. Mon. found in the west line of said United States of America tract (V. 375, P. 274) and the east line of said Murray tract bears South 09 degrees 04 minutes 00 seconds East, a distance of 48.88 feet;

THENCE South 88 degrees 54 minutes 44 seconds West, with the north line of said Murray tract, passing at a distance of 168.27 feet a 1/2 inch iron rod found for the northwest corner thereof, continuing in said course for a total distance of 173.38 feet to a 1/2 inch capped iron rod stamped "ARTHUR SURVEYING COMPANY" set (I.R.S.) for corner in the east line of a north-south road commonly known as "Sycamore Bend Road";

THENCE North 09 degrees 21 minutes 27 seconds East, with the east line of said Sycamore Bend Road, a distance of 810.64 feet to an I.R.S. for corner, same being a salient southwest corner of said United States of America tract (V. 383, P. 375);

THENCE with the southerly and westerly lines of said United States of America tract (V. 383, P. 375) and traversing over and across said Hickman tract, the following ten (10) courses and distances:

- 1) South 49 degrees 25 minutes 00 seconds East, a distance of 157.81 feet to a C.O.E. Mon. found for corner;
- 2) South 87 degrees 11 minutes 00 seconds East, a distance of 203.00 feet to an I.R.S. for corner;
- 3) South 32 degrees 31 minutes 00 seconds East, a distance of 93.10 feet to an I.R.S. for corner;

- 4) South 44 degrees 50 minutes 00 seconds West, distance of 106.10 feet to an I.R.S. for corner;
- 5) South 21 degrees 44 minutes 00 seconds West, a distance of 85.70 feet to an I.R.S. for corner;
- 6) South 43 degrees 57 minutes 00 seconds West, a distance of 164.30 feet to an I.R.S. for corner;
- 7) South 39 degrees 03 minutes 00 seconds East, a distance of 198.30 feet to an I.R.S. for corner;
- 8) South 43 degrees 31 minutes 00 seconds West, a distance of 108.70 feet to an I.R.S. for corner;
- 9) South 25 degrees 03 minutes 00 seconds West, a distance of 90.60 feet to a C.O.E. Mon. found for corner;
- 10) South 09 degrees 04 minutes 00 seconds East (Basis of bearings per Map of Garza Little Elm Reservoir, Segment - F, Tract No. F-522 as provided and obtained from the Corps of Engineers, Fort Worth District), a distance of 28.50 feet to the POINT OF BEGINNING and containing a total of 4.178 acres of land, more or less, and being subject to any and all assessments that may affect.

BOUNDARY SURVEY

4.178 acre tract
out of the
J. Malony Survey, Abstract No. 819
Denton County, Texas

PC/ECH: JB/SWM DATE: 05-24-18 SCALE: 1"=50' ASC NO: A-0501181298



(mailing address)
... Sycamore Bend Road
Hickory Creek, Texas

The undersigned has received and reviewed a copy of this survey.

Date: _____



NOTE: Basis of bearings per Map of Garza Little Elm Reservoir, Segment - F, Tract No. F-522 as provided and obtained from the Corps of Engineers, Fort Worth District.

SURVEYOR'S CERTIFICATION: The undersigned does hereby certify to Capital Title (I.P.# 18-363254-DU), that this survey was this day made on the ground of the property legally described hereon and in correct and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. The bearings shown hereon are based on the above referenced recorded map or plat unless otherwise noted. Corners noted as set will be set at a later date.

FLOOD NOTE: It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 481150 0535 G, present effective date of map, April 18, 2011, herein property situated within Zone "X".



F.H. Westphall



LOT: 2, BLOCK: A
 LOST SYCAMORE ADDITION
 TOWN OF HICKORY CREEK
 DENTON COUNTY, TEXAS

SITE PLAN
 SCALE: 1"=50'-0"

NORTH

FILE NAME: 1475-SITE-A (10-21-2020) HW

10-21-2020

<p>SP-1 SHEET OF 13P SHEETS</p>	<p>HAERTLING RESIDENCE SYCAMORE BEND ROAD HICKORY CREEK, TEXAS</p>	<p>BLAKE ARCHITECTS 1202 S. White Chapel Blvd. • Suite A Southlake, Texas 76092 • 817-488-9397</p>	<p>JOB #1475 19/DEC/2019 08/JAN/2020 21/OCT/2020</p>	<p>REGISTERED ARCHITECT POWELL & BLAKE State of Texas 10824</p>
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