



**NOTICE OF
SPECIAL MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065
TUESDAY, DECEMBER 13, 2022, 6:30 PM**

AGENDA

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 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.

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 15, 2022 Meeting Minutes
2. Discuss, consider and act on a motion to ratify the appointment of the Chairman and Vice-Chairman from the November 15, 2022 meeting.

Regular Agenda

- [3.](#) Conduct a public hearing regarding a request from Hal and Laura Baker for a variance of Chapter 14, Article XI SF-5ac Residential District, Section 2 (8)(a) and (b) and Section 3 (2) for the construction of an oversized garage with porch in the required side yard and consider and act on the same. The property is located at 1101 Ellard Drive and legally is described as Hickory Park Estates, Lot 6, Acres 5.000.

4. Conduct a public hearing regarding a request from TriPointe Homes for a variance of Ordinance No. 2020-08-857 establishing a zoning designation of Planned Development for the Lennon Creek Addition, Exhibit B Minimum Lot Requirements for the construction of a dwelling in the required front, rear and side yards and consider and act on the same. The property is located at 300 Glen Lane and legally is described as Lennon Creek Addition, Block B, Lot 33.

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 7, 2022 at 9:00 a.m.

A handwritten signature in cursive script that reads "C Chaudoir". The signature is written in dark ink and is positioned above a horizontal line.

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 15, 2022**

MINUTES

Call to Order

Meeting called to order at 7:00 p.m. by Chairman Crawford.

Roll Call

PRESENT

Chairman Larry Crawford
Vice-Chairman Joey Hernandez
Member David Jones
Member Jan Bowman
Member Brian Engle
Alternate 2 Dennis Day

ABSENT

Alternate 1 Alex Valderrey

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. May 17, 2022 Meeting Minutes

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

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

Regular Agenda

2. Discuss, consider and act on the appointment of Board of Adjustments Chair and Vice-Chair.

Chairman Crawford and Vice-Chairman Hernandez voted to remain in office.

3. Conduct a public hearing regarding a request from John and Robin Thompson for a variance of Chapter 14, Article IX SF-3 Residential District, Section 3 (2) and (3) for the construction of a carport in the required rear and side yards and consider and act on the same. The property is located at 68 Lakewood Drive and legally is described as Lakewood Gardens, Block A, Lot 34.

Public hearing opened at 7:05 p.m.

John and Robin Thompson, 68 Lakewood Drive, explained the project and its location. Mrs. Thompson stated the carport was constructed in the spring and they began receiving notices and citations in August. It was not until after the 2nd citation was received that they realized a permit was still required. She apologized for not getting the permit first and explained they lived in a wooded area, so the carport was needed to protect their cars. There are several other carports in the area.

Ms. Chaudoir explained the setback requirements and the configuration of the alleys along Lakewood.

Public hearing closed at 7:11 p.m.

Motion to approve the variance as presented made by Member Jones, Seconded by Member Bowman.

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

4. Conduct a public hearing regarding a request from Jonathan Davidson for a variance of Chapter 14, Article IX SF-3 Residential District, Section 3 (2) and (3) for the construction of a carport in the required rear and side yards and consider and act on the same. The property is located at 20 Red Oak Circle and legally is described as Red Oak Addition, Block L, Lot 10.

Public Hearing opened at 7:14 p.m.

Jonathan Davidson, 20 Red Oak Circle, gave an overview of the history of his carport project. The previous carport was removed, and they wish to rebuild in the same place. The carport will drain to the interior of the lot through the pitch of the roof and be built over existing concrete. The final structure has not been determined but will blend with the existing structure.

Chairman Crawford asked why the carport could not be moved toward the house within the setback requirement. Mr. Davidson explained they were trying to utilize the existing

concrete slab instead of pouring additional concrete. Moving the structure to the north and east would place the posts in the existing drive and encroach on the house.

Commissioners Bowman and Engle asked clarifying questions about the site plan regarding the carport placement and a depicted shed. Alternate Commissioner Day made a statement that, based on the measurements provided, the carport could possibly be moved.

William Mino, 5 Red Oak Circle, stated, after the carport was built the first time, it had barely any appearance from the street above the fence. He is in support of the variance.

Debbie Mino, 5 Red Oak Circle, stated the carport is an extension of the driveway and would not be noticeable once the gate is closed. The concrete extension has been there for 40 years. If the carport is moved over, the posts would have to be in the middle of the driveway. They have talked to several neighbors, none of which had any objection. She asks that the variance be granted.

Public Hearing closed at 7:31 p.m.

Motion to approve the variance as presented made by Vice-Chairman Hernandez, Seconded by Member Bowman.

Voting Yea: Vice-Chairman Hernandez, Member Jones, Member Bowman, Member Engle.

Voting Nay: Chairman Crawford. Motion passed.

Adjournment

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

Meeting adjourned at 7:32 p.m.

Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

Chris Chaudoir,
Administrative Assistant
Board of Adjustments



SHEET

SP = |

OF SP SHEETS

BAKER RESIDENCE
101 ELLARD DRIVE HICKORY CREEK, TEXAS

BLAKE ARCHITECTS
1202 S. White Chapel Blvd. • Suite A
Southlake, Texas 76092 • 817-488-9397

JOB #2243
29/SEP/2022

09-29-2022

ARTICLE XI. SF-5AC RESIDENTIAL DISTRICT

SECTION 1:

Regulations set forth in this section [article] are the district regulations in the SF-5AC Residential District.

SECTION 2:

Uses. In the SF-5AC Residential District, no building or land shall be used and no building shall be hereafter erected, reconstructed or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

- (1) One-Family dwellings.
- (2) Churches.
- (3) Public schools, elementary and high; institutions of higher learning.
- (4) Museums, libraries, parks, playgrounds, or community centers, owned and operated by the Town of Hickory Creek, Texas.
- (5) Telephone exchanges where no public business office and no repair or storage facilities are maintained.
- (6) Temporary buildings accessory to new construction provided such are razed within 30 days after substantial completion of such new construction to which they are accessory, or failing completion of new construction, within 60 days after start of such temporary construction.
- (7) Fire Stations.
- (8) Only the following accessory buildings and uses:

(a) ~~One private garage when located not less than 100 feet back from the front lot line and no less than 20 feet back from any other street line nor less than 18 inches from the side line, or located in a compartment as an integral part of the main building; provided, however, that each entrance to such garage shall be not less than 25 feet back from the lot line it faces.~~ One private garage when located not less than 50 feet back from the front lot line and no less than 25 feet back from any other street line nor less than 25 feet from the side line, or located in a compartment as an integral part of the main building; provided, however, that each entrance to such garage shall be not less than 25 feet back from the lot line it faces. (Modified 11/21/22)

(b) A private garage shall not have a ground floor area of more than 1,200 square feet.

- (c) Servant's quarters, or other accessory buildings when located on the ground or erected over a private garage, shall not have a total height of more than 25 feet, including such quarters and the total enclosed area of such quarters shall not exceed 900 square feet in the aggregate.
- (d) However, nothing herein shall authorize or be construed to permit the occupancy or the use of an accessory building as a place of abode or dwelling by anyone other than a bona fide servant actually then regularly employed by the occupant of the main structure on such lot, estate or land. Utility services to servant's quarters shall be metered by the same meter as those serving the main building on the premises. Accessory building may be constructed as a part of the main building, in which case, the regulations controlling the main building shall apply.
- (e) Hobby shops as an accessory use.
- (f) Uses customarily incident to any other above uses situated in the same dwelling, when not involving the conduct of a business or industry.

- (g) Unilluminated signs not exceeding 12 square feet in area pertaining to the sale or rental of property on which they are located; provided, however, that no advertising sign of any other character shall be permitted in SF-5AC Residential District. Temporary signs may be an exception with prior approval by the Planning and Zoning Commission.
- (9) Every use not hereby specifically authorized and permitted is expressly prohibited in SF-5AC Residential District.

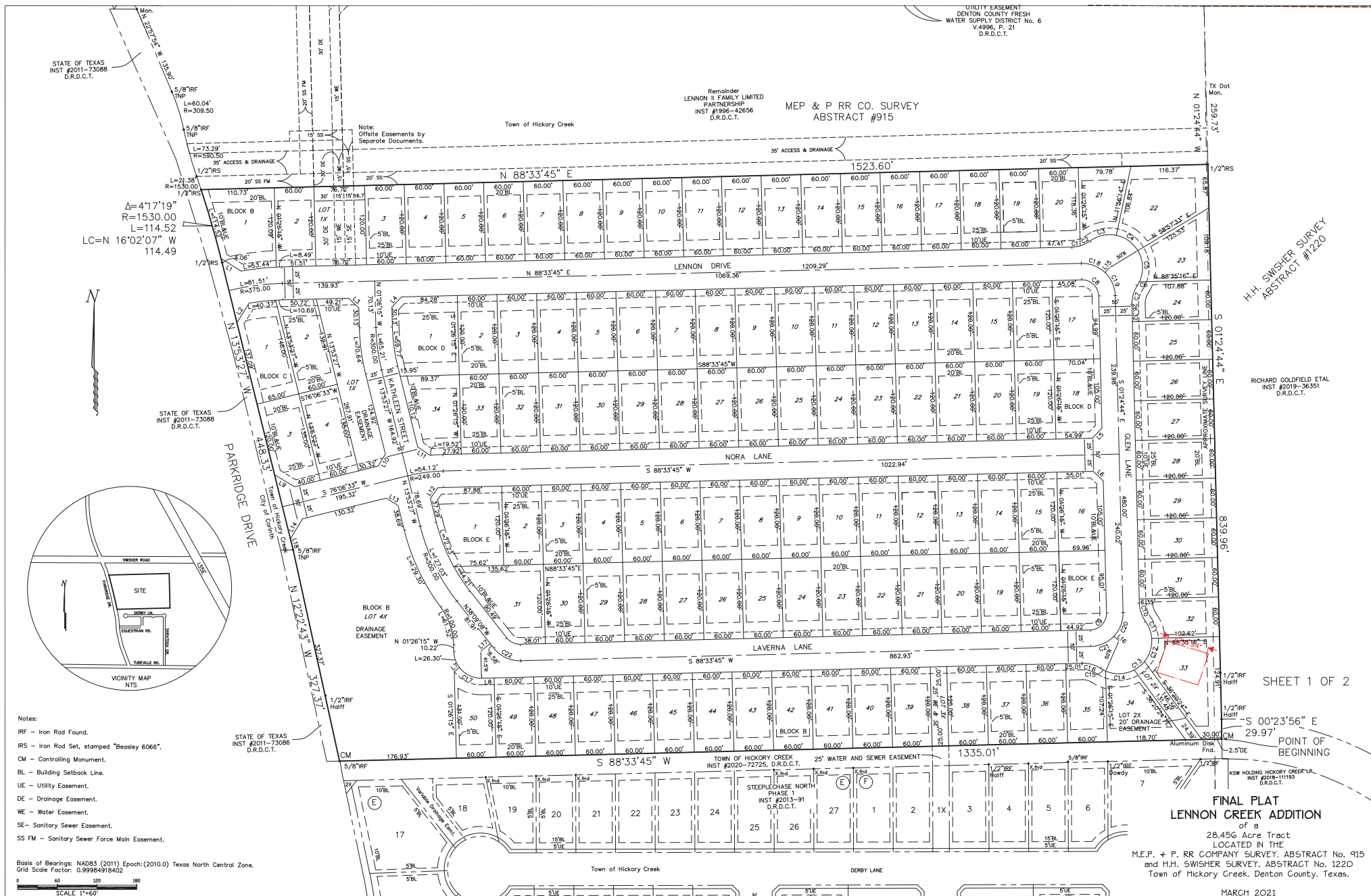
SECTION 3:

Area regulations.

- (1) *Front Yard.* There shall be a front yard having a depth of not less than 40 feet.
- (2) *Side Yard.* The minimum distance from any side building line to the property line at any point shall not be less than 25 feet. Minimum roof overhang on gable or hip roof shall be at least two feet. The sum of the side yard dimensions on any lot measured along the front building line shall be not less than 25 percent of the total width of the lot at the building line, but in no case shall the width be required to be greater than [than] 25 feet on any one side. The sum of the side yards for this criteria need be considered only to the nearest foot.

On corner lots the side yard regulations shall be the same as for the interior lots, except in the case of reverse frontage where the corner abuts the side of a lot facing the other intersecting street, in which case there shall be a side yard on the corner lot of not less than 100 percent of the front yard required on the lot abutting the rear of the corner lot or separated only by an alley, provided that this regulation shall not be so interpreted as to reduce the buildable width after providing the required minimum side yard of a corner lot of record and in separate ownership at the time of passage of this ordinance to less than 25 feet. No accessory building of said corner lots shall project beyond the front yard line of the lots in the rear, nor shall a building be erected, reconstructed, altered, or enlarged closer than 25 feet to the line of the abutting lot to the rear.

- (3) *Rear Yard.* There shall be a rear yard having a depth of not less than 30 percent of the depth of the lot, provided such yard need not exceed 100 feet.
- (4) *Width of Lot.* The minimum width of the lot shall be 250 feet at the front property line.
- (5) *Depth of Lot.* The minimum lot depth shall be not less than 150 feet at the average distance between the front and rear lot lines.
- (6) *Area of Lot.* Every lot shall have an area of not less than five acres. The minimum floor area of the main building shall not be in the aggregate less than 3,000 square feet, exclusive of porches, garages and accessory buildings as defined in the code but including only HVAC space and the building area shall not exceed five percent of the lot area, and the outside walls shall be constructed of standard masonry construction.
- (7) *Height Regulations.* The limits shall be two and one-half stories, but not to exceed 35 feet per dwelling, provided that the dwelling or other building or portions of building other than accessory buildings may be erected higher than 35 feet if above said 35 feet limits of said building or portions of building are set back from all required yard lines two feet for each one foot in height above said 35 feet limit; provided, however, that no building shall have a height of more than 50 feet. Height limit for any accessory building shall be 25 feet.
- (8) *Construction.* All buildings shall be constructed according to the Standard Masonry Construction requirements defined herein.



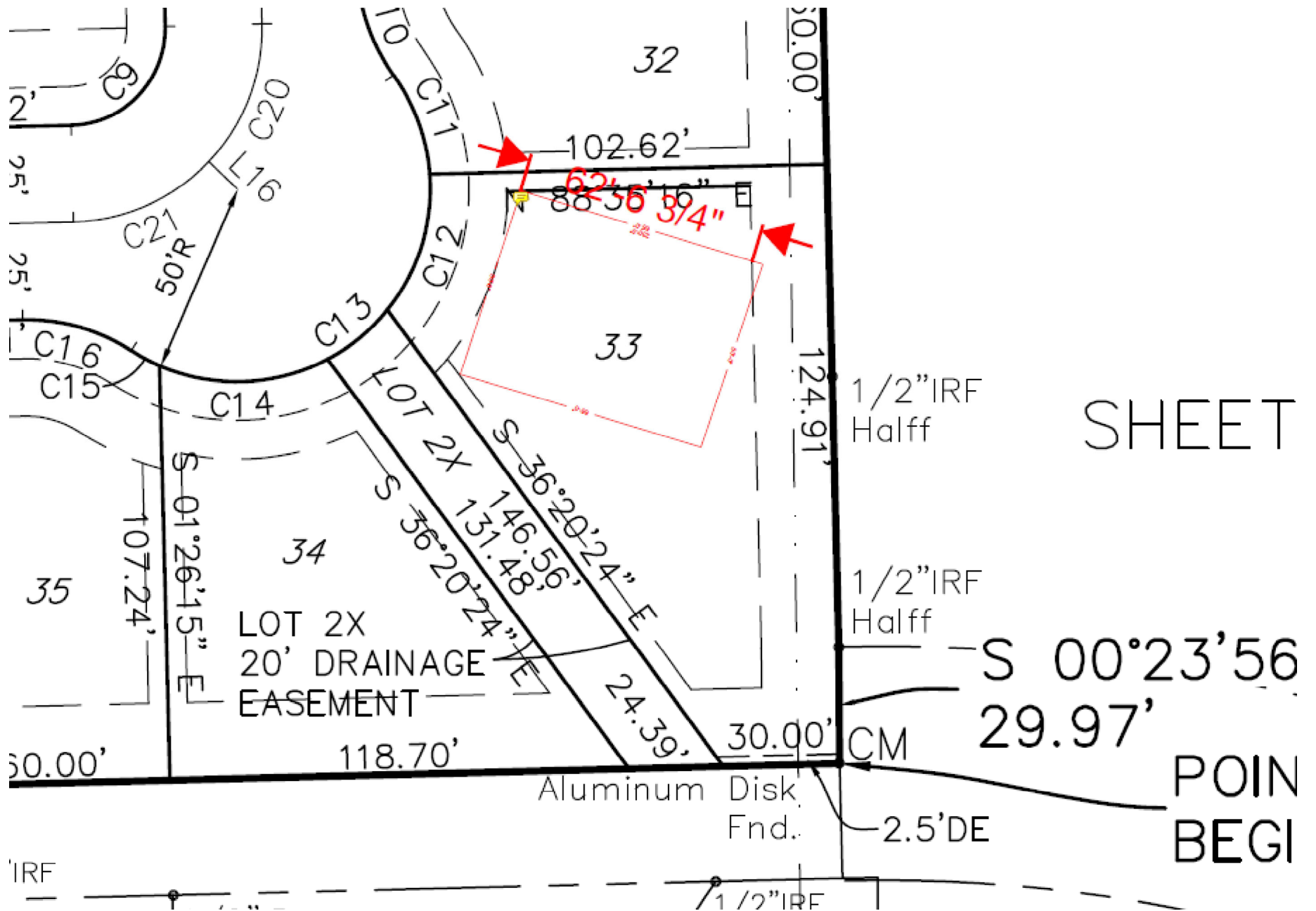


Exhibit B
Planned Development Standards

- A. Commercial Tract (10.218 acres). Comply with current Town Zoning regulations.
- a. Southeast corner of Teasley Drive and Parkridge Drive zoned C-1 as a single lot with a maximum area of 60,000 square feet.
 - b. Balance of the Tract zoned C-1 proposed to be subdivided into a maximum of 10 lots.
- B. Single Family Planned Development (PD) Tract – (28.448 acres) per Zoning Concept Plan Exhibit
- Developer shall create a Mandatory Homeowners Association for all lots and homeowners within the single-family zoned section. The HOA will be responsible for enforcing CC&Rs covering the Community and maintenance of all common area landscape, irrigation and improvements. The CC&Rs must restrict boat or trailer storage within the subdivision.
 - Gross Density: 6.68 lots/acre
 - Minimum Lot Requirements:
 - Lot Width as depicted on Zoning Exhibit showing typically 60' wide lots except irregular sized lots such as corner lot conditions
 - Lot Depth: 100-feet minimum (typically 120 feet except irregular lot conditions)
 - Building front yard: 25-feet minimum on 90% of the total lots
 - Building rear yard: 20-feet minimum
 - Building interior side yard: 5-feet minimum, 10-feet on corner lot conditions
 - Tree Requirement, 2 trees in the front, 1 tree in the back. (min. 3" caliper measured 48" above ground).
 - Trees along the southern border of the property must be protected from excavation per a Tree Mitigation Plan approved by Town Staff.
 - Sidewalks constructed with each house to be completed prior to Certificate of Occupancy
 - Home elevation not repeated within 6 lots
 - Fences will be constructed with steel posts
 - Lot 1X, 2X, 3X, 4X and 5X in Block 2, and Lot 1X in Block 3 shall contain Public Utility Easements dedicated to Town of Hickory Creek for facility improvements and be open space maintained by the HOA for storm drainage improvements for the Community as noted on the Final Plat
 - Lots 2X and 3X in Block 2, must have access to the hike and bike trail via a 10' wide concrete path.
 - Lot 5X shall be improved with playground equipment and picnic tables for the benefit of the homeowners and will be maintained by the HOA
 - At each building permit issuance, builder shall pay a Roadway Impact Fee of \$1,200
 - Landscaped entrance with monument signage identifying subdivision (consistent to Steeplechase)

Exhibit C
Concept Plan

