

**State of Texas  
County of Denton  
City of Lake Dallas**

The Lake Dallas Board of Adjustment met in a regular meeting on November 29, 2018 in the Lake Dallas City Hall 212 Main Street, with the notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Chairperson, Jayme Potter called the meeting to order at 7:00 p.m.

**1. Roll Call:**

Jayne Potter	Board Member 3
Derina Malone	Board Member 1
Jennifer Cooper	Board Member 2
Traci Powell	Board Member 4
Terry Tuck	Board Member 5
Ruth Brige	Alternate 1

Absent: Terry Tuck

Staff present: Jeremy Tennant, Director of Development Services; Kevin Laughlin, City Attorney and Glenda Cowling, Permit Tech.

**2. Pledges of Allegiance followed**

**3. Approval of Minutes for the Meeting of August 29, 2018.**

**Motion:** Ruth Brige made the motion to approve minutes for August 29, 2018. Traci Powell, Seconded the motion. Motion carried.

**Ayes:** Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell and Derina Malone

**Nays:** None

**4. Election of Chairperson:**

**Motion:** Ruth Brige, made the motion to appoint Jayme Potter as Chairperson. Traci Powell seconded the motion. Motion carried.

**Ayes:** Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell and Derina Malone

Nays: None

## 5. Election of Vice Chairperson

Motion Jayme Potter made the motion to elect Ruth Brige as Vice Chairperson. Jennifer Cooper seconded the motion. Motion carried.

Ayes: Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell and Derina Malone

Nays: None

## 6. Board of Adjustment Background, Process and Procedures Presentation

**Kevin Laughlin, City Attorney, gave a presentation on the following:**

- Organization of the Board of Adjustment
- Jurisdiction of the Board of Adjustment
- Variances
- Variances are not supposed to be easy to get.

No action was taken

7. **BOA Docket 5-18 Public Hearing to receive public comment and testimony regarding a request for variances to various sections of Chapter 122 “Zoning” of the Lake Dallas Code of Ordinance, specifically (i) Sec. 122-87 relating to the 30-foot minimum rear yard setback, (ii) Sec. 122-88 relating to the 6000 square foot minimum lot area, and (iii) Sec. 122-90 relating to the 90-foot minimum lot depth. The Property is located at 311 Starfish, Lake Dallas, Texas, described, as Lot 6, J.V. Thompson Subdivision, and is presently zoned R-1-6000 Single Family Residential. Jeremy Tennant, Director of Development Services presented the background information and the following motion was made.**

Motion: Jayme Potter made the motion to approve the variance for a construction of a new single home that does not meet the minimum lot area, lot depth and rear yard setbacks address known at 311 Starfish Dr. Beth Brige seconded the motion. Motion carried.

Ayes: Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell and Derina Malone

Nays: None.

8. **BOA Docket 2-18 Public Hearing to receive public comment and testimony regarding a request for variances to various sections of Chapter 122 “Zoning” of the Lake Dallas Code of Ordinance, specifically (i) Sec. 122-87 relating to the 30-foot minimum rear**

yard setback and (ii) Sec. 122-88 relating to the 6000 square foot minimum lot area. The Property is located at 308 Boliver Avenue, Lake Dallas, Texas, described as Lot 17, Block H, Garza Beach Estates and is presently zoned R-1-6000 Single Family Residential.

Jeremy Tennant, Director of Development Services presented to the Board the description and background information. Motion went forward as following

**Motion:** Jayme Potter, made the motion to approve as presented Traci Powell, Second the motion. Motion carried.

**Ayes:** Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell.

**Nays:** None

9. BOA Docket 3-18 Public Hearing to receive public comment and testimony regarding a request for variances to various sections of Chapter 122 “Zoning” of the Lake Dallas Code of Ordinance, specifically (i) Sec. 122-87 relating to the 30-foot minimum rear yard setback and (ii) Sec. 122-88 relating to the 6000 square foot minimum lot area. The property is described as Lot 18, Block H, Garza Beach Estates, Lake Dallas, Texas, generally located on the east side of Boliver Avenue approximately 500 feet north of its intersection with Stadium Drive, and presently zoned R-1-6000 Single Family Residential.

Jeremy Tennant, Director of Development Services explained to the Board the reason for the variance request based upon sections of Chapter 122 “Zoning” of the Lake Dallas Code of Ordinance. Motion went forward to approve as presented.

**Motion:** Jayme Potter made the motion to approve as presented. Ruth Brige, seconded the motion. Motion carried.

**Ayes:** Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell.

**Nays:** None

10. BOA Docket 4-18 Public Hearing to receive public comment and testimony regarding a Code of Ordinance, specifically (i) Sec. 122-326 relating to the 25 foot minimum front yard setback, (ii) Sec. 122-329 relating to the 7000 square foot minimum lot area, and (iii) Sec. 122-330 relating to the 60 foot minimum lot width. The property is described as the remainder of Lot 5 and part of Lot 4, Block A, Garza Beach Estate, located at 105 N. Lakeview Drive, Lake Dallas, Texas, and presently zoned C-1 Retail Commercial.

Jeremy Tennant, Director of Development Services, explained the current zoning requirements have changed since the original platting of the property in the 1930s. The petitioned property was a part of a six lot Planned Development in 2010, changing the property from residential to commercial. Three lots front along North Lakeview Drive and three lots front on the

Adolphus Avenue side. A The lot includes an access way to the rear lots, which consists of approximately twenty feet (20') in width on the portion which is Lot 4. The property is deficient in lot area and width similar to the five adjacent lots which were part of the Planned Development; however, this was part of the Planned Development which the City approved in 2010. The minimum front yard setback for the lots fronting along North Lakeview Drive has been reduced since the City of Lake Dallas acquired five feet of Right of Way (ROW) to install sidewalk and curb and gutter along the western portion of North Lakeview Drive. The acquisition of the property has created a hardship for the property owners attempting to site a structure within the required setback and utilize the rear of the property for parking as originally designed. Jayme Potter, Chairperson made the motion to approve Beth Brige, Board member 2 seconded the motion. Motion carried.

**Ayes:** Jayme Potter, Ruth Brige, Jennifer Cooper, Traci Powell.

**Nays:** None

### 11. Citizen Agenda & Public Comment

An opportunity for citizens to address the Board of Adjustments on matters which are not scheduled for consideration by the Board of Adjustments. In order to address the Board of Adjustments, please complete a Public Meeting Appearance Card and present it to the City Secretary prior to the start of the meeting. The Texas Open Meeting Act prohibits deliberation by the Board of Adjustments of any subject which is not on the posted agenda, therefore the Board of Adjustments will not be able to discuss or take any action on items brought up during the citizen presentations. Citizen presentation will be limited to five (5) minutes per person.

No one was present to speak

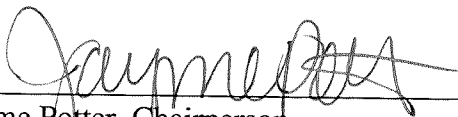
### 12. Announcements or requests for future agenda items

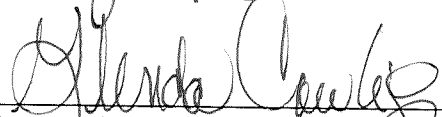
No items were presented.

### 13. Adjournment of Regular Meeting

Meeting adjourned.

Approved on this day 30<sup>th</sup> of May 2019.

  
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Jayme Potter, Chairperson

  
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Attest: Glenda Cowling, Permit Tech