

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

The Board of Adjustments of the City of Lake Dallas met June 3, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

Members Present: Steven Bertrand, Cindy Nelson, Danny Everett, Carol Ann Connors
Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. Consideration and Action on approval of Minutes for the May 5, 2014 meeting.

Motion to approve the minutes for May 5, 2014 was made by Carol Ann Connors; second by Danny Everett

Ayes: Steven Bertrand, Danny Everett, Cindy Nelson, Carol Ann Connors

Noes: None

3. Public Hearing to consider a request for variance at 601 S. Lake Dallas Drive to reduce the rear setback to a five (5) foot setback from the property line where a fifteen (15) foot setback is required.

Char DuPree clarified for the Board that the 15 foot setback is required for any accessory building and in this instance an accessory building needs to be built. Chairperson Bertrand asked if the fence is on the property line, as shown in the survey, and Ms. DuPree answered the fence belongs to the cell tower site and that it is on the property line. There is a chain link fence and gravel surrounding the cell tower which the fire department came out to check and they did not feel it was a fire safety issue. With the variance it would be 5 feet from the fence to the accessory building.

One of the owners of the business Chasin' Tail Restaurant, who requested the variance, came up to speak. His name is Brooke Asbell, currently at 8656 S Stemmons in Hickory Creek. The business is required to relocate due to the I35 expansion. The location in Lake Dallas is currently vacant and was a convenience store. They have a large commercial smoker and want to build a 12 x 12 smoke house which would classify as an accessory building and thus requiring them to need the variance.

Cindy Nelson asked if they would need a permit for the accessory building and if there would be any problems obtaining it. Ms. DuPree advised if the variance is granted then there wouldn't be any problems issuing the permit. Chairperson Bertrand wanted to confirm again that the Fire Department did check the location. Char DuPree stated she has corresponded with the Fire Marshall, Chad Thiessen, and he confirmed there were no problems with it. Firemen have plenty of space to get through on foot and the fire truck could possibly get closer by the restaurant Chilitos or by using the drive next door which is part of the realty office. Chairperson Bertrand also made note on the map of the closest fire hydrant. Brooke Asbell stated the firebox on the smoker is completely enclosed and is located on the bottom of the large metal smoker. No one else came forward and the Chairperson Bertrand closed the public hearing.

4. **Consideration and Action to approve a request for a variance at 601 S. Lake Dallas Drive to reduce the rear setback to a five (5) foot setback from the property line where a fifteen (15) foot setback is required.**

Motion to approve the variance was made by Carol Ann Connors; Second by Cindy Nelson.

Ayes: Steven Bertrand, Danny Everett, Cindy Nelson, Carol Ann Connors

Noes: None

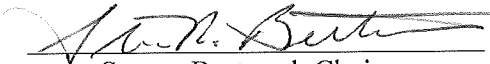
Motion Passed

5. **Adjournment**
Chairperson Bertrand Adjourned the meeting.

The meeting was adjourned at 7:46 PM.



Khara Sherrill, Planning and Zoning Secretary



Steven Bertrand, Chair