

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE PLANNING AND ZONING COMMISSION
JULY 7, 2008

The Planning and Zoning Commission of the City of Hunters Creek Village, Texas, convened in a regular session on July 7, 2008 at 7:00 p.m. in City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas.

The meeting was called to order at 7:00 p.m. by Chairman David Weaver. In attendance were David Weaver, Nancy Parks, Bill Dalton, Jimmy Pappas arriving at 7:40 p.m. and Tod Dimitry (Alternate #2). Also in attendance were Deborah Loesch, City Secretary, John Hightower, City Attorney, and Mayor Bob Dodson. It was noted that Commission Member Don Fizer was not in attendance.

1. Discussion with possible action to approve the minutes of the June 2, 2008 meeting.

A motion was made by Bill Dalton with a second by Nancy Parks to approve the minutes as written. The motion carried unanimously.

2. Discussion and possible action to consider a request from owner of 634 Hunters Grove for a determination by the commission that a setback line shown on the recorded plat does not represent a condition imposed by the commission but instead is a graphic representation of a private deed restriction.

John Hightower, City Attorney, advised that the platted setbacks at this property has frontage on 2 sides of the street with one setback at 60' and the other at 50' as per the amended deed restrictions. However, the recorded plat shows the setbacks on the street frontage at 60'. He explained that this is being brought before the Commission for an advisory opinion to the Building Official to determine whether the property should be replatted. There was discussion with Alternate Commissioner Tod Dimitry abstaining from any discussion because he was a party to the signatories on the document dated June 1979 to waive the 60' setback and therefore would not participate in the discussion.

Mr. Mathews, owner of the property, presented his position in getting the building permit process started for the new construction and that waiting on the replatting process to conclude would cause further delays and financial hardship. However, he would present a letter to the Building Official requesting approval of the permit to begin construction subject to the replat approval.

There was no action taken by the Commission.

3. Discussion and possible action to consider recommendations for establishing regulations to include, but not limited to, the locations of cans, receptacles, and

trash bins, to be obscured in some fashion and to prohibit the placement of garbage cans behind closed fences or gates.

Mayor Bob Dodson spoke before the Commission to explain the concerns regarding the collection of trash and recycling with backdoor service and the challenges it presents to the contractor. The City Council voted to submit to the Commission to review and make recommendations for establishing standards for placement of these containers for pickup and also whether to allow the use of "satellite" vehicles to assist in the collection. Mayor Dodson that the contractor is unwilling to go through gated fences that are closed, locked, etc.

The commission was provided with the current regulations for Hunters Creek as well as several other cities to use a reference such as, point of collection, no collection will be made inside of a structure with closed doors and fenced yards with closed gates, required containers, and allow access by satellite vehicles to the collection point. A motion was made by David Weaver with a second by Bill Dalton to direct staff (city attorney and city secretary) to prepare a draft ordinance incorporating these suggested regulations and new or amended definitions and to circulate the document to the members to review prior to the next meeting. The motion carried unanimously.

4. Discussion and possible action to review the zoning ordinance regarding Chapter 44, Section 44-163 of the Code of Ordinances regarding fences and walls, including but not limited to, height regulations, allowing decorative finials, etc. on gate posts and/or columns, and regulations for fences along the front building line.
 - a. adopting a preliminary report on any proposed amendments;
 - b. conducting a public hearing for the purpose of receiving testimony for and against any proposed amendments; and
 - c. adopting a final report and recommendation to City Council on any proposed amendments.

The Commission continued its review of the current regulations provided in Section 44-163 of the Code of Ordinances regarding fences and walls and a draft of proposed language provided by the City Attorney evolving from previous discussions at the June meeting. Based on these discussions John Hightower would incorporate in a second draft: (1) total height of finials or other decorative elements could not exceed 3 feet above the top of the fence or wall; (2) finials or other decorative elements are to be spaced at least 4 feet apart and cannot exceed 24" in width; (3) included language and parameters for "wing walls"; and (4) clarified the language in sub-section (9) regarding front facing fences and provided for exceptions for courtyard walls for area, construction materials, and height. A motion was made by Bill Dalton with a second by Nancy Parks to approve the suggested changes and for the City Attorney to prepare a second draft for review at the August meeting to use as a basis for the preliminary report. The motion

Minutes of the Planning and Zoning Commission

July 7, 2008

Page 3

carried with members voting as Aye (4) David Weaver, Bill Dalton, Nancy Parks, Jimmy Pappas; Nay (1) Tod Dimitry.

Adjournment

With no further business coming before the Commission, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Deborah L. Loesch, TRMC
City Secretary

These minutes were approved on the 4th day of August, 2008.