

MINUTES
Thursday, March 31, 2016 Regular Meeting
Planning and Zoning Commission
City of Lago Vista

Chair Tara Griffin called the meeting to order at 7:00 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Tara Griffin, Jim Moss, Paul Smith, Vernon Reher, Richard Brown and Gary Zaleski. Andy White was absent. City Attorney Barbara Boulware-Wells, City Council Liaison Rich Raley, Development Services Director David Harrell and Development Services Administrative Assistant Sherry McCurdy were also present.

PUBLIC COMMENTS FOR NON-HEARING RELATED ITEMS.

There were no public comments.

CONSIDER THE MINUTES OF JANUARY 28, 2016.

On a motion by Paul Smith, seconded by Vernon Reher, the Commission unanimously approved the January 28, 2016 Regular Meeting Minutes.

PUBLIC HEARING

1. ZON-1047-Recommendation of a Conditional Use Permit located at 3606 Bunyan Circle to allow an existing pool and associated accessory building on a lot without a principal building.

David Harrell presented the staff report from the information included in the Commission packet. He requested that the Planning and Zoning Commission recommend approval to the City Council.

Applicant, Dave Street residing at 3606 Bunyan Circle, stated that there was no issue when he purchased the home. He discovered a Conditional Use would be required to refinance the mortgage. The improvements have been there since 1991 with no changes.

Public Hearing was opened at 7:07 P.M.

Members of the Planning and Zoning Commission, Barbara Boulware-Well, applicant and David Harrell discussed ownership of adjoining lots, permitting of existing improvements, lot consolidation, location of pool and pool house and private easement through back of property.

Public Hearing was closed at 7:21 P.M.

On a motion by Paul Smith, seconded by Vernon Reher, the Commission voted unanimously to recommend approval to the City Council of ZON-1047 for a Conditional Use located at 3606 Bunyan Circle to allow an existing pool and associated accessory building on a lot without a principal building.

2. ZON-1048-Consideration of a Special Exception located on lot 10021 Highland Lakes Estates Section 10 to allow for an additional 9 feet of height, for a total of 24 feet, to build a two story home.

David Harrell presented the staff report from the information included in the Commission packet. Mr. Harrell stated he did not believe there would be any adverse impact from the nine (9) foot height increase.

Applicant, Chris Camos, of 113 Howard Lane Liberty Hill, Texas explained the lot is small and that combined with the setbacks restrict the buildable space. They would like to be able to build a two (2) story home for additional footage.

Tara Griffin asked what members had visited the site. All members indicated they visited the site with the exception of Gary Zaleski. Due to code requirements to visit the site, Mr. Zaleski could not vote.

Public Hearing was opened at 7:21 P.M.

Members of the Commission, applicant, and David Harrell discussed the possibility of a lesser height, affected view of neighbors, and design of house.

Public Hearing was closed at 7:28 P.M.

On a motion by Vernon Reher, seconded by Jim Moss, the Commission voted 4 to 1 to approve ZON-1048, a Special Exception located on lot 10021 Highland Lakes Estates Section 10 to allow for an additional nine (9) feet of height, for a total of 24 feet to build a two (2) story house. Voting members were Richard Brown, Jim Moss, Tara Griffin, Vernon Reher (ayes) and Paul Smith (nay).

3. Repeal and replacement of Chapter 10, Code of Ordinances (Subdivision Standards).

David Harrell requested the item be tabled. He stated more items have to go back to the Attorney.

Barbara Boulware-Wells stated an outside counsel that specializes in Development Services and Land Use had extensive comments that need to be addressed.

Tara Griffin requested a minimum of ten (10) days to review when the item is going to come back to the Commission.

It was decided that a workshop would be set for review before this item was placed on an agenda for action.

On a motion by Vernon Reher and seconded by Tara Griffin the Planning and Zoning Commission voted unanimously to table the repeal and replacement of Chapter 10, Code of Ordinances (Subdivision Standards).

ORDINANCE

1. Recommendation of an Ordinance of the City Council of the City Council of the City of Lago Vista, Texas, repealing and replacing Chapter 10, (subdivision standards) Code of Ordinance; providing a saving clause; providing a severability clause; and, providing an effective date.

On a motion by Tara Griffin and seconded by Vernon Reher the Planning and Zoning Commission voted unanimously to table a recommendation of an Ordinance of the City Council of the City Council of the City of Lago Vista, Texas, repealing and replacing Chapter 10, (subdivision standards) Code of Ordinance; providing a saving clause; providing a severability clause; and, providing an effective date

BUSINES ITEMS

1. Discussion concerning police presence at meetings.

David Harrell asked the Commission to declare a momentary recess.

On a motion by Tara Griffin and seconded by Vernon Reher the Planning and Zoning Commission voted unanimously to take a recess to enable David Harrell to check the status of the officer for tonight's meeting.

The recess began at 7:35 P.M. and the meeting was reconvened at 7:46 P.M. There was a police officer present at that time.

David Harrell explained that the Development Service's staff cannot order a police officer be present.

City Attorney, Barbara Boulware-Wells explained the law that was passed in the legislative session regarding signage and courtroom procedures. She stated she would take the request for an officer to be present to the City Council. She will make sure they are aware of the Commission's request and make sure the City Manager and Police Chief understand the request.

Members of the Commission, Barbara Boulware-Wells and David Harrell discussed the Mayor's directive for a police officer to be present, proper signage, panic button, hostile members of audience, resources and including the City Manager on the discussion.

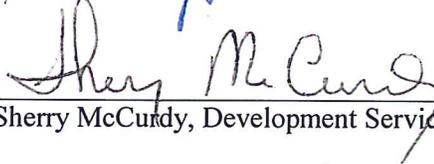
FUTURE AGENDA ITEMS

There were no Future Agenda Items.

On a motion by Tara Griffin and seconded by Vernon Reher, the Planning & Zoning Commission meeting adjourned at 8:15 P.M.



Tara Griffin, Chair



Sherry McCurdy, Development Services Admin. Assistant

On a motion by Gary Zaleski, seconded by Paul Smith, the foregoing instrument was passed and approved this ~~28th~~ Day of ~~April~~, 2016.

26th May