

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, NOVEMBER 10, 2016**

The Planning and Zoning Commission met in regular session on Thursday, November 10, 2016 at 372 Town Place, Fairview, Texas. Commissioners present were Chairman Sim Israeloff; Vice Chairman Pat Friend; and Commissioners John Cox, Ricardo Doi, Gregg Custer and Scott Almy. Staff present was Planning Manager, Israel Roberts; Chief Financial Officer, Jason Weeks; Town Engineer, James Chancellor and Town Secretary, Liz Cappon.

1. Call to order.

Chairman Israeloff called the meeting to order at 7:00 p.m. and declared a quorum was present.

2. Consider and take action regarding the minutes of the October 13, 2016, Planning and Zoning Commission meeting.

Chairman Israeloff offered two corrections to the minutes. Vice Chairman Friend made a motion to approve the amended October 13, 2016 minutes. Commissioner Almy seconded the motion and the motion was approved 5-0; Commissioner Doi abstained as he was not in attendance at the October 13, 2016 Commission meeting.

3. Conduct a public hearing, consider and take action on a request for approval of a conditional use permit (CUP) for an accessory structure to accommodate the construction of a workshop. The 1.15-acre site is located at 883 St. James Street and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Michael Genovesi. (Case #CUP2016-13).

Mr. Roberts gave a presentation on a request for approval of a CUP for an accessory structure to accommodate the construction of a detached workshop at 883 St. James Street. Mr. Roberts stated that the workshop would be slightly over 1000 square feet including the decorative porch. Mr. Roberts added there is also an existing pergola that additionally makes the applicant over the 900 square feet allowed for accessory structures in RE-1 zoning. Mr. Roberts stated that the workshop meets all the other design requirements.

Mr. Roberts stated that Staff had received two letters of support from within the 500' notification boundary. Mr. Roberts stated that staff recommends approval subject to utilizing the exhibits shown in the packet.

Chairman Israeloff opened the public hearing. There were no speakers. Chairman Israeloff closed the public hearing.

Commissioner Cox made a motion to approve a conditional use permit (CUP) for an accessory structure to accommodate the construction of a workshop. The 1.15-acre site is

located at 883 St. James Street and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Michael Genovesi. (Case #CUP2016-13). Vice Chairman Friend seconded the motion and the motion was unanimously approved.

4. **Conduct a public hearing, consider and take action on a request for approval of a conditional use permit (CUP) for a sports court. The 1.0-acre site is located at 761 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Jeff Hibberd (Case #CUP2016-14)**

Mr. Roberts gave a presentation on a request for approval of a CUP for a 1500 square foot multiuse sports court on the northern side of the lot located at 761 Stallion Drive within RE-1 zoning. Mr. Roberts stated that the sports court would be 15 feet off the northern property line and would feature a containment net system as well as a light pole. Mr. Roberts added the light would emit .2 foot candle distance of light along the western property line. Mr. Roberts stated that staff recommends approval subject to the light being mounted parallel to the ground, the use of light deflectors and the addition of landscaping.

Mr. Roberts stated that Staff had notified 28 adjacent property owners and received one letter of support and one letter of opposition within the 500' notification boundary.

Commissioner Custer asked about the distance from the home along the western side of the property. Mr. Roberts stated it was 50 feet to the property line but the portion of the property there is vacant.

Chairman Israeloff opened the public hearing.

The applicant, Jeff Hibberd, 761 Stallion Drive, stated he was available for questions. Mr. Hibberd stated that his closest neighbor has no issues with the project and he has the support of the President of his HOA. Mr. Hibberd said he had no issues with staff's recommendations.

Chairman Israeloff closed the public hearing.

Commissioner Almy asked about the one letter of opposition. Mr. Roberts stated that it had no comments but it was from the property owner on the south side.

Commissioner Doi asked whether the photometric plan considers the landscaping. Mr. Roberts stated that the photometric plans do not take landscaping into account as it is from the lighting manufacturer. Commissioner Doi stated he agrees with staff recommendations.

Commissioners Doi and Cox discussed the setbacks and the layout of the yard with the applicant. The applicant stated that the setback conflicted with the septic, the pool cabana

and the pool. Commissioner Cox stated he opposed ignoring the 30-foot setback, as it could be an eyesore to future neighbors.

Vice Chairman Friend asked how the light deflectors work. Mr. Roberts stated that the deflectors come from the manufacturers of the light and they hang down below from the side of the light.

Vice Chairman Friend made a motion to approve a request for approval of a conditional use permit (CUP) for a sports court with the conditions recommended by Staff. The 1.0-acre site is located at 761 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Jeff Hibberd. (Case #CUP2016-14). Commissioner Custer seconded the motion and the motion was approved by a vote of 4-2; Commissioners Doi and Cox opposed the motion.

5. The Planning and Zoning Commission acting as the Tree Board under Ordinance No. 2009-5-5C will consider and take action regarding the town's annual Tree City USA Recertification Application.

Mr. Chancellor gave an overview regarding the Town's annual Tree City USA Recertification Application. He stated the Town has met the four standards established by the Arbor Day Foundation in order to receive the Tree City USA designation with the final standard being approval by the Tree Board of the recertification application.

Mr. Chancellor stated that to be certified the Town has to meet a minimum amount spent on tree care, set by the Texas Forestry Service at \$2 per capita. Mr. Chancellor added that the Town spent \$33,384 on tree care last year, which is more than that minimum.

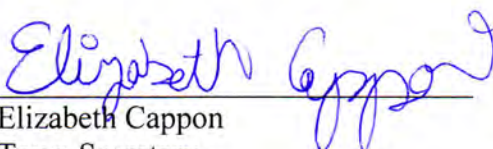
Commissioner Doi and Mr. Chancellor discussed tree placement locations in the Town.

Vice Chairman Friend made a motion to approve the town's annual Tree City USA Recertification Application. Commissioner Almy seconded the motion and the motion was unanimously approved.

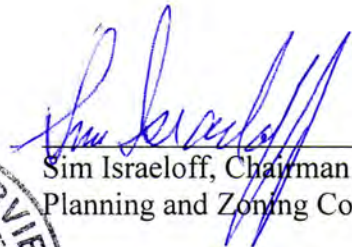
6. Adjourn.

Chairman Israeloff adjourned the commission from the meeting at 7:27 p.m.

Respectfully submitted,


Elizabeth Cappon
Town Secretary




Sim Israeloff, Chairman
Planning and Zoning Commission