



## TOWN OF FAIRVIEW, TEXAS

### Agenda

#### Planning and Zoning Commission Regular Meeting

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April 10, 2025

7:00 PM

Town Hall Council Chambers  
372 Town Place  
Fairview, Texas

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#### **WATCH THE BROADCAST LIVE**

This meeting will be broadcast live. Members of the public who wish to watch this meeting may watch the live broadcast by clicking the link below or scanning the QR Code:

[CLICK HERE FOR THE LIVE BROADCAST](#)



1. **Call to Order**

2. **Citizen's Comments (for Non-Public Hearing Items)**

*At this time, any person may address the Commission regarding an item on this meeting agenda or on matters not on this meeting agenda. Each person will have up to three (3) minutes. The Chair may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.*

*Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Commission for items listed as Public Hearings will be recognized when the Public Hearing is opened.*

*No discussion or action may be taken at this meeting on items not listed on this*

*agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*

**3. Action/Discussion Items**

- a. Approve the minutes of the February 13, 2025, regular meeting of the Planning and Zoning Commission

**4. Public Hearings**

- a. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 3.6-acre site is located at 61 Seattle Slew and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Thomas Goodwin, The Goodwin Family Living Trust.
- b. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for an accessory structure (car port). The 0.49-acre site is located at 491 Bluebird and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/applicant: Cody Hooper.

**5. Closed Session**

In accordance with Texas Government Code:

- a. **A. Section 551.071 – to consult with legal counsel** regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; religious land use; transportation matters; state law review and compliance.

*Under Texas Government Code Chapter 551, the Planning and Zoning Commission may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the listed exceptions to the Open Meetings Act.*

*The commission further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.*

**6. Adjourn**

I, Joshua Stevenson, Town Secretary, hereby certify that this notice was posted in accordance with Texas Government Code, Chapter 551, on or before the 7th day of April 2025 at 6:00 p.m.

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Joshua Stevenson, Town Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's office at least 48-hours prior to the meeting. Please e-mail your request to [townsecretary@fairviewtexas.org](mailto:townsecretary@fairviewtexas.org) or call at 972-886-4234. BRAILLE IS NOT AVAILABLE.

**FAIRVIEW PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
FEBRUARY 13, 2025**

The Planning and Zoning Commission met on February 13, 2025 at 7:00 PM at 372 Town Place, Fairview, Texas.

Commissioners present: Chair John Adler and Vice Chair Dennis Swingle, and Commissioners Ben Kuehne, Clay Medley, Lokia Works, and Willis White.

Staff present: Planning Manager, Israel Roberts; Town Engineer, James Chancellor; and Town Secretary, Joshua Stevenson.

**1. Call to Order**

The Chair called the meeting to order at 7:00 PM upon determining a quorum was present.

There were three (3) members of the public present when the meeting was called to order.

**2. Citizen's Comments (for Non-Public Hearing Items).**

Chair Adler called for citizen comments.

There were none when called for.

**3. Action/Discussion Items**

- a. Approve the minutes of the December 12, 2024, regular meeting of the Planning and Zoning Commission

Chair Adler called for the item.

The Commission passed the motion by Commissioner Kuehne, seconded by Commissioner Medley, to approve the minutes of the December 12, 2024, regular meeting of the Planning and Zoning Commission in a vote of Yes 4, No 0, Abstained 2. Vice Chair Swingle and Commissioner Works abstained.

**4. Public Hearings**

- a. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 3.9-acre site is located at 715 Country Club and is zoned for the (RE-1) One-acre Ranch Estate District.

Chair Adler called for the item.

Mr. Roberts spoke regarding this item. Staff recommended approval.

The Commission and staff had discussion regarding this item.

Chair Adler opened the public hearing.

No one requested to speak.

Chair Adler closed the public hearing.

The Commission passed the motion by Vice Chair Swingle, seconded by Commissioner Works, to approve a request for approval of a Conditional Use Permit (CUP) for a sports court in a vote of Yes 6, No 0, Abstained 0.

- b. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 1.3-acre site is located at 411 Broadwing Dr. and is zoned for the (RE-1) One-acre Ranch Estate District.

Chair Adler called for the item.

Mr. Roberts spoke regarding this item. Staff recommended approval.

The Commission and staff had discussion regarding this item.

Chair Adler opened the public hearing.

No one requested to speak.

Chair Adler closed the public hearing.

The Commission passed the motion by Chair Adler, seconded by Vice Chair Swingle, to approve a request for approval of a Conditional Use Permit (CUP) for a sports court in a vote of Yes 6, No 0, Abstained 0.

- c. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 1.04-acre site is located at 913 Tranquility Dr. and is zoned for the (RE-1) One-acre Ranch Estate District.

Chair Adler called for the item.

Mr. Roberts spoke regarding this item. Staff recommended approval.

The Commission and staff had discussion regarding this item.

Chair Adler opened the public hearing.

No one requested to speak.

Chair Adler closed the public hearing.

The Commission passed the motion by Vice Chair Swingle, seconded by Commissioner Works, to approve a request for approval of a Conditional Use Permit (CUP) for a sports court in a vote of Yes 6, No 0, Abstained 0.

5. **Adjourn**

Chair Adler adjourned the meeting at 7:10 PM.

These minutes were approved by the Planning and Zoning Commission on April 10, 2025.

APPROVED:

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John Adler, Chair

ATTEST:

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Joshua Stevenson, Town Secretary

Town of Fairview, Texas



## *Memorandum*

### *April 10, 2025*

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**FROM:** Planning

**SUBJECT:** Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 3.6-acre site is located at 61 Seattle Slew and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Thomas Goodwin, The Goodwin Family Living Trust.

**BACKGROUND:** This is a request for approval of a Conditional Use Permit (CUP) for a multi-purpose sports court. The 3.6-acre site is located at 61 Seattle Slew and is zoned for the (RE-2) One-acre Ranch Estate District.

**STATUS OF ISSUE:** The applicant desires to create an 2,940 square foot concrete pad (70x42) for a sport court in the backyard of an existing homesite. The court is intended for several uses including pickle ball, basketball and volleyball.

The Town adopted sport court development regulations in 2022. Those regulations, included various setback, screening, and operational standards. As shown the proposed court meets all of the adopted design standards of the Sport Court Ordinance.

#### Staff Analysis

- In the (RE-2) Two-acre Ranch Estate District:
  - o The maximum size of a sport court is limited to 7,200 square feet. The request meets this requirement.
  - o The side yard setback for a sport court is 50 feet. The request meets this requirement.
  - o The rear yard setback for a sport court is 35 feet. The request meets this requirement.
  - o Maximum lot coverage is 25%. As shown, the lot coverage is approximately 9.5%, meeting the lot coverage requirement.

- Lighting:
  - o No lighting is proposed. The Sport Court Ordinance prohibits lighting.
- Ball containment netting:
  - o By ordinance, fencing is limited to a maximum of 12' height and must be black or dark green in color. No ball containment fencing or netting is proposed.
- Screening:
  - o As per the adopted sport court regulations, the request includes the installation of 5-foot tall evergreens plants.

Drainage: There is no observable drainage impact to neighboring residential properties.

Septic System: There are no conflicts with the on-site septic system.

#### Public Input

The town has notified 11 adjacent property owners within 500 feet of the subject property, and to date, have received one (1) letter of support.

**BUDGET:** N/A

**RECOMMENDATION:** As presented, the request appears to meet the regulations of the Sport Court ordinance, therefore, staff recommends approval as presented.

1. Use, location and design of the proposed sport court shall generally conform with the submitted site plan.

#### **Attachments:**

1. Aerial
2. Exhibit
3. Correspondence







March 28, 2025

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN the Town of Fairview Planning and Zoning Commission will convene for a public hearing scheduled **Thursday, April 10, 2025, at 7:00 p.m.** located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069.

The Planning and Zoning Commission will consider and discuss the following:

1. Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 3.6-acre site is located at 61 Seattle Slew and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Thomas Goodwin, The Goodwin Family Living Trust.

All interested citizens and property owners are invited to attend and participate in this meeting. For questions and/or comments please contact Israel B. Roberts, Planning Manager, at 972-562-0522, extension 5094; or via email: [iroberts@fairviewtexas.org](mailto:iroberts@fairviewtexas.org). Citizens may also visit Town Hall, Monday-Friday from 8:30-4:30 PM to obtain more information on this matter prior to the public hearing.

If you wish to communicate your support or opposition for this proposal to the Planning and Zoning Commission and/or the Town Council, please respond to the queries below and return it to Mr. Roberts via mail, email, or hand delivery.

Name: Ruth Swingle

Address: 81 Seattle Slew Ln

- Support  
 Oppose (provide comments below)

Signature: Ruth Swingle  
Date: 4-2-2025

Comments:



## *Memorandum*

### *April 10, 2025*

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**FROM:** Planning

**SUBJECT:** Conduct a public hearing, consider and make a recommendation on a request for approval of a Conditional Use Permit (CUP) for an accessory structure (car port). The 0.49-acre site is located at 491 Bluebird and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/applicant: Cody Hooper.

**BACKGROUND:** This is a request for approval of a Conditional Use Permit (CUP) for an accessory structure. The 0.49-acre lot is located at 491 Bluebird Lane and is zoned for the (RE-1) One-acre Ranch Estate District.

**STATUS OF ISSUE:** The applicant is requesting a CUP to accommodate a 510 square foot (SF) carport with a reduced setback. The subject carport has already been constructed and was not issued a permit. The structure features an open design with a metal frame, gravel base and is approximately 9.5 feet tall at the highest point.

#### Site Analysis

- In the (RE-1) One-acre Ranch Estate District:
  - o Setbacks for accessory structures of this size (over 480 SF) is 30 feet: As shown, the structure is approximately 7 feet from the rear property line. The front position of the structure aligns with the door opening of the existing adjacent garage.
  - o Maximum number of accessory structures is two (2). Including this structure, there are three (3) structures on-site. Existing on site is a garage building built in 2008 and a shed placed on site sometime in the 1990s.
  - o Maximum square footage for all accessory structures on a lot is 900 square feet. The Zoning ordinance allows for a square footage exemption of up to 900sf for a detached three-car garage, as long as it's the primary garage. In this case, the garage structure that was built in 2008 acts as the primary garage; therefore, its area is exempt from the area calculation. As such, the total square footage for

the existing shed, and the subject carport is 590sf, thus meeting the area calculation. *(The house includes a front entry garage door accessible from a driveway onto Bluebird Lane. Most of this original garage area was converted to living space before the current property owner. Currently, there is only a 5-foot deep space for storage remaining behind the garage door. Since this is no longer a functional garage space, staff recognizes that the structure built in 2008 in the back, as the primary garage).*

- o Maximum lot coverage is 35%. Including the proposed structure and existing elements on-site, the lot coverage is approximately 28%, meeting the lot coverage requirement.

- o Maximum height of an accessory structure is 30 feet. The proposed structure is approximately 9.5 feet tall to the highest point.

### Bluebird Lane History

The Dreamland subdivision (Bluebird Lane) was established in 1970, with the current (RE-1) One-acre Ranch Estate zoning being adopted in 1997. Previously, this area was zoned for (HD) High Density Residential (The HD zoning district is no longer active as a separate district). This subdivision has a number of half-acre sized lots with existing structures that preceded the RE-1 adoption. As such, over the years, there have been a number of alternate development regulations granted through variances and/or CUP requests to accommodate home expansions or additional accessory structures.

Year	Type	Details of the approval
1998	Variance	12' setback for an accessory structure (30' required)
2008*	Variance	15' side and rear setback for an accessory structure (30' required)
2016	CUP	Accessory structure (RV cover) <ul style="list-style-type: none"> <li>• The total accessory structure area exceeded zoning regulations by 777sf (1,677 total on-site)</li> <li>• 3rd accessory structure on-site</li> <li>• Side yard setback of 6 feet (30' required)</li> </ul>
2023	Variance	Expansion of non-conforming structure Side yard setback of 15-17 feet for home expansion (25' required)

\*The 2008 variance ws for this subject site/owner for the construction of the existing 900sf workshop

### Public Input

The town has notified 63 adjacent property owners within 500 feet of the subject property. To date, we have received one (1) letter of opposition.

**BUDGET:** N/A

**RECOMMENDATION:** Since this request involves code enforcement action, staff will not be making a recommendation.

**Attachments:**

1. Aerial
2. Photos
3. Exhibits
4. Correspondence



Bluebird Ln

Subject



Carport



Rear Setback Area

UNDER 35% FOR RE1



CURRENT DRAWING WITH CARPORT AND IMPROVEMENTS

DRAINAGE EASEMENT

7' From Property Line  
10' From Fence

Round 1/2" IRON ROD

S 81° 00' 00" E 104.21' Round IRON ROD

15' TO N PROPERTY LINE

156' TO WEST PROPERTY LINE

N 110° 33' 23" E 207.09'

S 110° 33' 23" W 207.09'

POINT OF BEGINNING

LANE

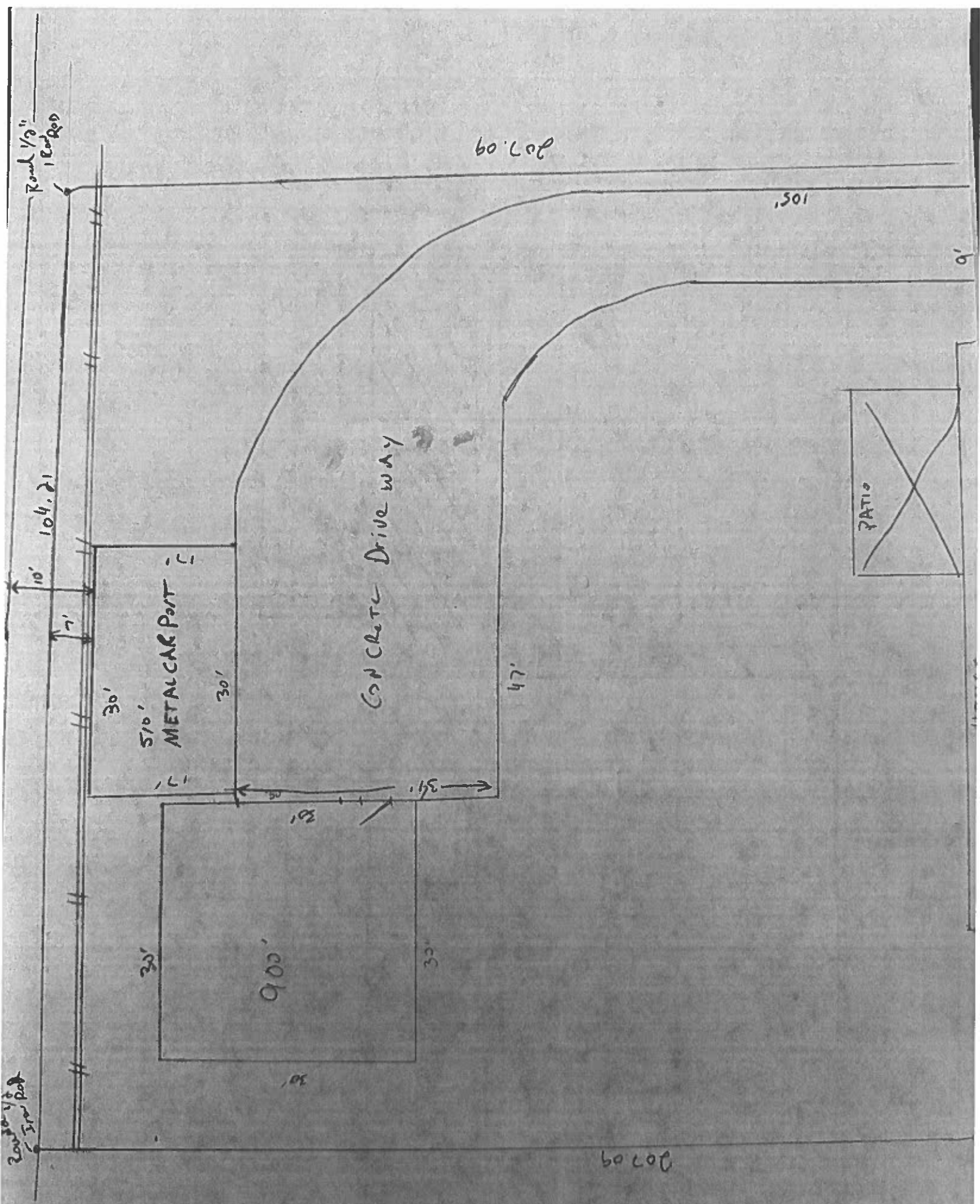
Round 1/2" IRON ROD

ROAD EASEMENT

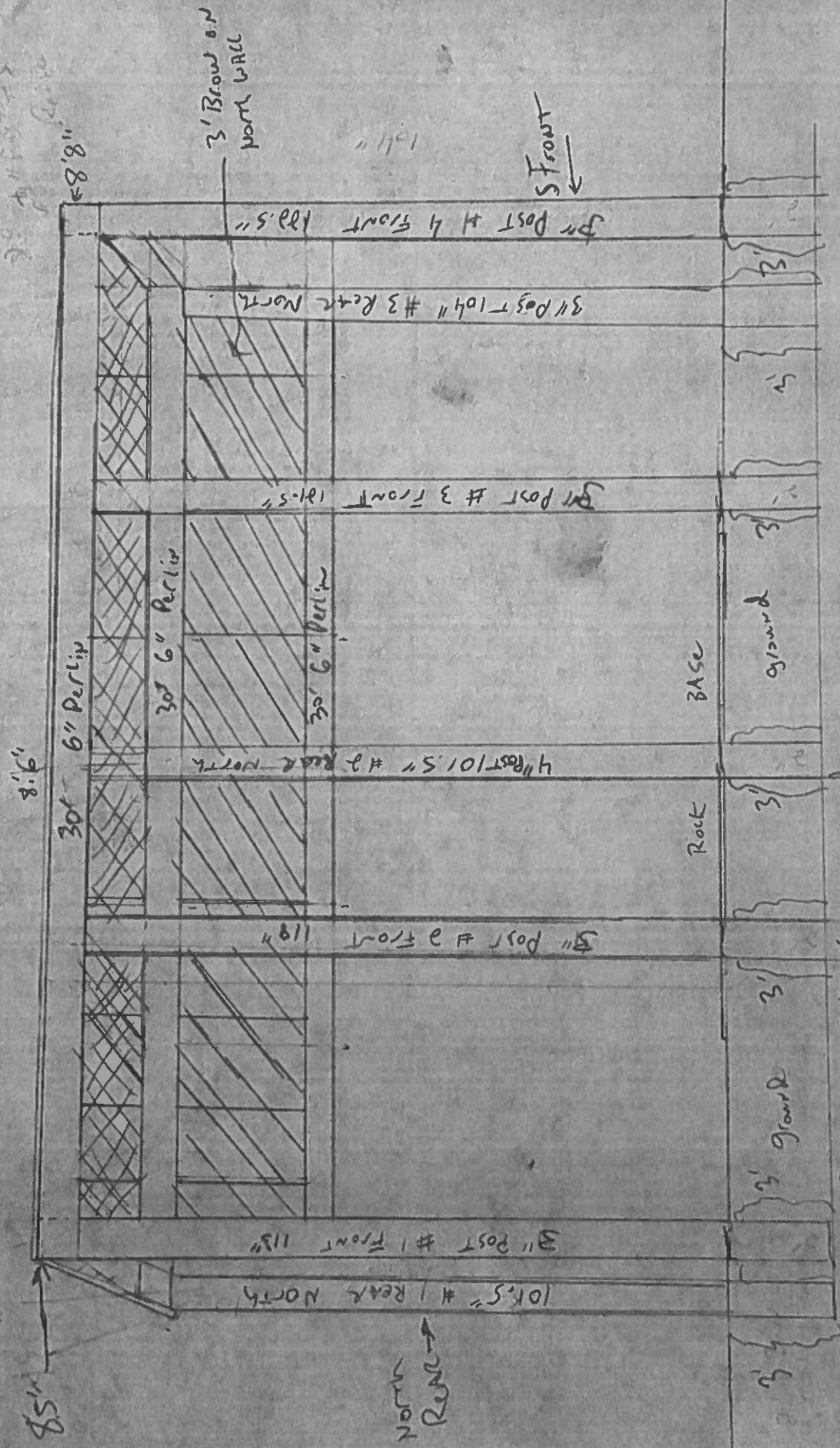
N 81° 00' 00" W 104.21'

491 Blue Bird Ln

LOT 5 CAULDWELLS DREAM LAND AD  
VOLUME 6 PAGE 65 OF THE MAP OF R  
COLL'D



4



Posts Also All in Ground

Key

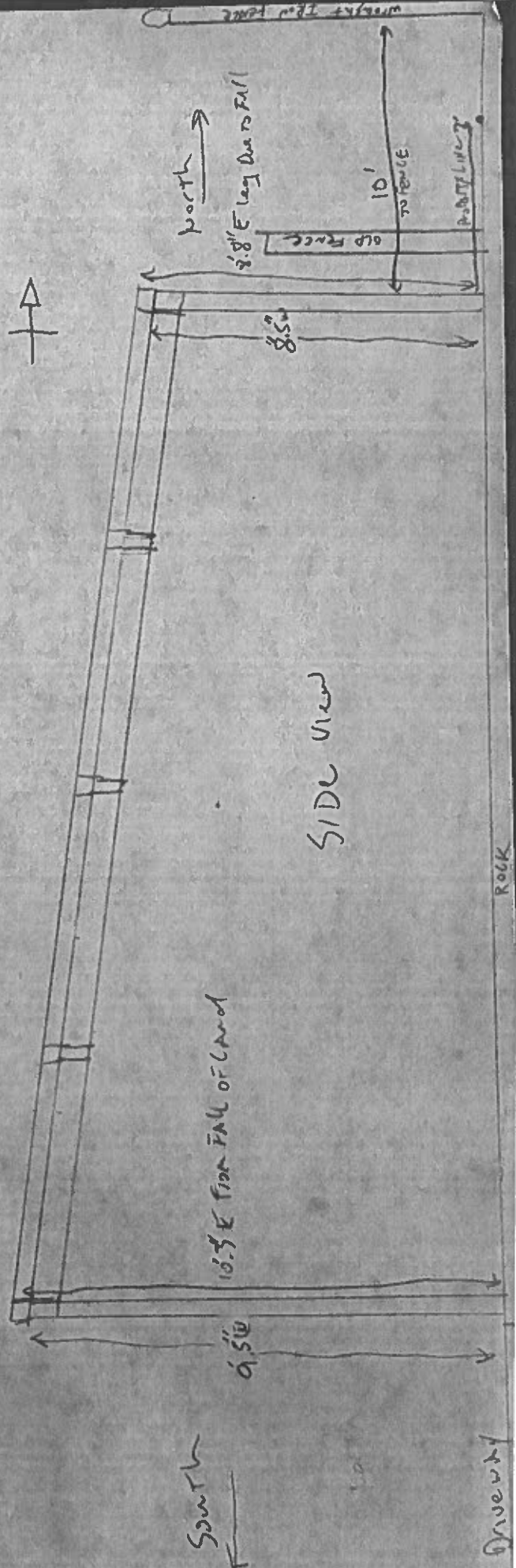
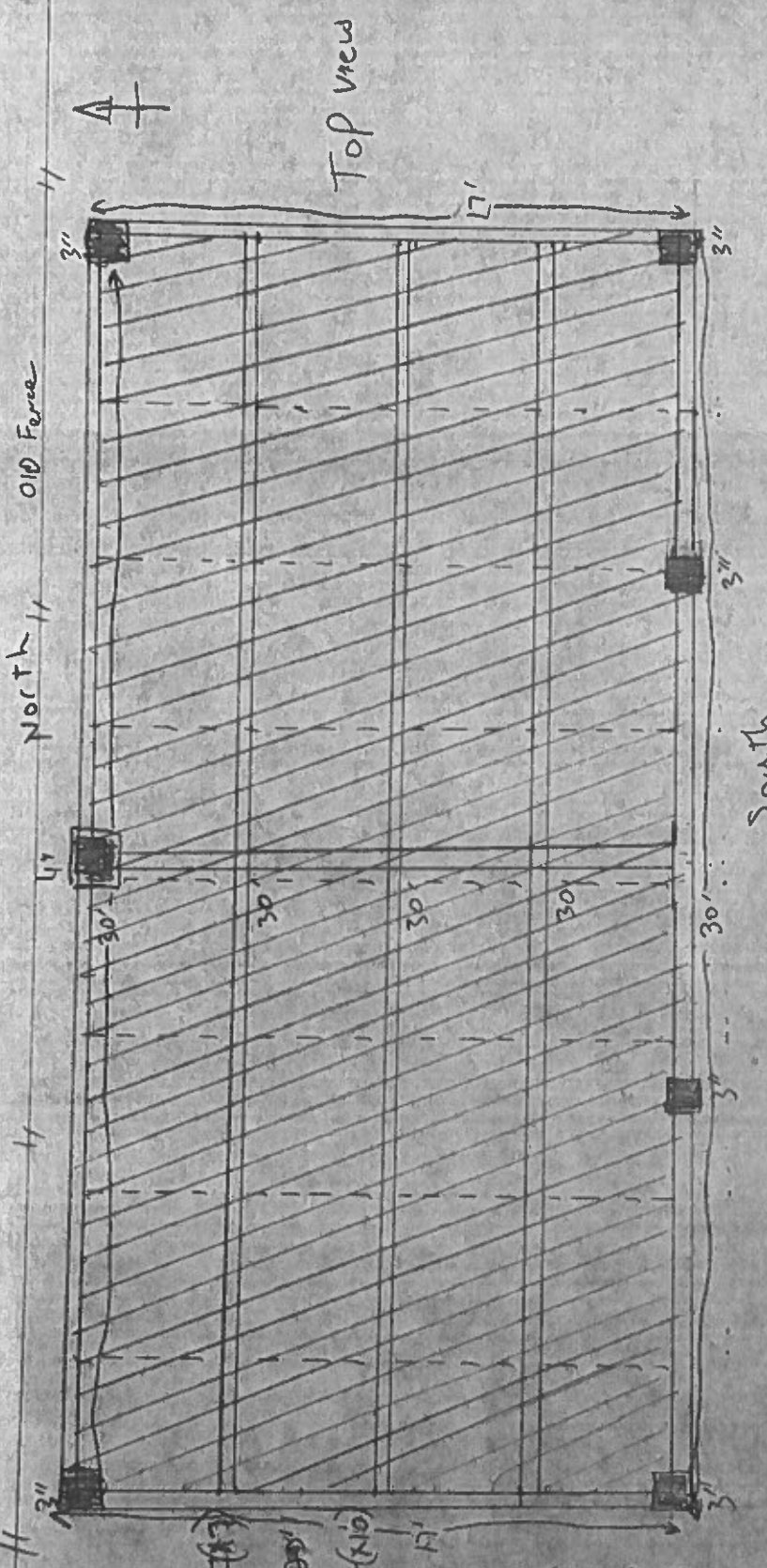


Steel Post

6" Purlin (X3)

26 Gauge S.P. (X4)

Sheets For Roof (X5)





March 28, 2025

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If you wish to communicate your support or opposition for this proposal to the Planning and Zoning Commission and/or the Town Council, please respond to the queries below and return it to Mr. Roberts via mail, email, or hand delivery.

Name: Jill Jones / Thomas Mitchell

Address: 520 Ambrym Drive

Support  
 Oppose (provide comments below)

Signature: [Handwritten Signature]  
Date: 3-31-25

Comments:

PHOTOS ENCLOSED. THE STRUCTURE LOOKS UNFINISHED FROM MY BACKYARD. IF THE OWNER HAD APPROACHED US BEFORE BUILDING HIS SEVERAL CAR STRUCTURES, I MAY NOT BE CONCERNED HAD HE OFFERED TO PLANT LARGE TREES AT HIS EXPENSE TO COVER THE UNDESIRABLE STRUCTURE. I'M CERTAIN MY NEIGHBORS WOULD REACT THE SAME HAD IT HAPPENED IN THEIR BACK YARDS

Dear Mr. Israel Roberts,

I am the concerned neighbor whose property backs up 491 Bluebird. I am fully aware that in most cities, people who leave junk and old outside items that neighbors can see, would be given a fine/warning to clean up the exposed unsightly area. This neighbor has had trash gracing my backyard view since I moved in. A couple years ago, after a few dead trees were cleared and his backyard mess was exposed, I asked him if I could clean behind his shed and paint the graffiti to one color on the back side of his small old metal shed. He agreed and told me he meant to get rid of the old rusty bldg but hadn't. He even found a rusty old bike under piles of leaves and a few other surprise (to him) items and asked jokingly if I wanted an old bike then tossed it back on the pile of neglected items. He seemed pleasant and didn't mind me cleaning up behind his shed. Three pieces of a broken bright blue surf board surfaced a few days after some leaves were cleared and I politely asked him if I could remove the bright blue eyesore. He went off on me!!! I apologized and told him he needn't do anything and I would clean it up, just was asking for access to his back area. His angry attitude scared me and I simply covered the broken surfboard with more leaves that I threw over the fence to conceal the eyesore. We never spoke again. I am a peaceful happy person, just wanted a pleasant view to enjoy my backyard. His anger and mood change really scared me.

It appears he is running a business out of his backyard/garage/metal buildings and if he would have discussed his plan to build carport and had he offered to plant some large trees out of consideration of the upcoming backyard view, I most likely would have agreed and been ok with it. The carport appears incomplete and I am forced to look at the ugly backside view every day. Not pretty.

My friends are concerned for my safety and all are suggesting I report the situation to the police since we live in a crazy world.

I know that when I sell my home, the back yard view will be a major issue and greatly reduce the value of my property. FYI. This is what I wrote to a couple of my neighbors..

4 /1/2025



To The neighbors It May Concern:

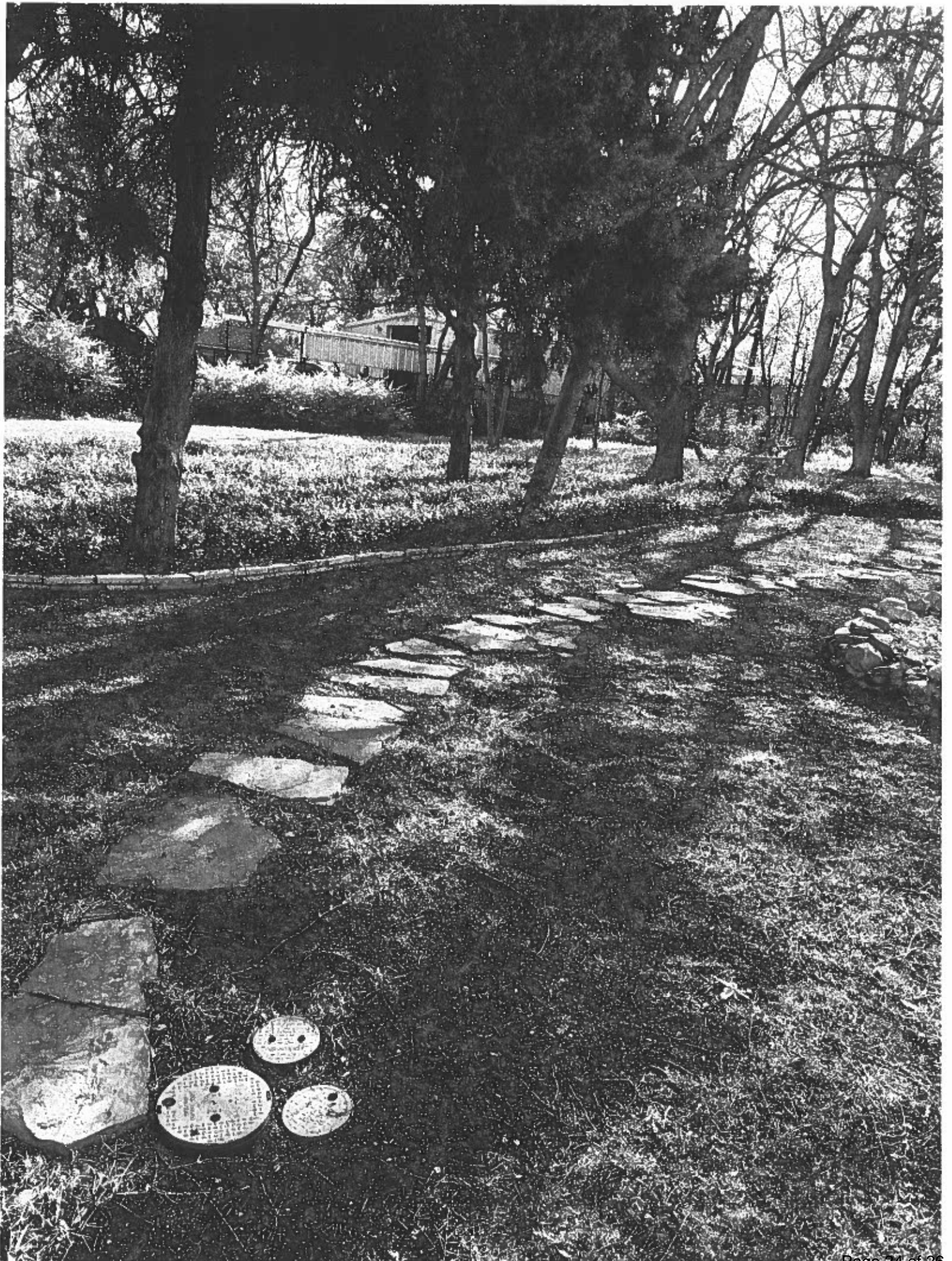
Last month, a very unsightly structure was built by a neighbor on Bluebird Road whose yard backs up to my yard located 520 Ambrym Drive. I called the city to inquire if there were any building restrictions with building a carport that looks unfinished and also storing unsightly items behind his other 2 metal buildings. The code violation officer claimed if he had a permit that nothing could be done. Obviously there was not a permit and the homeowner is now asking the zoning commission for approval.

If you would help me to voice my concerns and to protect your own future property value and beauty, please sign this request if you have not already received one in the mail from the Town of Fairview.

You can e mail or hand deliver a copy with your signature to:

[jroberts@fairviewtexas.org](mailto:jroberts@fairviewtexas.org)





The VIEW From  
my KITCHEN  
TABLE



