

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, SEPTEMBER 10, 2020**

The Planning and Zoning Commission met in regular session on Thursday, September 10, 2020 at 372 Town Place, Fairview, Texas. Commissioners present were Chairman Gregg Custer; Commissioners Eugene Borsattino, Richard Robison, Jeannette Grazioli. Commissioners present via teleconference were Vice-Chairman John Cox and Commissioner Paul Hendricks. Commissioner Geoff Sebastian was absent. Staff member present was Planning Manager, Israel Roberts; and Town Secretary, Tenitrus Bethel.

1. Call to Order

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

2. Consider and take action regarding July 9, 2020 minutes.

Commissioner Robison made a motion to approve the minutes. Commissioner Hendricks seconded the motion and the motion was approved unanimously.

3. Citizens Comment

No one came forward to speak.

4. Public Hearings

- a. Conduct a public hearing, consider and take necessary action on a request for approval of a Conditional Use Permit (CUP) for the existing home to serve has an accessory structure (guest house). The subject site is located at 900 Old Stacy Road and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Luis Martinez. (Case No. CUP2020-02)

Mr. Roberts gave a staff report related to this item and reviewed the history of the property and request. He stated the owners are in the process of constructing a new home and are requesting that the smaller home be utilized as a guest suite for a relative. He indicated ordinance states guest suites as an accessory structure are permitted up to 900 sq ft.

Mr. Roberts gave a presentation and reviewed the renderings of the guest suite and the remodeling.

Mr. Roberts stated the initial notices were mailed in February for the hearing to be held at the March regular meeting; and at the March meeting the Commission voted to continue the public hearing to the April meeting. He stated due to the COVID-19 pandemic meetings were cancelled. He indicated two weeks ago the public hearing was renoticed due to the delay and the applicant supplied additional information; since that time 1 restatement of opposition was received and 1 letter of support from the property directly across the street from the applicant property. He stated in total 5

letters of support have been received and 3 letters of opposition. He reviewed the regulations related to guest suites.

The Commission and Mr. Roberts had an extended discussion related to this item.

The applicant was present online.

Chairman Custer opened the public hearing.

Rich Connelly, 980 Foxdale, expressed his opposition to the request.

Chairman Custer closed the public hearing.

The Commission had an extended discussion related to this item.

Luis Martinez, applicant, discussed the request.

The Commission and Mr. Martinez had an extended discussion related to this item.

Chairman Custer recommended tabling the discussion to the next meeting for further discussion.

Commissioner Grazioli made a motion to continue the public hearing to a date certain of October 8, 2020 at 7:00 p.m. at Town Hall. Commissioner Robison seconded the motion.

Commissioner Hendricks asked if the motion should be terminated based on the applicant stating the use of the accessory structure would be a gym and not a guest house. Commissioner Borsattino inquired about the effect of postponement. Mr. Roberts stated if the accessory structure is not being utilized in the manner it was advertised and noticed the request no longer applies.

Luis Martinez, the applicant, addressed the Commission in relation to the use of the accessory structure.

The Commission and staff had a brief discussion on this topic.

Commissioner Grazioli restated the motion to continue the public hearing to a date certain of October 8, 2020 at 7:00 p.m. at Town Hall. Commissioner Cox seconded the motion and the motion was approved 4-2. Commissioner Borsattino and Robison opposed.

- b. Conduct a public hearing, consider and take necessary action on a request for approval of a Major Warrant for an accessory structure. The subject site is located at 5110 Pond View Drive and is zoned for the (CPDD) Commercial Planned Development District

with the Neighborhood Edge sub-district. Applicant: Chet Kendall, The Kendall Law Office, PLLC. representing Jacob and Lauren Stamper.

Mr. Roberts gave a staff report on this item. He stated at the end of Pond View there are two parcels that are not apart of the Estates of Sloan Creek subdivision; one of which is just over 5 acres. He stated the applicant is requesting to construct a metal barn structure on the parcel to be utilized for woodworking and equipment storage. He reviewed the size of the structure stating the main structure would be 45'x70' with a 14'x70' covered area on the east elevation for a total square footage of 4,100 and the structure would be 50 ft from the adjoining property line. He reviewed setbacks, elevations and site location.

Mr. Roberts stated 99 notices were sent out and no opposition was received.

Mr. Roberts stated staff did not make recommendation and he reviewed the CPDD guidelines regarding accessory structures.

Chet Kendall, applicant representative, spoke to the request.

Chairman Custer opened the public hearing.

No one came forward to speak.

Chairman Custer closed the public hearing.

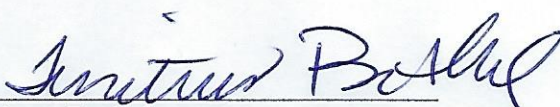
The Commission and Mr. Roberts had an extended discussion related to this request.

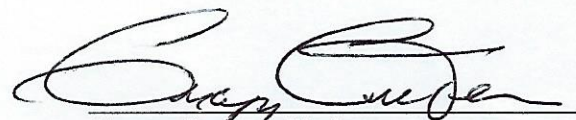
Commissioner Hendricks made a motion to approve the request for a major warrant for an accessory structure to be located at 5110 Pond View Dr. Commissioner Borsattino seconded the motion and the motion was approved unanimously.

5. Adjourn.

Chairman Custer adjourned the commission from the meeting at 8:02 p.m.

Respectfully submitted,


Tenitrus Bethel,
Town Secretary


Gregg Custer, Chairman
Planning and Zoning Commission

