

Board of Appeals Minutes

Thursday January 11, 2024 | 4:00 PM

City Hall, 200 Rusk Street, Gainesville TX, Council Chambers

Chairperson Present:	Tim Camp
Board Members Present:	Robert Hawkins, Jeff Johnson, Jess Cason
Board Members Absent:	Emmanuel Albarado
Staff Members Present:	Mike Doughty, Community Development Director, Javonna Cannon, Administrative Assistant, Patty Pierce, Permit Technician, Tim Stanley, Code Enforcement Officer, Jennifer Ekstrand, Code Enforcement Officer
Visitors Present:	Rod Tyler, Nicki Pickett

Item 1 – Call to order.

Item 2 – Swearing in of member Hawkins pulled. City Secretary not able to attend.

Item 3 – Approval of Minutes from December 14, 2023 Board of Appeals Public Hearing

Member Hawkins made a motion to approve the minutes followed by Member Johnson; all said Aye and the vote carried unanimously.

Item 4: Public hearing to take comments on a request for a variance to allow a fence to be built with alternate construction material than is allowed in the Commercial Zoning District (C2); legally known as 621 N Culberson; Montgomery addition; Block 5; Lots 9-16 & N part of 1-8; Gym Building; Acres .83; Cooke County Appraisal District property ID 27579.

Community Development Director Doughty spoke to the board and stated that the new fence built at the new daycare does not meet the criteria of a non self- imposed hardship. Doughty spoke to the owner about covering with cedar but owner wanted a variance. The city staff has no choice but to recommend denial. Applicant Tyler stated he owned the property for several years and his letter of intent stated that the fence was approved by the state as a building material. Tyler spoke about other commercial properties having metal fences and Director Doughty told him those commercial locations were legal non-conforming. Director Doughty also stated that most cities do not allow R panel metal fencing. Applicant Tyler also asked about spray on masonry work and stated the ordinance needed to be updated.

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Item 5 – Discuss, consider, and take action on a request for a variance to allow a fence to be built with alternate construction material than is allowed in the Commercial Zoning District (C2); legally known as 621 N Culberson; Montgomery addition; Block 5; Lots 9-16 & N part of 1-8; Gym Building; Acres .83; Cooke County Appraisal District property ID 27579.

Member Cason stated the ordinance can only be changed by City Council. Member Camp agreed with member Cason. Director Doughty stated that Commercial (C2) is for lighter and less zoning and does not allow metal fencing.

Member Hawkins made a motion to deny the variance and Member Cason seconded the motion; all attending said Aye and the vote carried unanimously. The Variance was not approved.

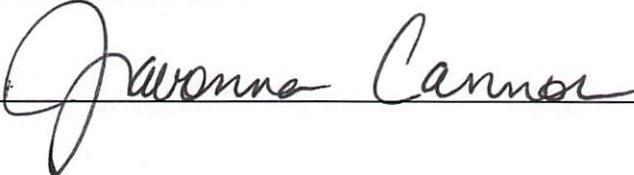
Item 6 – Adjourn.

Chairperson Camp adjourned the meeting at 4:15 p.m.

Signature of Chairman:


_____ Date 5-9-2024

Signature of Secretary:


_____ Date 5/9/2024