



Board of Appeals Minutes

Thursday, November 9 2023 | 4:00 PM

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

Chairperson Present:	Tim Camp
Board Members Present:	Jess Cason, Jeff Johnson, Emmanuel Albarado
Board Members Absent:	Robert Hawkins
Staff Present:	Diana Alcala, City Secretary, Javonna Cannon, Administrative Assistant, Patty Pierce, Permit Technician, Tim Stanley, Code Enforcement Officer and Jennifer Ekstrand, Code Enforcement Officer
Visitors Present:	Connor Gohlke, Gina Klement

Item 1 – Call to order.

The meeting called to order at 4:03 pm

Item 2 – Swearing in of appointed board members

City Secretary, Diana Alcala, swore in Emmanuel Albarado, Tim Camp, and Jess Cason as appointed BOA Members.

Item 3 – Approval of Minutes from October 13, 2022 Board Of Appeals Public Hearing

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

Item 4 – Public hearing and take comments and a discussion and action on as request for a variance to allow an accessory structure (swimming pool to be built within five (5) feet of the principle structure located in a Planned Development (PD) zoning district at 1367 Orange Blossom Ct. Legally described as Black Hill Farm Addition; Phase 1; Block H; Lot 3; Acres .19; Cooke County Appraisal District Property ID 149614.

Public hearing opened at 4:06 p.m.

Mike Doughty, Community Development Director, stated that the swimming pool accessory to main structure must be 10 feet away per current ordinance. Mr. Gohlke, with Gohlke Pools, stated the dimensions were 46 x 13 x 16 and that the pool was long and has a diving board. Mr. Gohlke also stated that the pool shell is guaranteed three years. Director Doughty stated when a pool leaks it does cause damage to the foundation. Mr. Gohlke talked about structural engineers and being able to turn the water away from the house. Member Albarado requested a copy of

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the ordinance which was provided by the staff. Mr. Gohlke talked about the City of Denton being 3 Ft and the City of Flower Mound being 5 Ft. for their easements. Commissioner Cason asked if we had collected any core studies.

Public hearing closed at 4:15 p.m.

Item 5 – Consider and take action on a request for a variance to allow an accessory structure (swimming pool) to be built within five (5) feet of the principle structure located in a Planned Development (PD) zoning district at 1367 Orange Blossom Ct. Legally described as Black Hill Farm Addition; Phase 1; Block H; Lot 3; Acres .19; Cooke County Appraisal District Property ID 149614.

Member Camp asked why the City of Gainesville was 10 Ft. Mike Doughty stated there are no standard codes for pools. Member Johnson requested we should change the ordinance and Member Albarado agreed. Member Johnson asked if we could grant approval with conditions and Mike Doughty talked about hardships and there was not one in this case.

Chairperson Camp made a motion to approve with condition of submitting an engineer stamped letter. Member Johnson seconded.

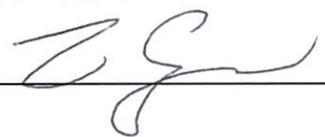
Member Cason voted AYE and Member Albarado voted NAY.

The variance was not approved because there was not a unanimous vote.

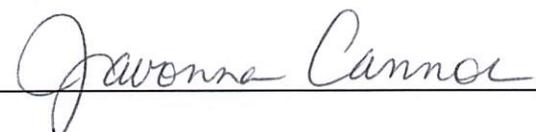
Item 6 – Adjourn.

Chairperson Camp made a motion to adjourn the meeting. The motion was seconded by Member Cason. All present voted AYE. The motion carried unanimously. The meeting was adjourned at 4:36 p.m.

Signature of Chairman:


_____ Date 12-14-2023

Signature of Secretary:


_____ Date 12-14-2023