



City of Willow Park
Board of Adjustment
Regular Meeting Minutes
Municipal Complex

516 Ranch House Rd Willow Park, TX 76087
Thursday, January 20, 2022 at 6:00 p.m.

Call to Order

Chairperson Cindi Neverdousky called the meeting to order at 6:01 PM

Present:

Chairperson Cindi Neverdousky
Michael Chandler
Mike Barron
Steve Gould
Mike Caldwell

Absent: Timothy Griffiths, Alt 1

I. CONSIDER for approval Minutes of July 14, 2021 meetings.

Motion made by Board Member **Mike Barron** to approve the minutes of the July 14, 2021 meeting

Second by Board Member **Michael Chandler**.

Motion passed by unanimous vote.

II. PUBLIC HEARING to consider a request for a variance to Sec.14.03.007 of the Zoning Ordinance for detached accessory building rebuilt on the same site as original detached accessory building to encroach within the 25' side yard setback in the R-1 Single-Family District on 3.300 acres BBB&C RR Co. Abst. No. 147, City of Willow Park, Parker County, Texas, located at 1717 Ranch House Road.

Chairperson Neverdousky opened the public hearing.

Betty Chew stated that due to Mike Barron's being the neighbor of the applicant, identified himself as having a conflict and removed himself from the vote.

Betty Chew discussed the applicant, Colter Schau's request for a variance to allow for an accessory building to remain, although it is within the encroachment on the 25' side yard setback. She explained that this building was a replacement of a previous building that was in disrepair and the new building sits on the same slab as the replaced building. Betty stated that the applicant didn't realize that he had to get a permit to replace a building and



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when he came to the City to comply, it was realized that the original building was encroaching within the set back.

Chairperson Neverdousky closed the public hearing.

a. Is the request for a variance owing to special conditions inherent in the property itself?

Aye votes: 4

Chairperson Cindi Neverdousky,
Michael Chandler
Steve Gould
Mike Caldwell

Nay votes: 0

Abstained: Mike Barron

Vote Passed: 4

b. Is the condition unique to the property requesting the variance?

Aye votes: 4

Chairperson Cindi Neverdousky,
Michael Chandler
Steve Gould
Mike Caldwell

Nay votes: 0

Abstained: Mike Barron

Vote Passed: 4

c. Is the condition self-imposed or self-created?

Aye votes: 0



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Nay votes: 4

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Abstained: Mike Barron

Vote Passed: 4

d. Will a literal enforcement of the Zoning Ordinance result in an unnecessary hardship?

Aye votes: 4

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: Mike Barron

Vote Passed: 4

e. Will the hardship prevent any reasonable use whatsoever?

Aye votes: 0

Nay votes: 4

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Abstained: Mike Barron



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Vote Passed: 4

f. Would the grant of the variance be contrary to the public interest?

Aye votes: 0

Nay votes: 4

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Abstained: Mike Barron

Vote Passed: 4

g. Is the request within the spirit of the ordinance and does it further substantiate justice?

Aye votes: 4

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: Mike Barron

Vote Passed: 4

Variance was granted.



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III. PUBLIC HEARING to consider a request for a variance to Sec.14.09.001(f) of the Zoning Ordinance to allow an eight-foot board-on-board panel fence to be placed on the existing five-foot pipe fence in the front yard setback (Crown Rd.) in the R-1 Single-Family District on 12.242 acres, McKinney & Williams Survey, Abst. No. 954, City of Willow Park, Parker County, Texas, located at 6 Crown Rd.

Chairperson Neverdousky opened the public hearing.

Betty Chew discussed the applicant, Traci Swayden's request for a variance to allow an eight-foot board-on-board panel fence to be placed on the existing five-foot pipe fence in the front yard setback at said location on her property for increased privacy and safety.

Chairperson Neverdousky stated that she was concerned with vehicular safety with that tall of a fence since the subject property is on a corner. She asked why a 6' would be unacceptable to which the applicant, Ms. Swayden and her husband, stated that they had trespassers on their property from that side of their yard and the fence would act as a deterrent, and they also have sums of rainwater that collects on that portion of their yard and home during rainy times, and it would help to redirect the water.

Board member Michael Chandler suggested that the applicant build up the base of the fence with a soil berm or retaining wall of 2' and place a 6' fence on top of it; this would, in essence, create an 8' line, still keep the 6' fence as per other residents, and cause the water to deflect from the house. The applicant stated that she was concerned with the cost, but she was agreeable to this solution.

Board member Mike Barron asked if this would interfere with visibility while backing out of the driveway to which which the Applicant replied it would not.

Board member Steve Gould asked if the homeowners would be maintaining the cedar fence or if they would be allowing it to grey, to which the Applicant replied they would stain and maintain the cedar fence.

A motion was made by Michael Chandler to strike the original request of an 8' fence and request the allowance of the construction of a six-foot board-on-board fence to be placed on the existing five-foot pipe fence where specified on the application. The motion was seconded by Mike Barron to change the request.

Chairperson Neverdousky closed the public hearing.



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h. Is the request for a variance owing to special conditions inherent in the property itself?

Aye votes: 5

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: 0

Vote Passed: 5

i. Is the condition unique to the property requesting the variance?

Aye votes: 5

Chairperson Cindi Neverdousky

Michael Chandler

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: 0

Vote Passed: 5

j. Is the condition self-imposed or self-created?

Aye votes: 0

Nay votes: 5

Chairperson Cindi Neverdousky

Michael Chandler



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Steve Gould

Mike Caldwell

Abstained: 0

Vote Passed: 4

k. Will a literal enforcement of the Zoning Ordinance result in an unnecessary hardship?

Aye votes: 5

Chairperson Cindi Neverdousky,

Michael Chandler

Mike Barron

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: 0

Vote Passed: 5

l. Will the hardship prevent any reasonable use whatsoever?

Aye votes: 0

Nay votes: 5

Chairperson Cindi Neverdousky,

Michael Chandler

Mike Barron

Steve Gould

Mike Caldwell

Abstained: 0

Vote Passed: 5



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m. Would the grant of the variance be contrary to the public interest?

Aye votes: 0

Nay votes: 5

Chairperson Cindi Neverdousky,

Michael Chandler

Mike Barron

Steve Gould

Mike Caldwell

Abstained: 0

Vote Passed: 5

n. Is the request within the spirit of the ordinance and does it further substantiate justice?

Aye votes: 5

Chairperson Cindi Neverdousky

Michael Chandler

Mike Barron

Steve Gould

Mike Caldwell

Nay votes: 0

Abstained: 0

Vote Passed: 5

Variance was granted.



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Betty Chew advised the Board that the City Council will be voting to amend the Ordinance regarding the Board of Adjustment on February 8, 2022, and that these changes are housekeeping issues to clean up the Ordinance. Ms. Chew indicated that BOA meetings would be quarterly and likely be Tuesday or Thursday to be consistent, to which the Board replied either day was acceptable.

ADJOURN

With no further business, the meeting adjourned at 6:38 p.m.

APPROVED:

Cindi Neverdousky, Chairperson, Board of Adjustment