

AGENDA
Meeting of the Prosper
Board of Adjustment/Construction Board of Appeals
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Monday, February 1, 2016, 6:00 p.m.

1. Call to Order / Roll Call.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A Board of Adjustment/Construction Board of Appeals member may remove any item for discussion and separate action. The Board of Adjustment/Construction Board of Appeals may vote nay on any single item without comment and may submit written comments as part of the official record.)

2. Consider and act upon minutes from the July 8, 2015 Regular Board of Adjustment/Construction Board of Appeals meeting.

REGULAR AGENDA

(If you wish to address the Board of Adjustment/Construction Board of Appeals during the regular agenda portion of the meeting, please fill out a "Speaker Request Form" and present it to the Building Official prior to the meeting. Citizens wishing to address the Board of Adjustment/Construction Board of Appeals for items listed as public hearings will be recognized by the Chair. Those wishing to speak on a non-public hearing related item will be recognized on a case-by-case basis, at the discretion of the Board of Adjustment/Construction Board of Appeals.)

3. Consider and act upon the appointment of a Chair and Vice-Chair.
4. Receive training on the duties and obligations of Board members and legal training by the Town Attorney.
5. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
6. Adjourn

Note: The order in which items are heard on the agenda is subject to change.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the inside window at the Town Hall of the Town of Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on Friday, January 29, 2016, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Noticed Removed

If during the course of the meeting covered by this Notice, the Board of Adjustment/Construction Board of Appeals should determine that a closed or executive meeting or session of the Board of Adjustment/Construction Board of Appeals or a consultation with the attorney/special counsel for the Town should be held or is required, then such closed or executive meeting or session or consultation with the attorney/special counsel as authorized by the Texas Open Meetings Act, Texas Government Code, §551.001, *et seq.*, will be held by the Board of Adjustment/Construction Board of Appeals at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board of Adjustment/Construction Board of Appeals may conveniently meet in such closed or executive meeting or session or consult with the attorney/special counsel for the Town concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sections and purposes:

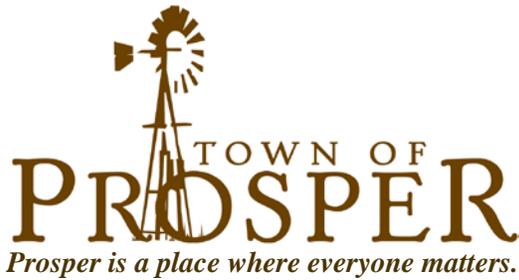
Texas Government Code:

§551.071 - Consultation with the attorney/special counsel for the Town.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Board of Adjustment/Construction Board of Appeals.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Board of Adjustment/Construction Board of Appeals Meetings are wheelchair accessible. 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 (972) 569-1011. BRAILLE IS NOT AVAILABLE.



MINUTES
Meeting of the Prosper
Board of Adjustment/Construction Board of Appeals
108 W. Broadway St., Prosper, Texas
Town of Prosper Municipal Chambers
Monday, June 8, 2015, 6:00 p.m.

1. Call to Order / Roll Call.

Board members present: Bob Wierschem, Leray Meeks, Ane Casady, Alternate Kevin Drown and Alternate George Dupont.

Board members absent: Tracy Kirl, and Steve George

Staff present: Todd White, Building Official; Alex Glushko, Senior Planner; and Pamela Clark, Planning Technician.

CONSENT AGENDA

2. Consider and act upon minutes from the September 8, 2014 Regular Board of Adjustment/Construction Board of Appeals meeting.

Motioned by Drown, seconded by Meeks, to approve the consent agenda. Motion approved 5-0.

REGULAR AGENDA

3. Consider and act upon the appointment of a Chair and Vice-Chair.

Motioned by Weirschem, seconded by Dupont, to appoint Leray Meeks as the Chair. Motioned approved 5-0.

Motioned by Dupont, seconded by Meeks, to appoint Ane Casady as the Vice-Chair. Motioned approved 5-0.

4. Conduct a Public Hearing, and consider and act upon a request for a Variance to the Zoning Ordinance to allow for a fence exceeding four feet in height and encroaching a side yard setback of a key lot, located at the southwest corner of Cedar Springs Drive and Coleto Creek Drive (1820 Cedar Springs Drive). (V15-0002).

Glushko: Summarized the request and provided information on the subject property. Explained options currently available to resident for fence replacement.

Richard Davidson (Homeowner): Described improvements that have been made in the backyard. Explained concerns for changing the type of fence. Expressed his desire to keep his privacy fence and expressed his concern over the cost that would be attributed to providing a wrought iron fence.

The Public Hearing was opened.

Board Discussion

Wierschem: Asked if the resident has completed cost estimates for the wrought iron fencing.

Dupont: Inquired about maintenance and repair options not requiring a Town permit. Requested information as to the opinion of the Town Attorney regarding this matter.

Todd White (Building Official): Stated that fence segments of no greater than sixteen feet can be replaced or repaired without a permit during a twelve month period of time.

Glushko: Stated that the Town Attorney informed that the Board has the authority to approve a Variance for this request.

The Public Hearing was closed.

Motioned by Drown to approve Variance request; motion failed due to lack of a second.

Motioned by Wierschem, seconded by Dupont, to deny the Variance request. Motion approved 3-2. Board members Wierschem, Dupont, and Casady voted to approve the motion to deny the request.

5. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

Glushko: Informed Board members of a possible upcoming meeting on July 12, 2015.

Wierschem: Inquired about the checks and balances currently in place to prevent this type of occurrence from happening in the future.

White: Explained the staffing, processes, and procedures currently in place within the Building Inspections Division.

6. Adjourn

Motioned by Dupont, seconded by Drown, to adjourn. Motion approved 5-0 at 7:03 p.m.

Pamela Clark, Planning Technician

Chair/Vice Chair