

STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF HICKORY CREEK

The Board of Adjustments of the Town of Hickory Creek, Texas convened in a special meeting on December 14, 2017 at 7:00 pm in the council chambers, located at 1075 Ronald Reagan Avenue. Notice of this meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. There may be a quorum of town council members at this meeting. The following members were present and constituted a quorum of members:

Chance Allison, Position 2  
Robert Armstrong, Position 3  
Rachel Shockey, Position 4, Chair  
Cheryl Hutchinson, Position 5  
Larry Crawford, Alternate 1

**Absent:**

Blake Abbe, Position 1, excused  
John Donahue, Alternate 2

**Also Present:**

Colby Berry, Town Attorney  
Chris Chaudoir, Administrative Assistant

The meeting was called to order at 7:02 p.m. by Rachel Shockey who also led the pledge. Commissioner Crawford gave the invocation.

**Business:**

**B. Public Hearing:**

1. Public Hearing: Hear public opinion on a request from Sean Philips for a variance of Chapter 3, Article 3.06 Fence Construction, Section 3.06.005 (c) to permit the construction of a fence exceeding 8 feet in height on the property located at 24 Indian Trail, legally described as Hickory Hills Addition, Block A, Lot 12.

Sean Phillips, 24 Indian Trail, explained that, prior to the hike and bike trail being built behind his house, a line of trees provided privacy for his property. Since the tree's removal, people using the trail can see straight into his yard and windows. He has a two-year-old daughter who often plays in the rear yard. As demonstrated by the photos provided, because of the grade of the trail and his property, those on the trail can look over an 8-foot fence but a 10-foot fence would provide privacy and security. Mike Thames, 22 Indian Trail, added that trash and debris from the trail blows down into the yards.

Commissioner Hutchinson confirmed there was no HOA in the neighborhood and the fence would provide safety and some sound protection. Commissioner Shockey established that the lot to the north was in Lake Dallas and consisted of 1 house on 12 to 14 acres. Commissioner Hutchinson asked if he had asked the hike and bike trail managers to replace the trees. Mr. Phillips responded he had spoken to the town manager who said some of the trees may be replaced but not all.

Commissioner Crawford confirmed that metal posts would be used and it would take approximately 2 months to complete construction. Commissioner Allison asked who would be building the fence and expressed concern over the spacing of the posts due to the height of the fence. Mr. Phillips said the contractor was a neighbor on the street and said the posts would probably be 6 feet apart. Commissioner Hutchinson asked if the height of the trail was the reason for the 10-foot height. Mr. Phillips explained that the photos presented were taken while standing on the trail.

Public hearing closed at 7:14.

**C. Consent Agenda Items:**

1. November 16, 2017 Meeting Minutes

**Motion:** Motion by Commissioner Hutchinson to accept the minutes as presented. Seconded by Commissioner Allison.

Ayes: Commissioners Allison, Armstrong, Shockey, Hutchinson and Crawford.

Nays: None

**MOTION PASSES UNANIMOUSLY**

**D. Regular Agenda Items:**

1. Discuss, consider, and act on the election of Board of Adjustment officers.

Rachel Shockey was elected as Chair and Cheryl Hutchinson as Vice-Chair.

2. Discuss, consider, and act on a request from Sean Philips for a variance of Chapter 3, Article 3.06 Fence Construction, Section 3.06.005 (c) to permit the construction of a fence exceeding 8 feet in height on the property located at 24 Indian Trail, legally described as Hickory Hills Addition, Block A, Lot 12.

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**Motion:** Motion by Commissioner Crawford to approve the construction of a fence with a maximum height of 10 feet of board on board construction similar to the exhibit shown with a placement as determined by the Building Official. Seconded by Commissioner Allison.

Ayes: Commissioners Allison, Armstrong, Shockey, Hutchinson and Crawford.

Nays: None

**MOTION PASSES UNANIMOUSLY**

**E. Adjournment:**

**Motion:** Motion by Commissioner Hutchinson to adjourn. Seconded by Commissioner Armstrong.

Ayes: Commissioners Allison, Armstrong, Shockey, Hutchinson and Crawford.

Nays: None

**MOTION PASSES UNANIMOUSLY**

Meeting adjourned at 7:22 p.m.

Approved:

Attest:

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Rachel Shockey, Chair  
Position 4  
Board of Adjustments

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Chris Chaudoir,  
Administrative Assistant  
Board of Adjustments