

**AGENDA
JANUARY 13, 2015
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
REGULAR MEETING - PUBLIC HEARINGS - EXECUTIVE SESSION
6:30 P.M.**

1. Call to order and invocation.
2. Discussion and action regarding the Minutes of December 9 and December 18, 2014.
3. Discussion regarding Annual City Council Retreat.
4. Application for a conditional use permit for construction of an accessory building (wooden storage shed) 192 sq. ft. in area, 8' in height not built of like design and materials as the residence on Tract 34-11 of the A. Rodriguez Survey, A-0231 at 2380 N. FM 740 (RCAD property ID# 46787) - Requested by Mason L. Randall; *(K.Dobbs)*
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.
5. Discussion and action regarding the Development Plan of the Ridge Lakes addition - Submitted by Darren Mabry of Talus Development Group, LLC. *(K.Dobbs)*
6. Discussion and action regarding the Preliminary Plat of the Ridge Lakes addition - Submitted by Darren Mabry of Talus Development Group, LLC. *(K.Dobbs)*
7. Discussion and action regarding an application submitted by Darren Mabry, Ridge Lakes Addition, for variances to Chapter 151: Signs of the Code for Real Estate Signs, specifically to:
 - 1) § 151.32 (C)(2)(b) of the Code of Ordinances that limits the height to five feet (5') to allow a sign(s) ten foot (10') in height;
 - 2) § 151.32 (C)(2)(c) of the Code of Ordinances that limits the size of a the Real Estate Sign face to thirty-two square feet to allow a fifty foot (50') sign face(s);
 - 3) § 151.32 (C)(2)(d) that limits the maximum number of signs to one sign per site to allow the placement of two signs; and
 - 4) § 151.32 (C)(2)(e) that limits the setback requirements to allow placement within the setback. *(K.Dobbs)*
8. Discussion and action regarding the Final Plat of the Heath Golf & Yacht Club Lakes Addition – HGYC, L.L.C./Whittle Development. *(K.Dobbs)*
9. Discussion and action regarding a Facilities Agreement for the Providence Addition. *(K.Dobbs)*
10. Discussion and action regarding the Final Plat of the Providence Addition - Submitted by Rockwall Ventures, Ltd. *(K.Dobbs)*
11. Discussion and action regarding application for a variance to §157.02 (C) of the Code of Ordinances (Code) that limits fences in the side and rear yard abutting a street to a maximum height of 4' to allow a fence in the rear yard of six feet (6') in height on Lot 1A, Block G15, K&K No. 2 Addition (136 Larry Drive) - requested by Jeff Macalik; *(K.Dobbs)*
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.
12. Discussion and action regarding application for a variance to §157.02 (C) of the Code of Ordinances (Code) that limits fences in the side and rear yard abutting a street to a maximum height of 4' to allow a fence in the rear yard of six feet (6') in height on Lot 12, Block B, Wellington Ridge Manor (2527 Cambridge Drive) - requested by Jimmy Duffy; *(K.Dobbs)*
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.

Heath City Hall will provide reasonable accommodations for persons attending meetings. Please contact the City Secretary at 972-771-6228 no later than 48 hours prior to a meeting if you require special assistance.

WiFi available in City Council Chambers - Password: Heath123

Page 1 of 3

13. Discussion and action regarding application for a variance to §157.06 (L) of the Code that prohibits parallel fences to allow a fence to be constructed within approximately 7' of an existing fence in the rear yard on Lot 13, Block 7, Buffalo Creek Country Club Estates , Phase 4B (809 Eagle Pass) - requested by Ann Klesmit; (*K.Dobbs*)
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.
14. Discussion and action regarding a request for the adjustment or dismissal of and subsequent refund of the property owner obligation established in a 1995 development agreement entered into by then owners Ron and Francis Robinson that deferred a \$5000 sanitary sewer impact fee for the property located at 211 Terry Lane – requested by Francis Volino, formerly Francis Robinson. (*K.Dobbs*)
15. Application to replat Lot 7, Block B of Meadowlake Village (2.12 ac.) to form 2 lots at 7 Meadowlake Drive (owner Dr. & Mrs. Paul Liechty), Heath, Rockwall County, TX - requested by Pat Atkins; (*K.Dobbs*)
 - a) **PUBLIC HEARING** (*This item is included on the agenda pursuant to published notice. Applicant requested that the public hearing be continued and that action regarding the application be deferred to February 10.*)
16. Application for a zoning change that amends Ordinance 131210C that established the planned development zoning district for the Sanctuary addition on approximately 27.6 acres, to change the minimum square footage per dwelling unit for Block A, Lots 3-11, Block B, Lots 1-5 and Block C, Lots 1-9 from 3500 sq. ft. to 3200 sq. ft. - Requested by BSKJ Development Corp.; (*K.Dobbs*)
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.
17. **EXECUTIVE SESSION** - Recess to go into Executive Session (Closed Meeting) in accordance with Government Code:
 - a) § 551.071: Consultation with Attorney regarding pending litigation – Civil Action No. 3:14-cv-04338-B, Ream v. City of Heath et al; and
 - b) §551.072: Deliberations regarding Real Property - Value of Real Property and other Municipal Uses.
18. Discussion and action regarding executive session items.
19. Adjourn.

NOTE: Pursuant to the Texas Open Meetings Act, Texas Government Code, § 551, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in Open Session following the conclusion of the Executive Session.

Agenda posted this the 9th day of January 2015 at 4:00 pm.

Stephanie Galanides, Stephanie Galanides, City Secretary

OUTLINE FOR THE CONDUCT OF PUBLIC HEARINGS

1. Mayor/Chairman calls meeting to order and reads request to be heard.
2. **Presentation.**
 - a. Applicant will present their request. Only the Council/Commission members are permitted to ask questions of the applicant.
 - b. Mayor/Chairman may ask staff to provide additional information pertinent to the request.
3. **Public Hearing.** Mayor/Chairman will open the public hearing. Mayor/Chairman may limit the time of each speaker or the total time permitted proponents and opponents. Mayor/Chairman may remind those present that public input shall be directed to the Council/Commission.
 - a. Individuals wishing to provide input to the Council/Commission will provide name and address for the record.
 - b. The Council/Commission will receive input from those in support of the request.
 - c. The Council/Commission will receive input from those in opposition to the request.
 - d. Subsequent to receiving input from those in support and those in opposition, the Mayor/Chairman will permit the applicant to make a closing statement.
 - e. The Mayor/Chairman will close the public hearing.
4. **Discussion and Action.** The Council/Commission members may discuss the request after the public hearing is closed. There may be additional discussion after a motion is made and seconded prior to a vote on the motion.
5. **Motion.** If a motion is made and seconded, it is subject to being debated, amended, tabled or withdrawn before a final vote is taken.