

**CITY OF OVILLA MINUTES**  
**PLANNING & ZONING COMMISSION**  
***Tuesday, July 5, 2022***

PL3 Chair Carol Lynch called to order the meeting of the Ovilla Planning & Zoning Commission, at 6:00 pm, with the following members present:

Pat Gray	P&Z Commissioner, PL1
Rachel Huber	P&Z Commissioner, PL2
Alan Whittaker	P&Z Commissioner, PL4
Dani Muckleroy	P&Z Commissioner, PL5
Fred Hart	P&Z Commissioner, PL6

Six Planning & Zoning Commission members were present for the meeting, thus constituting a quorum.

PL7, Lindsey Pierce was noted absent.

PL6 Fred Hart led the Pledge of Allegiance.

**COMMENTS, PRESENTATIONS, REPORTS, OR APPOINTMENTS**

- Oath of Office and Statement of Appointed Officer

City Secretary, Bobbie Jo Taylor, issued the Oath of Office and Statement of Appointed Officer to Place 2, Rachel Huber, Place 4 Alan Whittaker, and Place 6, Fred Hart. Lindsey Pierce was noted absent, and it was noted that she would be sworn in at the next Planning and Zoning Meeting.

- Citizen Comments

No comments were given at this time.

- Department Reports -

The Commission reviewed the April 2022 – May 2022 Building Permit Reports with staff.

**DEPARTMENT REPORTS**

Reviewed Building Permits of April and May 2022

**CONSENT ITEMS**

1. March 7, 2022, minutes – corrected
2. May 5, 2022, minutes

PL 4 Whittaker motioned to approve the consent items. PL 6 Hart seconded the motion. The motion carried with a unanimous vote of the Planning and Zoning Commission.

PL 7 Lindsey Pierce was noted absent.

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**PUBLIC HEARINGS**

**Public Hearing** - Ordinance No. 2022-11 An Ordinance of the City of Ovilla, Texas, repealing and replacing chapter 14 (zoning), article 5 (administration), section 45 (zoning board of adjustment) of the Code of Ordinances of the City of Ovilla; providing for the City Council to serve as the Board of Adjustment.

- a. **PRESENTATION** – Review by staff.
- b. **PUBLIC HEARING** - Receive comments from those wishing to speak.

PL3 Chair Carol Lynch opened the public hearing at 6:07 p.m.

City Secretary, Bobbie Jo Taylor, presented Ordinance No. 2022-11 to the Planning and Zoning Commission. Ms. Taylor advised that citizens had raised concerns relating to the number of variances that have been approved in recent years. Ms. Taylor noted that the Board of Adjustment currently has three members which will not be enough to hold a hearing as any variance, or special exception going before the board would need to be heard by a minimum of four members.

PL3 Chair Carol Lynch closed the public hearing at 6:10 p.m.

**INDIVIDUAL CONSIDERATION & REGULAR AGENDA**

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on forwarding a recommendation to the City Council for Ordinance No. 2022-11 An Ordinance of the City of Ovilla, Texas, repealing and replacing chapter 14 (zoning), article 5 (administration), section 45 (zoning board of adjustment) of the Code of Ordinances of the City of Ovilla; providing for the City Council to serve as the Board of Adjustment.

The Commission held discussions on the ordinance which would allow the City Council to serve as the Board of Adjustment. Commissioner Muckleroy stated that the Board of Adjustment is currently allowing for variances to be approved that Ms. Muckleroy did not feel were in harmony with the community. Commissioner Whitaker advised that while he understood that the council will need to act in place of the board that he preferred a citizen-led Board of Adjustment.

The Planning and Zoning Commission agreed that the council should replace the current Board of Adjustment but advised staff that they believe that it should be a temporary solution.

PL4 Whittaker motion to recommend to the City Council for Ordinance No. 2022-11 An Ordinance of the City of Ovilla, Texas, repealing and replacing chapter 14 (zoning), article 5 (administration), section 45 (zoning board of adjustment) of the Code of Ordinances of the City of Ovilla; providing for the City Council to serve as the Board of Adjustment.

Seconded by PL5 Muckleroy

Motion passed to recommend to council: 6-0

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PL7 Lindsey Pierce was noted absent.

**ITEM 32 DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

None

**ADJOURNMENT**

PL6 Fred Hart motioned to adjourn.

PL5 Dani Muckleroy seconded the motion.

Motion passed to adjourn: 6-0

PL7 Lindsey Pierce was noted absent.

There being no further business Chair Carol Lynch adjourned the Meeting of July 5, 2022 was adjourned at 6:21 pm.

ATTEST:

  
Cathy Gaeta, Board Secretary

Attachment: Recommendation(s)



  
Chair, PL3 Carol Lynch

APPROVED: November 7, 2022