

**MINUTES OF A PUBLIC MEETING
OF THE CITY OF BUNKER HILL VILLAGE
PLANNING AND ZONING COMMISSION
TUESDAY, OCTOBER 3, 2017 AT 11:30 A.M.**

I. CALL TO ORDER

Chairman Purifoy called the Planning and Zoning Commission Meeting to order at 11:39 a.m. based on a quorum of members present:

Present:

William Purifoy, Chairman
Catherine Wile
Bill Going
Jean Krivan
John Gillette
Monica Muschalik

Absent:

Jack Christiansen

Also in Attendance:

Councilman Robert Lord, P&Z Liaison
Loren Smith, City Attorney
Steve Smith, Dir of Public Works/Bldg Official
Karen Glynn, City Administrator
Ray Schultz, Police Chief Memorial Villages Police Dept.

II. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF THE JULY 25, 2017 MINUTES

There were several corrections to the minutes. Commissioner Bill Going was absent at the last meeting and the Memorial Villages Police Chief was inadvertently listed as Assistant Chief. "Statics" was also changed to "statistics" on item VII regarding the nuisance ordinance.

A motion was made by John Gillette and seconded by Catherine Wile to approve the minutes of July 25, 2017 with the changes noted. The motion carried 6-0.

III. PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD REGARDING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL, TEXAS AMENDING SECTION 5.04, AREA REGULATIONS, SIZE OF LOT, OF ARTICLE V, DISTRICT A REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION TO THE LOT COVERAGE REQUIREMENTS IN THE EVENT OF A RECONSTRUCTION OF AN EXISTING STRUCTURE WHEN THERE IS NO CHANGE TO THE FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; AMENDING SECTION 5.06, AREA REGULATIONS, SIZE OF YARDS, OF ARTICLE V, DISTRICT A REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION ALLOWING RECONSTRUCTION OF AN EXISTING STRUCTURE IN THE EVENT THAT THERE IS NO CHANGE TO THE EXISTING FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; AMENDING SECTION 6.04, AREA REGULATIONS, SIZE OF LOT, OF ARTICLE VI, DISTRICT B REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION TO THE LOT COVERAGE REQUIREMENTS IN THE EVENT OF A RECONSTRUCTION OF AN EXISTING STRUCTURE WHEN THERE IS NO CHANGE TO THE FOOTPRINT OR STRUCTURAL

COMPONENTS OF THE STRUCTURE; AMENDING SECTION 6.06, AREA REGULATIONS, SIZE OF YARDS, OF ARTICLE VI, DISTRICT B REGULATIONS, OF APPENDIX A, ZONING TO ADD AN EXCEPTION ALLOWING RECONSTRUCTION OF AN EXISTING STRUCTURE IN THE EVENT THAT THERE IS NO CHANGE TO THE EXISTING FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF ANY PART OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A NEW VIOLATION, AND PROVIDING FOR SEVERABILITY

Karen Glynn presented the following:

At the July 25, 2017 Planning and Zoning Commission Meeting, the Commission reviewed and discussed an amendment to the City's Code of Ordinances to allow "In Kind/Same Kind" Improvements for Main Structures. This would include an exception to the size of yards (setbacks) and lot coverage for reconstruction of homes that do not change the existing exterior structural components. Changes to windows and doors to address current safety and code requirements for egress would be allowed. The current drainage ordinance provisions would ensure the minimum slab elevation and other code issues would still need to be met.

Per the Local Government Code, a Public Hearing must be held before the Planning and Zoning Commission to amend the Zoning Ordinance for the setback and lot coverage requirements.

IV. OPEN THE PUBLIC HEARING

Chairman Purifoy opened the public hearing at 11:50 a.m.

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED ABOVE

No one spoke at the hearing.

V. CLOSE THE PUBLIC HEARING

Chairman Purifoy closed the public hearing at 11:51 a.m.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING A WRITTEN RECOMMENDATION TO THE CITY COUNCIL ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL, TEXAS AMENDING SECTION 5.04, AREA REGULATIONS, SIZE OF LOT, OF ARTICLE V, DISTRICT A REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION TO THE LOT COVERAGE REQUIREMENTS IN THE EVENT OF A RECONSTRUCTION OF AN EXISTING STRUCTURE WHEN THERE IS NO CHANGE TO THE FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; AMENDING SECTION 5.06, AREA REGULATIONS, SIZE OF YARDS, OF ARTICLE V, DISTRICT A REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION ALLOWING RECONSTRUCTION

OF AN EXISTING STRUCTURE IN THE EVENT THAT THERE IS NO CHANGE TO THE EXISTING FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; AMENDING SECTION 6.04, AREA REGULATIONS, SIZE OF LOT, OF ARTICLE VI, DISTRICT B REGULATIONS, OF APPENDIX A, ZONING, TO ADD AN EXCEPTION TO THE LOT COVERAGE REQUIREMENTS IN THE EVENT OF A RECONSTRUCTION OF AN EXISTING STRUCTURE WHEN THERE IS NO CHANGE TO THE FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; AMENDING SECTION 6.06, AREA REGULATIONS, SIZE OF YARDS, OF ARTICLE VI, DISTRICT B REGULATIONS, OF APPENDIX A, ZONING TO ADD AN EXCEPTION ALLOWING RECONSTRUCTION OF AN EXISTING STRUCTURE IN THE EVENT THAT THERE IS NO CHANGE TO THE EXISTING FOOTPRINT OR STRUCTURAL COMPONENTS OF THE STRUCTURE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF ANY PART OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A NEW VIOLATION, AND PROVIDING FOR SEVERABILITY

Karen Glynn stated this Ordinance amends the City Council’s Zoning Ordinance for both Zones A and B.

A motion was made by John Gillette and seconded by Jean Krivan to approve a recommendation to the City Council to amend the Zoning Ordinance to allow for “In Kind/Same Kind” Improvements for Main Structures. The motion carried 6-0.

VII. DISCUSSION AND DIRECTION TO RECOMMEND TO THE CITY COUNCIL AN UPDATE TO THE CITY’S NUISANCE ORDINANCE REGARDING NOISE AND ESTABLISHMENT OF A SPECIAL EVENT PERMIT – *Karen Glynn, City Administrator*

This item was introduced by Karen Glynn. The Commission continued discussion on review of the City's Nuisance Ordinance. Police Chief, Ray Schultz, Memorial Villages Police Department (MVPD) attended and shared statistics on noise complaints as MVPD is the City's enforcement entity after regular business hours which is typically the timeframe for noise complaints and concerns. It was confirmed that the summary of noise complaints shared does not include construction related complaints.

The Commission reviewed draft amendments to the Noise Ordinance, made comments, and asked Staff to bring back for further discussion. The following highlights items discussed and the direction provided by the Commission:

- **Quiet hours in residential areas:**

Sunday thru Thursday (evenings prior to work days) 10:30 p.m. – 7:00 a.m.

Friday thru Saturday and the day before defined holidays and religious holidays 12:00 p.m. – 8:00 a.m.

- **Special Event Permit:**

The idea of a permit was the majority of the discussion. This included concerns regarding the permit process. Areas of concern included what number of attendees triggers a permit and how is this applied for impromptu parties (those not necessarily planned).

The following action was taken to further provide direction to staff:

A motion was made by Monica Muschalik and seconded by Catherine Wile to increase the trigger based on the number of invitees from 35 to 50. The motion carried 6-0.

A motion was made by Catherine Wile and seconded by Monica Muschalik to include special religious holidays as exemptions to the quiet hours. The motion carried 6-0.

It was the consensus of the Commission that the intent of this ordinance is to set expectations to be “good, respectful neighbors” and to provide the Police Department with a tool for enforcement.

VIII. DISCUSSION AND DIRECTION TO RECOMMEND TO THE CITY COUNCIL AN UPDATE TO THE CITY’S SIGN ORDINANCE – *Steve Smith, Building Official/Director of Public Works*

Steve Smith presented this item. Currently, the sign ordinance includes a height requirement for Contractor Signs, Institutional Signs, and Subdivision Signs; however, there is no height requirement for “for sale or rent” signs or non-commercial signs. The maximum height requirement is five (5) feet above the natural ground level for those signs noted.

Mr. Smith shared several situations where signs have been placed on fences and also in trees. Since there is no requirement for height, there is no enforcement opportunity.

The Planning and Zoning Commission agreed that a height requirement would be beneficial to the City. However, the Commission wanted to ensure smaller signs such as warnings, alarms, or animals would not be negatively impacted.

A motion was made by John Gillette and seconded by Bill Going to approve moving forward with an amendment to the sign ordinance to include a height requirement for “for sale or rent” signs or non-commercial signs. The motion carried 6-0.

IX. UPDATE ON ACTIVITIES – *Karen Glynn, City Administrator*

Karen Glynn introduced a new item to the Commission to gain direction. This item is the use of drones and related privacy issues. Chairman Purifoy noted that he felt this was an item for us to consider. Ms. Glynn indicated that staff would do some research and bring back this topic at a later meeting.

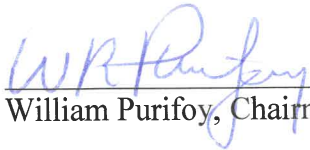
Ms. Glynn also gave a brief update on Hurricane Harvey. In addition, she reminded the Commission that the City is hosting National Night Out that evening.

The Commission set their next meeting date for Thursday, November 9, 2017 at 11:30 a.m.

X. ADJOURN

Chairman Purifoy accepted a motion to adjourn by John Gillette, seconded by Jean Krivan.
The meeting closed at 1:28 p.m.

Approved and accepted on November 9, 2017.



William Purifoy, Chairman - Planning and Zoning Commission

Attest:



Britique Williams, City Secretary