



# City of Coppel, Texas

255 E. Parkway Boulevard  
Coppel, Texas  
75019-9478

## Minutes

### Board of Adjustment

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Thursday, May 6, 2021

7:00 PM

255 Parkway Blvd.

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Mark LeGros  
(Chair)

Michelle Anderson  
(Vice Chair)

Laura Ketchum

Kimberly Grubb

Rhett Hickey

Casey Smith  
(Alternate)

**PRESENT:** Chair, Mark LeGros; Vice Chair, Michelle Anderson; Board Member, Kimberly Grubb; Board Member, Laura Ketchum; Board Member, Rhett Hickey; and Alternate, Casey Smith.

Also present were Chief Building Official, Suzanne Arnold; Development Services Administrator, Matt Steer; Board Secretary, Kami McGee; City Attorney, Robert Hager; and Audio Video Technician, Julian Coleman.

As authorized by Section 418.016(e) of the Texas Government Code, on March 16, 2020, Governor Greg Abbott suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location.

Notice was given that the Board of Adjustment of the City of Coppel, Texas, met in Regular Called Session at 7:00 p.m. on Thursday, May 6, 2021, at Town Center, 255 E. Parkway Boulevard, Coppel, Texas.

As authorized by Section 551.127, of the Texas Government Code, one or more board members or employees may attend this meeting remotely using videoconferencing technology.

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

The City of Coppel reserves the right to reconvene, recess or realign the Work Session or called Executive Session or order of business at any time prior to adjournment.

The following requirements have been suspended by the governor:

1. A quorum of the Board of Adjustment need not be present at one physical location. Id. § 551.127(b).
2. In light of (1), above, the meeting notice need not specify where the quorum of the board will be physically present and the intent to have a quorum present. Id. § 551.127(e).
3. In light of (1) above, the meeting held by videoconference call is not required to be open to the public at a location where commission is present. Id. § 551.127(f).
4. The audio and video are not required to meet minimum standards established by Texas Department of Information Resources (DIR) rules, the video doesn't have to be sufficient that a member of the public can observe the demeanor of the participants, the members faces don't have to be clearly visible at all times, and the meeting can continue even if a connection is lost, so long as a quorum is still present. Id. § 551.127(a-3); (h); (i); (j).

This meeting is closed to in person attendance by the public to reduce the spread of COVID-19. A temporary suspension of the Open Meetings Act to allow telephone or videoconference of public meetings has been granted by Texas Governor Greg Abbott. Letters and emails submitted by any citizen of the city or other party of interest to express his or her opinion concerning this agenda or other general comments to the board members will be read into the record during the Citizens Appearance portion of the meeting. Letters can be addressed to the City of Coppell Building Inspections Division, 255 Parkway Boulevard, Coppell, TX 75019, by email to [inspect@coppelltx.gov](mailto:inspect@coppelltx.gov), or by calling the Building Inspections Division at 972-304-3500.

The purpose of this meeting was to consider the following items:

1. Call To Order.

Chairman LeGros called the meeting to order at 7:00 p.m.

**Regular Session (Open to the Public)**

2. Citizens' Appearance.

Chairman LeGros advised no one signed up to speak at Citizens' Appearance.

3. Consider approval of the February 4, 2021 Board of Adjustment minutes.

A motion was made by Kimberly Grubb, seconded by Rhett Hickey, to approve the minutes as written. The motion carried by unanimous vote, (5-0).

4. PUBLIC HEARING:

Consider approval of a variance from the platted fence line setback for the Vistas of Coppell, phase 1A, to allow for the construction of a maximum of 9 foot tall wood fence in proximity to the west property line facing Bella Vista Drive, within the subdivision's platted 15-foot fence setback for side property lines facing public streets, on the property

located at 518 Waterview Drive in Coppell (Vistas of Coppell 1A, Block N, Lot 33), as requested by owner Dibya Mohapatra.

All participants wishing to speak before the Board of Adjustment were sworn-in to present testimony by Chairman Mark LeGros.

Suzanne Arnold, Chief Building Official, presented testimony and evidence with exhibits. Ms. Arnold stated that staff is recommending approval of this request for consistency with the surroundings.

Applicant and homeowner, Dibya Mohapatra, 518 Waterview Drive, Coppell, TX 75019, was sworn-in to present testimony.

Chairman LeGros opened the Public Hearing.

Eric Lee, 534 Waterview Drive, Coppell, TX 75019 was sworn-in to present testimony. Mr. Lee expressed his comments regarding the agenda item. Mr. Lee stated that granting this variance would cause visibility concerns in and out of the alley way area.

Chairman LeGros closed the Public Hearing.

The board held a discussion and deliberation concerning any hardships presented.

A motion was made by Rhett Hickey, seconded by Kimberly Grubb, to approve the agenda item subject to a condition to include a visibility cut in the construction of the fence. The agenda item received five (5) in favor and zero (0) against. The motion passed unanimously, (5-0).

All exhibits were marked and admitted into the record.

**5.**

**PUBLIC HEARING:**

Consider approval of a variance request from Section 9-2-6 (D) of the City of Coppell Fence Ordinance to allow the construction of an approximately 6 foot tall wood fence in the front yard, forward of the platted front yard setback, on the southern portion of the east side of the property located at 123 Lodge Road in Coppell (Carrick, Block A, Lot 2R), as requested by owner Rory Carrick.

Suzanne Arnold, Chief Building Official, presented the background information for agenda items #5 and #6 jointly as they are under the same ownership and use and have a shared history and existing conditions.

Ms. Arnold presented testimony and evidence with exhibits for agenda item #5 and stated that staff recommends that if this variance is approved, conditions be attached regarding the possibility of 110 Lodge Road being developed into a residence in the future.

Applicant and homeowner, Rory Carrick, 123 Lodge Road, Coppell, TX 75019, was sworn-in to present testimony.

Chairman LeGros opened the Public Hearing.

Jeff Varnell, 1601 E. Sandy Lake Road, Coppell, TX 75019, was sworn-in to present testimony. Mr. Varnell stated that he is in support of this variance request.

Chairman LeGros closed the Public Hearing.

The board held a discussion and deliberation concerning any hardships presented.

The Board requested to hear testimony on agenda item #6 before returning to the Public Hearing on agenda item #5.

All exhibits were marked and admitted into the record.

**6.**

**PUBLIC HEARING:**

Consider approval of a variance request from Section 9-2-6 (D) of the City of Coppell Fence Ordinance to allow the construction of an approximately 6 to 8 foot tall wood fence in the front yard, forward of the platted front yard setback, on the east side of the property located at 110 Lodge Road in Coppell (Carrick, Block A, Lot 1R), as requested by owner Rory Carrick.

Suzanne Arnold, Chief Building Official, presented testimony and evidence with exhibits and stated that staff recommends that if this variance is approved, conditions be attached regarding the possibility of 110 Lodge Road being developed into a residence in the future.

Chairman LeGros opened the Public Hearing. Seeing that no one wished to speak, Chairman LeGros closed the Public Hearing.

The board held a discussion and deliberation concerning hardships presented.

A motion was made by Rhett Hickey, seconded by Vice Chair Michelle Anderson, to approve agenda item #5, a variance request located at 123 Lodge Road, subject to a condition that there be articulation in the design to match the current wood fence as it relates to the continuation of the length of the wood fence. The agenda item received five (5) in favor and zero (0) against. The motion passed unanimously, (5-0).

A motion was made by Kimberly Grubb, seconded by Vice Chair, Michelle Anderson, to approve agenda item #6, a variation request located at 110 Lodge Road, subject to a condition stating that the fence at 110 Lodge Road be consistent in articulation with the fence on 123 Lodge Road and should a building ever be constructed on the property located at 110 Lodge Road, at which point, the variance will then be revoked. The agenda item received five (5) in favor and zero (0) against. The motion passed unanimously, (5-0).

All exhibits were marked and admitted into the record.

**7.**

**PUBLIC HEARING:**

Consider approval of a variance request from Section 12-35-2 (B)(2)(b) (ii) of the City of Coppell Zoning Ordinance to allow the construction of a covered patio that encroaches approximately 10 feet into the 15-foot

required side yard setback, by ordinance and by plat, on the property located at 310 Martel Drive in Coppell (Copperstone, Block E, Lot 9), as requested by owner Joshua Floren.

Suzanne Arnold, Chief Building Official, presented testimony and evidence with exhibits. Ms. Arnold stated that staff is recommending denial of this request. If the board does approve the request, staff recommends that stipulations be added such that the proposed construction does not encroach into the 10-foot utility easement that is within the building setback on the east side.

Applicant and homeowner, Joshua Floren, 310 Martel Lane, Coppell, TX 75019, was sworn-in to present testimony.

Chairman LeGros opened the Public Hearing.

Justin Meyers, 10325 Vintage Drive, Ft. Worth, TX 76244, Texas Custom Patios, Architect, was sworn in to present testimony.

Chairman LeGros closed the Public Hearing.

The board held a discussion and deliberation concerning any hardships presented.

A motion was made by Laura Ketchum, seconded by Kimberly Grubb, to approve the agenda item. The agenda item received two (2) in favor and three (3) against and, was therefore denied.

All exhibits were marked and admitted into the record.

City Attorney, Robert Hager, stated he would submit the appropriate orders to reflect the decisions of the board on all testimonies presented during the May 6, 2021 Board of Adjustment meeting.

## **8. Adjournment.**

There being no further business before the Board of Adjustment, the meeting was adjourned at 8:33 p.m.

The City of Coppell acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. Thus, in order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to the City of Coppell sponsored public programs, services, and/or meetings, the City requests that individuals makes requests for these services seventy-two (72) hours – three (3) business days ahead of the scheduled program, service, and/or meeting. This publication can be made available in alternative formats, such as Braille or large print, by contacting Kori Allen, ADA Coordinator, or other designated official at (972) 462-0022, or (TDD 1-800-RELAY, TX 1-800-735-2989).

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**Mark LeGros, Chair**

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**Kami McGee, Secretary**