

**STATE OF TEXAS
COUNTY OF HARRIS
CITY OF EL LAGO**

**CITY OF EL LAGO
CITY COUNCIL PUBLIC HEARING MINUTES
JULY 18, 2016
7:00 P.M.**

The following minutes are record votes only. Recordings of the minutes can be requested through the City Secretary's office.

7/18/2016 - Minutes

1. PUBLIC HEARING CALL TO ORDER

Pursuant to public notice as required by law, Mayor White called the July 18, 2016 City Council Public Hearing to order at 6:32 p.m.

The following city officials were present:

- Mayor Robert White
- Mayor Pro Tem John Skelton
- Councilman Jim Kelly
- Councilman Rob Kumar-Misir
- Councilman Jeff Michalak
- City Secretary Ann Vernon

The following city official was absent:

- Councilman Mark Briggs

2. HEAR PUBLIC COMMENT ON THE FOLLOWING PROPOSED ZONING ORDINANCE CHANGES AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION

Amy Sager of 1618 Fair Oaks reviewed the diagram which is a pictorial representation of the allowances and limitations of the proposed addition to Zoning ordinance, Section 5.04(17) relating to driveways. She noted that it would not be allowed to widen a driveway to extend in front of the house and asked that this limitation be reconsidered. Ms. Sager said that many who would like to widen their driveways do not have enough room to widen between the drive and the side property line and that those who do not have the space on the side should be given another alternative.

Jeff Tave of 302 Pineview Circle said he is against the general idea of allowing smoke shops and that the ordinance needs a definition of what a smoke shop can or cannot sell. He said he is also not in favor of allowing business to display wares in front of the businesses. With regards to the driveways, Mr. Tave said there was no mention of impact of the increased impervious surfaces. He said he is totally against the lack of limitation for the side yards on corner properties and that when driving down Loch Lake or Lake Bluff all that would be seen then would be concrete.

Maggie Asher, Property Manager for Taylorcrest HOA said that regarding driveways, she gives her support for the existing laws. If the city starts allowing homeowners to widen their driveways then it will reduce the amount of green space and the front of homes will start to look like parking lots.

When asked by Mayor Pro Tem Skelton, Planning & Zoning Commission Chairman Russ Gartman explained that when considering the zoning ordinance for driveways, they were looking at the following constraints: 1) there is a big change in the number of vehicles owned by an average family and so when possible they wanted to allow homeowners to widen their drives; 2) They were concerned about how it would look if people started to pave over their front yards and so they wanted to limit that just as the commercial district has a green space limitation; and 3) they did not want to limit what folks wanted to do with their backyards. With these considerations in mind and the fact that they did not want to limit the green space based on sidewalks since the walks are a big part of the community, the Commission came to the conclusion as is reflected in the proposed ordinance.

Councilman Kelly stated that at a previous meeting it was discussed that the term "smoke shop" was too general and should perhaps be more defined as a "cigar shop." Commissioner Gartman said it was left that way intentionally so that when the

Council was considering whether or not to issue a Special Use Permit to a smoke shop, the Council would be given flexibility.

Linda Harness of 714 Seaway stated she is very against homeowners expanding their driveways because they want to park more trailers, tractors, cars, etc. in them. She reiterated that she is very against giving homeowners the space and opportunity to store more in their driveways.

Chris Kuehnel of 403 W. Chelsea Place stated that limiting the expansion of driveways as a way to limit the number and types of vehicles and toys is a concern to him.

Paul Murray of 1622 W. Chelsea Place said that the gentleman from the P&Z said that the ordinance now allows anyone to pave as much driveway as possible, so a "situation where someone put in a driveway under those ordinances and now we're trying to backfill it and punish him for it. The other neighbor brought up facts about cars taking up many feet in their driveway, but there are ordinances for that too. But we decided to focus on this gentleman for whatever reason."

Judy Ernull of 815 Woodland told the Council that people knew when they selected and moved into their home what was and was not allowed. Storing campers, trailers, and the like or driveways should not be allowed because it brings down property values.

Mayor Pro Tem Skelton asked if the ordinances, if the proposed changes were adopted, would become more restrictive or detailed. Commissioner Gartman said that they were more restrictive to tattoo parlor and head shops and that most of what the Planning & Zoning Commission does is reactive. They are addressing types of businesses and the previous grandfathering of certain recreational vehicles in driveways because as currently written, they were causing enforcement issues. The Commission is attempting to clean up and clarify the ordinances so they are more enforceable. However all current requests for driveway widenings are being rejected so, in fact, the Commission is providing an opportunity for some to be able to widen their driveway. The goal of the Commission was to allow for as many as possible to be able to widen their driveways if they want, but in a way that is clearly defined so that it will create an improvement to property value rather than destroy it.

City Attorney Val Perkins added clarification that actually the city did have an ordinance before. The City Secretary was the permit officer for driveways and that as written, the ordinance gave her very little discretion. Now, the proposed ordinance is a much better and cleaner ordinance to enforce.

Jeff Tave of 302 Pineview added that yes, there were restrictions. People were to bring their plan to the City Secretary and if there was no need for ingress and egress, the permit request was to be denied.

Linda Harness of 714 Seaway said that in El Lago Estates the lots are very small and widening driveways will allow for even more trailers, boats, tractors, etc. Additionally, there are multiple families living in some of these houses who would want to widen to allow for that. She said that her family has always moved and shuffled the vehicles as needed and that is how it should be.

Amy Sager of 1618 Fair Oaks stated that there is a clearly written amendment to the ordinances stating that each house can only have one boat behind the setback line so this amendment takes care of the concern about added boats, etc.

3. ADJOURNMENT

There being no further comments, Mayor White adjourned the public hearing at 7:08 p.m.

Robert White, Mayor

ATTEST:

Ann Vernon, City Secretary