

**ZONING BOARD OF ADJUSTMENTS
MAY 27, 2006
MINUTES**

ITEM 1 CALL TO ORDER

Jeff Vardell called the meeting to order at 6:00 p.m.

ITEM 2 ROLL CALL

Those present were Jeff Vardell, Alan Gorman, Bruce Ashman, Shawn Wilkinson, Ryan Rouse and Randy Crider.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG.

Steve Grube led the invocation and pledge of allegiance to the flag.

ITEM 4 CONSIDER AND ACT ON APPROVAL OF THE DECEMBER 11, 2006 MINUTES.

Alan Gorman moved to approve the December 11, 2006 minutes. Motion seconded by Bruce Ashman. Ayes: Alan Gorman, Bruce Ashman, Shawn Wilkinson, Ryan Rouse, Randy Crider and Jeff Vardell. Nays: None. Abstentions: None. Motion passed with 6 ayes, 0 nays and 0 abstentions.

ITEM 5 PUBLIC HEARING ON A VARIANCE FROM THE DENTON COUNTY COWBOY CHURCH TO WAIVE SITE PLAN REQUIREMENT.

Alan Gorman moved to open the public hearing. Motion seconded by Bruce Ashman. Ayes: Alan Gorman, Bruce Ashman, Shawn Wilkinson, Ryan Rouse, Randy Crider and Jeff Vardell. Nays: None. Abstentions: None. Public hearing opened with 6 ayes, 0 nays and 0 abstentions.

Jeff Vardell asked if anyone would like to speak for or against the item.

Nancy Sanka of 402 Madison Place, Ponder, TX asked why this variance was being considered. Jeff Vardell replied that this variance is only meant to reduce the 5% construction cost fee and that the Council would require all rules according to town ordinance be followed. Ms. Sanka asked how much tax revenue that the Town of Ponder would receive from the Denton County Cowboy Church. Steve Grube reported that the Town of Ponder would receive \$0 as they are tax exempt. Ms. Sanka then reported that the houses on her street were affected by the gravel gas well road on the property from the dust that the trucks create and the fact that she has no privacy in her back yard now. Ms. Sanka also stated that drainage is an issue and could be detrimental to her home. She would like to see the parking lot paved. Ms. Sanka reported that there are porta-potties on the property now. Ms. Sanka reported to the board that she and the homeowner (her father-in-law) are requesting denial of this variance.

Amy Yeck of Madison Place, Ponder, TX voiced her concern about the drainage. She stated that she had water coming in her house during the flooding last year. Jeff

Vardell asked if the Church owned the property when the flooding occurred. Ms. Yeck replied no.

Don Ford of the Denton County Cowboy Church reported to the concerned citizens that by law they can not change the flow of the drainage and create a worse situation.

Alan Gorman reported that he site plan submitted does not preclude any drainage problems. He also stated that this process is not to skirt responsibility but to save the church some money. Mr. Gorman included that the Town of Ponder is going to require an engineered drainage plan and that paving the gravel road will help cut down on the dust.

Don Ford reported that the Denton County Cowboy Church has already done away with the well access road. Mr. Ford stated that he had never met any of the folks that spoke previously and introduced himself. He stated that the Church wants to be a good neighbor and that the dust isn't an issue anymore. Mr. Ford reported that 95% of the drainage is to the east and the church intended to do whatever necessary to rectify any problems that may arise. He did note that they would not be able to do everything right away. Mr. Ford reported that the roping arena is a plan for the future. Mr. Ford invited everyone at the meeting to attend the church on Wednesday nights at 7 p.m.

Nancy Sanka reported that she has recently begun seeing bobcats on the church property that she had not seen before.

Steve Grube, Chief of Police stated that he drove out in the heavy rain today to look at the drainage and everything was draining to the NE side of the property.

Chris Norwood of Madison Place, Ponder, TX welcomed the church. He asked why the church was exceptional.

Alan Gorman replied that the Town of Ponder tries to make exceptions to projects that contribute to the welfare and spiritual wellbeing of our children and our community.

In addition to the public speakers, the following land owners sent letters voicing their concern regarding the variance:

Don R. Robinson – concerns are vehicular circulation, parking and loading, lighting, screening and landscaping – not in favor of the waiver

Greg and Vivian Edwards - 402 Madison Place – concerns are dust and drainage – not in favor of the waiver

Russell Stone - 400 Madison Place – concern is drainage – not in favor of the waiver

Shawn Wilkinson moved to close the public hearing. Motion seconded by Randy Crider. Ayes: Alan Gorman, Bruce Ashman, Shawn Wilkinson, Ryan Rouse, Randy Crider and Jeff Vardell. Nays: None. Abstentions: None. Public hearing closed with 6 ayes, 0 nays and 0 abstentions.

ITEM 6 CONSIDER AND ACT ON A VARIANCE FROM THE DENTON COUNTY COWBOY CHURCH.

Alan Gorman moved to approve waiver of site plan requirements for the Denton County Cowboy Church. Motion seconded by Bruce Ashman. Ayes: Alan Gorman, Bruce Ashman, Ryan Rouse, Randy Crider and Jeff Vardell. Nays: None. Abstentions: Shawn Wilkinson. Motion passed with 5 ayes, 0 nays and 1 abstention.

ITEM 7 ADJOURN.

Bruce Ashman moved to adjourn at 6:25 p.m. Motion seconded by Alan Gorman. Ayes: Alan Gorman, Bruce Ashman, Shawn Wilkinson, Ryan Rouse, Randy Crider and Jeff Vardell. Nays: None. Abstentions: None. Motion passed with 6 ayes, 0 nays and 0 abstentions.

APPROVED:

Jeff Vardell, Mayor

ATTEST:

Sheri Clearman, City Secretary