

**CITY OF LOCKHART
ZONING BOARD OF ADJUSTMENT
JULY 7, 2025**

MINUTES

Members Present: Wayne Reeder, Mike Annas, Lori Rangel, Shawn Martinez, Arnold Proctor, Lucy Knight

Members Absent: Laura Cline, Patrick Stroka

Staff Present: Kevin Waller, David Fowler, Christine Banda

Others Present: Graciela Duran-Briceño (applicant, Agenda Item 4), Belinda Gillis, Linda Hinkle

1. Call meeting to order. Vice- Chair Rangel called the meeting to order at 6:30 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the June 2, 2025 meeting.

Member Knight moved to approve the June 2, 2025, minutes. Member Martinez seconded, and the motion passed by a vote of 6-0.

4. FV-25-01. Hold a PUBLIC HEARING and consider a request by Graciela Duran-Briceño for a Variance to the Lockhart Code of Ordinances, Chapter 12 "Buildings and Building Regulations", Article VIII "Fences", Sections 12-486(a) and 12-490(3), to allow a 6-foot-tall sheet-metal fence with 100% opacity along the entire length of the side (north) property line, including an encroachment into the front-yard setback resulting in a setback reduction from 20 feet to zero feet, consisting of 0.61 acre on Lot 6, Block 1, Wilson's Addition, zoned RMD (Residential Medium Density) and located at 622 South Guadalupe St. Section 12-486(a) establishes materials permitted for fences; and Section 12-490(3) limits fences within the minimum front-yard building setback area, being 20 feet in the RMD zone, to no more than four feet in height; said fencing must not block more than 50% of the view through the fence; and the fencing must be an element of landscaping constructed of a material approved by the Building Official.

Senior Planner Kevin Fowler came forward to give his presentation. He showed the location and before and after photos of the fence. The prior fence was all cedar wood privacy that went all the way to the front property line. The new fence with only one of the existing posts located at the front property line is now made up of sheet metal with new cedar posts. He submitted photos of properties that received some sort of violation from the city but later complied with the front yard fence requirements for that zoning district. He informed the Board that the variance request is for zero feet versus the 20 feet requirement for the front yard building setback. He explained the six variance criteria and the reasoning for his recommendation for denial of the variance request.

Vice-Chair Rangel opened the public hearing and asked for the applicant to come forward.

Applicant Graciela Duran-Briceño of 622 South Guadalupe St. stated that she is requesting a fence variance. They decided to replace it because it was falling apart. She stated she called the city and spoke with Ms. Banda about replacing her fence. Mrs. Duran-Briceño understood that if she kept one of the posts, she did not need a fence permit, and the location would be allowed. They decided to change the material so it would be sturdier for the inclement weather. They kept the post that is closest to the street as a guide for their fence. Duran-Briceño asked why during their construction no one stopped them from continuing. It would be costly for them if they had to take it all down and replace it with a different material. She believes sheet metal fencing is a more common use material for fencing and should be allowed. She pointed out other homes in the city that are in violation and believes it is not fair that she is being singled out. She has others here in support of the fence.

Member Reeder asked why a permit was not obtained.

Mrs. Duran-Briceño explained that according to her conversation with the City, a permit was not needed. She stated that the completion of the work without a required permit was not intentional, and that her husband had put a lot of work into the fence's construction.

Member Reeder confirmed with Mrs. Duran-Briceño that only one post was saved from the original fencing.

Mrs. Duran-Briceño confirmed that only one post was reused, and all the others are new posts.

Belinda Gillis of 614 South Guadalupe St. explained that she has lived in the neighborhood for 45 years. She had seen the old neighborhood and how it is now becoming more modern. She does not have a problem with the new fence. She believes it adds beauty to the neighborhood. The home next to her has a dark silt fence up for the renovation and it blocks her view when backing out, which causes more of an issue than her neighbors' new fence. Ms. Gillis is a runner and runs all around town, and has observed that there are other fences using metal materials. She would like the Board to please consider the variance and note that times are changing, and certain other materials should be allowed to be used as fencing.

Linda Hinkle of 1109 South Main St. stated that she is involved with the survey of the property. The owner needed to know where her front property line was in relation to her fence. Mrs. Hinkle drove her SUV onto the driveway of the subject property to see if the fence did not allow visibility when backing out and she said there were no issues. She saw an issue with the construction fencing two houses down that made visibility difficult. Mrs. Hinkle is not sure of the conversation the owner had with the City, but maybe there needs to be better communication, and the fencing ordinance may need updating.

Member Reeder said that the construction fencing should only be temporary.

Mrs. Hinkle replied that she understands this, but it still makes it very hard to see.

Vice-Chair Rangel asked for any other speakers; seeing none she closed the public hearing and moved to the Board discussion.

Member Knight mentioned that the ordinance might need updating because there are a lot of other materials being used for fencing now.

Member Martinez stated that other cities are using this very same metal material, and agrees that the ordinance needs to be updated.

Member Knight moved to approve FV-25-01, with the exception that the applicant must comply with the front yard building setbacks for fencing. Those requirements are no more than four feet in height with 50% visibility and approved material listed in the city ordinance. Member Martinez seconded, and the motion passed by a vote of 6-0.

5. Discuss the date and agenda of the next meeting.

Mr. Waller stated that the next regularly scheduled meeting will be held on August 4, 2025. The deadline for applications is Monday, July 14th.

6. Adjournment.

Member Knight moved to adjourn the meeting, and Member Martinez seconded. The motion passed by a vote of 6-0, and the meeting adjourned at 7:25 p.m.

Approved: 8/4/2025
(Date)


Christine Banda, Recording Secretary


Laura Cline, Chairwoman