

**CITY OF OVILLA MINUTES**  
**Monday January 9, 2023**  
**Board of Adjustment Meeting**

Mayor Richard Dormier called a Special Meeting of the Ovilla Board of Adjustment to order at **6:00 p.m.** and roll was called with the following BOA members announcing their presence, thus constituting a quorum:

Richard Dormier	Mayor
Kimberly Case	PL1 Council Member
Dean Oberg	PL2 Council Member
David Griffin	PL3 Council Member
Doug Hunt	Mayor Pro Tem
Brad Piland	PL5 Council Member

Six board members were present constituting a quorum. Code Officer Mike Dooly, City Manager, and City Secretary were in attendance.

The Pledge of Allegiance was led at this time.

It was announced that PL3 Griffin would serve as Chair for this meeting, and Mayor Richard Dormier would serve as Vice Chair.

**CONSENT ITEMS**

None

**Individual Consideration**  
**Public Hearing**

**Item 1.**      **BOA 23.01 - Public Hearing and Discussion** of an appeal to the Ovilla Code of Ordinances, Chapter 14, Zoning, 30.3 **ACCESSORY AND RESIDENTIAL ACCESSORY BUILDINGS; PLACEMENT** filed by Fortino Pineda for a residential variance for an accessory building with the main opening/doors facing the front of the property located at the residence of 109 Elmwood Dr, Ovilla, TX 75154.

***Chair Griffin read aloud the captioned request and opened the Public Hearing at 6:05 p.m. (Testimony that followed was under proper oath, City Representative)***

Code Enforcement Officer Mike Dooly opened with the explanation that the applicant is wanting to put the main opening/doors facing the front of the property. If the property is not used for agricultural purposes, the doors are to face at a 90-degree or 180-degree angle from the front of the main building. Dooly concluded that Mr. Pineda's use is intended for personal storage, therefore not in compliance with city ordinance.

***(Testimony that followed was under proper oath, Applicant)***

Mr. Pineda explained that the property is not large enough to be able to turn in or out of the doors if the doors are placed on the side or the back of the building. Mr. Pineda requested the doors be located on the front of the building.

***(Chair Griffin asked if there were any speaking in support)***

*Richard Dormier, Mayor*  
*Kimberly Case, PL1*  
*Dean Oberg, PL2*

*Doug Hunt, Mayor Pro Tem*  
*David Griffin, PL3*  
*Brad Piland, PL5*

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**(Chair Griffin asked that those speaking in opposition of the request)**

Dani Muckleroy was against the building based the building materials to be used. She had no objection to the location of the doors.

**(Rebuttal or Final Comments)**

Dalia Lopez, who spoke for the applicant, had a rebuttal expressing that they were trying to keep their building within the standard of other buildings already in existence in Ovilla.

**The Public Hearing was closed at 6:16 p.m.**

**DISCUSSION/ACTION – Consideration** of requested **Variance** filed by Fortino Pineda.

The Findings-of-Fact were read aloud. After further discussion, the Board reviewed the criterion and completed the *Findings-of-Fact* form resulting in a **positive** outcome.

PL4 Hunt moved that the BOA APPROVE the request for Fortino Pineda on a Variance as requested on his property at 109 Elmwood Dr, as presented.

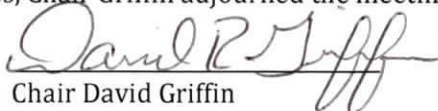
PL2 Oberg seconded the motion.

**VOTE: The motion to APPROVE carried 5-1 with Mayor Dormier opposing the motion.**

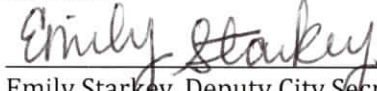
**ITEM 2. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

None

**Adjournment** There being no further business, Chair Griffin adjourned the meeting at 6:23 p.m.

  
Chair David Griffin

ATTEST:

  
Emily Starkey, Deputy City Secretary  
**Attachment(s): Findings of Fact (1)**

**Approved on February 13, 2023**



Richard Dormier, Mayor  
Kimberly Case, PL1  
Dean Oberg, PL2

Doug Hunt, Mayor Pro Tem  
David Griffin, PL3  
Brad Piland, PL5