

**MINUTES: CITY COUNCIL MEETING  
NOVEMBER 17, 2008**

**MEMBERS**

**PRESENT:** Mayor Joe Higgs, Councilman Andy Garza, Councilman Robert Patton, Councilman Mike Walker, Councilman Thomas Muir.

**MEMBERS**

**ABSENT:** Councilman Glenn Ervin

**OTHERS**

**PRESENT:** City Manager Mike Brice, City Secretary/Asst. City Manager Rose Chavez, Director of Development Services Joseph Iliff, Bob Koger, C.J. Smith, Bill Wright, and Shannon Graves-Sanger Courier

**1. Call Meeting to Order, Invocation, Pledge of Allegiance.**

Mayor called meeting to order, Councilman Muir led the invocation, followed by Councilman Garza leading the Pledge of Allegiance.

**2. Citizens Input:**

Citizens are allowed 3 minutes to speak. The City Council is unable to respond or to discuss any issues that are brought up during this section.

None

**CONSENT AGENDA**

- 3. a) Approve Minutes: November 3, 2008 - City Council**  
**b) Disbursements**  
**c) Approve Interlocal Cooperation Agreements for Fire and Ambulance Services Between the Sanger Volunteer Fire Department and Denton County**  
**d) Approve Resolution #R11-16-08 Adopting the 2008 Parks and Recreation Master Plan**

Councilman Garza had a question concerning the TML conference and inquired where it was held.

City Manager advised it was held in San Antonio. The expenses to the TML conference were clarified, which included hotel accommodations, meals, and mileage reimbursement.

City Manager advised that the staff is in the process of applying for a grant through the Texas Department of Parks and Wildlife. In order to meet the criteria for

funding sometime in the Spring, this master plan has to be in place by January 1, 2009.

Motion was made by Councilman Patton to approve the consent agenda. Seconded by Councilman Walker . Motion carried unanimously.

4. Consider any Items Removed from Consent Agenda.

None

5. Consider and Possible Action on Ordinance #11-35-08 - Amending the Code of Ordinances, Repealing Section 11.205, Setting Homestead Exemptions for Persons Over 65 Years of Age and for Disabled Persons.

City Manager advised that when the Council adopted these exemptions it was done by Council action, and as advised by the City Attorney this is to be done by City ordinance.

Councilman Walker asked if the numbers had changed.

City Manager advised that they did not.

Councilman Garza asked if the exemptions could be stated for the record.

City Secretary indicated that the “Over 65 Exemption” is \$30,000 and the “Disable Exemption” is \$20,000.

Motion made by Councilman Walker to adopt Ordinance #11-35-08-Amending the Code of Ordinances, Repealing Section 11.205, Setting Homestead Exemptions for Persons Over 65 Years of Age and Disabled Persons. Seconded by Councilman Garza. Motion carried unanimously.

Caption As Follows:

**ORDINANCE # 11-35-08**

**AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF SANGER, AS HERETOFORE AMENDED, BY REPEALING SECTION 11.205; SETTING HOMESTEAD EXEMPTIONS FOR PERSONS OVER 65 YEARS OF AGE AND FOR DISABLED PERSONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

6. Conduct Public Hearing on Ordinance #11-36-08 - Zoning Change From SF-7 Single Family Residential District - 7 to PD (SF-7) Planned Development Single

**Family Residential District on 101 Lots in the Sable Creek Addition, Phase II  
Owned by Sable Creek Partners, Ltd.**

**Mayor declared public hearing open.**

**There was not anyone who spoke for or against.**

**Mayor declared public hearing closed.**

- 7. Consider and Possible Action on Ordinance #11-36-08 - Zoning Change From SF-7 Single Family Residential District - 7 to PD (SF-7) Planned Development Single Family Residential District on 101 Lots in the Sable Creek Addition, Phase II Owned by Sable Creek Partners, Ltd.**

**City Manager advised that there was one change in the zoning change which was the number of lots from 101 to 100.**

**Joe Smith representing Sable Creek Partners, LTD., addressed the Council concerning his request. He advised the change would permit the construction of larger, single-story homes than what is permitted under the current zoning regulations. In the past they have submitted variance requests before the Board of Adjustments. Mr. Iliff, Director of Development Services, advised him that in order for the Board of Adjustment to grant a variance it had to be a hardship and building a larger home was not a hardship.**

**The current zoning under SF-7 requires a minimum rear set back of 25 feet and a minimum side yard of 20 feet. In the Planned Development District it allows for a 20 feet rear yard setback and a 17 feet side yard adjacent to a side street to accommodate a larger home.**

**Mr. Smith continued to discuss that as President of the HOA he has to approve all the house plans for the subdivision. He emphasized that he does not know what the housing market will do for next year but expects it to be a lot better.**

**Discussion followed concerning the set back requirements.**

**Councilman Garza indicated that this has been brought up before and Council knows how he feels concerning these type of changes. He emphasized that we certainly need homebuilders and more homes to be built. His concern with this request is that we keep changing the requirements. He asked if it would not be easier to change the requirements in SF-7.**

**Mr. Smith indicated the main purpose is to set the minimum square footage for the house and establishing the setbacks. He continued to explain the purpose for his request. He discussed the refinancing and the debt on this development. He**

explained that the collateral on this debt is Phase II. He also wanted the park land released from the bank for future park improvements.

Councilman Patton indicated he understood Councilman Garza's concern, and possibly the Council needs to review the code of ordinances in the future. He does not have a problem with putting larger homes on those lots. This is similar to what Council did for Ranger Creek. The benefit for the City is the tax base this would generate.

Councilman Garza indicated he does not have a problem with the larger homes; his concern is minimizing the lot setbacks to accommodate a larger house in a subdivision that already had the required zoning at the time of platting.

Councilman Muir made the motion to approve Ordinance #11-36-08 zoning change from SF-7 Single Family Residential District-7 to PD (SF-7) Planned Development Single Family Residential District on the corrected 100 lots in the Sable Creek Addition, Phase II. Seconded by Councilman Patton. Motion carried 3 Ayes and 1 Nay vote by Councilman Garza.

Councilman Garza explained that the only reason he opposed is that he feels we are compromising the zoning requirements.

Mayor Higgs and the City Manager asked for clarification of the vote.

Councilman Walker indicated he hesitated in voting yes, and the only reason he voted for the request, is because staff had already approved this, and if it was up to him, he would have voted no. He explained that he agrees with Councilman Garza. If we have the zoning requirements, then we must abide by them. He is trusting staff's recommendation in making the right decision.

Councilman Muir indicated that bigger developments are done in Planned Development District, and the zoning requirement is a guide that is used to dictate the area requirements for that type district. In a planned development it allows flexibility to fit larger developments. It makes more sense to allow Planned Development Districts than just platting lots and meeting zoning requirements. This is the reason he voted for this request. We have to rely on staff to oversee those Planned Developments Districts.

City Manager advised that the Planning and Zoning Commission passed this request unanimously.

**8. Information Items:**

- a) City of Sanger Investment Report
- b) Monthly Library Report
- c) Letter from the Regional Transportation Council

**9. Adjournment.**

**Mayor Higgs adjourned the meeting.**