



**LAKEWOOD VILLAGE TOWN HALL  
100 HIGHRIDGE DRIVE  
LAKEWOOD VILLAGE, TEXAS**

**TOWN COUNCIL MEETING  
MAY 10, 2018 7:00 P.M.**

**REGULAR SESSION – AGENDA**

Call to Order and Announce a Quorum is Present

**A. PLEDGE TO THE FLAG:**

**B. VISITOR/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action may be taken on these items at this meeting.

**C. PRESENTATIONS:** Recognition of the service of outgoing Councilman Newsome and Councilman Tantalo

**D. PUBLIC HEARING:** A public hearing is scheduled to provide an opportunity for citizen comment on a requested variance to allow a flatwork encroachment in side yard setback at 705 Stowe Lane.

**E. CONSENT AGENDA:** All of the items on the Consent Agenda are considered to be self-explanatory and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item from the Consent Agenda a speaker card must be filled out and submitted to the Town Secretary prior to the call to order.

1. Canvass of Election Returns for the May 5, 2018 Lakewood Village General Election (Asbell)
2. Resolution Declaring the Results of the May 5, 2018 Lakewood Village General Election (Asbell)
3. Minutes of March 8, 2018 (Asbell)
4. Minutes of March 30, 2018 (Asbell)

**F. REGULAR AGENDA:**

1. Variance Request for flatwork encroachment in side yard for driveway at 705 Stowe (Asbell)
2. Dark Skies Presentation, by Gordan Meredith (Reed)

**G. EXECUTIVE SESSION:** In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: §551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.; and (3) § 551.072 Texas Government Code to wit: deliberations about real property

**H. RECONVENE:** Reconvene into regular session and consideration of action, if any, on items discussed in executive session

**I. REPORTS:** Reports about items of community interest. No formal action may be taken on these items at this meeting.

**J. ADJOURNMENT**

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 4:45 p.m. on Monday, May 7, 2018.

Linda Asbell, TRMC, CMC, Town Secretary



The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more members of the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD Board during this meeting.



**MAY 5, 2018  
GENERAL ELECTION**

**UNOFFICIAL TABULATION  
OF VOTING TALLIES**

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<b>POSITION</b>	<b>CANDIDATE</b>	<b>Early Voting Total</b>	<b>Election Day Total</b>	<b>Unofficial Totals</b>
<b>Mayor Place 6</b>	Mark Vargus	154	21	175
	Brent Ashton	73	17	90
<b>Council Place 2</b>	Darrell West	166	30	196
<b>Council Place 4</b>	Serena Lepley	176	30	206
<b>TOTAL VOTES</b>		227	38	453

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Early Votes Cast	227
Election Day Votes Cast	38
Registered Voters	453
Total Ballots Cast	265
Voter Turnout	59%

Linda Asbell, TRMC, CMC  
Town Administrator/Town Secretary



**RESOLUTION NO. 18-01**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, DECLARING THE RESULTS OF THE CANVASS FOR THE ELECTION RETURNS OF THE ELECTION OF MAY 5, 2018, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO MEMBERS OF COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE**

**WHEREAS**, the Town Council of the Town of Lakewood Village, Texas, duly ordered a general election to be held in said Town on May 5, 2018, for the purpose of electing a mayor and two members of the Town Council of the Town of Lakewood Village; and

**WHEREAS**, proper notice of said election was duly and legally given and that said election was held in accordance with the election laws of the State of Texas; and

**WHEREAS**, a Canvass of the Election including the returns was conducted on May 10, 2018; and

**WHEREAS**, it was found that the persons herein named received the following votes for said term of office on the Town Council of the Town of Lakewood Village:

<b><u>Mayor</u></b>	<b>Dr. Mark E. Vargus</b> received 175 or 66.04% of the votes cast;
<b><u>Council, Place 6,</u></b>	<b>Brent Ashton</b> received 90 or 33.96% of the votes cast;

<b><u>Council, Place 2,</u></b>	<b>Darrell West</b> was unopposed and received 196 or 100% of votes cast
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<b><u>Council Place 4.</u></b>	<b>Serena Lepley</b> was unopposed and received 206 or 100% of the votes cast;
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**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:**

**SECTION 1.** The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**SECTION 2.** Dr. Mark E. Vargus is hereby declared to be duly elected as Mayor, Place 6.

**SECTION 3.** Darrell West is hereby declared to be duly elected as Council Member, Place 2.

**SECTION 4.** Serena Lepley is hereby declared to be duly elected as Council Member Place 4.

**SECTION 5.** The Lakewood Village Town Council hereby finds and determines, as a result of the Canvass, held on May 10, 2018, that a combined, Early Voting and Election Day, total of 265 ballots were cast in the Election, with 227 early ballots cast, and 37 Election Day ballots cast as indicated by the poll list for the Election held on May 5, 2018.

**SECTION 6.** It is hereby declared that the Town Council of Lakewood Village approves and accepts the results of the Election for Mayor Place 6, Council Place 2, and Council Place 4, as determined by the vote of the qualified voters of the Town of Lakewood Village as set out in the Summary of Returns, Exhibit A.

**SECTION 7.** This Resolution shall become effective immediately upon its passage by the Lakewood Village Town Council.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS,** on this 10th day of May, 2018.

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Dr. Mark E. Vargus  
MAYOR

**ATTEST:**

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Linda Asbell, TRMC, CMC  
Town Secretary

## SUMMARY OF RETURNS FOR OFFICIAL CANVASS

I, Dr. Mark E. Vargus, Mayor, and the presiding officer of the canvassing authority for the Election, held on the 6<sup>th</sup> day of May, 2017, Lakewood Village, Denton County, Texas, do hereby certify that the following is a total of all votes received by each candidate for the General Election as shown by the final tally. I further certify that the following vote totals are reported in compliance with the Texas Election Code

<i>Position</i>	<i>Candidate Name</i>	<i>Early Voting</i>	<i>Election Day</i>	<i>Total</i>
Mayor Place 6	Dr. Mark E. Vargus	154	21	175
	Brent Ashton	73	17	90
Council Place 2	Darrell West	166	30	196
Council Place 6	Serena Lepley	176	30	206

Combined Election Day and Early Voting Ballots Cast: 265

Provisional Votes Cast (Incurable): 1

Under Votes: 59

Over Votes: 0

Total Number of Registered Voters in the Town of Lakewood Village: 453

Percentage of Registered Voters in the Town of Lakewood Village that Cast Ballots: 59%

Dated this 10<sup>th</sup> day of May, 2018

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Dr. Mark E. Vargus, Mayor  
Presiding Officer of Canvassing Authority

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**MARCH 8, 2018**

**Council Members:**

Dr. Mark Vargus, Mayor  
Ed Reed – Mayor Pro-Tem  
Clint Bushong  
Gary Newsome  
Dan Tantalo  
Elizabeth Shields

**Town Staff:**

Linda Asbell, TRMC, CMC, Town Secretary

**REGULAR SESSION - 7:00 P.M.**

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:00 p.m. on Thursday, March 8, 2018, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

**PLEDGE TO THE FLAG:**

**(Agenda Item A)**

Mayor Vargus led the Pledge of Allegiance

**VISITOR/CITIZENS FORUM:**

**(Agenda Item B)**

Deputy Ricky Olivarez with the Denton County Sheriff's Department introduced a Women's Empowerment Program he is instructing. It is a self-defense class available to all women who live or work in Denton County.

**PUBLIC HEARING:**

**(Agenda Item C)**

A public hearing was held to provide an opportunity for citizens to comment on the requested variance to allow a front facing garage at 807 Carrie Lane. Mayor Vargus opened the public hearing at 7:04 p.m.

No one requested to speak.

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REGULAR SESSION  
MARCH 8, 2018**

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**MOTION:** Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Tantalo, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:04 pm. *The motion carried.*

**REGULAR AGENDA:**

**(Agenda Item D)**

**Consideration of Variance Request to Allow  
Front Facing Garage at 807 Carrie Lane  
(Asbell)**

**(Agenda Item D.3)**

Eric Farage reported that the secondary structure will be 280 feet away from the road. The addition will be used as a home for a relative with a rare disease that requires the home to be ADA compliant. Due to the ADA restrictions and the layout of the lot the location of the structure is limited to one area which requires the structure to have a front facing garage and it will very slightly encroach into the side-yard setback. Councilman Tantalo inquired about the process of approval because the flatwork is already in place. Mr. Farage reported that he stopped the construction when he realized that he needed a variance because of the distance of the ramp. There was some discussion about the current restrictions on location and layout of secondary structures and the front facing garage requirement.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted five (5) “ayes”, no (0) “nays” to approve the variance for the front facing garage at 807 Carrie Lane as requested. *The motion carried.*

**Consideration of International Dark Skies  
Association Certification (Asbell)**

**(Agenda Item D.1)**

Mayor Vargus reported that Mayor Pro-Tem Reed and Sheryl France have dedicated a great deal of time investigating the possibility of achieving the Dark Skies Certification. Mayor Vargus stated that he wanted to bring this item to council to receive direction from council before tasking staff to spend time on the application.

Mayor Pro-Tem Reed reported that the town joined the Dark Skies Association for a membership fee of \$35.00. Mayor Pro-Tem Reed stated that he believes there is an advantage to the town to have a consistent lighting policy. The town currently has several different types of street lights in town and a consistent lighting policy would be more aesthetically pleasing and environmentally friendly. Mayor Pro-Tem Reed reviewed some of the requirements of the application process and the steps for approval as a Dark Skies Community. Mayor Vargus reported that it is virtually impossible for larger cities to achieve the Dark Skies designation

**LAKEWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
MARCH 8, 2018**

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because of the lighting for commercial establishments and major roadways that is already in place. Lakewood Village is in a position that is unique because a great deal of our development has not yet occurred. The requirements are practical and easy for Lakewood Village to meet. Mayor Pro-Tem Reed reported that the town has only 30 street lights and those could be replaced at the time new development comes in. Councilman Bushong stated that he believes this is the right time for Lakewood Village to put this plan in place. CoServ is testing two sets of new lights at the intersection of Hillside and Shoreline and the intersection of Peninsula and Shoreline that are Dark Skies approved. Mayor Pro-Tem Reed invited everyone to drive by and provide feedback on the lights. Councilman Newsome reported that the light pollution has quadrupled in the time that he has lived here and he supports the effort to standardize and control lighting.

Councilman Tantalo stated that he is concerned about priorities and requirements stated by this organization. Councilman Tantalo stated that he believes the town should pass an ordinance establishing the town priorities rather than joining an organization that requires compliance with their lighting regulations. Mayor Vargus stated that the purpose of this agenda item is to get feedback from the council about whether or not the council supports the idea of this effort before tasking Town Secretary Asbell to complete the application for certification. Councilwoman Shields asked about the timeline for compliance and maintenance of the designation. There was some discussion about the difference in pricing between International Dark Skies Association compliant and non-compliant light fixtures. Councilwoman Shields reported that she found a city in California that implemented Dark Skies fixtures which resulted in an 80% savings on their electric costs. There was some discussion about the cost of replacing street lights with compliant fixtures and the portion of the cost covered by CoServ. There was some discussion about the benefit of establishing a policy for consistent lighting requirements throughout the town. Councilwoman Shields stated that she is interested in the cost savings benefit of the effort. Mayor Pro-Tem Reed reported that the applications of other cities are available on the websites of International Dark Skies Association and the Texas Dark Skies Association. There was discussion about moving forward and the next steps in the process of applying for certification.

**MOTION:**    *No Motion Made.*

**Consideration Minutes of the February 8,  
2018 Council Meeting (Asbell)**

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**(Agenda Item D.2)**

**MOTION:**    Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem Reed, council voted four (4) “ayes”, no (0) “nays” with one abstention (Newsome) to approve the minutes of the February 8, 2018 Council Meeting as presented. *The motion carried.*



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REGULAR SESSION  
MARCH 8, 2018**

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**EXECUTIVE SESSION:**

**(Agenda Item E)**

At 8:02 p.m. Mayor Vargus recessed into executive session in accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: (1) §551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.; and (3) § 551.072 Texas Government Code to wit: deliberations about real property.

**RECONVENE:**

**(Agenda Item F)**

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 8:09 p.m.

**REPORTS**

**(Agenda Item G)**

No Reports

**ADJOURNMENT**

**(Agenda Item H)**

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem Reed council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 8:15 p.m. on Thursday, March 8, 2018. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of May 2018.

APPROVED

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Ed Reed  
MAYOR PRO-TEM

**LAKEWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
MARCH 8, 2018**

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ATTEST:

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Linda Asbell, TRMC, CMC  
TOWN SECRETARY

# **LAKEWOOD VILLAGE TOWN COUNCIL**

## **COUNCIL MEETING**

**MARCH 30, 2018**

### **Council Members:**

Dr. Mark Vargus, Mayor  
Ed Reed – Mayor Pro-Tem  
Clint Bushong  
Gary Newsome  
Dan Tantalo - ABSENT  
Elizabeth Shields

### **Town Staff:**

Linda Asbell, TRMC, CMC, Town Secretary

### **SPECIAL SESSION - 6:00 P.M.**

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 6:18 p.m. on Thursday, March 30, 2018, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

### **PLEDGE TO THE FLAG:**

**(Agenda Item A)**

Mayor Vargus led the Pledge of Allegiance

### **REGULAR AGENDA:**

**(Agenda Item B)**

**Consideration of Interlocal Agreement  
between the Town of Lakewood Village, City  
of Oak Point, and the Town of Little Elm for  
Sewer Service for Republic Property Group  
Development in City of Oak Point (Vargus)**

**(Agenda Item B.1)**

Mayor Vargus reviewed the map of the development and reported that the development is only in Oak Point. Mayor Vargus reported that Lakewood Village anticipated development in this area four years ago and began working on obtaining the sewer certificate of convenience and necessity. Mayor Vargus reported that Town Secretary, Linda Asbell and he met with Oak Point and negotiated an agreement. All three cities agree that the use of the property will be exclusively for single family residential development. Little Elm drafted the interlocal agreement and will provide the sewer service. Mayor Vargus reported that the developer has already agreed to pay the legal fees for the review of the interlocal agreement. Mayor Vargus

**LAKEWOOD VILLAGE TOWN COUNCIL  
SPECIAL SESSION  
MARCH 30, 2018**

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stated this is an opportunity to be a good neighbor and assist Oak Point with a development that benefits their town and the area. Mr. Chris Farage, 805 Carrie Lane, asked if Little Elm services the development does that then, open the door for Little Elm to extend services into Lakewood Village. Mayor Vargus reported that the agreement also specifically prohibits extending sewer service any farther into Lakewood Village Sewer Certificate of Convenience and Necessity.

**MOTION:** Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Newsome, council voted four (4) “ayes”, no (0) “nays” to approve the Interlocal Agreement with Oak Point and Little Elm for Sewer Service for Republic Property Group in the City of Oak Point. *The motion carried.*

**EXECUTIVE SESSION:**

**(Agenda Item C)**

No executive session was held.

**RECONVENE:**

**(Agenda Item D)**

**ADJOURNMENT**

**(Agenda Item E)**

**MOTION:** Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Bushong council voted four (4) “ayes” and no (0) “nays” to adjourn the Special Session of the Lakewood Village Town Council at 6:18 p.m. on Friday, March 30, 2018. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of May 2018.

APPROVED

\_\_\_\_\_  
Ed Reed  
MAYOR PRO-TEM

ATTEST:

\_\_\_\_\_  
Linda Asbell, TRMC, CMC  
TOWN SECRETARY



## VARIANCE REQUEST

100 Highridge Drive  
Lakewood Village, TX 75068  
(972) 294-5555 Office (972) 292-0812 Fax  
[linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)

### BUILDING DEPARTMENT

REVISED: 10/09/2014

APPLICANT / OWNER		
Applicant Name <b>Bill King</b>	Address <b>705 STOWELANE LAKWOOD VILLAGE, TX 75068</b>	
Day Time Telephone <b>214-683-4153</b>		
Email <b>3Kings3@gmail.com</b>		
Owner Name <b>Bill King</b>	Same as Applicant? <input checked="" type="checkbox"/> Yes	Address
Day Time Telephone <b>SAME</b>		
Email <b>SAME</b>		
PROPERTY		
Address or General Location <b>705 STOWELANE</b>		
Legal Description (If Platted) <b>SECTION 5, BLOCK D LOT 8</b>		
Lot Size <b>1.67</b>	<input type="checkbox"/> Square Feet OR <input checked="" type="checkbox"/> Acres	Zoning Classification <b>Single Family Residential</b>
Existing Use of Land and/or Building(s) <b>RESIDENCE</b>		
REQUESTED VARIANCE		
Variance to Section(s) of the Ordinance <b>4.3.4. of ORDINANCE 1404</b>		
Current Ordinance Requirement(s) <b>12' Sideyard Setback</b>		
Requested Variance(s) <b>Side Entry Garage, currently 22' - REQUEST 28' 5' from Property Line, 10' to Neighbor's Driveway</b>		



## BUILDING DEPARTMENT

# VARIANCE REQUEST

100 Highridge Drive  
Lakewood Village, TX 75068  
(972) 294-5555 Office (972) 292-0812 Fax  
[linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)

REVISED: 10/09/2014

### SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and the authorizing the applicant to represent the person, organization, or business that owns the property.

If not platted, a metes and bounds legal description of the property.

A written statement documenting the reason for the variance(s), including evidence that the request complies with the following criteria as required for approval of a variance.

- 1) A unique physical condition exists within or adjacent to the subject tract or structure(s) located thereon which distinguishes it from other similarly situated, and which creates an exceptional hardship, difficulty, or inequity that would result from literal enforcement of the ordinance;
- 2) The condition or characteristic noted above is not caused by an action of the property owner, occupant, or applicant;
- 3) The variance is the minimum amount necessary to allow a reasonable use of the property;
- 4) The sole reason for the variance is not a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship;
- 5) The variance will not adversely affect public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same district; and,
- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

### NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

Date

5/5/18



