



**CITY OF MELISSA  
BOARD OF ADJUSTMENT  
AGENDA**

Monday, November 10, 2025      City of Melissa City Hall  
Work Session at 6:30 p.m.      3411 Barker Avenue  
Regular Meeting at 6:45 p.m. or      Melissa, TX 75454  
immediately following the  
conclusion  
of the Work Session

## 1. WORK SESSION AGENDA

- A. Call to order
- B. Roll Call
- C. Public Comments
- D. Discussion regarding regular agenda items
- E. Adjourn

## 1. REGULAR MEETING AGENDA

## 2. CALL TO ORDER AND ROLL CALL

### **3. PLEDGE OF ALLEGIANCE**

#### 4. PUBLIC COMMENTS

*This item is available for citizens to speak for up to 3 minutes on any on any subject of which the Board of Adjustment has authority. However, no discussion or action, by law, may be taken on the topic unless and until properly posted on a future agenda.*

## 5. AGENDA

- A. Consider the December 9, 2022 Work Session and Regular Meeting Minutes.
- B. Conduct a public hearing and consider a request for a variance to the City's Base Code regulations regarding fence regulations on Block 1, Lot 1 of the Koch Addition Final Plat, City of Melissa, Collin County, Texas and generally located at 1902 Dawson St., City of Melissa, Collin County, Texas. (TL)

## Adjourn

Certified to this the 3<sup>rd</sup> day of November 2025

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Tyra LaVerne  
Assistant Director of  
Development Services

Posted: 3 November 2025 @ 5:30 p.m.

If during the course of the meeting covered by this notice, the Board of Adjustment should determine that a closed or executive meeting or session of the Board of Adjustment or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code §551.001 et seq., will be held by the Board of Adjustment at the date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the Board of Adjustment may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

551.071 Private consultation with the attorney for the City.

## City of Melissa Board of Adjustment Staff Report



**Date** November 10, 2025  
**Subject** Conduct a public hearing and consider a request for a variance to the City's Base Code regulations regarding fence regulations on Block 1, Lot 1 of the Koch Addition Final Plat, City of Melissa, Collin County, Texas and generally located at 1902 Dawson St., City of Melissa, Collin County, Texas. (TL)

**Submitted by** Tyra LaVerne, Assistant Director of Development Services

### Action Requested

Conduct a public hearing and consider a request for a variance to the City's Base Code regulations regarding fence regulations.

### Summary of Subject

In late June, City Staff became aware that a six-foot (6') fence had been installed at 1902 Dawson without a permit. Code Compliance notified Development Services Staff, who subsequently contacted the property owner regarding the issue.

Following notification, the property owner submitted a fence permit application. The City's third-party plan reviewer, Bureau Veritas, reviewed and denied the permit because the proposed fence does not comply with City Code. Specifically, the fence is located within the front yard and has a height of six (6) feet. Under City Code, only decorative fences constructed of masonry, wood, or wrought iron, and not exceeding three (3) feet in height above the finished grade, are permitted in the front yard.

Because the fence has already been installed, the property owner is requesting a variance to allow the existing six-foot fence to remain in its current location. The applicant has indicated that the new solid wood fence replaced a previous chain-link fence of similar alignment.

The applicant has provided photographs of the newly constructed fence and a written statement outlining the reasons for the variance request, both of which are included for the Board's consideration.

### Staff Recommendation

Approval or disapproval of a variance to the City's Code will be a policymaker decision.

### Supporting Documents

1. Location of Subject Tract.docx

2. Application 1902 Dawson St.pdf
3. thumbnail\_image0.jpg
4. thumbnail\_image0 (1).jpg
5. thumbnail\_image1.jpg
6. thumbnail\_image2.jpg

## Location of Subject Tract





## APPEAL TO THE BOARD OF ADJUSTMENT

City of Melissa, Texas

Receipt Date 8/26/25

**PLEASE TYPE OR PRINT USING BLACK INK**

### **DATA RELATIVE TO VARIANCE REQUEST:**

Street Address: 1902 dawson st Zoning District: city of melissa  
 Lot Number: 1 Block Number: 1 Addition: collin county

### **TO THE HONORABLE BOARD OF ADJUSTMENT:**

juan barcenas

Applicant

Applicant's Phone Number & FAX Number

<u>1902 dawson st</u>	<u>melissa</u>	<u>tx</u>	<u>75454</u>
Applicant's Street Address	City	State	Zip

In accordance with the provisions of the Comprehensive Zoning Ordinance, appeal is now made to the Honorable Board of Adjustment to grant the following variance request:

i respectfully request that the board grant this variance so i may keep my existing fence in place. the fence provides privacy and security for my property, enhances the appearance of the home, and does not create any safety hazards or negatively impact neighboring properties. i believe maintaining it as it stands is both reasonable and consistent with the spirit of the zoning ordinance, and i kindly ask for the board's approval.

In order to make a finding of hardship and to grant a variance, the Board of Adjustment must determine that **all** of the following conditions are met. State how your request meets these conditions. **Please note that the stated hardship may not be financial or self-induced.**

- a. The requested variance does not violate the intent of the Ordinance or its amendments: the hardship in this case is related to the unique need for the security and privacy on this property. the fence and gate provide protection for my family and home while also preserving the quiet enjoyment of the property.
  
  
  
- b. Special conditions or restricted area, shape, topography, or physical features exist that are peculiar to the subject parcel of land and are not applicable to other parcels of land in the same zoning district: the subject property has unique conditions that distinguish it from the other parcels in the same zoning district. due to the layout and exposure of the lot, the property is more directly visible and accessible than surrounding parcels. these conditions create a greater need for privacy and security than would ordinarily exist. the 6 foot fence and electronic gate address these concerns in a way that is tailored to the property's specific circumstances, while not negatively impacting neighboring parcels.

**IF APPLICANT IS NOT PROPERTY OWNER, PLEASE COMPLETE THE FOLLOWING:**

Juan Barcenas 469-388-4866  
Property Owner (Please Print) Telephone Number

1902 dawson st melissa tx  
Street Address City State Zip

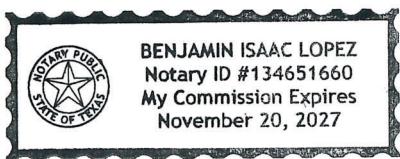
# STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF Collin

Subscribed and sworn to before me this 28 day of August, 2025 by  
Juan Barcenas, who, on his/her oath certifies that the above statements are true and correct to  
the best of his/her knowledge.

Benjamin Lopez My commission expires: 11-20-2027  
(Notary Public)

I do hereby certify that the above statements are true and correct to the best of my knowledge.



John 08/28/25

(Applicant's Signature)

08/28/25

**If the owner of the subject property is not the applicant**, by signing below, the owner authorizes the applicant or his authorized representative to make this application on his behalf and to appear before the Board.

(Owner)

(Date)

Submit the completed application to Development Services via email to [development@cityofmelissa.com](mailto:development@cityofmelissa.com)  
For questions, please email Development Services at [development@cityofmelissa.com](mailto:development@cityofmelissa.com)  
OR call #972-838-2036

**IF APPLICANT IS NOT PROPERTY OWNER, PLEASE COMPLETE THE FOLLOWING:**

Property Owner (Please Print) \_\_\_\_\_ Telephone Number \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tenant Name (Please Print) \_\_\_\_\_ Telephone Number \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**STATE OF TEXAS**  
COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who, on his/her oath certifies that the above statements are true and correct to the best of his/her knowledge.

\_\_\_\_\_  
(Notary Public) My commission expires: \_\_\_\_\_

I do hereby certify that the above statements are true and correct to the best of my knowledge.

\_\_\_\_\_  
(Applicant's Signature) (Date)

**If the owner of the subject property is not the applicant**, by signing below, the owner authorizes the applicant or his authorized representative to make this application on his behalf and to appear before the Board.

\_\_\_\_\_  
(Owner) (Date)

Submit the completed application to Development Services via email to [development@cityofmelissa.com](mailto:development@cityofmelissa.com)  
For questions, please email Development Services at [development@cityofmelissa.com](mailto:development@cityofmelissa.com)  
OR call #972-838-2036

7509 PENNWOOD CIRCLE  
BOWLING GREEN, KY 42128

**SURVEY PLAT**

The logo for Burns Surveying. It features a stylized 'B' icon inside a circle on the left, and the word 'BURNS' in a bold, blue, sans-serif font next to it. Below 'BURNS', the word 'SURVEYING' is written in a smaller, blue, all-caps, sans-serif font.

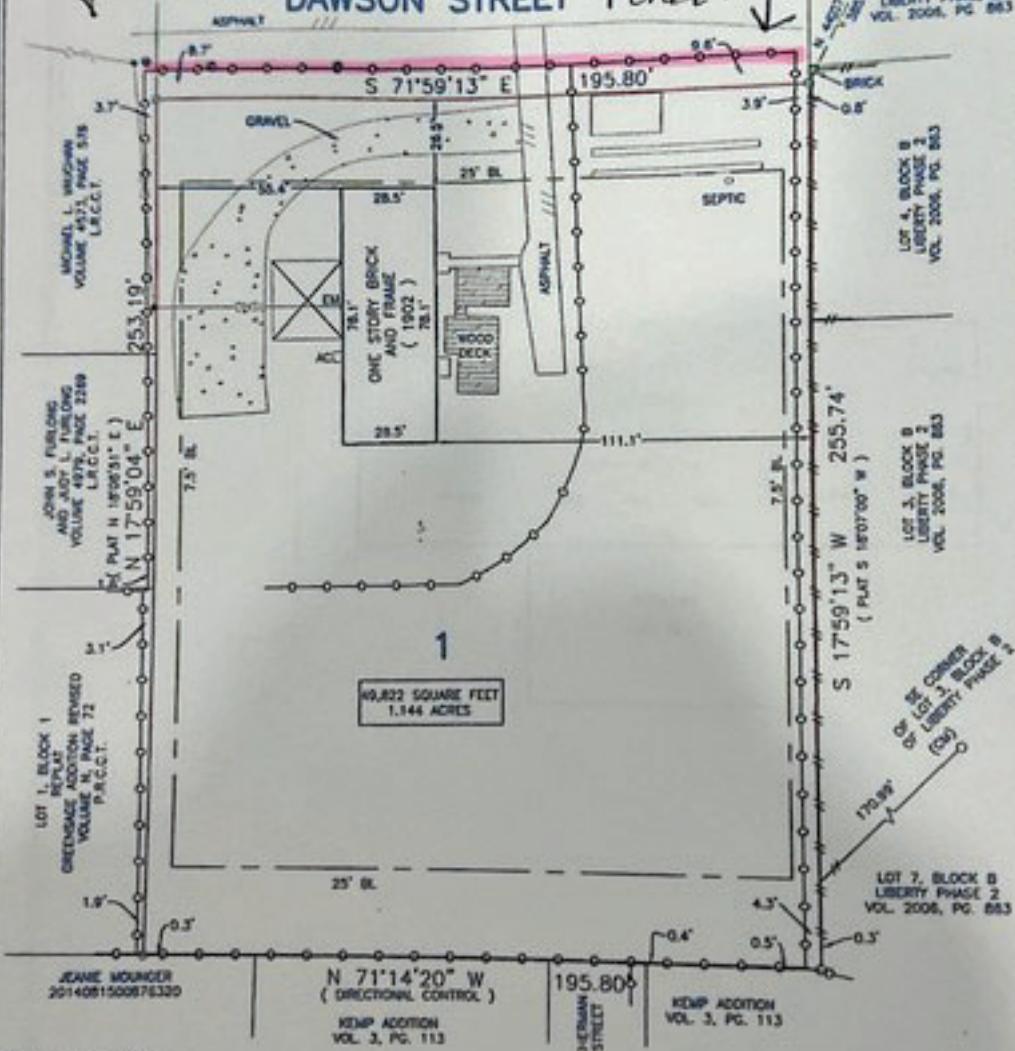
BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090  
This is to certify that I have, this date, made a careful and accurate survey on the ground of property  
located at No. 1902 DAMSON STREET, in the City of MELISSA, Texas.  
Being Lot 1, Block 1, Koch Addition, an Addition to the City of Melissa, Collin County, Texas, according to  
the Map thereof recorded in Volume 2014, Page 303, of the Map Records of Collin County, Texas.

THE ABOVE DESCRIBED PROPERTY  
DOES NOT LIE IN A FLOOD HAZARD  
AREA ACCORDING TO THE FENIA  
FLOOD INSURANCE RATE MAP  
COMMUNITY PANEL NO.  
4808500550

DAWSON STREET fence.



40 (CW)  
NW CORNER OF  
LOT 6, BLOCK D  
LIBERTY PHASE 3  
VOL. 2008, PG. 883



EASEMENTS RECORDED IN  
THE FOLLOWING VOLUME &  
PAGES TO THE BEST OF  
MY KNOWLEDGE AND BELIEF  
DO NOT AFFECT THE ABOVE  
DESCRIBED PROPERTY.

ACCEPTED BY: \_\_\_\_\_

The plot hereto is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the past; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Score: 100 - 45

Date: 11/19/2022

Q. T. No. 517005100

2020087

Job No.: 20200811

Drawn by: MM

THE BOSTONIAN

ITS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.  
- USE OF THIS SURVEY FOR ANY OTHER PURPOSE  
- OR OTHER PARTIES SHALL BE AT THEIR RISK AND  
- UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR  
- ANY LOSS RESULTING THEREFROM.  
- THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR

OLD REPUBLIC NATIONAL TITLE







