

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, July 7, 2014 at 6:00 p.m.

The meeting was called to order at 6:02 p.m. by Chair P. Jason Aldridge. Boardmembers present were Dick Larson, Bill Cline, and Alternate Steve Gartside. Boardmembers Cecil Gibson and Barry Tyler were absent.

Staff members present: City Administrator Don Ferguson and City Secretary Cara McPartland

1. Consent Agenda

- A. Approval of minutes of the May 27, 2014 meeting of the Board of Adjustment.
- B. Approval of minutes of the June 10, 2014 meeting of the Board of Adjustment.

Boardmember Larson moved to approve the minutes of May 27, 2014 and June 10, 2014, as presented. Chair Aldridge seconded. Motion carried on a vote of 4-0.

2. Public Hearings and Possible Action

Public hearing and consider possible action on Case No. BA-14-011, a request for a variance to the Section of the City of Wimberley Zoning Code relating to construction within a required rear setback for a property zoned Single Family Residential 2 (R-2) at 220 Sunrise, Wimberley, Hays County, Texas. (*Bob Holland, Applicant*)

City Administrator Ferguson stated the applicant's site development plans to construct a detached garage call for the structure to encroach eight and one-half feet (8 1/2') into the required twenty-foot (20') rear yard setback on the southeast corner of the property. According to the applicant, the encroachment is necessary to protect several live oak trees and to allow adequate turning space for vehicles coming and going from the proposed garage.

City Administrator Ferguson noted that no opposition has been received regarding the proposed variance and recommended approval.

Chairman Aldridge opened the public hearing. Hearing no comments, Chairman Aldridge closed the public hearing.

Brief discussion addressed the limited area of encroachment and minimal impact on the large-tract property along the rear of the subject property.

Boardmember Larson moved to approve the requested variance, with the inclusion of affirmative findings on all six conditions listed below, required for granting of variance pursuant to City of Wimberley Ordinance No. 2001-010, Section 10:

1. That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of this ordinance would (a) deprive the applicant of the reasonable use of the property; and (b) create an unnecessary hardship in the development of this property; and
2. That such circumstances or conditions are (a) not self-imposed; (b) not based solely on economic gain or loss; and (c) do not generally affect most properties in the vicinity of the property; and
3. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
4. The variance if granted will not: (a) adversely affect the public health, safety or welfare; (b) be contrary to the public interest; and (c) be injurious to or adversely affect the orderly use of other property within the area; and
5. The property involved is otherwise in compliance with all other applicable City ordinances, rules, and regulations; and
6. The granting of the variance will be in harmony with the spirit and purpose of this ordinance.

Boardmember Cline seconded. Motion carried on a vote of 4-0.

3. Board Member Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda items, Boardmember Larson moved to adjourn.

City Administrator Ferguson reported on the status of a possible hearing date relating to an administrative appeal of a previous Board of Adjustment decision.

Chairman Aldridge called the meeting adjourned at 6:12 p.m.

Adjourned at 6:12 p.m.

Recorded by:

Cara McPartland
 Cara McPartland



These minutes approved on the 8th day of September, 2014.

APPROVED:

[Signature]
 P. Jason Aldridge, Chair