

**Village of Wimberley**  
City Hall, 13210 Ranch Road 12, Wimberley, Texas

**Minutes of Board of Adjustment Meeting**  
Monday, March 27, 2006– 6:30 p.m.

The meeting was called to order at 6:30 p.m. by Chair Barbara Vansant. Board Members present were Jason Aldridge, Charli Manross, Steve Gartside and Bill Cline. Barry Tyler recused himself due to an association with an issue on the agenda, specifically, BA006-002.

**A. Minutes of Previous Meeting**

Board Member Aldridge moved to accept the Minutes of the previous meeting of March 6, 2006; Motion was seconded by Chair Vansant and motion passes.

**B. Consider and Act**

**C. Public Hearing: Applications for Variances**

Chair Vansant moved the meeting ahead to Item C2 on the Agenda.

**2. BA 006-001** – Applicant, Ross King, 14210 Ranch Road 12 (King Feed & Hardware), Wimberley, Texas. (Agent: Chris Nichols)

**Chair Vansant read a letter from King Feed in which the owner and agent have decided to pursue a WPDD on the above mentioned property. They requested to suspend the Variance request of the March 6, 2006 meeting.**

**1. BA 006-002** - Applicant, Ray Lewandowski, 785 Sunset Drive, Wimberley, Texas

The Village of Wimberley Board of Adjustment will consider a request for variances for the above referenced property, for requirements as shown below:

- a. Section 47.8 (c) Lot Size Multiplier
- b. Section 47.8 (g) Ridge Development
- c. Section 47.8 (h) Private Roads and Driveways
- d. 47.13 Impervious Cover

Interim City Administrator Wright presented the history of this issue for this application made in early March of this year.

It was described as 4 variances for single family on 12.03 acre lot in RA zoning. These variances were requested in 2002 at the same location. At that time, the Board of Adjustment for the Village of Wimberley (City Council, at that time) granted the variances. (August 14, 2002). No construction action was taken by the applicants, through no fault of their own. They are back to request variance with the same application and circumstances as in their previous request. City Engineer Wilkerson has reviewed the case and the Site Plan Review and has made similar findings as those he made in 2002. Specifically, Mr. Wilkerson indicated that regardless of the location on the lot, the same variances apply. City Engineer Wilkinson holds the same opinion that the 4 variances deal with the Village's steep slope requirements, from the Village's Zoning Ordinance.

Mr. Wright further informed Board the applicant and the applicant's agent were present in the audience; the applicant also was represented by his builder and

architect who were also present. They had furnished a site map showing the location of the house.

**At this time, Chair Vansant accepts jurisdiction of this matter.**

**PUBLIC HEARING OPENED AT 6:45 p.m. Chair Vansant offered the opportunity for those speaking in favor of the variances to speak.**

**Martin Barrera, architectural representative acting as agent for applicant addressed Board.** Mr. Barrera informed Board of the special circumstances of the site and read from their application. He described the unique topographical nature of the site and indicated the strict application of the zoning ordinance would create hardship on the applicant.

Mr. Barrera described the project as having been downsized from the original 2002 project and is now a more modest project, with a limited scope. He read from the findings of the last Board of Adjustment (from August 14, 2002) in which the variance was granted.

**Ron Freeman, 781 Sunset Road, Wimberley, Texas**

Spoke in favor of the variance, indicating he is a neighbor and believes the variance will benefit and enhance the area.

**Gary Furman, Architect for project**

Spoke in favor of the variance and presented a schematic design for visual understanding of the requested variances.

**Rickey Wright advise of a telephone conversation from Elke Bloomfield, 44 Section 2, Paradise Hills, speaking in favor of the variances.**

**Chair Vansant offered the opportunity for those speaking against the variances to speak.**

**Lane Hartsock, downhill neighbor to the project spoke against the variance.**

Mr. Hartsock expressed concerns over each variance and was most concerned about any changes to the steep hill which he believes will cause dirt and rock to slide down the hill. He also expressed concern about the project being obvious from his location .

Discussion among Board of Adjustment members and Mr. Hartsock about the placement of his property and the effects of this construction.

Chair Vansant offers the opportunity for applicant to offer rebuttal:

**Mr. Barrerra returns for rebuttal:**

Mr. Barrerra addressed the concerns and presented their construction plans as including stabilizing effects via the choice of a silt fence, dry stack rock wall and screening where reasonably possible.

**Mr. Hartsock returns for rebuttal:**

Mr. Hartsock informed Board members of his background as having taught Geography and Geology for Texas State University and has had some education with steep slope issues. He expressed his concern regarding the force of water and the resulting difficulties as he sees it.

Rickey Wright, Interim City Administrator, informed the Board the project must undergo a site development review and water is part of the site development consideration. This will be a safeguard for Mr. Hartsock's water concern.

Chair Vansant offers questions to staff from the Board and inquiries to Council. Specific questions refer to the previous variance being granted. Legal Council Falk provides Board with information and practical considerations about granting and denial of the present variance.

**Public Hearing closed at 7:30 p.m.**

**Motion by Board Member Gartside to approve Variance BA 006-002, Lewandowski, 785 Sunset Drive, Wimberley, Texas; Motion seconded by Board Member Cline.**

Section 47.8 (c) Lot Size Multiplier granted with 5-0 vote.  
Section 47.8(g) Ridge Development granted with 5-0 vote.  
Section 47.8 (h) Private Roads and Driveways granted with 5-0 vote.  
Section 47.13 Impervious Cover granted with 5-0 vote.

Motion to Adjourn by Board Member Manross was seconded by Board Member Cline; Motion passes with 5-0 vote.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,



Moira Martin  
City Secretary  
Village of Wimberley