

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, March 31, 2014 at 6:00 p.m.

The meeting was called to order at 6:00 p.m. by Chair P. Jason Aldridge. Board members present were Dick Larson, Cecil Gibson, Barry Tyler, and Bill Cline.

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

1. Consent Agenda

Approval of minutes of the February 24, 2014 meeting of the Board of Adjustment.

Boardmember Larson moved to approve the minutes of February 24, 2014, as presented. Boardmember Cline seconded. Motion carried on a vote of 5-0.

2. Public Hearings and Possible Action

- A. Public hearing and consider possible action on Case No. BA-14-005, a request for a variance to the Sections of the City of Wimberley Zoning Code relating to minimum setbacks in a Single Family Residential 2 (R-2) zoned district for property located at 145 Climbing Way, Wimberley, Hays County, Texas. (*John Pfeffer and Patti Humphries, Applicants*)

City Administrator Ferguson reviewed the subject property's location and frontage in Planning Area I. He advised that the applicants are proposing to construct a small one- or two-story home, which will require a ten-foot encroachment into the required dominant street setback due to the subject property's limited lot size and unusual configuration. City Administrator Ferguson noted that no opposition has been received regarding the proposed variance and City staff recommended approval.

Chairman Aldridge opened the public hearing.

Discussion between applicant Patti Humphries and City Administrator Ferguson established that construction of a one-story versus a two-story home does not impact the requested variance.

Discussion addressed subject property frontage, planned building site for the proposed residential structure, compliance with Code requirements throughout the construction process, existing septic system, driveway access, building challenges posed by unusual lot configuration, and orientation of proposed structure on lot.

Chairman Aldridge closed the public hearing.

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 Tyler seconded. Motion carried on a vote of 5-0.

- B. Public hearing and consider possible action on Case No. BA-14-006, a request for variances to the Sections of the City of Wimberley Zoning Code relating to requirements of the Protected Waterway Overlay District in a Public Facilities (PF) zoning district for property located at 951 FM 2325, Wimberley, Hays County, Texas. (*Wimberley ISD, Applicant*)

City Administrator Ferguson reviewed the subject property's location, PF zoning, and intended use as WISD's new Administration Building. He noted that the applicant plans to remodel and convert the existing Annex and Storage Facility into the new Administration Building without changing the building footprint. He advised that development plans call for the construction of two (2) rock berms, the edge of a concrete drainage channel, and a small fire access turnaround, which are considered to be impervious cover. Because the planned improvements require the addition of impervious cover, which is prohibited within the Protected Waterway Overlay District (PWOD), a variance is needed from City Code Sections 155.092(E)(3) and (F)(4). He noted that WISD officials indicate the location of these improvements is unavoidable due to the location of the existing building and parking areas.

City Administrator Ferguson noted that no comments have been received regarding the proposed variance and City staff recommended approval.

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

Boardmember Larson moved to approve the requested variance, with the inclusion of affirmative findings on all six conditions (as listed above), required for granting of variance pursuant to City of Wimberley Ordinance No. 2001-010, Section 10. Boardmember Cline seconded. Motion carried on a vote of 5-0.

3. Board Member Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson reported the Board’s next meeting is scheduled for Monday, April 14, 2014.

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

Chairman Aldridge called the meeting adjourned at 6:26 p.m.

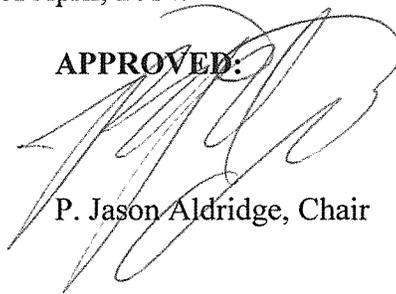
Adjourned at 6:26 p.m.

Recorded by:

Cara McPartland
 Cara McPartland

These minutes approved on the 14th day of April, 2014.

APPROVED:



P. Jason Aldridge, Chair

