

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, February 13, 2012 at 6:00 p.m.

The meeting was called to order at 6:10 p.m. by Chair P. Jason Aldridge. Board members present were Cecil Gibson, Barry Tyler, Steve Gartside, and Bill Cline. Boardmembers Tevis Grinstead and Dick Larson were absent.

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

Consent Agenda

Approval of minutes of the previous meeting of the Board of Adjustment.

Boardmember Tyler moved to approve the minutes of December 12, 2011, as presented. Boardmember Gibson seconded. Motion carried on a vote of 5-0.

1. Public Hearing and Possible Action

Public hearing and consider possible action on Case No. BA-12-001, a request for a variance to the City of Wimberley Zoning Code, Section 155.037(D)(3) regarding the dominant street setback requirement in a Single Family Residential 2 (R-2) zoning district for property located at 235 Smith Creek Road, Wimberley, Hays County, Texas. (*Ed Foster, Applicant*)

City Administrator Ferguson reviewed the application, including the subject property's location, acreage, zoning, and plans for the proposed addition's 15-foot encroachment into the required 40-foot dominant street setback. Due to the close proximity of the existing residence to Smith Creek Road, an adjacent property line, and Smith Creek itself, the applicant is proposing to encroach into the dominant street setback with the home addition. One inquiry was made by a surrounding property owner, but no opposition or support was expressed. Details were provided on the proposed structure's size and design.

Chairman Aldridge opened the public hearing.

Discussion among Board members, the applicant, and staff addressed the subject property's boundaries, distance of the proposed structure from Smith Creek Road, and septic system plans.

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

City Administrator Ferguson cited conditions required for granting of this variance pursuant to City of Wimberley Ordinance No. 2001-010, Section 10, recommending the inclusion of specific, written findings in the motion as follows:

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 moved to approve the requested variance, with the inclusion of affirmative findings on all six above listed conditions, as cited by City Administrator Ferguson. Boardmember Gibson seconded. Motion carried on a vote of 5-0.

3. Board Member Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda items, Chairman Aldridge entertained a motion to adjourn. Boardmember Gartside moved to adjourn. Boardmember Tyler seconded. Chairman Aldridge called the meeting adjourned at 6:22 p.m.

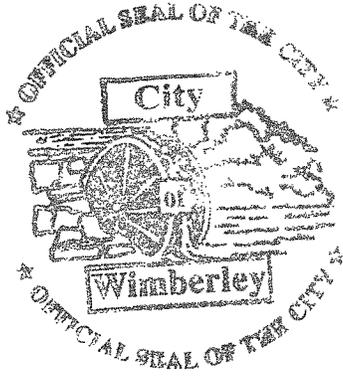
Adjourned at 6:22 p.m.

Recorded by:



Cara McPartland

These minutes approved on the 16th day of April, 2013.



APPROVED:

A handwritten signature in black ink, appearing to read "P. Jason Aldridge".

P. Jason Aldridge, Chair