

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, February 24, 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 January 27, 2014 meeting of the Board of Adjustment.

Boardmember Larson moved to approve the minutes of January 27, 2014, as presented. Boardmember Tyler seconded. Motion carried on a vote of 5-0.

2. Public Hearing and Possible Action

Public hearing and consider possible action on Case No. BA-14-004, a request for a variance to the Section of the City of Wimberley Zoning Code relating to minimum setbacks on commercially zoned property located at 13320 Ranch Road 12, Wimberley, Hays County, Texas. (*Randall Morris, Applicant*)

City Administrator Ferguson reviewed the application, including the subject property's location as the site of Randall Morris Century 21 Real Estate Office within the Entrance Corridor Overlay District, and current/proposed zoning and uses. He noted that the applicant is proposing an addition to the northwest corner of the existing real estate office building, which will encroach into the required 10-foot side setback at two (2) locations. One of the proposed encroachments is 7 feet 9 inches, while the other is 6 feet 9 1/4 inches. The applicant chose to expand the northwest corner of the building to avoid impacting trees and parking located adjacent to the other sides of the building. He advised that the applicant is in the process of acquiring the small tract of vacant land closest to the corner of the office building that is being expanded, therefore, the proposed encroachment will impact the applicant once the sale of the adjoining tract has been finalized. City Administrator Ferguson explained that a variance request is required pursuant to City Code, even if the adjacent property that is being encroached upon, is under the same ownership as the subject property.

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

Chairman Aldridge opened the public hearing.

Charles Roccaforte of Hill Country Plans, Inc. offered to answer any questions.

Discussion clarified the exact location of the encroachments on the subject property, ownership of adjacent tract(s), and future roadway improvements at the intersection of Ranch Roads 12 and 3237.

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

3. Board Member Reports

- Announcements
- Future Agenda Items

In response to Boardmember Cline's inquiry, City Administrator Ferguson stated Wimberley Independent School District (WISD) is making modifications to its planned improvements, some of which may impact the number of parking spaces for school events. He anticipated future variance requests to be submitted by WISD.

City Administrator Ferguson reported there has not been a decision by the court on a recent appeal filed regarding a Board of Adjustment decision.

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

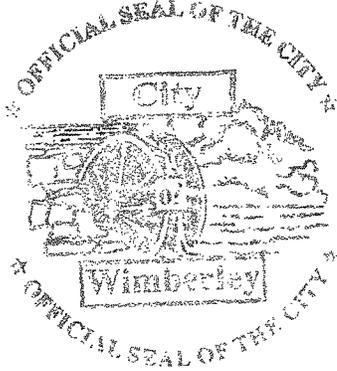
Chairman Aldridge called the meeting adjourned at 7:15 p.m.

Adjourned at 7:15 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved on the 31st day of March, 2014.



APPROVED:

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

P. Jason Aldridge, Chair