

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, May 1, 2017 at 6:00 p.m.

The meeting was called to order at 6:15 p.m. by Chair P. Jason Aldridge. Board members present were Dick Larson, Barry Tyler, Rebecca Minnick, and Bill Cline.

Staff members present: Assistant City Administrator Cara McPartland

1. Consent Agenda

Approval of minutes of the November 7, 2016 meeting of the Board of Adjustment.

Boardmember Larson moved to approve the minutes, as presented. Boardmember Minnick 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-17-001, a request for a variance to the setback requirements of the City of Wimberley Zoning Code to allow for an encroachment into the required dominant street setback for a property zoned Single Family Residential 3 (R-3) located at 640 Rhodes Lane, Wimberley, Hays County, Texas. (*Dwayne Patlyek, Applicant*)

Assistant City Administrator McPartland reported on the subject property's location, zoning, and applicant's plans to construct a carport that would encroach nine and one-half (9 1/2) feet into the required thirty (30) foot dominant street setback. The applicant states the encroachment is necessary due to the small size of the lot (0.24 acre), location of the existing leach field and existing structures on the property. Assistant City Administrator McPartland advised that one (1) phone call inquired about the variance request, but no opposition was received.

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

Discussion among the Board, applicant, and staff addressed lack of other options for placement of the carport, intended use of the property as a rental, and landscaping.

Boardmember Larson moved to approve the requested variance, as presented, 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 Minnick seconded. Motion carried on a vote of 5-0.

- B. Public hearing and consider possible action on Case No. BA-17-002, a request for a variance from the setback requirements of the City of Wimberley Zoning Code to allow for an encroachment into the required dominant street setback for a property zoned Single Family Residential 3 (R-3) located at 125 Rockwall Road, Wimberley, Hays County, Texas. (*Dwayne Patlyek, Applicant*)

Assistant City Administrator McPartland reported on the subject property's location, zoning, and applicant's plans to construct a carport that would encroach slightly under two (2) feet into the required thirty (30) foot dominant street setback. The applicant states the encroachment is necessary due to the small size of the lot (0.24 acre), location of the existing leach field and existing structures on the property. Assistant City Administrator McPartland advised that one (1) phone call inquired about the variance request, but no opposition was received.

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

Discussion among the Board, applicant, and staff addressed location of existing structures on the subject property.

Boardmember Minnick moved to approve the requested variance, as presented, 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.

3. Board Member Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda items, Boardmember Larson moved to adjourn and Chair Aldridge called the meeting adjourned.

Adjourned at 6:30 p.m.

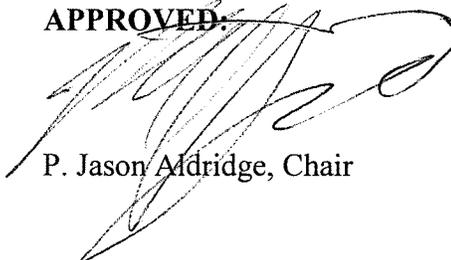
Recorded by:

by Sandra L. Floyd

Cara McPartland

These minutes approved on the 12th day of June, 2017.

APPROVED:



P. Jason Aldridge, Chair