

**City of Wimberley**  
City Hall, 221 Stillwater, Wimberley, Texas  
**Minutes of Board of Adjustment Meeting**  
Monday, June 12, 2017 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, Barry Tyler, Rebecca Minnick, and Bill Cline.

Staff members present: Interim City Administrator Cara McPartland

**1. Consent Agenda**

Approval of minutes of the May 1, 2017 meeting of the Board of Adjustment.

Boardmember Larson moved to approve the minutes, as presented. Boardmember Cline 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-17-003, 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 2 (R-2) located at 1998 Hilltop Drive, Wimberley, Hays County, Texas. (*Chris Chicko, Applicant*)

Interim City Administrator McPartland reported on the subject property's location, zoning, and applicant's plans to construct a new single family residence that would encroach twenty (20) feet into the required forty (40) foot dominant street setback. It was noted that many of the surrounding homes have a dominant street setback of ten (10) to fifteen (15) feet, since they were constructed prior to City incorporation. The requested encroachment will allow the house location to fit harmoniously with the neighboring properties. Another reason cited for the variance is that if the home is constructed at the forty (40) foot setback, issues with building height may arise due to the rear slope of the tract, obstructing scenic views.

Interim City Administrator McPartland advised that one (1) phone call inquired about the variance request, but no opposition was received. Two emails were received in support of the variance request.

Chairman Aldridge opened the public hearing.

Applicant Chris Chicko spoke on the challenges of building on the subject lot, given its topography and significant slope. He said most surrounding homes do not meet the forty (40) foot setback requirement due to these factors. It was noted that building to the required twenty (20) foot setback caused concerns about building height and obstruction of others' views.

Lee Uerkwitz of 1022 Hilltop Drive questioned what the builder would do if the variance were not granted. Mr. Chicko was willing to work with the neighbors on any concerns they may have. She wondered why the builder bought this lot knowing the challenges he faced in building on it.

Mr. Chicko said it is a beautiful lot and wanted to avoid the eyesore a huge foundation in the back would cause if forced to build farther back on the lot.

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

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

### 3. Board Member Reports

- Announcements
- Future Agenda Items

Boardmember Cline recognized Boardmember Larson for his many years of service on the Board of Adjustment, as this is Mr. Larson's last meeting.

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

**Adjourned at 6:18 p.m.**

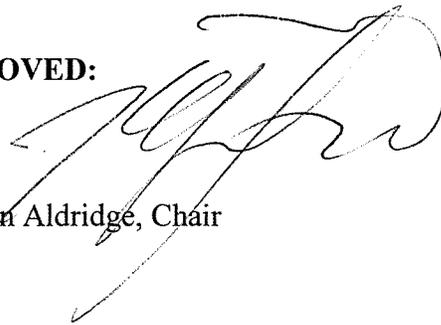
Recorded by:

*by Sandra L Floyd*

Cara McPartland

These minutes approved on the 21<sup>st</sup> day of AUGUST, 2017.

**APPROVED:**

A handwritten signature in black ink, appearing to read 'P. Jason Aldridge', written over a large, faint, circular stamp or watermark.

P. Jason Aldridge, Chair