

City of Wimberley
City Hall, 221 Stillwater, Wimberley, Texas
Minutes of Board of Adjustment Meeting
Monday, December 21, 2015 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 Barry Tyler, Bill Cline, and Steve Gartside.

Staff members present: City Administrator Don Ferguson

1. Consent Agenda

Approval of minutes of the November 23, 2015 meeting of the Board of Adjustment.

Boardmember Tyler moved to approve the minutes, as presented. Boardmember Cline seconded. Motion carried on a vote of 4-0.

2. Public Hearings and Possible Action

Public hearing and consider possible action on Case No. BA-15-006, a request for a variance to the sections of the City of Wimberley Zoning Code relating to front and side setbacks for a property zoned Single Family Residential 2 (R-2) located at 444 Blue Heron Run, Wimberley, Hays County, Texas. (*Donn Lamoureux, Applicant*)

City Administrator Ferguson reviewed the subject property's location, zoning, and the applicant's plans to build an elevated home to replace a home damaged in the 2015 Memorial Day Weekend Flood. Plans call for the new home to be built on the same slab where the flood-damaged home was located. The pre-existing slab encroaches approximately 20-feet into the required 40-foot front setback, along Blue Heron Run, and 5.5-feet into the required 10-foot side setback on the north side of the subject property. It was noted the variance is being sought to authorize the pre-existing encroachment of the slab and that no further encroachment is being requested. He said no comments have been received either for or against the requested variance and advised the applicant's planned elevated structure will be built to the Advisory Base Flood Elevation (ABFE) and below the City's height requirement.

Chairman Aldridge opened the public hearing.

Applicant Donn Lamoureux stated that the pre-existing sports court and carport located in front of the house will be removed and will not be rebuilt. He provided details on the rebuilding project, including living area and smaller footprint. He advised the living area of the structure will be above the ABFE.

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



Boardmember Cline 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 Gartside seconded. Motion carried on a vote of 4-0.

3. Board Member Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda items, Chairman Aldridge called the meeting adjourned at 6:09 p.m.

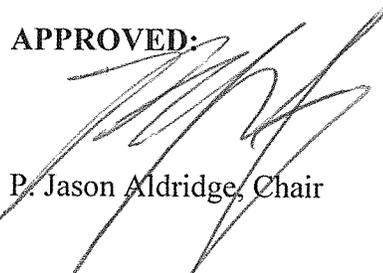
Adjourned at 6:09 p.m.

Recorded by:


Cara McPartland

These minutes approved on the 7th day of March, 2016.

APPROVED:


P. Jason Aldridge, Chair

