

MINUTES OF THE BOARD OF ADJUSTMENT
CITY OF HUNTERS CREEK VILLAGE, TEXAS
JULY 21, 2008

The Board of Adjustment of the City of Hunters Creek Village, Texas convened in regular session on Monday, July 21, 2008 at 7:00 p.m. in City Hall, #1 Hunters Creek Place.

Chairman Mike Schoenberger announced that a quorum of the members were present and called the meeting to order at 7:03 p.m. In attendance were Board Members Mike Schoenberger, Chip Cowell, Richard Heustess and Judy Maynard (Alternate). Also in attendance were Deborah Loesch, City Secretary; David Olson, City Attorney; and Dennis Holm, Building Official.

Discussion and consider action to approve the minutes of the June 16, 2008 meeting.

A motion was made by Chip Cowell with a second by Judy Maynard to approve the minutes as written. The motion carried unanimously.

Discussion and possible action to elect a chairman and vice chairman.

A nomination was made by Chip Cowell to elect Mike Schoenberger as Chairman and Richard Heustess nominated Chip Cowell as Vice Chairman. The vote to elect both positions was unanimous.

Discussion and consider action regarding an application filed by Jeff Bagwell for a lot located at 405 Timberwilde (Lot 3 of the Timberwilde Addition) for a variance to the requirements contained in Chapter 44, Section 44-163 (2) and (9) of the Code of Ordinances to allow a courtyard fence in front of the building line.

Steve Goodchild, representing the applicant, Jeff Bagwell, made a brief presentation of the request for the variance.

At that time the Board decided to convene in Closed Meeting under Section 551.071 of the Texas Government Code as authorized under the Texas Open Meetings Act to confer with legal counsel. The Closed Meeting convened at 7:10 p.m. and adjourned at 7:20 p.m.

The Board reconvened the Open Meeting to continue discussion of the request. A motion was made by Judy Maynard with a second by Richard Heustess to grant a special exception to allow for the courtyard fence in front of the front building line based on the fact that the addition would not exceed the 25% of the allowable building area and that the residence is set so far back from the street. The motion carried unanimously.

Discussion and consider action regarding an application filed by Dan F. Boyles, Jr. and Claire Boyles for a lot located at 756 W. Creekside (Lot 9, Block 2 of the Creekside Manor Subdivision) for a variance to the requirements contained in Chapter 44, Section 44-157(5) of the Code of Ordinances to allow for an encroachment of 5' into the 15' side setback for the construction of a swimming pool.

Dan Boyles made a brief presentation in support of his request for a variance to encroach the 15' side set back line for the construction of swimming pool. In the presentation, Mr. Boyles identified that because of the curved configuration of the lot there creates an unusual setbacks for both side and rear yards. He also indicated that the proposal would preserve several large oak trees on the lot.

A motion was made by Mike Schoenberger with a second by Judy Maynard to move the pool back towards the southeast of the lot to minimize the amount of the overlap into the 15' side setback and noted that the lot does not have a rear yard. The motion failed, voting aye (2) – Heustess, Schoenberger, nay (2) – Maynard, Cowell.

A second motion was made by Chip Cowell with a second by Judy Maynard to approve the variance as presented to note the inclusion of tree preservation and no rear yard presents a hardship. The motion failed, voting aye (2) Maynard, Cowell, nay (2) – Heustess, Schoenberger. The variance was denied.

ADJOURNMENT

With no further business coming before the Board, a motion was made by Richard Heustess with a second by Chip Cowell to adjourn. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Deborah L. Loesch, TRMC
City Secretary

These minutes were approved on 18th day of August, 2008.