

MINUTES OF THE BOARD OF ADJUSTMENT  
CITY OF HUNTERS CREEK VILLAGE, TEXAS  
March 27, 2017

The Board of Adjustment of the City of Hunters Creek Village, Texas convened in regular session on Monday, March 27, 2017 at 6:00 p.m. in City Hall, #1 Hunters Creek Place.

Chairman Richard Heustess announced that a quorum of the members were present and called the meeting to order at 6:09 p.m. In attendance were Board Members Brad Klein, John Meredith (Vice Chairman), Sean Johnson, and Ed Holland (Alternate). Also in attendance were Tom Fullen, City Administrator; John Hightower, City Attorney; Crystal R. Dozier, City Secretary; and Robert Pemberton, City Building Official.

1. Discussion and possible action to approve the minutes of the September 13, 2016 meeting.

**A motion was made by Board Member Brad Klein to approve the minutes as written and Board Member John Meredith seconded the motion. The motion carried unanimously.**

2. Discussion and possible action regarding an appeal by Steve Pearson, 814 Oak Valley, from the decision of the City Building Official to grant a permit application for the construction of a new residence at 10682 Beinhorn Road. Mr. Pearson contends that the proposed residence would violate the minimum front yard setback requirements of the Zoning Chapter.

**Residents Carlos Abello at 806 Oak Valley, Chris Noon at 10721 Old Coach, Charlotte Leach at 10715 Old Coach, and Kristin Valicek at 10718 Marsha Lane all spoke before the board either for or against the appeal submitted by Steve Pearson.**

The Board considered the appeal filed by Steve Pearson at 814 Oak Valley from a decision of the City's Building Official applying the Zoning Chapter. Mr. Pearson appealed from a written decision issued on March 3, 2017, that concluded that the construction plans submitted on behalf of the Storms family (the property owners at 10682 Beinhorn) met the applicable requirements of the Zoning Chapter including the provisions governing the minimum front yard requirements for the lot. In his appeal, Mr. Pearson contended that the minimum front yard for the lot under the Zoning Chapter should be 70 feet.

After considered the evidence and arguments presented, the Board was of the opinion that the appeal should be granted and that the Zoning Chapter requires a minimum front yard of 70 feet for the subject lot because the applicable deed restrictions or platted building lines for the lot, that were in effect on March 25, 1955, provided for a minimum front yard setback of 70 feet from the front property line as provided in Section 218 (b) (2) a.

**A motion was made by Board Member Ed Holland with a second by Board Member Sean Johnson to grant Mr. Pearson's appeal and reverse the decision of the City Building Official as to the minimum front yard requirement for the lot. The vote to approve the motion was:**

**Aye (4) – Johnson  
Meredith  
Klein  
Holland**

**Nay (1) – Heustess**

**The vote, being four votes to one in favor of granting the appeal, the Board noted that the appeal was granted and directed the Chair of the Board to prepare and execute an order reflecting the Board’s decision on the appeal.**

**(A copy of the signed order is attached to and incorporated into these minutes.)**

3. Discussion and possible action regarding an application from Ed Milian, for a variance to Section 44-161 (2)(b) of the Zoning Chapter to permit the construction at 943 Boros Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 2, Block 3, Inverness) of a front facing garage that would not otherwise meet the minimum set back requirements.

**A motion was made by Board Member John Meredith with a second by Board Member Brad Klein to table this item for two weeks. The vote to approve the motion was unanimous.**

#### ADJOURNMENT

With no further business coming before the Board, a motion was made by Board Member Ed Holland with a second by Board Member Brad Klein to adjourn. The motion carried unanimously. The meeting was adjourned at 8:24 p.m.

Respectfully submitted,

Crystal R. Dozier, TRMC  
City Secretary

These minutes were approved on 26<sup>th</sup> day of June, 2017.