

MINUTES OF THE BOARD OF ADJUSTMENT
CITY OF HUNTERS CREEK VILLAGE, TEXAS
May 19, 2020

The Board of Adjustment of the City of Hunters Creek Village, Texas convened in regular session on Monday, May 19, 2020 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 6:00 p.m. In attendance were Board Members Richard Heustess (Chairman), Brad Klein (Vice Chairman), Linda Knox, and Kristopher Dusek, and Alternate Board Member Ed Holland (serving in the place of Board Member Steve Pearson, who was absent). Also in attendance were Tom Fullen, City Administrator, and John Hightower, City Attorney

1. Discussion and possible action to approve the minutes of the February 24, 2020 meeting.

A motion was made by Board Member Knox to approve the minutes of the February 24, 2020 meeting and Board Member Dusek seconded the motion. The vote to approve the motion was unanimous.

2. Discussion and possible action regarding an application from Coleman Bryant & Rachel Bibb Conklin, for a variance to Section 4-219(b)(2)b3 of the Zoning Chapter for the property located at 718 Creekside Lane, Hunters Creek Village, Texas (also known as, Lot 7, Block 3, Creekside Manor U/R) to allow a 21' setback at the rear property line, rather than the 25, setback that would otherwise be required.

Coleman Bryant Conklin, one of the applicants and owners of the subject property made a presentation to the Board in support of the application. Rex Bennet the owner of an adjoining lot also spoke in favor of the application. Members of the Board asked questions about whether granting the variance might allow the construction of a second story on the existing garage and whether the variance could be conditioned to eliminate that possibility. City staff responded that the variance could be conditioned on that basis. After the Board completed its discussion of the application, a motion was made by Klein, and seconded by Dusek, to grant the application for a variance on the condition that the garage remain a one-story structure.

The vote on the motion was:

Aye (4)	Huestess	Nay (1)	Holland
	Klein		
	Dusek		
	Knox		

Chairman Huestess then noted that the motion had received the minimum number of votes required for passage, that the application for a variance was granted, and that a signed order would follow.

ADJOURNMENT

With no further business coming before the Board, a motion was made and seconded to adjourn. The motion carried unanimously. The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Crystal R. Dozier, TRMC
City Secretary

These minutes were approved on 24th day of August, 2020.

**BOARD OF ADJUSTMENT OF
THE CITY OF HUNTERS CREEK VILLAGE, TEXAS**

**Order Granting Variance
for 718 Creekside Lane**

1. On May 18, 2020, the Board of Adjustment of the City of Hunters Creek Village, Texas, (the "Board") met to consider an application filed by Coleman Bryant Conkling and Rachel Bibb Conkling (the "Applicants"), seeking a variance in connection with a proposed modification to be made to the existing structures located at 718 Creekside Lane, Hunters Creek Village, Texas (also known as Lot 7, Block 3, Creekside Manor U/R). More specifically, the Applicants sought:

a variance to Section 44-218 (b)(2)b3 of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village to allow the construction of an extension of the existing residential structure to connect it to an existing one-story detached garage that is located less than 25 feet from the rear lot line.

2. The Board, having considered the evidence and arguments presented, is of the opinion that the request for a variance should be granted, subject to the conditions described below.

3. The Board finds that: a) the granting of a variance in this instance for this lot is not contrary to the public interest; b) a literal enforcement of the restriction in this case would result in unnecessary hardship; and c) the granting of a variance in this case is within the spirit of the zoning chapter.

4. The Board, by a vote of 4 to 1, grants a variance to 44-218 (b)(2)b3 of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village to allow the construction of an extension of the existing residential structure to connect it to an existing one-story detached garage, that is located less than 25 feet from the rear lot line, under the condition that the garage remain a one-story structure, unless and until it is modified to meet all existing setback requirements.

5. This variance shall run with the land and inure to the benefit of subsequent owners of the subject property.



Richard Heustess
Chairman, Board of Adjustment
City of Hunters

5/18/2020

Date of Signature