

MINUTES OF THE BOARD OF ADJUSTMENT  
CITY OF HUNTERS CREEK VILLAGE, TEXAS  
January 22, 2018

The Board of Adjustment of the City of Hunters Creek Village, Texas convened in regular session on Monday, January 22, 2018 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), Steve Pearson, Linda Knox and Kristopher Dusek. Also in attendance were Tom Fullen, City Administrator; John Hightower, City Attorney; Crystal R. Dozier, City Secretary; and James Stewart, City Building Official.

1. Discussion and possible action to approve the minutes of the June 26, 2017 meeting.

**A motion was made by Board Member Brad Klein to approve the minutes from the June 26, 2017 meeting and Board Member Steve Pearson seconded the motion. The motion carried unanimously.**

2. Discussion and possible action to appoint a chairman and vice chairman.

**A motion was made by Board Member Brad Klein to appoint Richard Heustess as Chairman and Board Member Linda Knox seconded the motion. The vote to approve the motion was unanimous.**

**A motion was made by Board Member Richard Heustess to appoint Brad Klein as Vice Chairman and Board Member Steve Pearson seconded the motion. The vote to approve the motion was unanimous.**

3. Discussion and possible action regarding an application from Charles and Greta Zimmerman, for the following variances from the requirements of the Zoning Chapter for the property located at 1122 River Bend Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 38, Block1, River Bend Addition):

a) a variance to Section 44-160 of the Zoning Chapter to permit the construction, of a front yard setback at 25 feet and a side setback at 10 feet, as originally platted: and

b) a variance to Section 44-161 (2)(c)(2) of the Zoning Chapter, Automobile Shelters, to allow an automobile shelter forward of the front line of the residence.

**A motion was made by Board Member Brad Klein to review variance request a) and b) separately and Board Member Kristopher Dusek seconded the motion. The vote to approve the motion was unanimous.**

**The Board first considered the request filed by Charles and Greta Zimmerman for a variance to Section 44-160 of the Zoning Chapter to permit the construction at the property located at 1122 River Bend Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 38, Block1, River Bend Addition) of a front yard setback at 25 feet and a side setback at 10 feet, as originally platted.**

After considered the evidence and arguments presented, a motion was made by Board Member Brad Klein and seconded by Board Member Linda Knox to grant the requested variance. The vote to approve the motion was unanimous.

The Board next considered the request filed by Charles and Greta Zimmerman for a variance to Section 44-161 (2)(c)(2) of the Zoning Chapter, Automobile Shelters to allow an automobile shelter forward of the front line of the residence at the property located at 1122 River Bend Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 38, Block1, River Bend Addition).

After considered the evidence and arguments presented, a motion was made by Board Member Steve Pearson with a second by Board Member Brad Klein to grant the requested variance. The vote to approve the motion was:

|                           |                          |
|---------------------------|--------------------------|
| <b>Aye (3) – Heustess</b> | <b>Nay (2) – Pearson</b> |
| <b>Klein</b>              | <b>Knox</b>              |
| <b>Dusek</b>              |                          |

The Board noted that 4 affirmative votes are required to grant a variance and thus the effect of the vote was to deny the requested variance. The Board directed the Chair of the Board to prepare and execute an order reflecting the Board’s decisions on the two requests.

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

4. Discussion and possible action regarding an application from Michael Wear for a variance to Section 44-218 (2)(b)(2) of the Zoning Chapter, Nonconforming Lots of Record, for the property located at 10318 Memorial Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 10, Block 3, Creekside Manor), to allow the side yard setback to be at 5 feet.

The Board considered the request filed by Michael Wear for a variance to Section 44-218 (2)(b)(2) of the Zoning Chapter, Nonconforming Lots of Record, for the property located at 10318 Memorial Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 10, Block 3, Creekside Manor), to allow the side yard setback to be at 5 feet.

A motion was made by Board Member Brad Klein with a second by Board Member Lind Knox to grant the variance request. The vote to approve the motion was:

|                        |                          |
|------------------------|--------------------------|
| <b>Aye (1) – Klein</b> | <b>Nay (4) – Pearson</b> |
|                        | <b>Knox</b>              |
|                        | <b>Dusek</b>             |
|                        | <b>Heustess</b>          |

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

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

ADJOURNMENT

With no further business coming before the Board, a motion was made by Board Member Linda Knox with a second by Board Member Steve Pearson to adjourn. The motion carried unanimously. The meeting was adjourned at 7:49 p.m.

Respectfully submitted,

Crystal R. Dozier, TRMC  
City Secretary

These minutes were approved on 12<sup>th</sup> day of February, 2018.