

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE
BOARD OF ADJUSTMENT
December 6, 2021**

The Board of Adjustment of the City of Hunters Creek Village, Texas, convened a regular meeting on December 6, 2021 at 6:00 p.m. in the City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas. Members of the public were invited to attend the meeting in person.

- A. Call to order and the roll of elected and appointed officers will be taken.

The meeting was called to order at 6:00 p.m. by Chairman Brad Klein. In attendance were Vice-Chairman, Linda Knox, Board Members, Steve Pearson (via Zoom), John Braddock and Kelley Somoza (Alternate). Also, in attendance were: Tom Fullen, City Administrator, John Hightower, City Attorney, and James Stewart, City Building Official.

- B. Discussion and possible action to approve the minutes of the August 30, 2021 meeting.

John Braddock made a motion to approve the minutes of the August 30, 2021 meeting. Linda Knox seconded the motion and the motion carried unanimously.

- C. Discussion and possible action regarding an application from John Compton, for a variance to Section 44-161(2)d of the Zoning Chapter, Automobile Shelters, to permit the construction, at 10926 Wickline Drive, Hunters Creek Village, Texas, 77024 (also known as, Lot 31, Block 4, Willowick Section 2, Subdivision) to allow a garage opening to face a side street closer than the required setback.

The Board received testimony from the applicant and city staff regarding the circumstances surrounding the variance request and the bases for granting the variance. The Board's attorney provided the Board with a draft order granting the variance.

John Braddock made a motion to approve the proposed variance order as it is written, with a 40-foot setback for the garage, and to authorize Chairman Brad Klein to sign the order. Kelley Somoza seconded the motion and the motion carried unanimously. (The signed variance order is attached to these minutes as Exhibit "A".)

- D. ADJOURNMENT

At 6:22 p.m., John Braddock made a motion to adjourn. Linda Knox seconded the motion and the motion carried unanimously.

The meeting adjourned at 6:22 p.m.

These minutes were approved on the ____ day of January, 2022.

Brad Klein, Chairman

ATTEST:

Tom Fullen, City Administrator
Acting City Secretary

DRAFT

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE
BOARD OF ADJUSTMENT
February 28, 2022**

The Board of Adjustment of the City of Hunters Creek Village, Texas, convened a regular meeting on February 28, 2022 at 6:00 p.m. in the City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas. Members of the public were invited to attend the meeting in person.

1. Call to order and the roll of elected and appointed officers.

The meeting was called to order at 6:00 p.m. by Chairman, Brad Klein. In attendance were Board Members, Brad Klein, Steve Pearson, Kelley Somoza, and Chris Knop. Also, in attendance were: Tom Fullen, City Administrator and John Hightower, City Attorney.

2. Discussion and possible action to approve the minutes of the January 24, 2022 meeting.

Board Member, Steve Pearson, made a motion to approve the minutes from the January 24, 2022 meeting. Board Member, Chris Knop, seconded the motion and the motion carried unanimously.

3. An application from Matthew Crystal, for a special exception to reduce the minimum setback for a swimming pool to be constructed at 10529 Gawain Lane, Hunters Creek Village, Texas, 77024 (also known as, Lot 4, Block 4, Camelot Woods, Subdivision). Under section 44-157(5)(b) of the Zoning Chapter, the board of adjustment has authority to grant a special exception reducing the minimum setback distance to no less than five feet for nonconforming lots as defined in section 44-218(b)(1)b.

Chairman, Brad Klein, made a motion to approve the special exception to reduce the minimum setback for a swimming pool to be constructed at 10529 Gawain Lane. Board Member, Steve Pearson, seconded the motion and the motion carried unanimously.

4. ADJOURNMENT

At 6:11 p.m., the meeting adjourned.

These minutes were approved on the ____ day of March, 2022.

Brad Klein, Chairman

ATTEST:

Tom Fullen, City Administrator
Acting City Secretary

DRAFT

CITY OF HUNTERS CREEK VILLAGE, TEXAS
BOARD OF ADJUSTMENT
APPLICATION FOR REQUEST FOR VARIANCE

A \$300.00 non-refundable fee is due upon submission of the application.

PROPERTY INFORMATION FOR WHICH VARIANCE BEING REQUESTED:

Address: 514 WELLESLEY
Legal Description: Lot 9 Block: 1 Subdivision: WELLESLEY

APPLICANT INFORMATION:

ADAM + SYLVIA BURKE (832) 725-5894
Property Owner Telephone Number
3523 GEORGETOWN ST. HOUSTON 77005
Street Address City State Zip Code

The provision of the zoning chapter from which the applicant seeks: SEC 44-160(2)a.

Give a description of the specific variance the applicant seeks: 35 FOOT (FRONT) SETBACK

Give a brief explanation why the applicant believes the Board should grant the requested variance: ALL OF THE OTHER 23 HOMES IN THE SUB-DIVISION HAVE 35 FOOT SETBACKS AS THE DEVELOPER ENVISIONED. ALL DIRECT NEIGHBORS ARE FOR THE 35 FOOT SETBACK, AS ARE SEVERAL OTHER NEIGHBORS.

Give any information the applicant believes to be relevant to the Board's consideration of the matter: THE LOT IS ALSO ON A TURN CIRCLE WHICH HUNTERS CREEK HAS REGULATIONS TO GRANT RELIEF FOR SUCH LOTS.

The following items are required to be submitted with application:

- Letter of denial from the building official
- Site Plan
- Survey

[Signature] MARCH 15, 2022
Signature of Applicant Date
for ADAM + SYLVIA BURKE

MAYOR
Jim Pappas

CITY OF HUNTERS CREEK VILLAGE

CITY COUNCIL
Stuart Marks
Fidel Sapien
Chip Cowell
Jay Carlton



CITY ADMINISTRATOR
Tom Fullen, MPA, CPM

March 3, 2022

NOTICE OF PLAN REVIEW STATUS

The following Plans are NOT Approved for Construction

514 Wellesley Dr. – New Home (Partial Review)
Hunters Creek Village, TX 77024

Overall Lot Size for this lot is 29,125 square feet making this a Conforming Lot in the City of Hunters Creek Village. The minimum front setback for a Conforming Lot is 50 feet from the front lot line. The proposed house and the fence at the north end of the property encroach into the required 50-foot Front Building setback. Therefore, the City of Hunters Creek Village cannot issue a Building Permit to construct the house in the proposed location on the lot.

Please see attached sections of The Hunters Creek Village Code of Ordinances for your review.

Tom Fullen,
Acting Building Official

PLAT OF PROPERTY

FOR: **J and B TRUST and/or Assigns**
 AT: **514 WELLESLEY DRIVE • HUNTERS CREEK VILLAGE, TX**
 LGL: **LOT 9, BLOCK 1**
WELLESLEY ADDITION
 VOLUME 37, PAGE 66 OF THE MAP RECORDS OF
 HARRIS COUNTY, TEXAS

SCALE: **N.T.S.**
 DATE: **4/7/2021** REVISED DATE: **4/19/2021**

This Property DOES NOT lie within the designated 100 year Floodplain.
 PANEL NO: **48201G 0685 M**
 ZONE: **X** EFF. DATE: **6/9/2014**
 BASE FLOOD ELEVATION: **N/A (100 YR) / N/A (500 YR)**
 LOCATED BY GRAPHIC METHOD ONLY AND NOT RESPONSIBLE FOR ACTUAL DETERMINATION.

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH TITLE COMMITMENT
 PROVIDED BY: **SELECT TITLE**
 GF#: **122117900 (3/25/2021)**

NOTES:

- Asphalt paving extends over and across a portion of the West lot line as shown. Fences do not follow boundary lines as shown.
- Wellesley Addition is a deed restricted community. setback lines for the residence and outbuilding shown as set forth under Volume 2381, Page 190 of the Deed Records of Harris County, Texas, and recorded on January 4, 1952. Deed restrictions may change from time to time. It is the responsibility of the property owner to determine the deed restriction status of their property and to comply with all covenants prior to any planning or construction. Written approval by the Architectural Control Committee may be required. There is also reserved for the use and benefit of all owners in Wellesley Addition drainage easements over and across the North 2-1/2 feet and the South 2-1/2 feet of each lot, together with an easement over and across the West 2-1/2 feet of the East 12-1/2 feet of Block 1, Creek Village, Texas. The above shown tract may be deemed a non-conforming lot of record, and should be verified with the City Building Official prior to any planning or construction. The yard requirements/building lines shown have been established by recorded deed restrictions in force and effect in a subdivision plat dated prior to March 25, 1955.
- Surveyor has not abstracted this property. This survey has been prepared based upon information provided by the title company. No independent investigation of the accuracy of the title company's work has been performed by the surveyor. Zoning ordinances and zoning building setback lines (if any) are not shown. Surveyor has not reviewed restrictive covenants as set forth under Exceptions From Coverage in Schedule B of the Title Commitment.
- All bearings are based on the East light of way line of Wellesley Drive (South).



I hereby certify that the above plat correctly represents the facts found at the time of the survey made on the ground, under my supervision, and there are no apparent encroachments at the time of this survey, unless shown or noted otherwise.

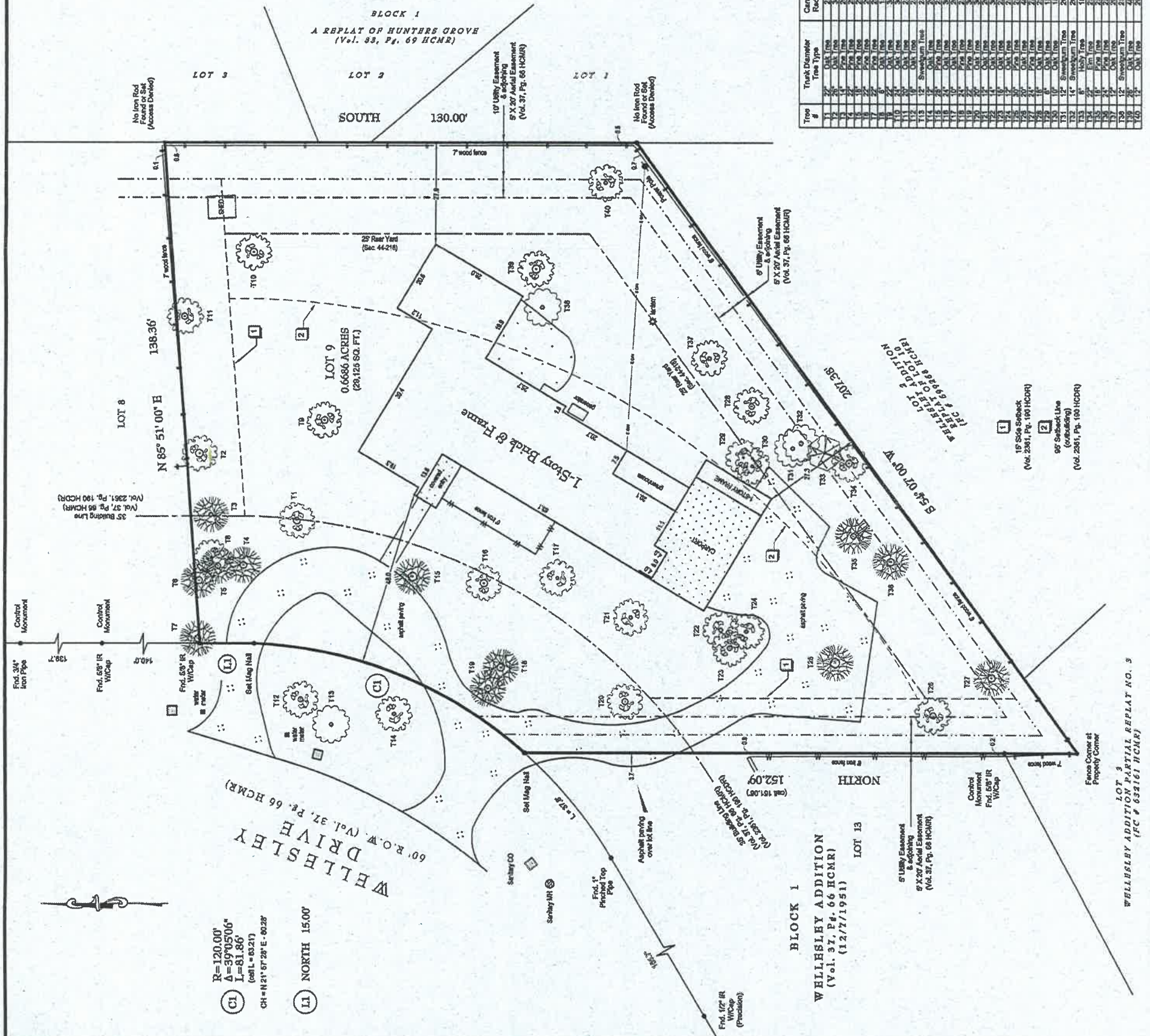
MATTHEW J. PROBSTFELD

Registered Professional Land Surveyor
 State of Texas No. 4985
 PROBSTFELD & ASSOCIATES, INC • FIRM #10068100

JOB # **795-105** DRAWN BY: **RP**

PROBSTFELD & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS

616 PARK GROVE DRIVE, SUITE 102 • KATY, TEXAS 77450 • FAX (281) 629-0233



| Tree # | Trunk Diameter | Tree Type | Canopy Radius |
|--------|----------------|-----------|---------------|
| 1 | 12" | OAK Tree | 30' |
| 2 | 12" | OAK Tree | 30' |
| 3 | 12" | OAK Tree | 30' |
| 4 | 12" | PINE Tree | 30' |
| 5 | 12" | PINE Tree | 30' |
| 6 | 12" | PINE Tree | 30' |
| 7 | 12" | PINE Tree | 30' |
| 8 | 12" | PINE Tree | 30' |
| 9 | 12" | PINE Tree | 30' |
| 10 | 12" | PINE Tree | 30' |
| 11 | 12" | OAK Tree | 30' |
| 12 | 12" | OAK Tree | 30' |
| 13 | 12" | OAK Tree | 30' |
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| 31 | 12" | OAK Tree | 30' |
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| 97 | 12" | OAK Tree | 30' |
| 98 | 12" | OAK Tree | 30' |
| 99 | 12" | OAK Tree | 30' |
| 100 | 12" | OAK Tree | 30' |

THIS SURVEY IS THE PROPERTY OF PROBSTFELD & ASSOCIATES, INC., AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR OWNERS.