

**CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF THE  
PLANNING & ZONING COMMISSION  
May 2, 2022**

The Planning and Zoning Commission of the City of Hunters Creek Village, Texas, convened a regular meeting on May 2, 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.

A. **The meeting was called to order at 6:00 p.m. by Chairman Bill Dalton. In attendance were Commissioners Bill Dalton, David Childers, John Abercrombie, and Charles Martin. Also, in attendance were Scott Bounds, City Attorney, Tom Fullen, City Administrator, and Henry Rivas, Building Official.**

B. Call the meeting to order and the roll of appointed officers will be taken.

C. PUBLIC HEARING Public hearings will be held before the Planning & Zoning Commission for the purpose of receiving testimony for or against the following proposed zoning amendments.

1. Amend the zoning ordinance to reduce the required setbacks for swimming pools on non-conforming lots.

**Open Public Hearing: 6:01 p.m.  
Close Public Hearing: 6:02 p.m.**

**Comments: There were no public comments.**

2. Amend the zoning ordinance to reduce the required setbacks for garages facing Voss & Memorial on lots that front on side streets.

**Open Public Hearing: 6:02 p.m.  
Close Public Hearing: 6:03 p.m.**

**Comments: There were no public comments.**

D. AGENDA ITEMS

1. Discussion and possible action to consider approval of the minutes of the April 4, 2022, meeting.

**Commissioner Abercrombie made a motion to approve the minutes of the April 3, 2022, meeting. Commissioner Martin seconded the motion and the motion carried unanimously.**

2. Discussion and possible action to make a final report and recommendation to City Council on item C1.

**Commissioner Martin made a motion to approve the final report and recommend that the proposed amendment be approved by the City Council. Commissioner Childers seconded the motion and the motion carried unanimously.**

3. Discussion and possible action to make a final report and recommendation to City Council on item C2.

**Commissioner Martin made a motion to approve the final report and recommend that the proposed amendment be approved by the City Council. Commissioner Childers seconded the motion and the motion carried unanimously.**

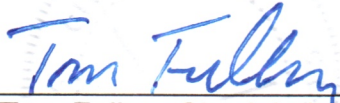
4. Discussion and possible action to consider any future agenda items.

E. ADJOURN OPEN MEETING

**Commissioner Martin made a motion to adjourn. Commissioner Abercrombie seconded the motion and the motion carried unanimously.**

**The meeting adjourned at 6:13 pm.**

Respectfully Submitted,



Tom Fullen, City Administrator  
Acting City Secretary

These minutes were approved on the 6th day of June, 2022.

**FINAL REPORT ON A PROPOSED AMENDMENT TO  
THE ZONING CHAPTER TO REDUCE THE REQUIRED SETBACKS  
FOR SWIMMING POOLS ON NON-CONFORMING LOTS**

The Planning and Zoning Commission has considered a proposal, forwarded to it for recommendation by the city council, to amend the Zoning Chapter to reduce the required side yard setbacks for swimming pools on non-conforming lots to match the required side yard setback for the main residence. (A draft copy of the proposed amendment is attached as Exhibit "A".) After considering the proposal at its meeting on April 4, 2022, and conducting a public hearing on the proposal on May 2, 2022, the Commission voted to recommend that the proposed amendment be APPROVED/DENIED.

5.2.22

\_\_\_\_\_  
Date of Signature



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CHAIRMAN  
PLANNING AND ZONING COMMISSION  
CITY OF HUNTERS CREEK VILLAGE

## EXHIBIT A

### Sec. 44-157. Use regulations.

#### (5) Swimming pools.

- a. *Generally.* An outdoor swimming pool shall be permitted as an accessory use or structure provided that it meets the following requirements:
  1. It must be located in the back or side yard;
  2. It must be setback a minimum of ten feet from the rear lot line, unless the rear lot line of the subject lot abuts the side lot line of another lot, in which case the pool must be setback a minimum of 15 feet from the rear lot line;
  3. It must be setback a minimum 15 feet from any side lot line.
- b. *Exception for non-conforming lots.* For lots that qualify for reduced minimum side yard requirements under section 44-218, the minimum setback from the side lot line for a swimming pool shall be the same as the side yard setback for the main residence.
- c. *Special exceptions.* The board of adjustment may 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. of this chapter.
  1. In order to grant a special exception the board must find that because the subject lot is of such unusual size or shape, or because it has valuable trees located in the rear or side yards, it would be impractical to locate a reasonably sized pool on the lot without either reducing the minimum setbacks or removing valuable trees.
  2. The board must also find that the granting of a special exception permitting a reduced setback would not be unduly harmful to the owners of the lot or lots abutting the side of the subject lot for which a reduced setback is required. In making such determination the board may consider the location and orientation of any existing improvements on the subject lot and any abutting lots.
  3. The board may condition the granting of a special exception as necessary to protect the interests of abutting property owners and to further the intent of the setback requirements.

Conditions may include: a) requiring the applicant to design the pool or related improvements to minimize the impact of its location or use on neighboring property owners; b) requiring the applicant to take necessary measures to protect and maintain any valuable trees that served as a basis for granting the special exception; and c) such other conditions as the board deems necessary.

**FINAL REPORT ON A PROPOSED AMENDMENT TO  
THE ZONING CHAPTER TO REDUCE THE REQUIRED SETBACKS  
FOR GARAGES FACING VOSS OR MEMORIAL ON LOTS THAT  
FRONT ON SIDE STREETS**

The Planning and Zoning Commission has considered a proposal, forwarded to it for recommendation by the city council, to amend the Zoning Chapter to reduce the required setbacks for garages facing Voss or Memorial on lots that front on side streets. (A draft copy of the proposed amendment is attached as Exhibit "A".) After considering the proposal at its meeting, on April 4, 2022, and conducting a public hearing on the proposal on May 2, 2022, the Commission voted to recommend that the proposed amendment be APPROVED/DENIED.

5-2-22

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Date of Signature



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CHAIRMAN  
PLANNING AND ZONING COMMISSION  
CITY OF HUNTERS CREEK VILLAGE

## EXHIBIT A

### Sec. 44-161. Automobile shelters.

- d. *Garages facing side streets allowed in certain circumstances.*
  1. An automobile shelter may face toward a side street if it is setback from the side lot line that abuts the side street, by at least the same minimum distance that would have been required for an automobile shelter on the same lot that faced the front street. For example, if the front line of a dwelling is setback 30 feet from the front lot line, the minimum setback for a garage opening that faces the front street or a side street would be 80 feet from the applicable lot line (30 + 50). Similarly, if the front line of a dwelling is setback 50 feet from the front lot line, the minimum setback for a garage opening that faces the front street or a side street would be 100 feet from the applicable lot line (50 + 50).
  2. For lots that have side property lines adjacent to Voss or Memorial and that are in compliance with section 44-163 (4), the minimum setback for a garage opening that faces Voss or Memorial shall be 28 feet from the side lot line.