

**MAYOR**  
Jim Pappas

# CITY OF HUNTERS CREEK VILLAGE

**CITY COUNCIL**  
Stuart Marks  
Fidel Sapien  
Linda Knox  
Chip Cowell  
Jay Carlton



**CITY ADMINISTRATOR**  
Tom Fullen, MPA, CPM

## **ZONING BOARD OF ADJUSTMENT AGENDA**

The Zoning Board of Adjustment of the City of Hunters Creek Village, Texas will meet in regular session **Monday, November 25, 2024, at 6:00 p.m.** in City Hall, #1 Hunters Creek Place, Houston, Texas 77024 to consider the following items.

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

A. **PUBLIC COMMENTS:** *Anyone with city-related business may speak to the Board. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquires about a subject that is not specifically identified on the agenda, a member of the board or a staff member may only respond by giving a statement of specific factual information or by reciting existing policy. The Board may not deliberate or vote on the matter.*

B. **REGULAR AGENDA**

1. Discussion and possible action to approve the minutes of the April 22, 2024, meeting.
2. An application from Robert Trainer for a variance to Section 44-159(c)2 of the Zoning Chapter, Height regulations, to reduce the required setback for an accessory structure to be located at 439 Thamer Lane, Hunters Creek Village, Texas, 77024.

Section 44-159(c)(2) provides as follows: The maximum height is ten feet for structures that are located ten feet or more but less than 15 feet from the rear or side property lines.

*Adjourn Open Meeting*

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### **CERTIFICATION**

I, the undersigned authority, does hereby certify that this Notice of a Meeting was posted on the bulletin board at City Hall, #1 Hunters Creek Place, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: November 21, 2024 at 3:00 p.m. and remained so posted continuously for at least 72 hours before said meeting was convened.

/s/

Tom Fullen, City Administrator  
Acting City Secretary

The City Hall is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Administrator's Office at 713.465.2150, by fax at 713.465.8357, or by email at [tfullen@cityofhunterscreek.com](mailto:tfullen@cityofhunterscreek.com). Requests should be made at least 48 hours prior to the meeting. This agenda is posted on the city's web site at <http://cityofhunterscreek.com>

**CITY OF HUNTERS CREEK VILLAGE, TEXAS**  
**MINUTES OF THE**  
**BOARD OF ADJUSTMENT**  
**April 22, 2024**

The Board of Adjustment of the City of Hunters Creek Village, Texas, convened a regular meeting on April 22, 2024 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.

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

**The meeting was called to order at 6:00 p.m. by Vice-Chairman, Kelly Somoza. In attendance were regular Board Members, Kelly Somoza, Steve Pearson, John Braddock, and Chris Knop, and alternate Board Member, Brady Dodson. Also present were: Tom Fullen, City Administrator; and Timothy Kirwin, City Attorney.**

- A. PUBLIC COMMENTS At this time, any person with city-related business may speak to the Board. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquires about a subject that is not specifically identified on the agenda, a member of the board or a staff member may only respond by giving a statement of specific factual information or by reciting existing policy. The Board may not deliberate or vote on the matter.

**No Comments.**

B. REGULAR AGENDA

1. Discussion and possible action to approve the minutes of the February 26, 2024, meeting.

**Board Member Pearson made a motion to approve the minutes of the February 26, 2024, meeting. Board Member Braddock seconded the motion and the motion carried unanimously.**

2. An application from Pierre Yu, for a variance to Section 44-161(2) c.2 of the Zoning Chapter, Automobile Shelters, to reduce setback requirements for a side facing garage for a new single-family residence to be located at 10545 Beinhorn Rd, Hunters Creek Village, Texas, 77024 (also known as, Lots 2, Block 1, Camelot Woods Subdivision)

**Board Member Braddock made a motion to grant the variance to reduce setback requirements for a side facing garage for a new single-family residence to be located at 10545 Beinhorn Rd, Hunters Creek Village, Texas, 77024. Board Member Knop seconded the motion. The vote to approve the motion was unanimous.**

3. An application from John and Anna Reger, for a variance to Section 44-162(5) of the Zoning Chapter, Accessory Structures, to allow an accessory structure(s) to

be permitted in the front yard to be located at 826 Voss Road, Hunters Creek Village, Texas, 77024 (also known as, Lots 1, 2 & 3, Block 1, Memorial Estates Subdivision).

**Board Member Knop made a motion to deny the variance to allow an accessory structure(s) to be permitted in the front yard to be located at 826 Voss Road, Hunters Creek Village, Texas, 77024. Board Member Braddock seconded the motion. The vote to approve the motion was unanimous.**

ADJOURNMENT

**At 6:40 p.m., the meeting adjourned.**

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These minutes were approved on the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Brad Klein, Chairman

ATTEST:

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Tom Fullen, City Administrator  
Acting City Secretary

**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: 439 Thamer Lane. Houston, TX 77024

Legal Description: Lot \_\_\_\_ Block: \_\_\_\_ Subdivision: Hunterwood

**APPLICANT INFORMATION:**

Robert B Trainer III & Caroline Trainer	713-828-3740 (cell)		
Property Owner	Telephone Number		
439 Thamer Lane.	Houston.	TX.	77024
Street Address	City	State	Zip Code

**The provision of the zoning chapter from which the applicant seeks:** Sec 44-159 (c)(3).  
"Maximum height is 15 ft for structures that are located 15 ft or more from rear/side property lines."

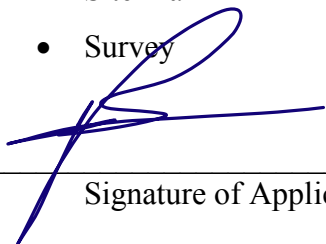
**Give a description of the specific variance the applicant seeks:** We seek a variance for  
only one corner of the proposed backyard gazebo, which would be inside the 15 ft. setback rule (described above).  
All of the remainder of the building will be located more than 15 ft from the side and back property lines,  
But the SW corner will be 12.5 feet from the back property line. To be clear, the height of structure will be <15 ft.

**Give a brief explanation why the applicant believes the Board should grant the requested variance:** We ask the board grant this variance because the Hunterwood HOA has approved this  
variance (pending the City's approval). In addition, both neighbors who would most likely be  
"impacted" by this gazebo are supportive of the construction and location of the gazebo. Finally, the vast  
majority of the structure is well within City ordinance (i.e., more than 15 ft from property line).

**Give any information the applicant believes to be relevant to the Board's consideration of the matter:** I would like to note that we tore down an existing gazebo which had been in violation of  
Hunterwood HOA and City of Hunters Creek ordinances / rules (i.e., it was well in excess of 15 ft high, and less  
than 15 feet from my back property line). It was also an "eye sore" for neighbors and the neighborhood in general.

**The following items are required to be submitted with application:**

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



Signature of Applicant

October 29, 2024

Date

**MAYOR**  
*Jim Pappas*

# CITY OF HUNTERS CREEK VILLAGE

**CITY COUNCIL**  
*Stuart Marks*  
*Fidel Sapien*  
*Linda Knox*  
*Chip Cowell*  
*Jay Carlton*



**CITY ADMINISTRATOR**  
*Tom Fullen, MPA, CPM*

Date: 10/29/2024

## NOTICE OF PLAN REVIEW STATUS

The following re-submitted plans are not approved for construction

Address: 439 Thamer

1. The proposed gazebo shall meet the height and setback requirements as set forth in the city ordinance sec.44-159 (c).1-6

The governing code for the City of Hunters Creek are the 2021 I-Codes and the 2020 N.E.C.

Thank you,  
Henry Rivas C.B.O.  
City of Hunters Creek

## HUNTERWOOD HOMEOWNERS ASSOCIATION

Robert and Carrie Trainer  
439 Thamer Lane  
Hunters Creek Village, TX 77024

04 November 2024

Re: 439 Thamer Lane Gazebo Application

Dear Robert and Carrie:

The Hunterwood HOA Architectural Committee (“Committee”) has reviewed your submission requesting approval to construct a backyard gazebo—specifically, the files *Elevation Rendering of Pool Gazebo with Interiors Detail\_0924.pdf*, *Elevation Rendering of Pool Gazebo\_439 Thamer Ln\_103124.pdf*, and *439 Thamer Site Plan\_Hunterwood Homeowners Assoc Approval Process\_0924.pdf*, as submitted by email, with additional notes, on 31 October 2024.

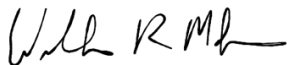
The Committee notes that certain elements of the submission do not conform to the Restrictions of the Hunterwood Subdivision (“Restrictions”). After careful review and consideration, the board of the Hunterwood Homeowners Association will grant the following variance to the Restrictions to allow approval of the 439 Thamer Lane submission:

1. **Variance to Section 6.02 Building Setback Lines** : the Association grants a variance to allow the southwest corner of the gazebo to encroach 2.5 feet into the 15-foot setback required for all improvements. No other corner of the gazebo may be placed within the 15-foot setback.

This approval is further subject to the following conditions:

1. The peak ridge height of the gazebo structure is limited to 15 feet. The roof pitch must match the roof pitch of the existing home.
2. This approval is limited to the specific location, plan and material specifications reflected in the submitted materials, which are on file with the Hunterwood Homeowners Association. Accordingly, any changes or additions from what has been presented are not approved and are subject to separate submission and review.
3. You must obtain all approvals and permits required by the City of Hunters Creek Village (or any other governmental entity with jurisdiction) and provide such approvals to the Committee before commencement on the project.

On behalf of the Hunterwood Homeowners Association, we are pleased to provide you with approval to proceed with your project subject to the conditions above. Thank you.



William Maslin  
President  
Hunterwood Homeowners Association

CC     Hunterwood HOA Architectural Committee  
         Hunterwood HOA Board  
         Henry Rivas, City of Hunters Creek

**Joel R. Scott  
435 Thamer Ln  
Houston, TX 77024**

November 15, 2024

City of Hunters Creek Village  
1 Hunters Creek Place  
Houston, TX 77024

City of Hunters Creek Board of Adjustment:

I write you today in support of my neighbors, Robert & Carrie Trainer. Under normal circumstances I would be present in person at the City of Hunters Creek (referred to herein as the "City") meeting on November 25<sup>th</sup>, but unfortunately, I am out of town.

The Trainers are currently working on a significant backyard renovation at their home at 439 Thamer Ln. Camille and I both feel like the design and execution of the backyard improvements, including significant landscape and hardscape detail, looks fabulous.

As part of this project, The Trainers are seeking a building variance from the City to locate a backyard gazebo slightly inside the standard setback that is required by the City. I have spent significant time with Robert Trainer discussing this project and the contemplated gazebo, and I am fully supportive of the Trainers' plans. As the Trainers' neighbor to the south and adjacent to where the gazebo will be located (therefore in theory the neighbor most "impacted" by this variance), I am fully supportive of the Trainers' plans as outlined to the City. Furthermore, I serve on the Board of the Hunterwood Homeowners Association, and I have discussed this project at length with other members of the HOA. We are all supportive of this project (and the requested variance) as well.

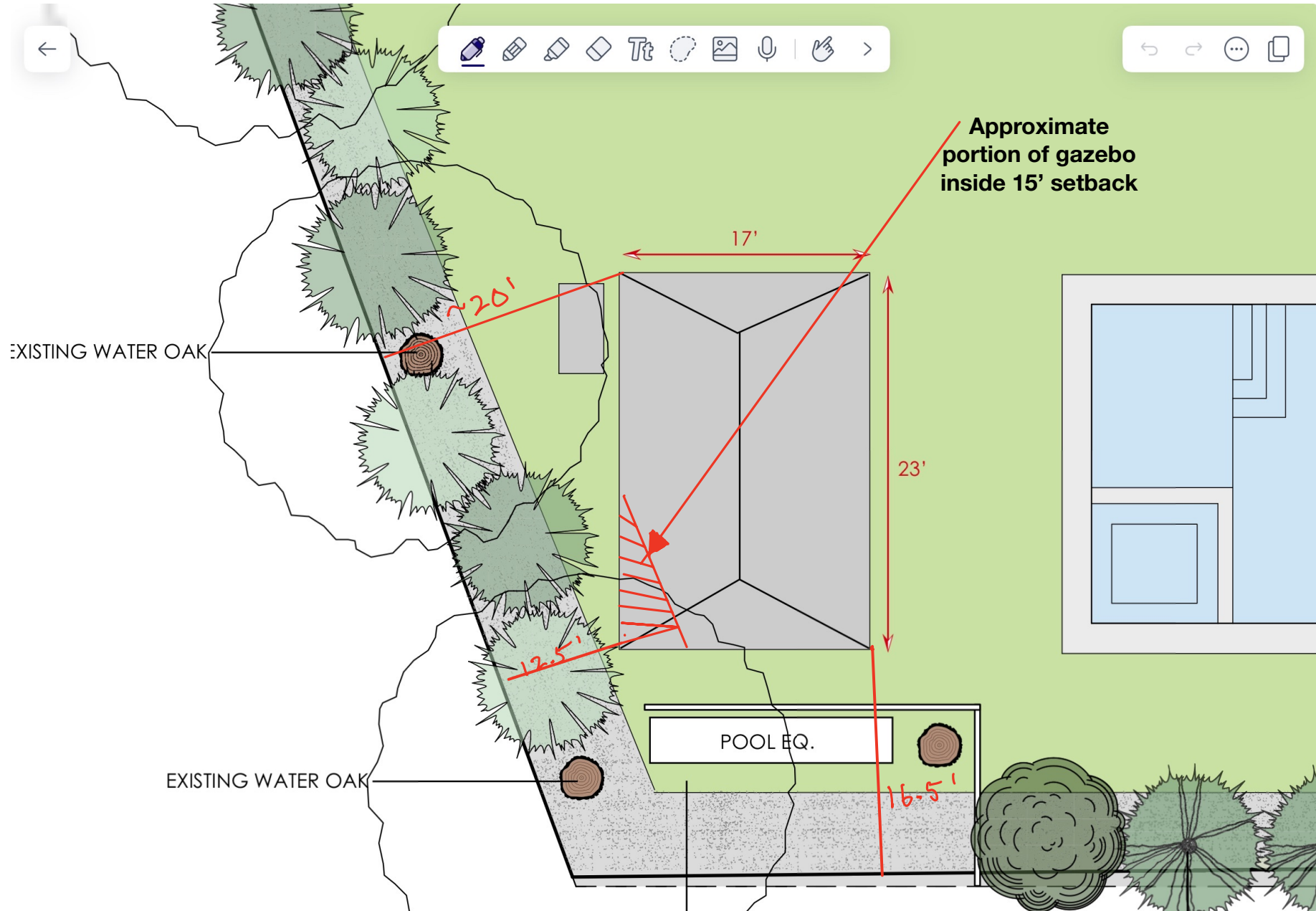
Thank you for your consideration.

Sincerely,



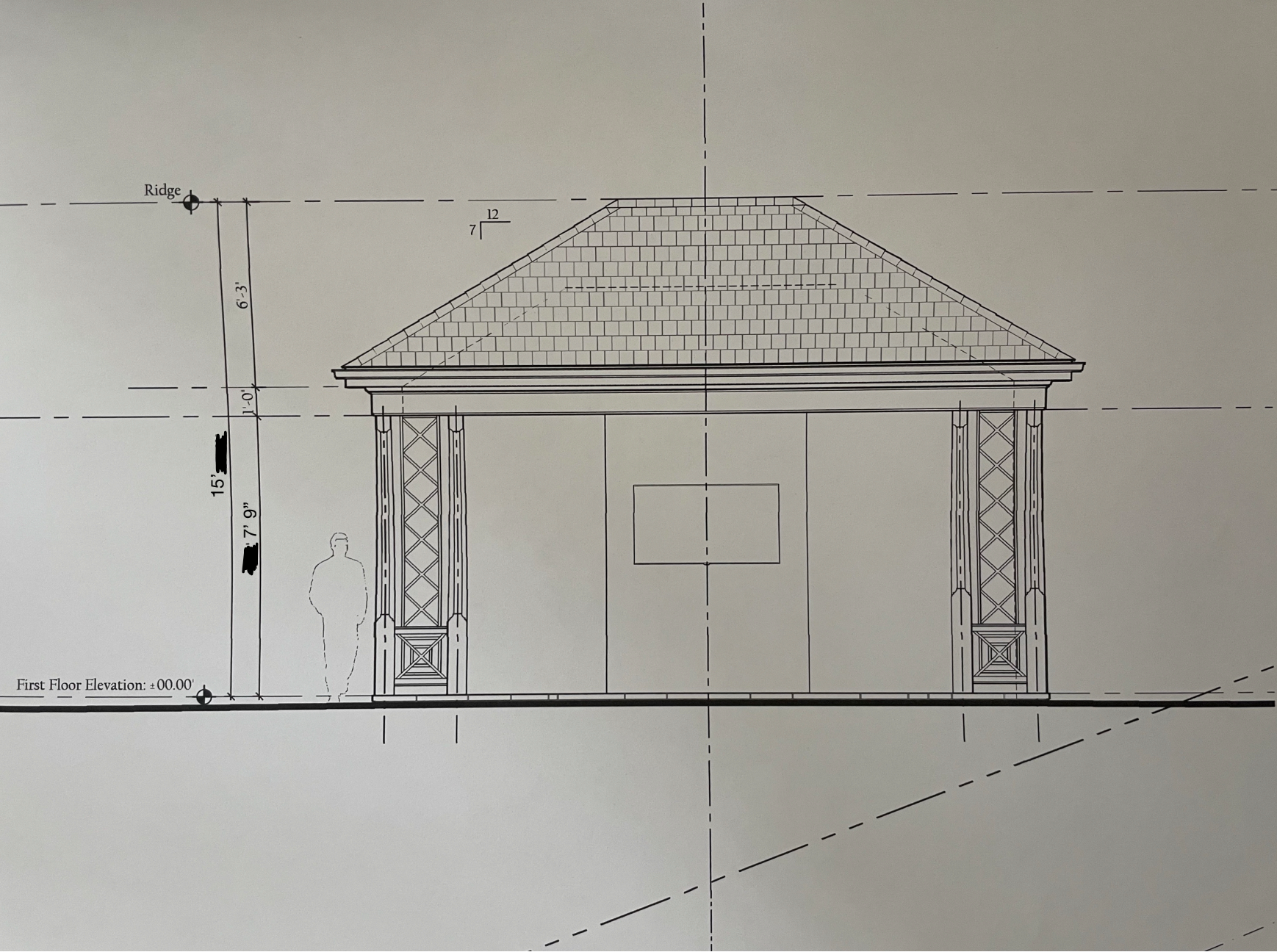


**SITE PLAN FOR CONTEMPLATED GAZEBO LOCATED AT  
439 THAMER LANE. HOUSTON, TX 77024  
OCTOBER 29, 2024**





ELEVATION RENDERING OF GAZEBO  
439 THAMER LANE  
OCTOBER 29, 2024





CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	303.00'	126.92'	125.99'	N 78°00'00" E	24°00'00"
C2	15.00'	23.56'	21.21'	S 45°00'00" E	90°00'00"

LINE	BEARING	DISTANCE
L1	N 66°00'00" E	34.15'
L2	EAST.	17.63'

## LEGEND

These standard symbols will be found in the drawing.

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	WOOD FENCE
	WROUGHT IRON FENCE
	SET 1/2" IRON ROD
	FOUND IRON ROD
	FENCE POST
	SET "X" ON CONCRETE
	MAILBOX
	CM CONTROL MONUMENT

### NOTE:

THIS SURVEY IS BASED ON A TITLE COMMITMENT REPORT ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY GF NO. 17003569 ISSUED ON 08/10/2017.

### FLOOD INFORMATION

FIRM: 48201C PANEL: 0665 M  
REV. DATE: 06/09/2014.  
ZONE: "X"

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS, THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'S ACCURACY.

## GRAPHIC SCALE



I, S. E. LUSCOMBE, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY and SECURE FINANCIAL SERVICES, INC. that the above map is true and correct according to an actual field survey, made by me or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no apparent visible encroachments, no apparent visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, as of the date of the field survey. Lot(s) 1, Block 2, HUNTERWOOD recorded in Volume 152, Page(s) 92, of the Map/Deed and Plat Records of HARRIS County, Texas, located in the ROBERT VINCE SURVEY, A-77  
Borrower: JONATHAN S. HEINE AND ALLISON L. HEINE  
Address: 439 THAMER LN., HOUSTON, TX 77024 GF No. 17003569

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN: VOLUME 152, PAGE 92, MAP RECORDS, HARRIS COUNTY, TEXAS VOLUME 1268, PAGE 430, VOLUME 3092, PAGE 674, VOLUME 3092, PAGE 676, VOLUME 3095, PAGE 434, VOLUME 3095, PAGE 438, VOLUME 7084, PAGE 514 (C856325), VOLUME 7151, PAGE 549 (C888787), VOLUME 7151, PAGE 556 (C888788), VOLUME 7189, PAGE 40 (C896475), VOLUME 7388, PAGE 43 (C802523), VOLUME 7413, PAGE 88 (C815899), DEED RECORDS, HARRIS COUNTY, TEXAS CLERK'S FILE NO(S). M519784, N603074, HARRIS COUNTY, TEXAS

PROPERTY PHOTOGRAPH:



## LAND TITLE SURVEY

JOB NO.:	1708008132	NO.	REVISION	DATE
DATE:	08/12/17			
DRAWN BY:	MF/AV			
APPROVED BY:	SEL			



FIRM REGISTRATION NO. 10190700

S. E. LUSCOMBE, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 4434

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**Overland Consortium Inc.**  
**Surveyors**

Tel: 281-940-8869 Fax: 281-207-6476

3817 A Stuart Street, Greenville, TX 75401