

# **CITY OF HORSESHOE BAY**

## **BOARD OF ADJUSTMENT**



**JANUARY 13, 2026**  
**9:00 A.M.**

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CITY OF HORSESHOE BAY  
BOARD OF ADJUSTEMENT  
NOTICE OF PUBLIC MEETING

January 13, 2026

Notice is hereby given to all interested members of the public that the Horseshoe Bay Board of Adjustment will hold a Public Meeting beginning at 9:00 A.M. on Tuesday, January 13, 2026, in the City Council Chambers at #1 Community Drive, Horseshoe Bay, Llano County, Texas.

The agenda for the Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (Those wishing to speak are asked to limit their comments to no more than 3 minutes)
3. Election of a Vice Chairperson
4. Approval of Minutes of the November 4, 2025, Regular Meeting
5. Review and approval of the Meeting Schedule for 2026
6. Public Hearing, discussion, consideration and take action on BOA Variance No. 2026-01, a request for approval for a variance from Sections 14.02.406(h)(3) and 14.02402.(C) of the Zoning Ordinance to allow the dwelling units and boat docks to have reduced side yard setbacks and to reduce the building setback along FM 2147 for all future residential lots out of Horseshoe Bay Plat No. N1.1001-E located at the intersection of Horseshoe Bay North Blvd. and FM 2147 in Zone 4A Horseshoe Bay Proper in the City of Horseshoe Bay, Texas / *Sterling Creek Homes, Applicant*
7. Adjournment



**CITY OF HORSESHOE BAY**  
**BOARD OF ADJUSTMENT**  
**MEETING MINUTES**

**November 4, 2025**

The Board of Adjustment of the City of Horseshoe Bay held a Regular Meeting in the City Council Chambers in City Hall located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on Tuesday, November 4, 2025, in accordance with the duly posted notice of said meeting.

The agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the meeting to order and establish a quorum**

The meeting was called to order at 9:00 a.m. by Chair Dale Amstutz with a quorum of Board members present as follows:

Chair Dale Amstutz  
Vice Chair Bill Knox  
Board Member Ron Christesson  
Board Member Ruth Rector-Wright  
Board Member Thom Fairleigh

Alternate Board Members present but not serving in official capacity at this meeting were Anne Whittington, Susie McCreary and Dan Gillean.

**2. Public Comments**

Four members from the public were in attendance. There were no Public Comments.

**3. Approval of Meeting Minutes for October 11, 2025, Regular Meeting**

Thom Fairleigh motioned to approve the meeting minutes. Ruth Rector-Wright seconded.  
VOTE: 5-0 in favor, motion passed.

**4. Public Hearing, discussion, consideration and take action on BOA Variance No. 2025-12, a request for approval of a variance from Section 14.02.402(a)(13)(B) of the Zoning Ordinance to allow narthex improvements whose addition would cause the total project size to exceed 15,000 square feet on Lot No. 41022-A out of Horseshoe**

**Bay Plat No. 41.22, known locally as St. Paul the Apostle Catholic Church, 210 Dalton Circle in Zione 4A Horseshoe Bay Proper in the City of Horseshoe Bay, Texas / Derek Keck, Applicant**

Chair Dale Amstutz opened the Public Hearing at 9:01 a.m. Edward Wenzel representing the applicant presented their request. Sandra Nash presented the staff report which is on file. Chair Dale Amstutz closed the Public Hearing at 9:06 a.m. Thom Fairleigh motioned to approve the variance. Bill Knox seconded. VOTE: 5-0 in favor, motion passed.

**5. Adjournment**

Thom Fairleigh motioned to adjourn the meeting. Bill Knox seconded. VOTE: 5-0 in favor, motioned passed. Chair Dale Amstutz adjourned the meeting at 9:07 a.m.

Approved this 13<sup>th</sup> day of January 2026



# CITY OF HORSESHOE BAY



## 2026 BOARD OF ADJUSTMENT Proposed Meeting Schedule

Date	Type	Time and Location
January 13, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
January 24 or February 3, 2026	Member Training	9:00 AM Council Chambers
February 10, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
March 10, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
April 14, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
May 12, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
June 9, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
July 14, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
August 11, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
September 8, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
October 6, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
November 10, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers
December 1, 2026	Regular BOA Meeting	9:00 a.m. Council Chambers



# CITY OF HORSESHOE BAY

JANUARY 13, 2026

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**To:** Board of Adjustment

**Thru:** Jeff Koska, City Manager

**From:** John Byrum, Development Services Director

**Re:** Public Hearing, discussion, consideration and take action on BOA Variance No. 2026-01, a request for approval of 3 Variances from Sections 14.02.406(h)(3) and 14.02.402(C) of the Zoning Ordinance to allow the dwelling units and boat docks to have reduced side yard setbacks, and to reduce the building setback along FM 2147 for all future residential lots out of Horseshoe Bay Plat No. N1.1001-E located at the intersection of Horseshoe Bay North Blvd and FM 2147 in Zone 4A Horseshoe Bay Proper in the City of Horseshoe Bay, Texas / *Sterling Creek Homes, Applicant*

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The applicant is requesting three (3) Variances for their future residential development located at the intersection of FM 2147 and Horseshoe Bay North Blvd. The land is currently zoned R-6 Apartment Townhouse, and Cottage. The tract is bordered on the east by Lake LBJ and the south by FM 2147. The tract is adjacent to Horseshoe Bay North Blvd on the west and existing condos are located directly to the north. The condos to the north are zoned R-6 Apartment, Townhouse and Cottage. Land across Horseshoe Bay North Blvd is zoned R-1 Single Family. The Horseshoe Creek Greenbelt and the City Central water plant is located directly across FM 2147 from this site. The lot will only have access from Horseshoe Bay North Blvd.

This lot is currently final platted with 12 townhome lots and a common area lot for parking and amenities. The applicant is proposing to reduce the density to 9 units and change them from townhomes to individual cottages. The cottages would each have their own 2 car garage and their own boat dock. The applicant is also proposing to include a small commercial development directly on the corner of this tract. The commercial corner will require rezoning and is not part of this request.

The applicant is requesting the following variances:

1. Reduction in side yard setback from 5 feet to 4 feet for the dwelling units;
2. Eliminate side yard setback for boat docks to allow 2 docks to be grouped together; and
3. Eliminate the 50 foot Image Corridor building setback along FM 2147 and reduce the landscape edge setback from 25 feet to 20 feet.

**The Board of Adjustment can only grant a Variance after holding a public hearing on the request and finding that:**

- 1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of the land. The applicant states that: “The property’s location along FM 2147, combined with mandatory view corridor requirements, preserved frontage buffers, shallow R-6 lot depth, and waterfront constraints creates unique site conditions. Strict application of setback and corridor standards under these circumstances would deprive the applicant of the reasonable use of the land and prevent functional, orderly site planning.” Staff visited the site and noted the unique configuration of the lot. This lot has significant frontage on both FM 2147 and Horseshoe Bay North Blvd. A significant amount of this lot is included in street yard setbacks.**
- 2. The Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The applicant states that: “Granting the variance preserves the applicant’s right to reasonable residential use of the property under R-6 zoning while implementing a lower-density development than currently allowed by right. Without the requested variances the reduced-density single-family cottage layout cannot be reasonably achieved due to the site’s fixed constraints.” Staff reviewed the final plat and confirmed this land is approved for 12 townhomes with amenities and parking. The applicant is reducing the dwelling units from 12 to 9 but adding a commercial corner so it is difficult for staff to determine if another layout could be reasonably achieved. The applicant is proposing 3,500 square foot dwelling units. If the units were slightly smaller the owner could achieve the 9 units without variances to the side yard setbacks or Image Corridor.**
- 3. The granting of the Variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area. The applicant states that: “The granting of the variances will not be detrimental to public health, safety or welfare. All life-safety and fire access concerns have been reviewed directly with the city Fire Chief, and the applicant has agreed to incorporate all required fire and emergency access measures under the proposed plan. The reduced-density layout, coordinated dock placement, preserved access areas and improved spacing result in a safer and more manageable site than what is permitted by right.” Staff confirms the applicant met with our Fire Chief and has agreed to follow all the requirements of the Horseshoe Bay Fire Department. Part of the resolution is that the 4 foot building setbacks must remain free of any obstructions to allow fire fighters access to the rear and upper floors of the buildings. The resolution for the AC units which typically are in the side yard was for them to be wall mounted rather than ground mounted. Staff acknowledge these tend to look like window units if not properly screened. Trash can areas are also typically in the side yard setback as well. The applicant has not made provisions for garbage bin areas suggesting each resident will store their cans in the garage. This is a potential code enforcement issue and emergency access issue if owners decide to store their cans in the side yard anyway.**



4. The granting of the Variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this article. The applicant states that: “The full 5-foot reserve and the 15-foot utility easement along FM 2147 are preserved, creating a continuous 20-foot non-buildable frontage buffer; no buildings encroach into this buffer; a 6-7 foot limestone block screening wall, combined with enhanced landscaping, will be installed within the view corridor to buffer the development from the roadway; and all utility access and long-term maintenance requirements remain intact. These measures provide a clear cut transition from the roadway to the waterfront development and supporting long-term infrastructure and land-use compatibility.” Staff does not think this layout will prevent orderly use of other land within the vicinity.
5. The granting of the Variance constitutes a minimal departure from this article. The applicant states that: “The requested variance constitute a minimal departure from the ordinance when viewed in context: Side setbacks are reduced by only 1 foot; Overall density is reduced from 12 units to 9 units; The full 20-foot frontage buffer along FM 2147 corridor is preserved; All landscaping requirements within FM 2147 view corridor are met or exceeded; and The addition of a limestone screening wall and landscaping enhances visual quality beyond minimum requirements. The proposal results in less intensity and greater buffering than what is allowed by right.” Staff agree that the side yard building setback variance request and the boat dock setback request are minimal departure from the ordinance. Staff disagree with the applicant’s assessment that the variance to the image corridor setbacks is minimal. The image Corridor Ordinance requires a 25 foot landscape buffer and a 50 foot building setback from FM 2147. A wall or berm is a required element. Staff also note the applicant has provided a landscape design of the image corridor that meets but does not exceed ordinance requirements. Applicant has not provided any additional buffer elements, open space or landscaping to make up for the reduced buffer and open space requirements.
6. That the subject circumstances or conditions are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property. The applicant states that: “The subject circumstances are not-self imposed, are not based on financial gain, and do not generally affect other properties in the vicinity. The applicant has voluntarily reduced the density from 12 attached townhomes to 9 single-family cottages, reducing development yield and potential revenue; No additional units, entitlements, zoning intensity are created by the requested variances; and the need for the variances arises from inherent site conditions, including FM 2147 frontage, preserved frontage buffers, mandatory corridor requirements, platted lot geometry and waterfront constraints. Allowing zero lot line dock placement in the water beyond the bulkhead enables back-to-back dock alignment, which opens additional shoreline space, improves fire and emergency access and represents a minimal and functional departure from waterfront setback standards. The variance is requested to achieve safe, orderly and compatible development, not to maximize economic return.” Staff agree the variance request to

**eliminate the side yard setbacks for the boat docks makes sense and will provide more visual open space of the lake and not impede boat traffic. It is difficult to determine if there is economic gain. The applicant is reducing the overall size of the residential lot as well as reducing the density by 3 dwelling units but adding a commercial corner for future sales or lease.**

**Staff has been contacted by 2 neighbors in opposition to these requests as well as a letter of concern from the Horseshoe Bay Architectural Control Committee. The letter of concern is attached. Staff suggests the Board vote on each variance separately as they can be individually approved or denied. Staff suggestions are below:**

- 1. Variance to reduce side yard setbacks from 5 feet to 4 feet for the dwelling units. If the Board is inclined to approve this request staff asks that there be language in the motion approving the variance as shown on the site plan and requiring the applicant to meet all requirements of the Horseshoe Bay Fire Department;**
- 2. Eliminate side yard setback for boat docks to allow 2 docks to be grouped together. If the Board approves this variance staff requests language in the motion approving the variance as shown on the site plan;**
- 3. Eliminate the 50 foot Image Corridor building setback along FM 2147 and reduce the landscape edge setback from 25 feet to 20 feet. If approved, staff would also like to tie this variance to the site plan as well. Staff encourages to Board to request the applicant increase the number of landscape elements, so the applicant exceeds the requirements as they stated in their request. A recommendation would be to require twice as many shrubs as required ( we only require 1 shrub every 10 feet) and add 2 or 3 more small trees and/or include a few evergreen trees to help screen the buildings in the winter.**

**Enclosure:   Aerial Photo  
                  Zoning Map  
                  Site Plan  
                  Preliminary Landscape Plan  
                  Image Corridor Exhibit  
                  Architects Exhibit of Future Residential Units  
                  Letter of Concern**



# Variance No. 2026-01

AERIAL



1/6/2026



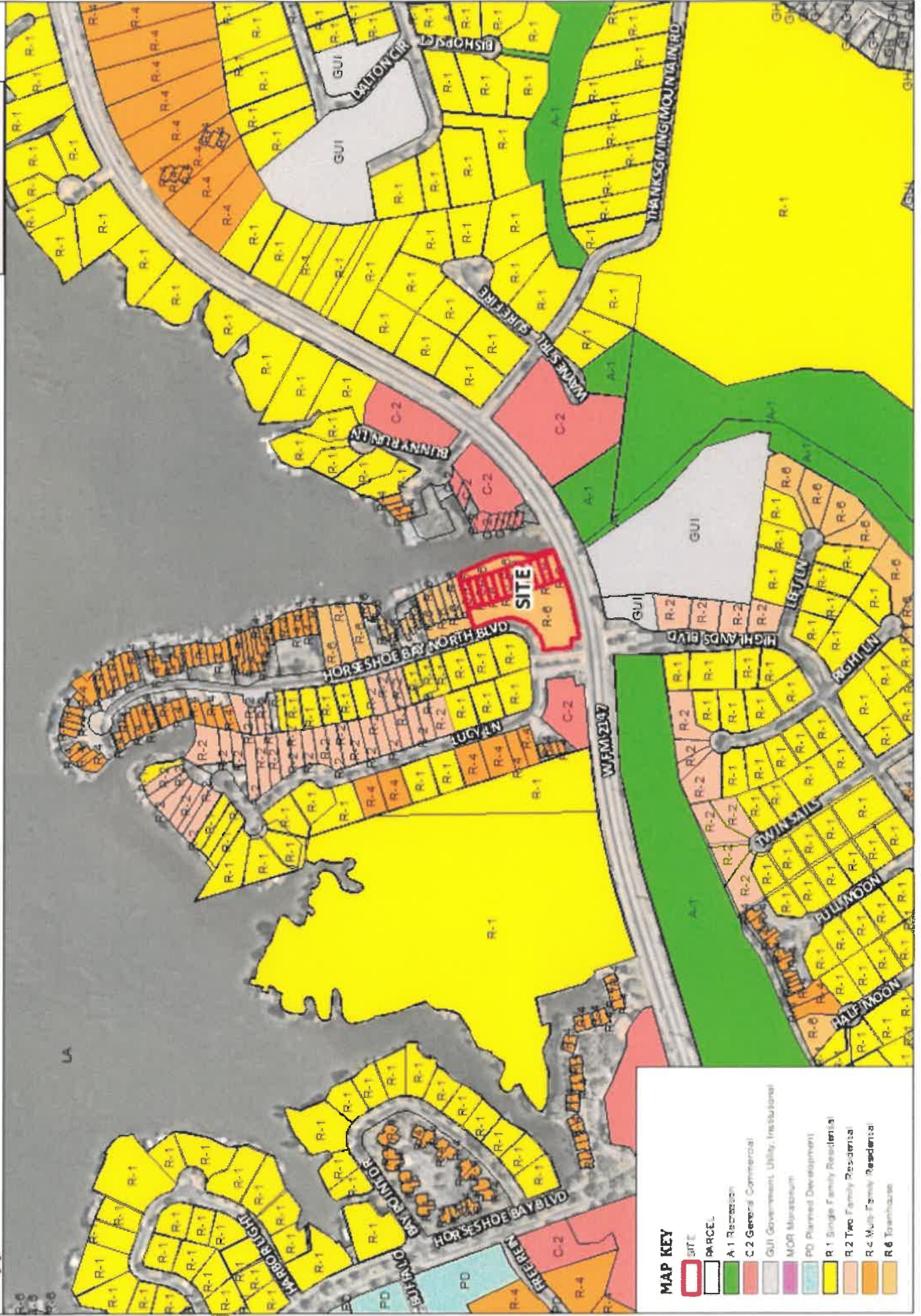
MAP KEY  
SITE  
PARCEL





# Variance No. 2026-01

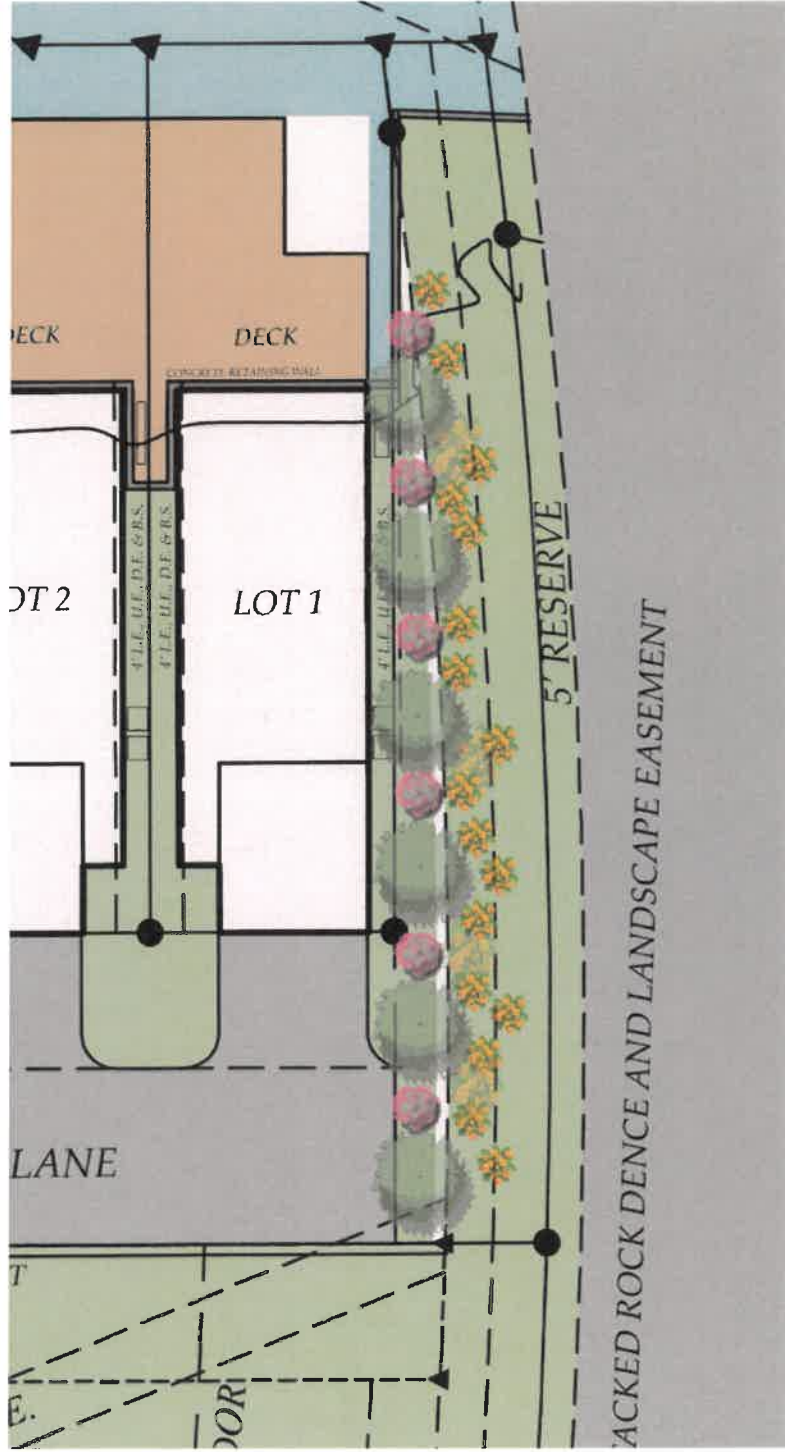
CURRENT  
ZONING



**ASA**  
**AUSTIN STUDIO**  
—ARCHITECTS—

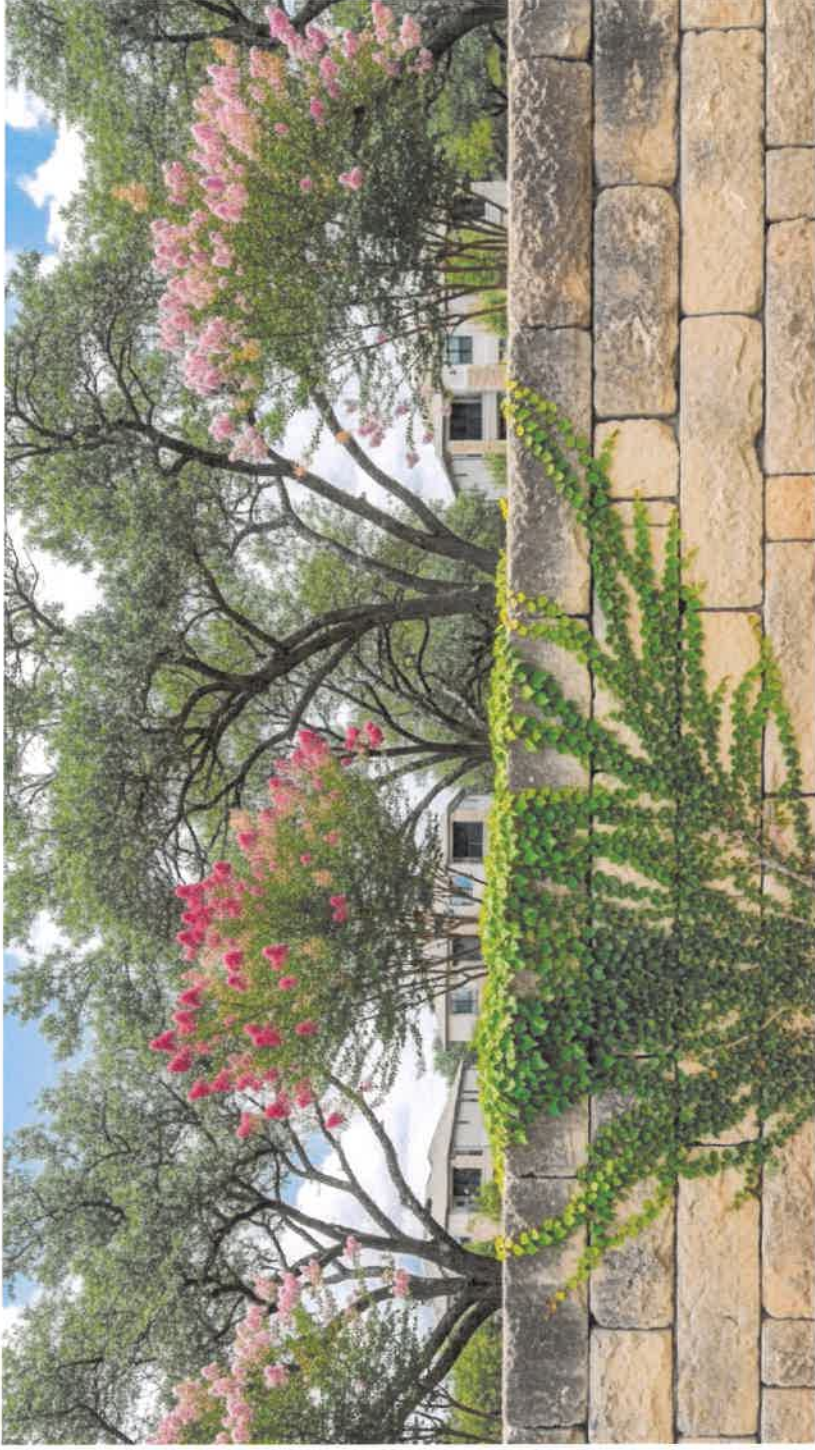






# HORSESHOE BAY VILLAS





HORSESHOE BAY  
VILLAS



# Horseshoe Bay, Texas

## Prime Waterfront Lots



This exhibit contains a conceptual rendering provided for illustrative purposes only. It is intended to convey the overall design intent and general layout and does not represent final plans or construction details.



To: Board of Adjustment

Subject: Scheduled variance for the Spring-fed multi-family project

The Architectural Control Committee and the Declarant have concerns and/or are asking for clarification of the following items:

- The Horseshoe Bay Declarations of Reservations section F.(3) requires a minimum of 5 feet in side yard setbacks. The committee asks the board to consider how the reduction in the side yard setbacks, and the removal of the setbacks between docks impact the following:
  - The privacy of the existing and future homeowners, including the dock areas.
  - HVAC system installation would impede egress through the side yards creating possible safety issues. Wall mounted units are not aesthetically compatible with the high architectural standards of the subdivision.
  - If future pools are installed, the reduction doesn't leave area for pool equipment installation.
- The committee has concerns about the request to reduce the image corridor's building setback from 50-feet to 25-feet. The setback was established to ensure our main thoroughfare is attractive and aligns with the high architectural standards of our community.
- The committee requests the board consider the lack of a trash enclosure. Individual cans left outside by part-time owners or renters create an eyesore and are a continual nuisance for city code enforcement officers.
- The plan doesn't appear to consider guest and overflow parking. This has the potential to create on-street parking violations and safety issues.
- The current plat shows the dock area zoned as common area. The committee would like to know if there will be any rezoning changes requested by the applicant and if so, what those changes will be.
- The committee ask for clarification of the mailbox kiosk's location.
- Confirm a replat of the existing plat will be required.

As with any other development project, the declarant and the committee must be provided with a comprehensive plan. At this time, we do not feel that there has been enough detail provided for an adequate review of all elements to ensure the project will align with the Horseshoe Bay CC&R's and governing Architectural Guidelines.