

CITY OF HORSESHOE BAY

BOARD OF ADJUSTMENT



SEPTEMBER 12, 2023
3:00 P.M.

CITY OF HORSESHOE BAY
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC MEETING

September 12, 2023

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 3:00 p.m., on Tuesday September 12, 2023, in the City Council Chambers in City Hall located 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 who wish to speak are asked to limit their comments to 3 minutes)
3. Approval of Minutes of the August 15, 2023, Regular Meeting
4. Public Hearing, discussion, consideration and take action on BOA Variance No. 2023-05, a request by Roy and Tricia Clements for approval of a Variance to Section 14.02.420(a)(5) of the Zoning ordinance to allow a lot in The Hills to subdivide for Lot No. 14 out of the Quail Ridge unrecorded plat, also known as 1010 County Road 2831 in Zone 17 The Hills in the City of Horseshoe Bay, Texas
5. Adjournment

**CITY OF HORSESHOE BAY
BOARD OF ADJUSTMENT**

MINUTES OF REGULAR MEETING

August 15, 2023

The Board of Adjustment of the City of Horseshoe Bay held a Regular Meeting in the City Council Chambers at City Hall located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on August 15, 2023, in accordance with the duly posted notice of said meeting.

The posted 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 3:00 p.m. by Chairman Dale Amstutz with a quorum of Board members present as follows:

Board Members present in person:

Chairman Dale Amstutz
Board Member John Minyard
Board Member Larry Morgan
Alternate Board Member Ron Christesson
Alternate Board Member Thom Fairleigh

2. Public Comments

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

3. Approval of Meeting Minutes of the March 7, 2023, Regular Meeting

Thom Fairleigh motioned to approve the minutes as written. John Minyard seconded. VOTE: 5-0 in favor, motion passed.

4. Public hearing, discussion, consideration and take action on BOA Variance No. 2023-03, a request by Cole and Camille Reasor for approval of a Variance to Section 14.02.406(b)(15)(L) of the Zoning Ordinance to allow a fence to encroach into the setback along Blue Fox on Lot No. W35059 out of Plat No. W35.2, also known as 711 Apache Tears in Zone 3 Horseshoe Bay West, in the City of Horseshoe Bay, Texas

Chairman Dale Amstutz opened the Public Hearing at 3:02 PM. There were no public comments. Sandra Nash presented the staff report which is on file. Cole Reasor presented his request. Chairman Dale Amstutz closed the Public Hearing. Thom Fairleigh motioned to approve the Variance request. John Minyard seconded. VOTE: 5-0 in favor, motion passed.

5. **Public Hearing, discussion, consideration and take action on BOA Variance No. 2023-04, a request by James and Diane Hope for approval of a Variance to Section 14.020414(c)(1)(Q) of the Zoning Ordinance to allow more than one point of access for Lot No. 23 out of Skywater over Horseshoe Bay Plat No. 2.1, also known as 420 Blazing Star in Zone 12 Summit Rock, in the City of Horseshoe Bay, Texas**

Chairman Dale Amstutz opened the Public Hearing at 3:08 PM. There were no public comments. Tori St Pe` representing applicant presented their request. Sandra Nash presented the staff report which is on file. Chairman Dale Amstutz closed the Public Hearing. John Minyard motioned to approve the Variance request. Ron Christesson seconded. VOTE: 5-0 in favor, motion passed.

6. **Adjournment**

Thom Fairleigh motioned to adjourn the meeting. Ron Christesson seconded. VOTE: 5-0, motion passed. Chairman Dale Amstutz adjourned the meeting at 3:14 PM.

Approved this 12nd day of September 2023



CITY OF HORSESHOE BAY

SEPTEMBER 12, 2023

To: Board of Adjustment
Thru: Jeff Koska, City Manager
From: Sally A. McFeron, Development Services Director
Re: Public Hearing, discussion, consideration and take action on BOA Variance No. 2023-05, a request by Roy and Tricia Clements for approval of a Variance to Section 14.02.420(a)(5) of the Zoning Ordinance to allow a lot in The Hills to subdivide for Lot No. 14 out of The Quail Ridge unrecorded plat, also known as 1010 County Road 2831 in Zone 17 The Hills, in the City of Horseshoe Bay, Texas

The applicant is requesting a Variance to be permitted to subdivide their lot in Zone 17 The Hills. The Hills is the only zone in Horseshoe Bay that does not allow the subdivision of lots without approval of a Variance. The tract is 7 acres and the owner wants to subdivide it into two 3.5 acre lots. The property is zoned R-R Rural Residential. The tract is surrounded by RR- Rural Residential single family use. The owner plans to build a single family home on one of the lots. The building permit for that home has been approved but not yet issued. The Quail Ridge portion of the Hills is not part of The Hills POA. There is no POA for Quail Ridge.

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

1. That 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: "No." Staff research shows the lot is 7 acres. Dividing the tract into two 3.5 acre lots is reflective of the character of The Hills and Horseshoe Bay.
2. That the Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The applicant states that: "Client would like to create two equal lots which will decrease the density of the subdivision." Staff reviewed the proposed subdivision and notes it will increase density by one lot.
3. That 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: "This will increase density so it should be no problem." Staff agrees this will increase density however, the roadway is of sufficient width and water is available.

4. That 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: “There will be no effect on other land.” Staff reviewed the lot sizes in The Hills and the 2 proposed lots will be comparable.
5. That the granting of the Variance constitutes a minimal departure from this article. The applicant states that: “The subdivision will only be the 2 lots.” Staff agrees. The 2 lots will be 3.5 acres each. This is compatible with the rural, large lot character of The Hills.
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: “This will only effect the two lots.” Staff agrees.

One resident from The Hills called in opposition to this request. Staff recommends approval of this Variance.

Enclosure: Aerial Photo
Zoning Map
Proposed Subdivision



1010 CR2831

AEIRAL

6/29/2023
N



MAP KEY

- Site
- Parcels
- City Limit Boundary



CURRENT ZONING

1010 CR2831



Table with 2 columns: No., Description. Row 1: 1, REVISIONS.

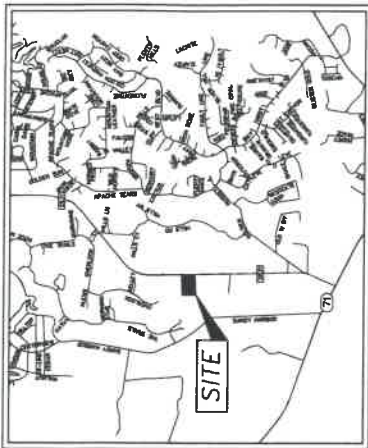
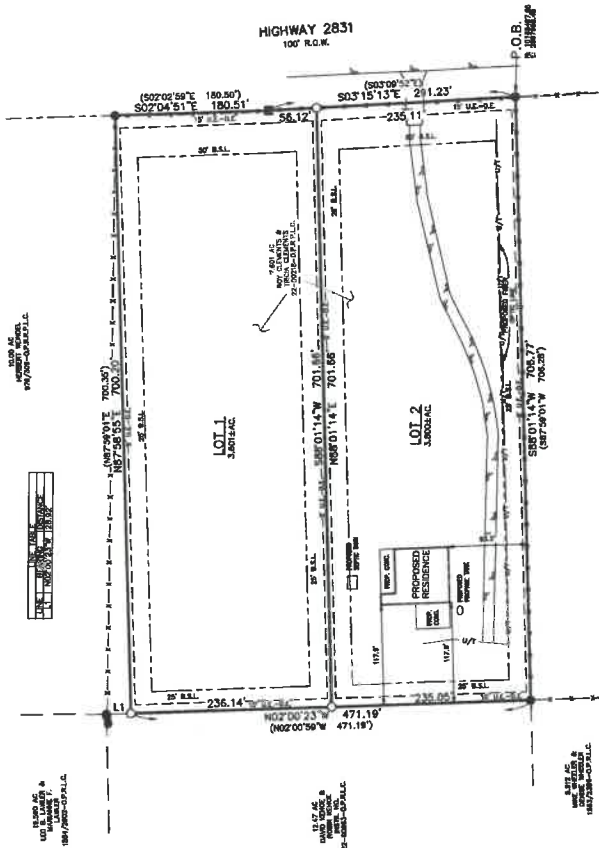
SCALE 1" = 100'

1500 COLLIER LANE
MARBLES FALLS, TX 78654
PHONE: 817-371-1111
WWW.CUPPLANASSOCIATES.COM

PROJ. NO. 24879
SUB. BY: BOY CLEMENTS & TRICHA CLEMENTS
DATE: 8/18/22
APPROVED: D. STARK
FIELDWORK PERFORMED ON: 8/18/22
CITY/STATE: TEXAS

HORSESHOE BAY QUAIL RIDGE LOT 1 AND 2

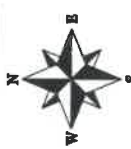
A MINOR PLAT OF A 7.807 ACRE TRACT OF LAND IN THE LEVY HENCKER SURVEY NO. 2, ABSTRACT NO. 505, LLANO COUNTY, TEXAS, DESCRIBED IN DOCUMENT TO BOY CLEMENTS AND TRICHA CLEMENTS, RECORDED IN INSTRUMENT NO. 22-00218 OF THE OFFICIAL PUBLIC RECORDS OF LLANO COUNTY, TEXAS.



LOCATION MAP
NOT TO SCALE
ZONING CLASSIFICATION:
RFR - RURAL RESIDENTIAL



- LEGEND
1. ALL PROPERTY AREAS...
2. ALL PROPERTY AREAS...
3. ALL PROPERTY AREAS...
4. ALL PROPERTY AREAS...
5. ALL PROPERTY AREAS...
6. ALL PROPERTY AREAS...



GENERAL NOTES

- 1. ALL PROPERTY AREAS...
2. ALL PROPERTY AREAS...
3. ALL PROPERTY AREAS...
4. ALL PROPERTY AREAS...
5. ALL PROPERTY AREAS...
6. ALL PROPERTY AREAS...
7. ALL PROPERTY AREAS...
8. ALL PROPERTY AREAS...

PRELIMINARY
PURSUANT TO THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 683.16b, THIS DOCUMENT IS "PRELIMINARY." THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

STATE OF TEXAS
COUNTY OF LLANO
I, BOY CLEMENTS AND TRICHA CLEMENTS, being the owners of a 7.807 acre tract of land in the Levy Hencker Survey No. 2, Abstract No. 505, LLANO County, Texas, do hereby certify that the plat is a true and correct representation of the land as shown on the plat and as described in the plat and as shown on the plat and as described in the plat...

APPROVED BY: BOY CLEMENTS AND TRICHA CLEMENTS
SUBMITTED TO THE COUNTY CLERK OF LLANO COUNTY, TEXAS, FOR RECORDATION AND TO BE RECORDED IN THE OFFICIAL PUBLIC RECORDS OF LLANO COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF LLANO
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STATE OF TEXAS
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