

CITY OF HORSESHOE BAY

BOARD OF ADJUSTMENT



SEPTEMBER 29, 2022
3:00 P.M.

CITY OF HORSESHOE BAY
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC MEETING

September 29,2022

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 Thursday September 29, 2022, in the City Council Chambers 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 23, 2022 Regular Meeting
4. Public Hearing, discuss, consider and take action on BOA Case No. 2022-04, a request by the Horseshoe Bay Property Owners Association for approval of a Variance to Section 14.02.406(1)(4)(B) of the Zoning Ordinance to allow a garage to encroach into the side yard setback at the Quail Point Lodge located at 708 Red Sails in Zone 4A Horseshoe Bay Proper
5. Adjournment

This group reserves the right to adjourn into executive session at any time during the course of this meeting as authorized by the Texas Government Code. This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made two business days prior to this meeting by calling 830-598-9906 or emailing snash@horseshoe-bay-tx.gov.

**CITY OF HORSESHOE BAY
BOARD OF ADJUSTMENT**

MINUTES OF REGULAR MEETING

August 23, 2022

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 August 23, 2022, 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 Jim Babcock with a quorum of Board members present as follows:

Board Members present in person:

Chairman Jim Babcock
Vice Chairman Dale Amstutz
Board Member John Minyard
Board Member Bill Knox
Alternate Board Member Ron Christesson
Alternate Board Member Linda Smith

2. Public Comments

There were no Public Comments.

3. Approval of Meeting Minutes of the January 25, 2022, Regular Meeting

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

4. Public hearing, discuss, consider and take action on BOA Case No. 2022-01, a request by Randy and Gloria Slezak for approval of a Variance to Section 14.02.406(b)(3)(A) of the Zoning Ordinance to allow a garage expansion to encroach 4 feet 1 inch into the 25-foot front yard setback on Lot No. 25045 oh Horseshoe Bay Plat No. 25.1, also known as 1009 Red Sails in Zone 4A Horseshoe Bay Proper

Chairman Babcock opened the Public Hearing at 3:02 PM. Gloria Slezak presented her request for the garage expansion to encroach into the front yard setback. Sandra Nash presented the staff report which is on file. There were no public comments. Chairman Babcock closed the Public Hearing. John Minyard motioned to approve the Variance request. Vice Chairman Amstutz seconded. VOTE: 5-0 in favor, motion passed.

5. **Public hearing, discuss, consider and take action on BOA Case No. 2022-02, a request by Joe and Cindy Alexander for approval of a Variance to Section 14.02.402(15)(B)(i) and (ii) of the Zoning Ordinance to allow a deck to encroach 15 feet into the 15-foot rear yard setback on Lot No. 10059 of Horseshoe Bay Plat No. 10.1, also known as 312 Sombrero in Zone 4A Horseshoe Bay Proper**

Chairman Babcock opened the public hearing at 3:05 PM. Joe Alexander presented his request to build a deck in the 15 foot rear yard setback. Sandra Nash presented the staff report which is on file. There were no public comments. Chairman Babcock closed the Public Hearing. Vice Chairman Amstutz motioned to approve the Variance request. Bill Knox seconded. VOTE: 5-0 in favor, motion passed.

6. **Public hearing, discuss, consider and take action on BOA Case No. 2022-03, a request by Barbara Schrader for approval of a Variance to Section 14.02.414(c)(1)(R) of the Zoning Ordinance to allow a swimming pool to be constructed in the side yard on Lot No. 3 of Skywater Over Horseshoe Bay Plat No. 2.1, also known as 208 Blazing Star in Zone 12, Summit Rock**

Chairman Babcock opened the Public Hearing at 3:10 PM. Barbara Schrader presented her request to build a swimming pool in the side yard. Sandra Nash presented the staff report which is on file. There were no public comments. Chairman Babcock closed the Public Hearing. Bill Knox motioned to approve the Variance request. Vice Chairman Amstutz seconded. VOTE: 5-0 in favor, motion passed

7. **Adjournment**

Vice Chairman Amstutz motioned to adjourn the meeting. John Minyard seconded. VOTE: 5-0, motion passed. Chairman Babcock adjourned the meeting at 3:20 PM.

Approved this 29th day of September, 2022.



CITY OF HORSESHOE BAY

SEPTEMBER 29, 2022

To: Board of Adjustment
Thru: Jeff Koska, City Manager
From: Sally A. McFeron, Development Services Director
Re: Public Hearing, discuss, consider and take action on BOA Variance No. 2022-04, a request by Horseshoe Bay Property Owners Association for approval of a Variance to Section 14.02.406(I)(4)(B) of the Zoning Ordinance to allow a garage to encroach into the side yard setback at the Quail Point Lodge located at 708 Red Sails in Zone 4A Horseshoe Bay Proper

The applicant is requesting a Variance to encroach 17 feet into the 40 foot side yard setback to allow construction of a small garage at the Quail Point Lodge Community Center located at the intersection of Red Sails and Twilight. The property is zoned A-1 Recreation. Recreation use has a 40 foot setback if adjoining residential use. The proposed garage is shown on the Site Plan.

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: "There are no other sites on the property in accordance to the ACC regulations." Staff visited the property and confirmed this to be the case.
2. That the Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The applicant states that: "This variance is necessary to maintain the neat and clean image of Quail Point Lodge. It will keep necessary equipment in an orderly fashion." Staff agrees.
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: "The variance will not be detrimental to the public." Staff agrees.
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: “This project variance request will not impede use of other neighboring properties.” Staff has no issue with this.

- 5. That the granting of the Variance constitutes a minimal departure from this article. The applicant states that: “This request is utilizing the minimal amount possible.” Staff agrees this is the only place on the property where the proposed building could be located.**
- 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 variance request is not self-imposed, nor is it based off economic gain or loss, and does not affect the land or properties within the immediate vicinity of the property.” Staff agrees the circumstances are not self-imposed and will provide a benefit to the community.**

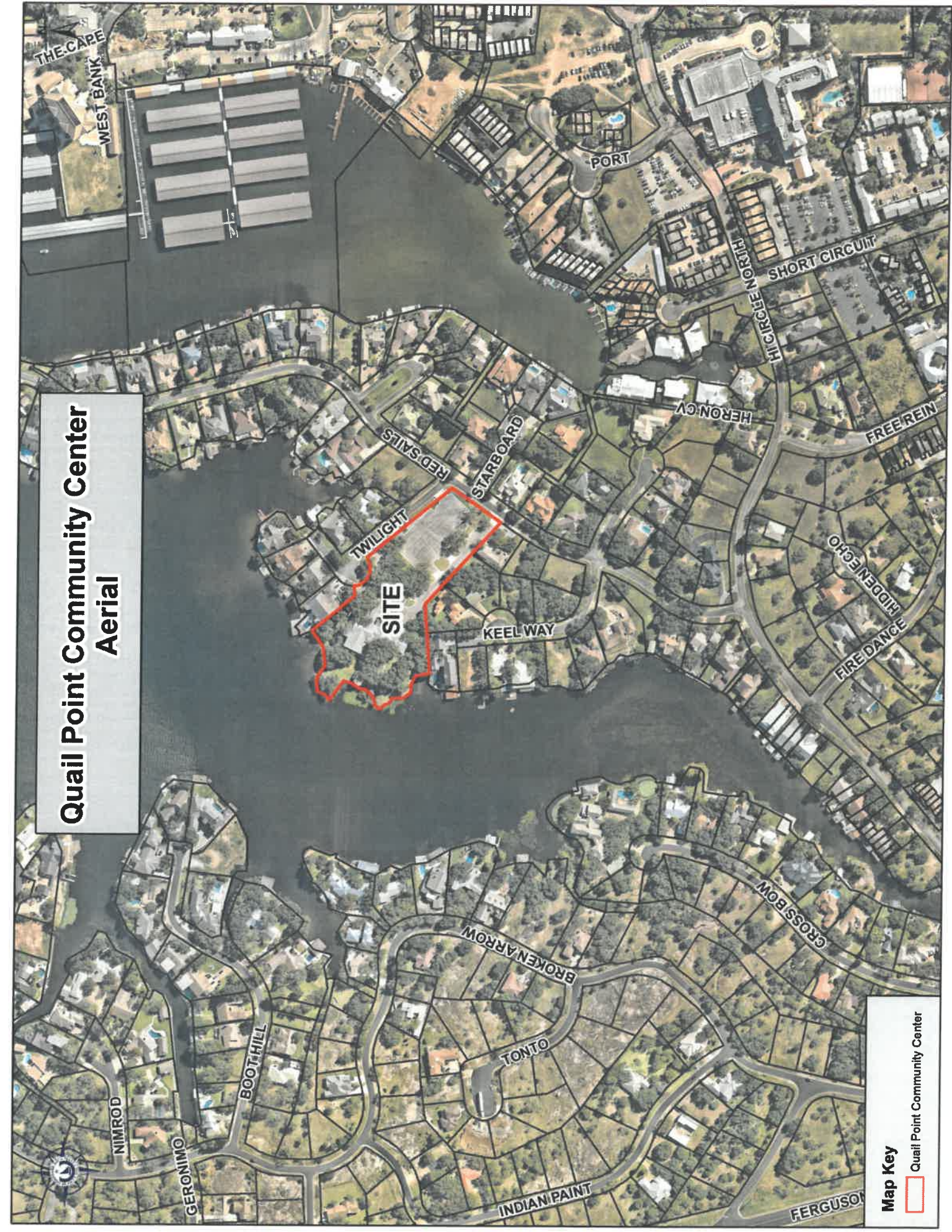
Staff recommends approval of this variance request as the Quail Point Lodge serves the community as a whole.

**Enclosure: Aerial Photo
 Zoning Map
 Site Plan
 Site Photo**

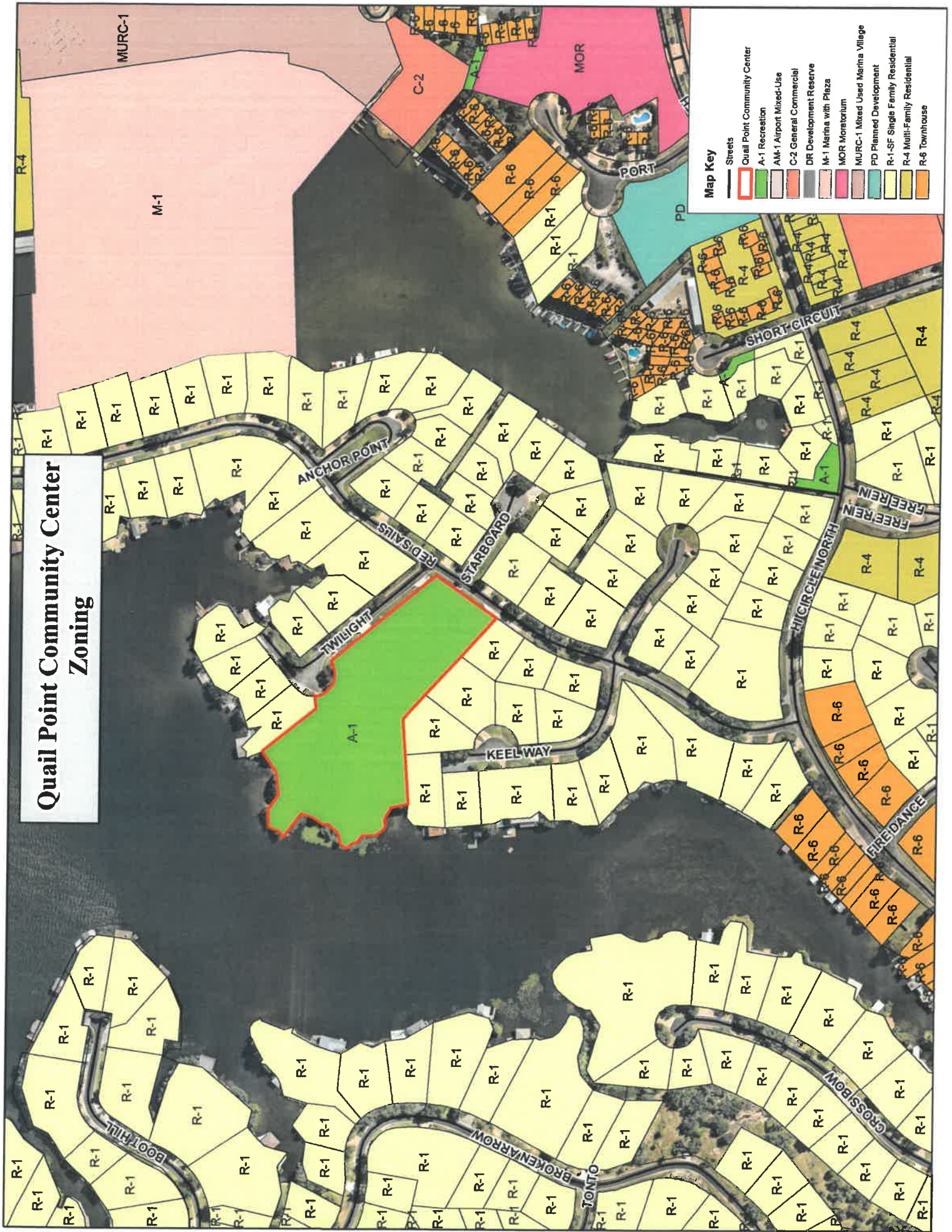
Quail Point Community Center Aerial

SITE

Map Key
Quail Point Community Center



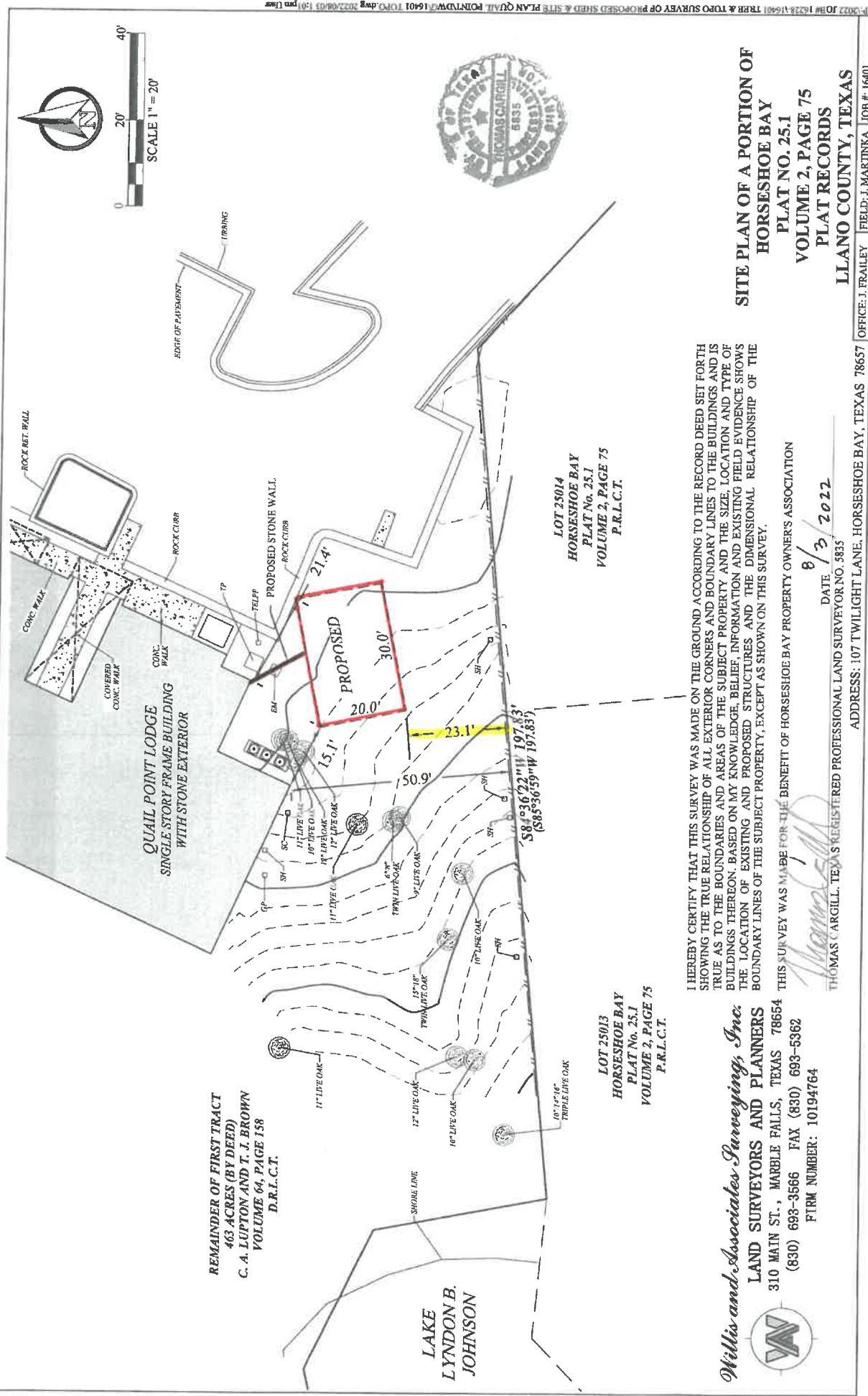
Quail Point Community Center Zoning



Map Key

- Streets
- Quail Point Community Center
- A-1 Recreation
- AM-1 Airport Mixed-Use
- C-2 General Commercial
- DR Development Reserve
- M-1 Marina with Plaza
- MOR Moratorium
- MURC-1 Mixed Use Marina Village
- PD Planned Development
- R-1 SF Single Family Residential
- R-4 Multi-Family Residential
- R-6 Townhouse

Site Plan



REMAINDER OF FIRST TRACT
463 ACRES (BY DEED)
C. A. LUPTON AND T. J. BROWN
VOLUME 64, PAGE 158
D.R.L.C.T.

LAKE
LYNDON B.
JOHNSON

LOT 25013
HORSESHOE BAY
PLAT No. 25.1
VOLUME 2, PAGE 75
P.R.L.C.T.

LOT 25014
HORSESHOE BAY
PLAT No. 25.1
VOLUME 2, PAGE 75
P.R.L.C.T.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND ACCORDING TO THE RECORD DEED SET FORTH SHOWING THE TRUE RELATIONSHIP OF ALL EXTERIOR CORNERS AND BOUNDARY LINES TO THE BUILDINGS AND IS TRUE AS TO THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION AND TYPE OF BUILDINGS THEREON. BASED ON MY KNOWLEDGE, BELIEF, INFORMATION AND EXISTING FIELD EVIDENCE SHOWS THE LOCATION OF EXISTING AND PROPOSED STRUCTURES AND THE DIMENSIONAL RELATIONSHIP OF THE BOUNDARY LINES OF THE SUBJECT PROPERTY, EXCEPT AS SHOWN ON THIS SURVEY.

THIS SURVEY WAS MADE FOR THE BENEFIT OF HORSESHOE BAY PROPERTY OWNERS ASSOCIATION
 THOMAS V. ARGILL, TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3835
 DATE: 8/3/2022
 ADDRESS: 107 TWILIGHT LANE, HORSESHOE BAY, TEXAS 78657 OFFICE: J. FRAILEY FIELD: J. MARTINKA JOB #: 16401

Willis and Associates Surveying, Inc.
 LAND SURVEYORS AND PLANNERS
 310 MAIN ST., MARBLE FALLS, TEXAS 78654
 (830) 693-3566 FAX (830) 693-5362
 FIRM NUMBER: 10194764

SITE PLAN OF A PORTION OF
HORSESHOE BAY
PLAT NO. 25.1
VOLUME 2, PAGE 75
PLANO RECORDS
LLANO COUNTY, TEXAS

