

**CITY OF KERRVILLE, TEXAS
PLANNING AND ZONING COMMISSION**

January 16, 2014

MEMBERS PRESENT:

David Watterson, Chair
Harold Buell, Vice-Chair
Garrett Harmon, Commissioner
Bill Morgan, Commissioner
Bob Waller, Commissioner
Doyle Malone, Alternate

COUNCIL LIASON:

Justin MacDonald (not present)

STAFF PRESENT:

Jason Lutz, Senior Planner
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On January 16, 2014, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 701 Main Street.

1. VISITORS/CITIZENS FORUM:

No one spoke.

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the December 19, 2013 meeting.

Cmr. Morgan moved to approve the minutes as presented; motion was seconded by Cmr. Harmon and passed 5-0.

3. INTRODUCTION OF NEW COMMISSIONERS

Mr. Lutz introduced Rustin Zuber who was appointed as an alternate to the Planning and Zoning Commission. Mr. Bruce Motheral was appointed as a regular commissioner but was not in attendance at this meeting.

4. CONSIDERATION AND ACTION:

4A. Preliminary Plat - Consideration and action concerning a proposed preliminary plat establishing Lots 1 and 2 of the Green Tree Acres Subdivision comprising 15.00 acres of land, more or less, out of WM. C. Francis Survey No. 146, Abstract No. 137, in the City of Kerrville, Kerr County, located at 1141 Bandera Highway.

Owner: Gary J. Lamb
Zoned: (GR) Guadalupe River District

Applicant: Lee Voelkel
Planning File: 2013-057

Mr. Lutz presented the findings of fact and recommended approval of the preliminary plat as presented.

Comr. Watterson opened the floor for comments at 4:36 p.m. Hearing no one speak, Comr. Watterson closed the floor at 4:37 p.m.

Comr. Harmon moved to approve the preliminary plat as presented; motion was second by Comr. Morgan and passed 5-0.

5. PUBLIC HEARINGS AND ACTION:

5A. Replat - Public hearing, consideration, and action concerning a proposed replat of Lots 7, 8, 9, and 10, Block 3, of the Village Glen Subdivision, located at 1809, 1813, 1817, and 1821 Foothills Dr.

Owner: Jack Porter
Zoned: (R1) Single Family Residential

Applicant: Lee Voelkel
Planning File: 2013-056

Mr. Lutz presented the findings of fact and recommended approval the replat as presented.

Comr. Watterson opened the public hearing at 4:38 p.m.

Ms. Karen Weber spoke and inquired as to the exact location of any proposed structure.

Mr. Dan Smith spoke and inquired about the location of any proposed driveways.

Ms. Ruth Spradling spoke and inquired about any proposed plans for this property. Mr. Voelkel replied on behalf on the applicant and stated the homeowner wants to replat all four lots and build a garage. Ms. Spradling asked if there would be any changes in the setbacks. Mr. Lutz replied there would only be changes to the interior setbacks.

Comr. Watterson closed the public hearing at 4:48 p.m.

Comr. Harmon moved to approve the replat as presented; motion was second by Comr. Malone and passed 5-0.

5B. Replat and Variance Request - Public hearing, consideration, and action concerning a proposed replat of Lots 1, 2, 3, and 4, Block 3, of the Maud Jennings Subdivision, and a variance request for the minimum lot frontage for single family dwellings, located at the intersection of McGinnis Ct. and Glenn Ct.

Owner: Habitat for Humanity
Zoned: (RC) Residential Cluster

Applicant: Kevin Spraggins
Planning File: 2013-058

Mr. Lutz presented the findings of fact as follows:

1. That there are special circumstances or conditions affecting the land involved that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of this land;
 - Due to the steep topography on the southern perimeter of phase 2 and the drainage swale that runs along the northern property line, the tract is restricted to an east-west roadway configuration, thus making the limiting factor to the number of lots in the subdivision and the width of the lots required by the zoning code.
2. That the variance is necessary for the preservation of environmental features that would be affected by a strict application of the ordinance. These features would include tree preservation, geologic formations, steep slopes, springs, and other similar circumstances;
 - The owner and several of the supporters of the subdivision have a deep desire to preserve existing trees on the tract. In order to do that, the eastern and western ends of the proposed subdivision will be required to be used as open space or backyard areas. This also limits the lot configuration and lot widths required by the zoning code.
3. That the variance would enable a more efficient use of the land of previously subdivided parcels which meet or exceed the area requirements of the City zoning ordinance (deep lots, unusual shape);
 - N/A
4. That the granting of a variance would serve to minimize or correct previous development deficiencies (utility line placement, drainage courses, transmission line location, septic systems);
 - Due to the fact that some of the public improvements (water & sewer mains) have been designed and installed with services that conform to the proposed lot configuration.
5. That the variance would enable the developer to orient his lots for greater solar advantage;
 - N/A
6. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.
 - The proposed lot configuration is in similar configuration to other lots located in block 1 of this subdivision (less than 60' of frontage). Therefore due to their similarities the proposed subdivision layout is not a detriment to the adjacent property or other properties in the area. In addition if these single family dwellings were to utilize a zero lot line configuration no variance would be required as they would allow for a 50' lot frontage for those lots not located on a cul-de-sac.

At the time this packet was distributed 28 land owners, within 200', were notified and no official protests have been received.

This variance request meets the requirements found in the subdivision ordinance for the granting of a variance and staff recommends approval of the replat and variance request as presented.

Comr. Watterson opened the public hearing at 4:55 p.m. Hearing no one speak, Comr. Watterson closed the public hearing at 4:56 p.m.

Comr. Zuber moved to approve the replat and variance as presented; motion was second by Comr. Morgan and passed 5-0.

6. STAFF REPORTS:

6A. Report concerning future agenda items.

Mr. Lutz reported there will be a special meeting held Wednesday, January 29, 2014 to discuss a replat of two lots in Comanche Trace.

Mr. Lutz reported there will be a regular meeting on February 6, 2014 to discuss a CUP for 820 Sidney Baker.

7. ADJOURNMENT

This meeting was adjourned at 5:02 p.m.

APPROVED:



David Watterson, Chair



Dorothy Miller, Recording Secretary

01/29/14

Date Minutes Approved