

CITY OF CASTLE HILLS  
BOARD OF ADJUSTMENT HEARING  
MINUTES OF FEBRUARY 18, 2009

The Board of Adjustment of the City of Castle Hills held a public hearing on the 18<sup>th</sup> day of February, 2009, at 7:00 P.M. at the City of Castle Hills City Hall, 209 Lemonwood Drive, Castle Hills, Texas.

I. OPENING - QUORUM

Present and composing a quorum of the Board of Adjustment was Chairman Bill Schluter, Bob Jones, Pamala Farris, Brother William Dooling, and Kathryn Safford.

Staff members present were City Manager Mike Rietz, Assistant City Manager Rita Hoyl, and City Secretary Linda Gill.

II. OLD BUSINESS – None

III. NEW BUSINESS

A. CONSIDER AND ACT UPON APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 17, 2008.

**Motion:** Brother Dooling moved to approve the minutes of the December 17, 2008, meeting. Ms. Safford seconded the motion. The motion passed with a unanimous vote.

B. HOLD A PUBLIC HEARING AND ACT UPON AN APPLICATION FROM BRIAN CARTER, OWNER OF 6702 WEST AVENUE, CB 5778A Block 11 Lot 4.

Chairman Schluter read the agenda and explained how the board would proceed with the hearing before calling the applicant forward to present his request.

Alan Dos Santos came forward and said that he was representing Brian Carter, who was currently deployed in Iraq. Mr. Dos Santos referred to a site plan of the property at 6702 West Avenue and pointed out that Mr. Carter was requesting the variance in order to place an arbor and locate a carport on the southwest corner of the property. His request was to encroach 92' from the rear yard to the front yard and encroach 8' from the front property line setback to build the carport and avoid cutting down any trees. He also wanted to encroach 8' from the side yard setback and 41' from the front property line to build the arbor, which qualifies as an accessory building.

Mr. Dos Santos indicated that the arbor was replacing an existing, unsightly and dangerous trellis that Mr. Carter thought was considered landscaping and did not require a permit. The carport pad was originally laid out when the entrance to the property was moved and is already paved. Mr. Carter needs the carport for protection of his vehicle until the new garage is constructed. In answer to questions from the board, Mr. Dos Santos said that the existing garage is being used for storage.

Chairman Schluter read through the seven questions on the variance application. The general consensus of the board was that reasons for the variance did not indicate a hardship. Mr. Schluter asked if there were any citizens present who wished to speak.

Reynaldo Sanchez of 103 Mimosa said that the northern boundary of his property shares the back side of Mr. Carter's property. He stated that he was opposed to the construction.

Vera Howard of 14 West Oaks Court pointed out that the owner was not present to answer questions. She questioned why the old garage could not be cleaned out to use for the car. Mr. Dos Santos said that the existing garage would be torn down to build the house.

Chairman Schluter said that the agenda item would be broken into two sections, one for the carport and one for the arbor. He asked for a motion.

**Motion:** Ms. Safford moved to deny the construction of the carport. Brother Dooling seconded the motion. The motion passed unanimously.

**Motion:** Ms. Farris moved to deny the construction of the arbor. Ms. Safford seconded the motion. The motion passed unanimously.

#### IV. ADJOURNMENT

Mr. Jones moved to adjourn the meeting at 7:55 p.m. Brother Dooling seconded the motion, and it passed unanimously.

These minutes were approved on the 18<sup>th</sup> day of March, 2009.

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William Schluter, Chairman

ATTEST: \_\_\_\_\_  
Linda Gill, City Secretary