

CITY OF CASTLE HILLS  
BOARD OF ADJUSTMENT HEARING  
MINUTES OF AUGUST 20, 2008

The Board of Adjustment of the City of Castle Hills held a public hearing on the 20<sup>th</sup> day of August, 2008, 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 William Schluter, Terry Warth, Bob Jones, Pamala Farris, and Brother William Dooling.

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 JULY 16, 2008.

Chairman Schluter deferred approving the July 16, 2008 minutes until the September meeting.

B. CONSIDER AND ACT UPON AN APPLICATION FROM SOL AND CELESTE CASSEB, OWNERS OF 204 LOHAVEN LANE REQUESTING A VARIANCE TO THE CITY OF CASTLE HILLS CODE OF ORDINANCES, CHAPTER 31.204 (d), 7 AREA REGULATIONS.

Chairman Schluter asked the petitioner to come forward and present his case. He remarked to Mr. Casseb that he had not seen a sign on the property regarding the Board of Adjustment hearing. Mr. Casseb said that he did not know that the sign needed to be displayed.

Mr. Casseb's son-in-law Price Veltman explained why a variance was needed. He said Mr. Casseb proposed to build an arbor behind his house. He said the present arbor that measures 14' x 14' will be enlarged to 18' x 20'. The arbor would not be a covered structure. There would be slats across the top, but with space between them. Mr. Casseb showed pictures of what the arbor would look like. He asked for a 6' encroachment into the 10' minimum spacing requirement between the proposed detached arbor and the existing garage. He indicated that the existing cabana and the location of an existing swimming pool dictate the location of the arbor. Brother Dooling

commented that the drawings showed no height dimensions, which was a problem.

City Manager Rietz said elevations are required only for structures. He said the setback is what is in question. Brother Dooling said that height is an issue and questioned plans regarding footage and setback. Chairman Schluter had Mr. Veltman approach and explain the setback. Board members conferred on the measurements.

Brother Dooling again said that he had a problem with the sign not being posted on the property as the application requires. Ms. Hoyl indicated that she took full responsibility for that because she failed to give Mr. Casseb a sign. Board members discussed the seven conditions stated that might cause a need for the variance.

Mr. Warth asked about the location of the slab. Mr. Rietz said the slab is not subject to setback requirements and would not be encroaching into the setback. Mr. Veltman said he would have no problem keeping the arbor 10' from the garage. He was told that the slab was part of the structure and that was why he was there.

Mr. Casseb asked if it was possible to put a notch in the structure to keep it 10' away from the main structure. Brother Dooling commented that he was thinking that would work. Mr. Rietz said that, if a notch is put in the structure, Mr. Casseb didn't need to be there. Mr. Casseb suggested that the Board table the matter until the next meeting to allow him to put up the sign as required.

Mr. Rietz explained that tabling the decision would allow Mr. Casseb more time to evaluate what he needs and bring more information to the board. He added that, if he got a new permit, he would not need to come back. Brother Dooling said he saw no reason for Mr. Casseb to come back. He recommended just dealing with the city manager for a new permit.

***Motion:***

Brother Dooling said that action could not be taken because the public was not informed with the sign on the property. He moved to adjourn the meeting without action. Seconded by Mr. Jones, the motion carried unanimously.

**IV. ADJOURNMENT**

Brother Dooling moved to adjourn the meeting at 8:18 p.m. Mr. Jones seconded the motion, and it passed unanimously.

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Bill Schluter, Chairman

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