



MINUTES OF A WORK SESSION OF THE  
**CITY COUNCIL, PLANNING and ZONING COMMISSION,**  
**and BOARD OF ADJUSTMENT**  
OF THE VILLAGE OF VOLENTE, TEXAS  
**MONDAY, NOVEMBER 7, 2016 at 6:00 P.M.**  
At 16100 Wharf Cove, Volente, TX 78641

**AGENDA**

**1. Open Work Session**

Mayor Beck called the Work Session to order at 6:01 p.m.

**2. Call Roll**

Present - Mayor Ken Beck, Mayor Pro Tem Steve Baker, Council Members Bill Connors, Kit Hopkins, Andy Fogarasi, Kristi Belote, Planning and Zoning Chair Richard Roucloux, Commissioners Judy Barrick, Nancy Carufel, Board of Adjustment Chair Mike Gold and Member Gary Cowsert

Absent – Planning and Zoning Commissioners Rett Scudder and Phil Mitchell, Board of Adjustment Members Roe Fleenor, James Jordan, Judy Schlozauer and Joe Lamoroux

Public comments were allowed at this time.

Carey Witt, 7328 Reed Drive, presented the five page handout he provided. He is okay with going up on non-conforming structures with conditions being set.

Scott Spurlin, 15716 Booth Circle, stated that the old ordinance was unrealistic and confusing. He believes that an owner should have the freedom to build but not encroach on neighbors.

Terry Spurlin, 15716 Booth Circle, agreed that owners should have options.

Babs Yarbough, 8100 Joy Road, asked if Council has checked if it is legal to prohibit owners from expansion.

At this time, 6:20 p.m., Gary Cowsert, BOA, arrived.

Babs is in favor of going up on non-conforming structures.

Judy Graci, 15775 Booth Circle, stated that item j special exceptions is unclear. She thinks that going up on non-conforming structures is fine.

Halliy Spurlin, 15718 Booth Circle, believes that owners with non-conforming structures should be grandfathered into the ability to do what they want with their lot.

Courtney Humphreys, 7910 Lakeview, stated that that her house burnt down last week and she will not be able to rebuild because of the restrictions. She believes that it is good to have restrictions within limits for going up.

Joyce Beck, 15911 Booth Circle, summarized that she hears the community in favor of property rights of the owner.

Kelly Rushfrie, VJ's 15401 FM 2767, is against putting a max size on commercial buildings. She asked that Council relieve that restriction. She agrees with the proposed modification for non-conforming allowing for going before BOA.

Jan Yenawine, 15600 FM 2769, recognized the work that has gone into the revisions, but asked that Council not rush to meet deadlines. He also stated that emergency services need to be addressed in the ordinance. Jan believes that non-conforming structures should be limited to 25' on conforming lots.

David Gordon, 15761 Booth Circle, stated that he is for allowing structures to be raised to 25' with conditions being: there is not another way to get the second story without putting it on the violating wall (like Cary's pictures) and our engineer verifies; and the neighbors agree.

Terry Spurlin, President of VFD Board, stated that the department does not mandate but will do inspections.

Babs Yarbough asked Council to consider 40' setbacks and adding something to the ordinance to protect views.

### **3. Update, discussion, and edits on the proposed zoning ordinance**

- a. Review and edit the proposed modification for non-conforming structures

Mayor Beck summarized Council's positions to the audience. Special exceptions and how they differ from variance was explained. BOA Chair Gold stated his concern regarding the subjective nature of special exceptions.

P&Z Commissioner Phil Mitchell joined the session at 7:10 p.m.

Discussion around the proposed modifications affecting nearly 100% of the community and should be vetted.

The proposed modification for non-conforming structures document was discussed item by item.

BOA Chairman Gold read BOA Member Schlozauer's letter of recommendations due to her inability to attend.

Non-conforming

All council members agreed on revised wording for the special exception conditions for increasing height in the setback.

Parking

Agreed to make restaurants parking restrictions to include patios and waiting areas

Agreed to make restrictions to boat slips parking equal to Lakeway

b. Discussion, review, edit and possible approval of zoning map

Council Member Hopkins pointed out the inconsistencies on the map that have not been discussed:

Lots at Debbie and Anderson Mill Rd went from C2 to C1. There was discussion about it abutting residential property. All agreed to change the map to reflect the original C2 zoning to avoid down zoning.

Lot where the Village office is located changed from C1 to C2. There was discussion as to the lot not abutting residential and it up zones not down zones. There were no objections. No further discussion as to the Village office.

Two lots off of Dodd Street and Lookover were changed from C2 to C1. There was concern that property owners have not been notified of zoning changes. No one wants to down zone, agreed to leave at original C2 zoning.

Discussed Council Member Hopkins' parking analysis.

Council discussed removing size max from commercial buildings. Agreed to C1 6000, C2 8000, and C3 12000 for a single structure.

c. Review, edit, and possible approval of zoning matrix

Council waiting on response from City Attorney regarding Manufactured Home.

Minor edits were made to the matrix.

Council agreed that if required, Manufactured Homes would be a conditional use in residential.

d. Review and confirm schedule

**4. Adjourn**

Meeting adjourned at 10:21 p.m.

**Approved this 17<sup>th</sup> day of January, 2017.**

Signed:

Attest:

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Ken Beck, Mayor

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Nicole Vicuña, Acting City Secretary