



BOARD OF ADJUSTMENTS MEETING
October 8th, 2025; 8:00 PM
Woodcreek City Hall - 41 Champions Circle

MEETING NOTICE

The public is invited and welcome to attend all meetings of the City Council and the city's boards and committees. If you would like to stream this Council meeting live, please request the link by 12:00pm on the Tuesday before the meeting by emailing woodcreek@woodcreektx.gov. A video recording of the meeting will be made available to the public on [the city's website](https://www.woodcreektx.gov): <https://www.woodcreektx.gov>, usually within 48 hours.

MEETING AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL AND ESTABLISH QUORUM**
- 3. PUBLIC COMMENTS**

This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Board of Adjustments. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the City Council. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

Submit written comments [by email to The City of Woodcreek](#) by 12:00 noon, the day prior to the meeting. Please include your full name,

home or work address, and the agenda item number.

4. REGULAR AGENDA

- 4.I. Accept The Planning And Zoning Report On The Variance Request - #5 Villa Meadows, Woodcreek, Texas. (Staff)**
- 4.II. Board Of Adjustments Variance Request -#5 Villa Meadow Discuss And Take Appropriate Action To Approve A Variance Application Request For A Property Located At #5 Villa Meadow, Modifying Requirements For The City Of Woodcreek Ordinances §156.063 Residential Zoning Requirements, §156.056 Carports And Garages And §156.059 Parking.**

Documents:

[Kathman_Application for Variance_Lot 5 2025.05.08.pdf](#)
[LOT 5 \[2025.05.05\].pdf](#)
[Villas Plat.pdf](#)
[Woodcreek Acknowledgement of Code of Ordinances_KP RK Signed.pdf](#)

5. ADJOURN

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at [512-847-9390](#) for information and to make requests. Please contact the City at least 48 hours before the meeting to request assistance. Hearing-impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at [1-800-735-2988](#).

EXECUTIVE SESSION NOTE: The Board of Adjustments may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Board of Adjustments may also publicly discuss any item listed on the agenda for Executive Session.

POSTING CERTIFICATION

IT IS HEREBY CERTIFIED that the foregoing agenda has been posted on the outdoor Notice Board of Woodcreek City Hall on the 2nd day of October, 2025 at 4:00 PM.

By: _____
Kari Lebkeucher, City Secretary



City of Woodcreek Application for Variance

Please provide the following items with the completed Application for Variance for a variance request:

- One paper copy and one digital copy of the survey or site plan with the requested area for the variance clouded to indicate the location.
- A filing fee of \$500.00 (Applicant will also be charged the cost of postage and publication).
- If requesting a variance of an existing structure, please include 2-3 photographs that will show the structure placement in relation to your property and adjacent structures.
- If requesting a variance in impervious cover limits, please include calculations showing current impervious cover (as of date of application) and proposed impervious cover.

Following receipt of the completed Application for Variance, along with the required items and filing fee, Woodcreek will schedule your request for consideration at a future Board of Adjustment meeting. You will be notified of the Board of Adjustment meeting date.

Woodcreek will prepare and send notices via the USPS to property owners within two hundred (200) feet of the property before the Board of Adjustment scheduled meeting date. The notice will also be published in the newspaper of record.

Application Information

Date of Application Submission: 5/8/2025

Petitioner's Name: Robert Kathman

Mailing Address: 1703 Clubhouse Hill Drive, Spicewood TX 78669

Email Address(s): R.Kathman@icloud.com

Telephone Number(s): (512) 470-6383 : (____)

Description and Location of Property for which Variance is Requested.

Property Owner's Name: Kendree Investments Partners, L.P

Property Owner's Mailing Address: 1703 Clubhouse Hill Drive, Spicewood TX 78669

Section Location, Lot Number, & Zoning Designation: Villas of Brookmeadow, Lot 5, SF-2

Property Address: 5 Villa Meadow, Wimberly TX 78676



As per § 30.57 of the Woodcreek Code of Ordinances, a Variance is defined as “An adjustment or deviation in the application of specific regulations of Ch. 50, 154 and 156 of this code of ordinances or other applicable ordinances under the purview of the city and applicable to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property owner from being deprived rights and privileges, enjoyed by other owners of similarly situated parcels in the same vicinity and district.”

No variance shall be granted unless the Board finds that each of the following provisions are met.

State how your request meets each provision:

1. There are special circumstances or conditions affecting the land involved, such that the strict application of the provisions of Ch. 50 or Ch. 154 or Ch. 156 would deprive the applicant of the reasonable use of the involved land.
The subdivision was originally platted and approved as a zero lot line community. The Owner paid for custom home plans to meet the zero lot line restrictions only to find that zoning had changed. The new setbacks imposed on the property do not allow for the design and construction of a home that would allow reasonable access to the home for Handicap and elderly, as a majority of the home would be on the upper level after taking into account setbacks and maximum impervious cover limitations. 75% of the subdivision has been completed as zero lot line, single story homes. With the median age of Woodcreek being 55+, there is a benefit encouraging long-term accessibility for an aging population
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
Without the variance the applicant's property rights would be diminished, as the property was designed and approved to allow for the construction of zero lot line housing. The single family zoning limitations, combined with a 30% maximum impervious coverage total make these lots almost too small to build a 'livable home' without some caveats.
3. The granting of the variance will neither be detrimental to the public health, safety or welfare, nor injurious to other property in the area.
Granting the variance will not be detrimental to the public health, safety or welfare, nor injurious to other property in the area. 75% of the homes in the community are already constructed in accordance with the zero lot line zoning. No homes, (zero percent) in the community have been constructed to meet the new single-family requirements. Allowing a variance would support property values of current homeowners by aligning new construction to the function and scale of existing homes.

The City of *Woodcreek*

IN THE MIDST OF THE TEXAS HILL COUNTRY

4. The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this chapter.

NOT granting the variance will have a negative effect of preventing orderly development of other land in the area as the existing homes in the community are zero lot line homes. The remaining vacant properties were originally designed to accommodate zero lot line homes. The variance would allow the community to be completed as originally intended and maintain visual harmony, as well as support property values of current homeowners by aligning new construction to the function and scale of existing homes. NOT granting the variance would force the owners to abandon the property entirely, or build an unsightly two-story box that potentially excludes elderly and handicapped prospects.

Variance Requested – Please be specific. Pecuniary hardship to the applicant, property owner or developer, standing alone, shall not be deemed sufficient to constitute undue hardship.

The homeowner is requesting the following variances:

- (1) Property owner is requesting to abide by the setbacks currently shown on the Hays County recorded plat, which is a 10' front building line and zero lot line at the rear. Property owner will maintain the SF-2 minimum interior side setback of 7'-6". Per the recorded plat, there is a 33' wide Common Area that runs down the rear lot lines of the community. Even with zero-lot line adherence on the rear of the lot, no homes risk getting too close to an adjacent structure.
- (2) Property owner is requesting a variance on the following zoning and building ordinance requirement: Hard-surface driveway with minimum of 3-20x10 parking spaces (§156.059). The 30% maximum impervious cover, in addition to the small lot sizes, makes achieving this a challenge. We are requesting the allowance of (1) 2x10 parking space, as notated on the supplemental site plan proposal. Property owner is intending for the use of permeable pavers for the driveway and sidewalk, to stay within the impervious coverage limitations. Detail for such, is included as supplemental documentation
- (3) Property owner is requesting a variance from §156.062(B)(1)(c) requiring a minimum 2 car enclosed garage, and requesting the allowance of (1) enclosed garage space. The 30% maximum impervious cover, in addition to the small lot sizes, make achieving a two-car garage impossible without going to a two story home with all bedrooms located on the second floor. This building approach does not align with the current function and scale of the existing homes in the community that are all single story, nor does it encourage long term accessibility for an aging population.



Supplemental Support Materials Included:

- Google street images showing existing single-family homes
- Proposed site plan showing proposed setbacks, permeable pavers, and single car parking space
- Typical permeable paver section showing compliance with impervious cover requirements. Site plan includes proposed overall impervious coverage calculations.

Applicant Signature: *Robert Kathman*

Date: 5/8/2025

For City Use Only:

Application, required information, and fee received:

Date: _____ Check #: _____ Initials: _____

Referred to Board of Adjustment:

Date: _____ Initials: _____

Publication of Public Hearing by Board of Adjustment

Date: _____ Initials: _____

Action by Board of Adjustment:

Approved: _____ Denied: _____

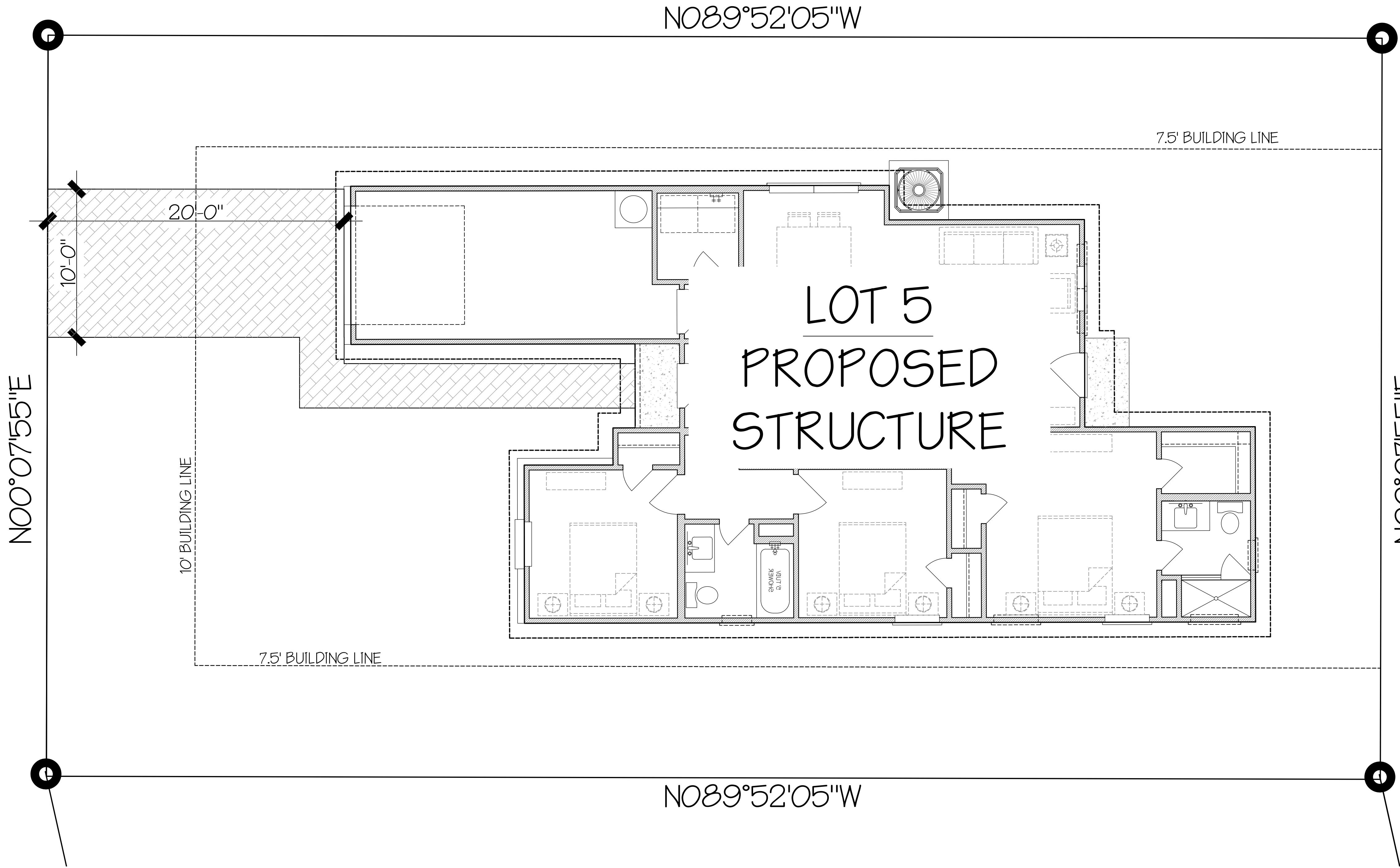
Date: _____ Initials: _____

Notes:

The City of **Woodcreek**

IN THE MIDST OF THE TEXAS HILL COUNTRY

VILLA MEADOW R.O.W.



PRELIMINARY ONLY
NOT FOR CONSTRUCTION

ALL PLAN ILLUSTRATIONS ARE PRELIMINARY AND ARE PROVIDED FOR FEASIBILITY AND BIDDING PURPOSES ONLY. PLANS ARE SUBJECT TO CHANGE WITHOUT NOTICE. ANY UNAUTHORIZED USE, REPRODUCTION, MODIFICATION, OR DERIVATIVE WORK OF THE PLAN WILL BE DEEMED AS COPYRIGHT INFRINGEMENT UNDER THE DIGITAL MILLENNIA ACT. DO NOT REMOVE OR MODIFY THIS NOTICE. COPYRIGHT © 2025 ORO BUILDING DESIGN

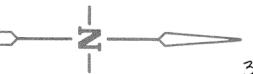
LOT 5 IMPERVIOUS COVERAGE	
TOTAL LOT SIZE	4,500
TOTAL SLAB	1,334
A/C PAD	9
IMPERVIOUS COVER	1,343
	29%

1015 pg 394

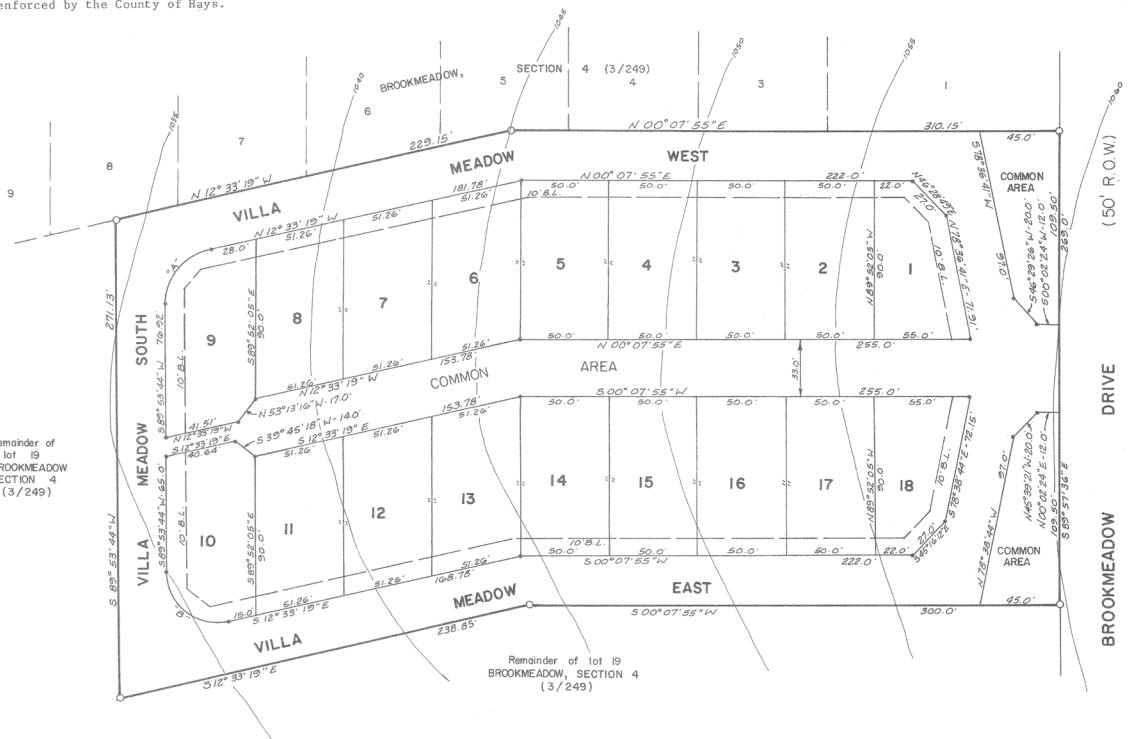
NOTES:

1. Plat prepared July 20, 1992.
2. Contour lines shown hereon were scaled and interpolated off of USGS Maps which have a contour interval of twenty feet and not from an on-the-ground survey.
3. Iron pins are set at all corners and angle points.
4. According to the Flood Hazard Boundary Map, Community-Panel #480321 0004 A, dated 3/21/78, this property does not lie in Zone A. This statement should be checked and/or verified by the Flood Administrator of Hays County, Texas, because of possible new flood plain maps put out by FEMA that may be in effect and enforced by the County of Hays.

SCALE : 1" = 50'



331879



S. CRAIG HOLLING, INC.
engineers ~ surveyors
new braunfels, texas

STATE OF TEXAS
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HAYS

That Gary Morris and Jean Morris, owners of lot 19, Brookmeadow, Section Four, Hays County, Texas, as conveyed to us by deed dated August 16, 1991, and recorded in Volume 893, Pages 859-863 of the Official Public Records of Hays County, Texas, DO HEREBY SUBDIVIDE 3.306 acres of land out of Lot 19, Brookmeadow, Section Four, Hays County, Texas, to be known as the 'VILLAS OF BROOKMEADOW' in accordance with the plat shown herein, subject to any and all easements or restrictions heretofore granted, and do hereby dedicate to the owners of the property shown herein the use of the streets and easements shown herein.

WITNESS MY HAND, this the 11th day of August A.D., 1992.

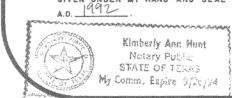
Gary Morris
Gary Morris

Jean Morris
Jean Morris

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED GARY MORRIS & JEAN MORRIS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 11th DAY OF August A.D. 1992.



VILLAS OF BROOKMEADOW

Being 3.306 acres of land and being the resubdivision of part of Lot 19 of Brookmeadow, Section Four, as recorded in Volume 3, Pages 249-250 of the Plat Records of Hays County, Texas.

STATE OF TEXAS
COUNTY OF COMAL

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

S. Craig Holling
S. CRAIG HOLLING
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2388

NEW BRAUNFELS, TEXAS 78130
DAY OF August A.D. 1992

Ronnie Dannelley
NOTARY PUBLIC, COMAL COUNTY, TEXAS
EXPIRES 11/30/1993
NOTARIAL ACTS EXPIRE 11/30/1993



STATE OF TEXAS
COUNTY OF HAYS

I, Ronnie Dannelley, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF DIVISION WITH THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 16th DAY OF DECEMBER A.D. 1992, AT 2:30 P.M. AND DULY RECORDED THE 16th DAY OF DECEMBER A.D. 1992, AT 2:30 P.M. IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME 5, ON PAGE 394.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 16th DAY OF December, A.D. 1992.

Ronnie Dannelley
COUNTY CLERK, HAYS COUNTY, TEXAS

City of Woodcreek Construction Acknowledgement of Code of Ordinances

Property Address: 5 Villa Meadow, Wimberly TX 78676

Date: 5/7/2025

Project Name: 5 Villa Meadow, Wimberly TX 78676

Applicants requesting review of submitted construction drawings and a building permit for construction in the City of Woodcreek must read and acknowledge the following items relating to the City's Code of Ordinances. All references to the City's Code of Ordinances can be found on the City's website at www.woodcreektx.gov

Instructions: All three parties are asked to confirm their understanding of the code requirements listed below where applicable. The Architect (when applicable) should initial in section A, the contractor/builder should initial in section B, and the property owner/client in Section C. If the item is not relevant to the proposed project, check "Not Applicable," and still initial. If your project is not compliant with the item and you intend to request a variance to that requirement, check "Requesting A Variance," (with separate form) and also initial. All three parties should print and sign their name at the bottom of the form.

1. Impervious cover: (Woodcreek Code Sections 50.37 and 156.063)

- a) Impervious cover varies with the lot size. For your project, have you correctly determined the allowable percentage of impervious cover?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- b) Have you correctly determined what various materials/conditions constitute impervious cover: concrete, asphalt, pavers, swimming pools, crushed gravel and granite, decking materials, etc.?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance

2. Setbacks: (Woodcreek Code Sections 155.43 (SF Residential), 156.057, -.062, -.063, and -.064

- a) Setbacks are determined by the lot size. Have you correctly determined the setbacks for your project?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- b) If the property fronts one or more streets, each setback along those streets must conform to the 155.43 setback requirements. Have you checked your project for this condition?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- c) Roof eaves and overhangs are not allowed in the building setbacks. Have you verified that the project's roof eaves and overhangs are not within the setbacks?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- d) Have you insured that no building, accessory building, or structure is located within the setback? This requirement includes but is not limited to retaining walls, patios, fountains, air conditioning pads, pool equipment, pergolas and arbors.
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- e) Do your project's driveways meet the driveway setback requirements?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- f) Do you understand that no site disturbance (cutting, filling, grading, etc.) is allowed in the setback
KP B: RLK C: RLK Not Applicable Requesting A Variance

3. Structure height: (Woodcreek Code Sections 156.062, -.063, and -.064)

- a) Has a current, topographic ground survey with 1-foot contour lines produced by a licensed surveyor been submitted? Your height calculations must be determined from this survey.
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- b) Has the correct methodology as defined in the code, been used to calculate the height of your project?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- c) Do you understand that the height restriction includes all roof appurtenances and building materials?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance

4. Trees and vegetation: (Woodcreek Codes Chapters 50, 91, 154 & 156. Staff can offer to assist.)

- a) Has a current and certified tree survey been submitted to the City?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- b) Do you understand that no site clearing, brush/undergrowth removal, or tree removal can be done until a tree permit and building permit have been issued by the City?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- c) Do you understand that NO tree with a diameter greater than or equal to 19 inches can be removed without first obtaining a variance from the City?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- d) Do you understand that all tree replacement must be completed before a certificate of occupancy will be issued?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance

5. Additional considerations:

- a) If required, have you reviewed the steep slope restriction for construction? (Woodcreek Code Section 50.42 (Non-Residential)) A:
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- b) If required, will your septic system comply with State minimum standards to obtain a permit? (Woodcreek Code Section 151.05)
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- c) Does your site plan show all of the structures, hardscape elements such as retaining walls and planters, patios, decks, sidewalks, driveways, water tanks, pool equipment and other items? Please note that such items are not allowed in the setbacks and may not be installed later without City approval.?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- d) Do you understand that no work (including but not limited to mailbox construction or placement, planting, grading, landscaping, etc.) may be done in the City Right of Way without City approval?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance
- e) Do you understand that a certification letter from a septic designer must be submitted if an existing septic system is being utilized?
A: KP B: RLK C: RLK Not Applicable Requesting A Variance

f) Do you understand that your project may require a tree permit in addition to a building permit? (Woodcreek Code Chapter 91)
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

g) Do you understand that if your project is in an Aquifer Recharge and/or Contributing Zone, you may be required to submit a Water Pollution Abatement Plan? (State requirement)
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

h) Do you understand that a separate permit must be obtained for fence construction and that the requirements in Woodcreek Code Chapters 151, 154 & 156 must be followed? Do you understand that unique or irregularly-shaped yards with fences have special requirements?
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

i) Do you understand that a variance and separate permit may be required for a swimming pool and that the requirements of Woodcreek Code must be followed?
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

j) Do you understand that if any professional services (attorneys, engineers, surveyors, etc.) are required to be used by the city that those fees will be passed-through and will be the responsibility of the applicant?
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

k) Do you understand and have correctly identified any and all nonconforming uses and structures through a meeting with City staff?
 A: KP B: _____ C: _____ Not Applicable Requesting A Variance

l) Have you correctly verified if your project is located within the floodplain and obtained the necessary permits if it is?
 A: KP B: _____ C: _____ Not Applicable Requesting A Variance

m) Have you correctly verified that the proposal conforms to any variance and site plan approvals if applicable?
 A: KP B: RLK C: RLK Not Applicable Requesting A Variance

I hereby acknowledge that I have read and understand the requirements listed above. I further understand that nothing in this document relieves me of my legal responsibility to comply with any and all relevant West Lake Hills Ordinances regarding this project including the requirements referenced in this document.

NAME

SIGNATURE

DATE

A: Architect: Kristen Polak Kristen Polak 5/01/2025 B: Builder/
 Contractor: Kathmanthoms Robert Kathman
 C: Property Owner/Client: Kendree Investement Robert Kathman