



# CITY OF SUNRISE BEACH VILLAGE

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BOARD OF ADJUSTMENTS  
Cheryl Kraemer, Chairperson

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## MEETING OF THE BOARD OF ADJUSTMENTS & APPEALS ~ MAY 13, 2021 CALLED MEETING ~

A called meeting of the above-named board was held on May 13, 2021 at 2:00 p.m. at the Sunrise Beach Civic Center, 124 Sunrise Drive, Sunrise Beach Village, Texas.

### 1. Call to Order and Establishment of Quorum.

Chairman Kraemer called the meeting to order at 2:03 p.m. stating that a quorum was present. Members present were Nancy Daniel, Jean Glass, Mike Byrd and Alternate, Chellie Stewart. Board member Hank Gath arrived after establishment of quorum and did not vote. Alternate Board Member Bobby Campbell was present but did not vote. There were four (4) audience attendees present, also in attendance was Code Enforcement Officer Danyelle Morgan and City Secretary Linda A. Wendling.

### 2. Consideration and possible action on a variance request received from property owner's Brent W. Buck and Jana M. Buck, of 387 Sandy Mountain Drive, Unit 3, Lots 293 and 294, allowing for a variance of Planning & Zoning Ordinance 347 regarding an extended shade cover 10' out over the water. (Attachment A) – Results of the voting questionnaire. (Attachment B) – Letter of request for variance received by property owners Brent and Jana Buck including backup photographs received by property owners.

Chairman Kraemer read the property owner's request aloud for the meeting members and guests outlining that this request references 387 Sandy Mountain Drive, Unit 3, Lots 302 and 303. Chairman Kraemer referred to each member's packet stating that this request is for an overhang of a roof and that there would be no structure in the waterway, that if approved there would be no obstruction of the water way, the canal in question is very shallow, and there is a letter received from a property owner across from the canal that has no objections to this variance request. Upon receiving no questions, Chairman Kraemer inquired from the property owners if they had anything they would like to state or be considered.

Resident Brent Buck addressed the meeting members and guests and provided explanation of why they are requesting this variance; discussion ensued including review of the photographs that were provided as part of the residents request, reiterated that there will be no obstruction of the water way at all, previous work performed by themselves and another neighbor for dredging that area and at their own expense, the labor for dredging and removal of such encompassed 3 ½ days and everyone was appreciative of their efforts. Chairman Kraemer addressed the meeting members and guests outlining the sections of Ordinance 347 that were involved in this request. Discussion continued with every question being responded to as posed; including, explanation of the setback and its requirements, the ordinance does not address if the setback is on land only and therefore also applies to over the water, Mrs. Buck explaining that the corner in question is 31" and therefore they are asking for a 3' variance and that every neighbor the Buck's have were satisfied if the variance were to be granted.

Resident John Schwin introduced himself to the meeting members and guests stating that he is the neighbor of the Buck's and stated that after all the dredging and then providing an overhang would be an improvement to the existing canal.

Discussion continued including Code Enforcement Officer Morgan providing additional explanation of the application of said ordinance and responded to every question as posed. The discussion included, navigable passage, the canal being so narrow, the similar properties that were previously granted a variance, assurance that this variance passage would only apply to this extending cover and not any

additional structure(s), clarification that a deck would not be built on top of the overhanging structure, the bulk-head and how far it reaches out, everyone within 300' of this address was notified with no complaints received, and the neighbors septic drain fields remaining unharmed. Upon no further discussion Secretary Wendling requested a short recess for clarification of the voting chart.

- \* **The meeting took a short recess at 2:11 p.m. for clarification on voting matters. \***
- \* **The meeting was re-called to order at 2:15 p.m. with the same quorum present. \***

The Board stated they were ready to perform their voting. City Secretary Wendling alternated each question on the voting chart as referenced in Attachment A and questions one (1) through seven (7) were responded to as posed.

Chairman Kraemer addressed the meeting members and guests before the final eighth (8<sup>th</sup>) question and provided explanation that in order for the variance to pass it requires 75% of affirmative votes from the Board, which is four (4) of the members voting for approval. City Secretary Wendling inquired from each board member their response to the eighth (8<sup>th</sup>) question.

The Board of Adjustments approved the variance by unanimous vote. Chairman Kraemer reiterated that the variance request for 347 Sandy Mountain Drive, Unit 3, Lots 302 and 303 was approved by unanimous vote.

**3. Adjournment.**

The meeting adjourned at 2:21 p.m.

*/s/ Linda A. Wendling*

*05/13/2021*

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**Linda A. Wendling, City Secretary**  
**On behalf of the Board of Adjustments & Appeals**

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**Date**