

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: October 26, 2022

Submitted By:

Staff

Agenda Item(s):

3. Public hearing, discussion and possible action on a request for a special exception under the City's Code of Ordinances, Section 107-491(a)(1), to permit the reconstruction of the nonconforming tennis courts at the Western Hills Athletic Club located at 4801 Rollingwood Drive

4. Public hearing, discussion and possible action on a request for special exception under the City's Code of Ordinances, Section 107-491(a)(2), to permit the enlargement and expansion of the nonconforming tennis courts at the Western Hills Athletic Club located at 4801 Rollingwood Drive

Description:

Western Hills Athletic Club (WHAC) is requesting special exceptions under the City's Code of Ordinances Section 107-491(a)(1) and (a)(2) in order to repair and expand the existing nonconforming tennis courts. The tennis court surface and fencing are damaged from years of weather and tree root expansion. Additionally, WHAC would like to expand the tennis courts to add two additional courts (for a total of 4 courts), in order to accommodate a demand for both tennis and pickleball activities.

The existing two tennis courts were constructed before the current regulations were in place and are considered existing nonconforming. Specifically, the existing tennis courts do not meet the current requirements in the City's Code of Ordinances: Sections 107-35 and 107-242:

- Sec.107-35(d) – Which does not allow a tennis court to be constructed in the area between the building setback line and the lot line.
- Sec.107-242(1) – Which requires a 30-foot greenbelt zone between the northern property line and the tennis courts.

The Board of Adjustment is authorized under Sec. 107-491 to grant certain special exceptions identified in subsection (a) when the Board finds that it is empowered under this chapter to grant the special exception, that the public convenience and welfare will not be substantially or permanently injured in the granting of the special exception, and that the grant of the special exception will not adversely affect the public health, convenience, safety or general welfare.

The applicant has submitted information (attached to this item summary) identifying the proposed improvements and providing justification for granting the special exceptions.

Criteria for Consideration:

In considering action on the special exception request, the Board should consider the criteria within Code of Ordinances Sec.107-491(c):

(c) Prior to granting a special exception, the board shall make a finding that it is empowered under this chapter to grant the special exception, that the public convenience and welfare will not be substantially or permanently injured in the granting of the special exception, and that the grant of the special exception will not adversely affect the public health, convenience, safety or general welfare.

When taking action on this request, the Board may deny, approve or approve with conditions the special exception. In granting a special exception, the board may prescribe appropriate conditions and safeguards. The Board shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to comply with the time limits set by the board shall void the special exception.

Action Requested:

The Applicant is seeking approval of the requested special exceptions.

Fiscal Impacts:

No significant fiscal impact anticipated at this time

Attachments:

- Special Exception Application
- WHAC Tennis BOA Slides
- WHAC Plans
- BOA Finding of Fact Form