



AGENDA ITEM SUMMARY FORM

MEETING DATE: September 1, 2022

PREPARED BY: Walter E. Reeves Jr., AICP Development Services Director

AGENDA CONTENT: Discussion and possible action on a request for approval of a variance to the sidewalk requirement of Chapter 23, Section 23-14.A. Sidewalks, for Lot 24A of the Habitat for Humanity of Southern Brazoria County Caldwell Road Subdivision.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None **FUNDS REQUESTED:** None

FUND: None

EXECUTIVE SUMMARY:

The subject property consists of an approximate 19,014 sq. ft. lot in the SF-7.2 zoning district. Habitat for Humanity is requesting a variance of Section 23-14.A. Sidewalks for the subject property.

As the Commission will recall, a similar request for a sidewalk variance for Lot 23B was recommended for approval by the Commission on May 06, 2021. The variance for Lot 23B was approved by City Council on May 25, 2021.

Pursuant to Section 23-102 B. *Variance approval standards:* Variances may be granted when:

1. There are circumstances specific to the property that create an undue hardship that generally do not apply to surrounding properties; such as, but not limited to, its shape, or topography;

The property is generally flat with an exiting bar ditch along the frontage of the property. While there is appears to be room behind the bar ditch to install a sidewalk the slope in that location appears to be steep enough to require significant effort to install a sidewalk at this location.

2. Special consideration is necessary to allow an applicant the same right of use enjoyed under the LDC by surrounding properties;

There do not appear to be sidewalks along the respective street nor within the general vicinity.

3. Consideration is unique to the subject property and would not generally set an adverse precedent for other applications;

The consideration is unique to the subject property. A variance would not generally set an adverse precedent for other applications.

4. The hardship was not created by the applicant; and

The hardship is not created by the applicant

5. A variance would not be detrimental to any adjacent properties or to public health and safety.

It is hard to imagine how a variance would be detrimental to any adjacent properties or to public health and safety as there are no sidewalks along the respective streets in this area.

RECOMMENDATION:

Staff recommends approval of the variance to Section 23-14.A for Lot 24A of the Habitat for Humanity of Southern Brazoria County Caldwell Road Subdivision.

SUGGESTED MOTION:

I move we recommend approval of the variance to Section 23-14.A for Lot 24A of the Habitat for Humanity of Southern Brazoria County Caldwell Road Subdivision.