



Pursuant to Section 28-23(f)(2): No variance shall be granted without first having given public notice and having held a public hearing on the variance request in accordance with subsection (h) of this section and unless the board of adjustment finds:

- a. **That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his/her land;**

*The current lot frontage requirements of the Angleton LDC, Land Development Code Section 23-5, E 3., will can not be satisfied with certain lots of records which create grand-fathered statuses.*

- b. **That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.**

*This will allow an existing condition of homes already in place to be subdivided from a financial standpoint.*

- c. **That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;**

*The granting of the variance should not be detrimental to the public health, safety or welfare of surrounding in this area of the City's ETJ.*

- d. **That the granting of the variance will not have the effect of preventing the orderly use of the other land within the area in accordance with the provisions of this chapter; and**  
*Again, it is hard to imagine how the proposed lot split will p[revent the orderly use of other land within the area.*

- e. **That a finding of undue hardship exists.**

*An undue hardship is founded.*

Pursuant to Section 28-23(f)(3): In order to grant a variance, the board of adjustment must make written findings that an undue hardship exists using the following criteria:

- a. **That literal enforcement of the controls will create an unnecessary hardship in the development of the affected property;**

*The current lot frontage requirements of the Angleton LDC, Land Development Code Section 23-5, E 3., will can not be satisfied with certain lots of records which create grand-fathered statuses.*

- b. **That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in same zoning district;**

*Situation causing the hardship is that the lot is already developed with two homes. The hardship is not financial, self-imposed nor generally affecting all or most properties in the same area.*

- c. **That the relief sought will not injure the permitted use of adjacent conforming property; and**

*The relief sought will not injure residential use of adjacent conforming property within the ETJ.*

- d. **That the granting of a variance will be in harmony with the spirit and purpose of these regulations.**

*Granting of a variance will be in harmony with the spirit and purpose of City regulations.*

**Record of Proceedings for the P&Z Commission Meeting Held April 2, 2026**

D.S. Director Otis Spriggs introduced this item in consideration of a variance of the City of Angleton LDC, Land Development Code, Section 23.5. This item was originally set to go before the Board of Zoning Adjustments, but after legal interpretation, it was directed to be processed through the Subdivision Ordinance; this lot lies within the E.T.J.

The resident has city services on the lot (sewer). The owner wants to subdivide the properties for two siblings in the future.

The criteria for variances were analyzed by staff, and we found that the request would not negatively impact the area. We provided photographs of the property of the existing two homes, and this for financing reasons for the family.

Motion to Open the Public Hearing was made by Commission Member Spoor; seconded by Commission Member Townsend. The Public Hearing was opened.

None Appeared.

Motion to close the public was made by Commission Member Townsend; Seconded by Commission Member Heston. The Public Hearing is closed.

The lot frontage reduction will result to approximately 30 ft. at the flag lot for the rear home.

The applicants came forth explaining that it is to divide it between the two sisters while the father (present) is alive. Everything is metered separately, even the shared well is metered.

Motion was made by Commission Member Heston, that we grant a variance to Angleton LDC, Land Development Code, Section 23-5, E3, for property located at 1581 CR 597 / Fig Lane. and that this item be forwarded to the City Council for final action; seconded by Commission Member Spoor. The motion carried, the variance was approved 5-0.

**SITE PHOTOGRAPHS**



**View of site near entry from Fig Lane**



**View of site looking at western side property line/neighbor**



**View of site looking at rear of front home towards rear home structure**



**View of site looking at rear home structure**



**View of site looking at rear line and along western property line/neighbor fencing**



**View looking along driveway toward rear and neighboring fence**

**Staff & P&Z Commission Recommendation:** The Planning and Zoning Commission unanimously voted to recommend approval of the variance to allow for the Minor Plat Lot Split of the property located at 1581 CR 597 Fig Lane for lot frontage variance on a lot split, by the City Council.