

CITY OF ANGLETON, TEXAS
APPLICATION FOR VARIANCE FROM THE LAND DEVELOPMENT CODE
Request Related to Final Plat Approval and Recordation

[Developer/Property Owner]

Mr. Rick Clark
105 Loganberry St.
Lake Jackson, Texas 77566

Property

Property ID 171419, 12.390 Acres located in the J De J Valderas Survey, Abstract No. 380

Request

The Applicant respectfully requests a variance from Sec. 23-98(A)(1)(a) of the Angleton Land Development Code "After approval of a Preliminary Plat and prior to the recordation of an approved Final Plat, the installation of all public infrastructure improvements required to serve the subdivision, whether to be located off-site or on-site, including but not limited to water, wastewater, drainage, road and park improvements, shall be completed".

Specifically, the Applicant requests authorization to record the Final Plat while deferring installation of the required utility improvements until development of the property including providing the geotechnical report and Heritage Tree Preservation Plan.

Basis for the Request

The requested variance is limited to the timing of construction and does not seek to eliminate or reduce the required public improvements.

All required utility easements will be dedicated, and the Applicant acknowledges its obligation to construct all required public improvements before occupancy or service to future development.

Recording the Final Plat at this time will:

- allow orderly development of the property;
- facilitate financing and future development;
- permit conveyance of legally platted lots;
- not adversely affect public health, safety, or welfare because no structures will be occupied until utility improvements have been completed and accepted by the City.

Hardship

Strict application of the timing requirement creates unnecessary hardship because substantial utility improvements would be required before any commercial tenant has been secured or vertical construction has commenced.

Requiring immediate installation of public utilities before development is economically impractical and delays productive use of the property without providing a corresponding public benefit.

The requested variance affects only the timing of installation and does not reduce the City's ability to require full compliance before issuance of building permits, certificates of occupancy, or utility service.

Public Interest

Granting this variance is consistent with the purposes of the Land Development Code because:

- all required public improvements will ultimately be installed;
- no occupied building will be permitted until required utilities are constructed and accepted;
- the variance promotes orderly commercial development while preserving the City's ability to enforce all construction standards.

Conditions Offered by the Applicant

The Applicant is willing to:

1. Construct all required public utility improvements before building occupancy or connection to City utilities.
2. Except for this variance request, comply with all other applicable provisions of the Land Development Code.

Requested Action

The Applicant respectfully requests approval of this variance and authorization for the Final Plat to be approved and recorded.

Respectfully submitted,



Rick Clark

Date: 8-17-26