



CITY OF BANDERA

511 Main St. • PO Box 896 • Bandera, Texas 78003 •

City of Bandera

REC#: 00064915 8/18/2021 10:02 AM
OPER: KM TERM: 011
REF#:

APPLICATION FOR VA

Any individual, company, business, corporation or organization as described in the City of Bandera Code of Ordinances 1.05, Division 3, Section 1.05.072, by filing a written request with the Board of Adjustment and submitting the required non-refundable fee of \$100.00.

The Board of Adjustment shall set a reasonable time for giving written notice to all property owners located within the property on which the variance is requested. Notice shall be given 15 days prior to the date of the public hearing. A party may appear in person or by agent or attorney. The Board of Adjustment shall act on the request within a reasonable time.

In your application:

You must state the specific provision of the Ordinance for which you are requesting a variance.

You must describe how and to what extent your request will differ from the Ordinance.

Your application must clearly show that your property has unique characteristics which separate it from other properties with the same zoning; and that unique conditions and circumstances make it unreasonable or unfeasible to apply the ordinance requirements to your property. You must describe the conditions and circumstances which are unique to your property and situation.

The applicant must demonstrate that a literal enforcement of the ordinance would result in unnecessary hardship and that the hardship is unique, oppressive, not common to other property, not merely financial, not against the public interest, and not self-imposed.

To: City of Bandera Board of Adjustment:

A. Statement of Ownership and Interest:

Owner's Name: Dwain Markham

Owner's Mailing Address: 574 Highway 16 South Bandera Texas 78003

Owner's Phone Number: 830-328-6367

Email: dwainMARKham@hotmail.com

Subject Property Address: 574 Highway 16 South Bandera Texas 78003

Legal Description of the Property: _____

ACCT #: XXXX-XXXX-XXXX-3373
AUTH #: 606530
TRAN #: 000000003232
TYPE: PURCHASE

TRAN: 101.0000 COMM BLDG PERMIT APP
574 HWY 16 S
10 -30204
BUILDING PERMITS - 50.00CR

~~TRAN: 161.0000 VARIANCE FEE~~

~~574 HWY 16 S~~

~~SMOKEHOUSE PROPERTY~~

~~NO. 808001~~

~~VARIANCE FEE \$100.00CR~~

TRAN: 9.0000 CC FEE
50 -30975

CREDIT CARD FEE REV 3.38CR

TENDERED: 153.38 CREDIT CARD
APPLIED: 153.38-

CHANGE: 0.00

B. Description of Request:

Cite the Ordinance Article(s) and Section(s) you are requesting a variance from:

Building a Structure within 10 feet of property Line

Description of proposed variance:

Allow a Smokehouse BBQ to be built on Owners property within 10 Feet of Supposed Property line that is hidden out of the way and hurting No one on a dead end private road.

C. Variance Considerations:

What special circumstances or conditions affect the subject property such that strict application of the Bandera Code of Ordinances would create an unnecessary hardship or inequity upon the applicant or would deprive the applicant of the reasonable and beneficial use of the property?

The City will not issue a building permit for a Smokehouse BBQ Pit in the rear of my building because it supposedly will fall under 10ft from the property line. This would be detrimental to my Buisness due to the fact I cannot finish my sausage products.

Do the circumstances or conditions causing the hardship similarly affect all or most of the properties in the vicinity of the subject property? No because my Buisness is very

unique and a ancient trade

What effect, if any, would the variance have on the rights of owners or occupants of surrounding property, or on the public health, safety, or general welfare?

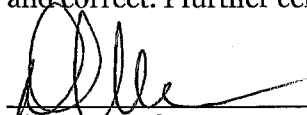
None. It would actually improve the smell in the area due to the cities Sewer Plant in the area.

To what extent is the request for variance based upon a desire of the owner, occupant, or applicant for increased financial gain from the property, or to reduce an existing financial hardship?

It is a major part of my Buisness, It is both a financial gain as well as reducing financial hardship. I have already invested 50 thousand dollars of my own money into this project and my lively hood depends heavily on the ability to smoke meats and is being held up by the city. The city is also loosing valuable Tax dollars on a daily Basis due to its own ordinance.

CERTIFICATION

I have read and understand this Application for Variance. I have familiarized myself with the applicable regulations, ordinances, and procedures of the City of Bandera, and submit this Application and accompanying documentation, if any, for consideration by the Board of Adjustment of the City of Bandera. I certify that all statements contained in the Application are true and correct. I further certify that I am the legal owner of the property.



Signature of Property Owner

8/17/21

Date

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, _____, acknowledge that I am the rightful owner of the property located at _____ (address). I hereby authorize _____, to serve as my agent to file this Application for Variance and to work with the responsible city official on my behalf throughout the process.

Signature of Property Owner

Date

Printed Name

Signature of Agent

Date

Printed Name

FOR CITY USE ONLY:

Application date was submitted: 8/18/21

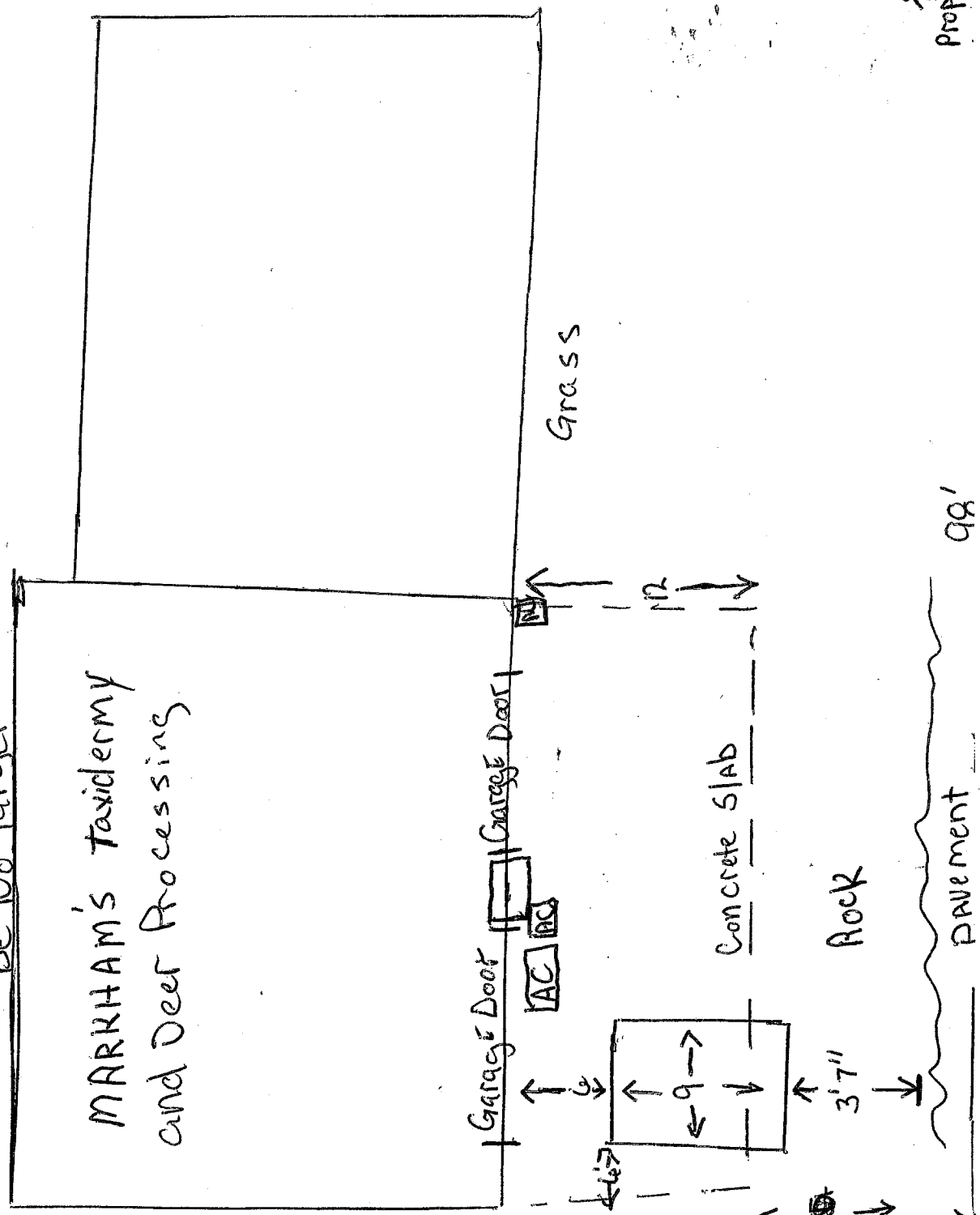
Board of Adjustment Public Hearing date: _____

Board of Adjustment publication date (15 days prior): _____

Board of Adjustment Neighborhood Notice date (10 days prior): _____

Structure will be built out of Cinder Block, Brick,
and or metal.
18'7" INCHES From Corner of Building to Property Line
12 Feet Concrete Slab
Subject Structure Could be Smaller than 9x9x9 But will
be No larger

Property Marker



Property Marker

99'

Pavement

City 150°
Property

Dead End
Fence
Property
MARKER