



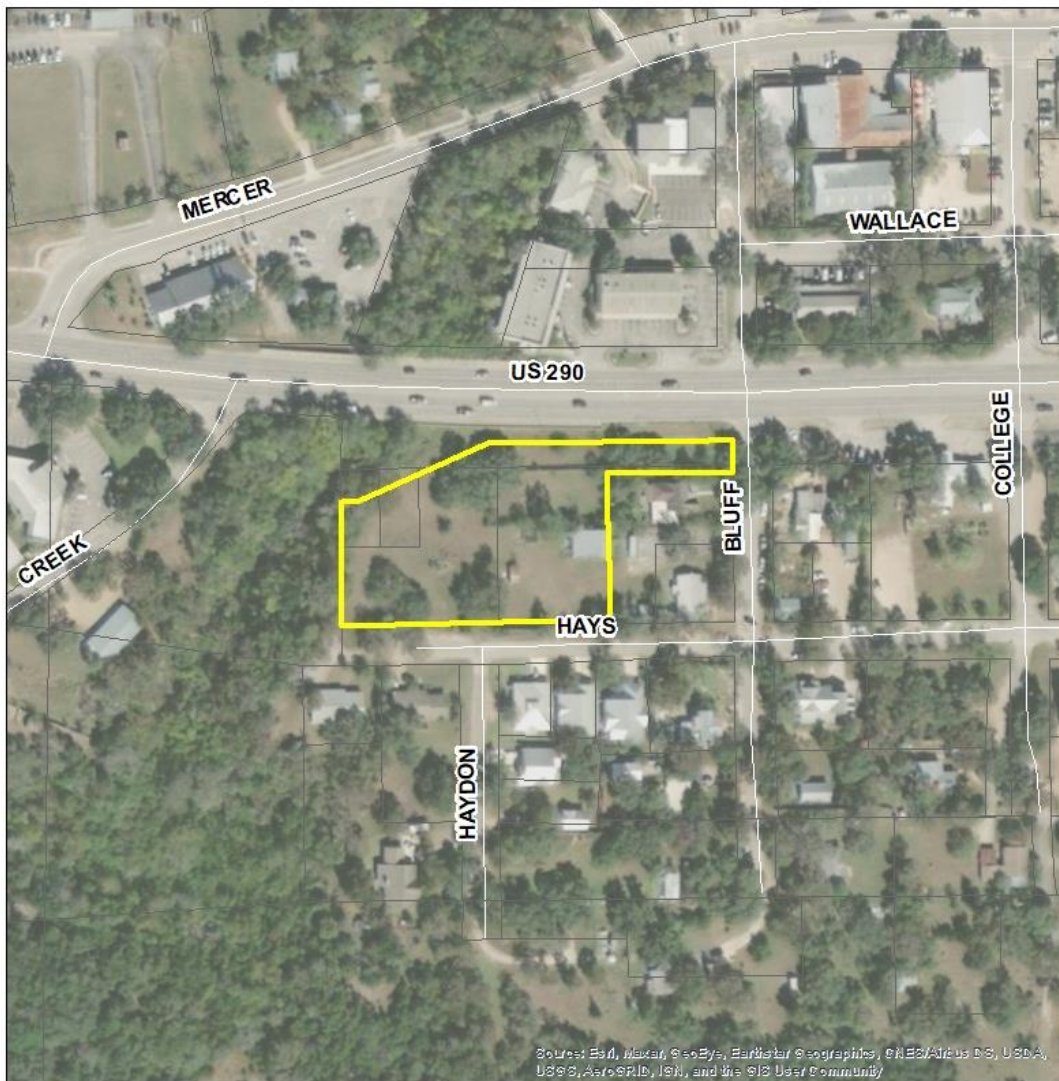
Planning and Zoning Commission

Planning Department Staff Report

City Council: January 18, 2022
Project No: VAR2021-0022
Project Planner: Tory Carpenter, Senior Planner

Item Details

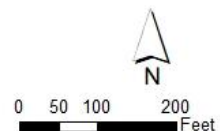
Project Name: 102 S Bluff Street Barn Expansion
Property Location: 102 South Bluff Street, Dripping Springs, TX 78620
Legal Description: W T CHAPMAN #5 LOT 1,2,3,4,7,8 BLK 1 9-2210-17-02 & 0.68
Applicant: Joe Grasso, P.E.; Doucet & Associates
Property Owner: Tejas Heritage Homes, LLC
Request: Applicant is requesting a special exception to expand a nonconforming structure.



Location Map

VAR2021-0022
Barn Expansion

	Roads
	City Limits
	Full Purpose
	Parcels
	Subject Property



Source: Esri, Maxar, GeoEye, Earthstar, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Overview

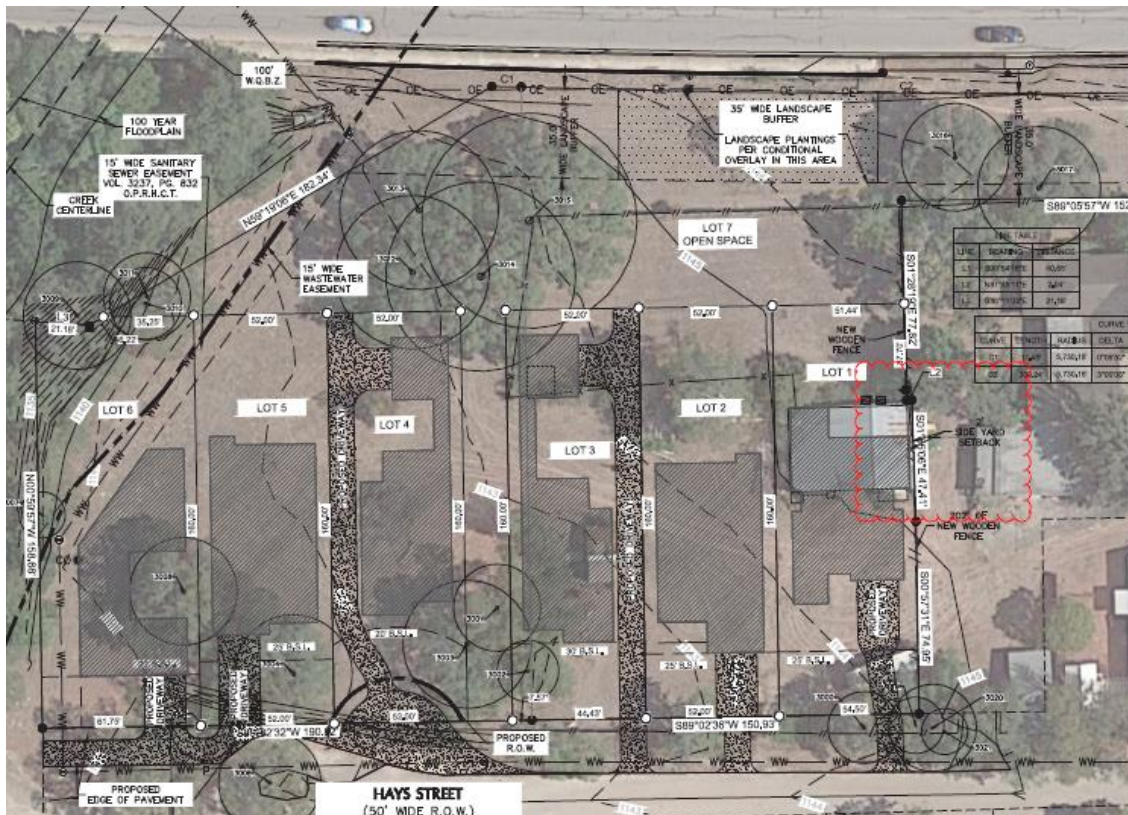
The applicant is requesting a special exception to allow the expansion of a nonconforming structure.

2.24.1. Upon written request of the property owner, the BOA may grant special exceptions to the provisions of section 2.A. (Nonconforming Uses), limited to the following, and in accordance with the following standards:

- (a) Expansion of a nonconforming use within an existing structure provided that, in the case of a nonconforming residential use, such expansion does not increase the number of dwelling units to more than the number existing when the use first became nonconforming; or
- (b) Expansion of the gross floor area of a nonconforming structure provided that such expansion does not decrease any existing setback; or
- (c) Change from one nonconforming use to another, reconstruction of a nonconforming structure that has been totally destroyed, or resumption of a nonconforming use previously abandoned, only upon finding that the failure to grant the special exception deprives the property owner of substantially all use or economic value of the land.

This request is associated with subpart (b) above, which allows expansion of a nonconforming structure provided that such expansion does not decrease any existing setback. The applicant is requesting to expand a barn and convert it into a single-family residence. This barn is currently 2 feet from the side property line; however, the expansion would meet the 5 foot required side setback.

Surrounding Properties



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The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Future Land Use
North	Government, Utility, Institutional (GUI), Commercial Services (CS)	City Hall, Office & Retail (Spring Bluff Center)	Not Shown on the Future Land Use Map
East	General Retail with a Conditional Use Overlay	Existing residential uses	
South	Single-Family Attached Residential District (SF-5) Garden Home	Garden Homes	
West	Local Retail (LR)	Commercial Development/ Vacant Building	

Property History

On November 11, 2021, the City Council approved a zoning amendment and conditional overlay which would allow development of this site of 6 single-family residences with a base zoning of SF-3.

The Planning & Zoning Commission recommended approval of this special exception at their meeting on December 28, 2021.

Approval Criteria for Special Exceptions (2.22.2-Zoning Ordinance)

Approval Criteria	Staff Comments
1. there are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and	The interpretation of the code will not deprive the applicant of the reasonable use of the land, this is a special circumstance where the intent of the code is being met by providing the required amount of parking within 300ft of the property.
2. the special exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and By preserving the natural features and topography of the land; and	While the applicant could use the existing structure as is, this special exception is required to expand the structure and to convert it into a residence.
3. the granting of the special exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and	The special exception will not be detrimental to the public health, safety, or welfare.
4. the granting of the special exception constitutes a minimal departure from this Chapter; and	The granting of this special exception is a minimal since the expansion meets the required 5-foot side setbacks.
5. the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property; and	There is no self-imposed hardship as this structure was constructed prior to current setback requirements.

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<p>6. Granting the special exception is in harmony with the spirit, general purpose, and intent of this Chapter so that:</p> <ul style="list-style-type: none"> a. the public health, safety and welfare may be secured; and b. that substantial justice may be done. 	<p>The granting of this special exception is in harmony with the spirit, general purpose, and intent of this chapter.</p>
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Additionally, this request meets the requirement that the expansion not decrease any existing setbacks on the property.

Summary

Based on the above findings staff believes that the intent of the code is being met, that the special exception will not cause any undue harm to the properties within the vicinity and recommends approval of the special exception.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the Special Exception request.

Recommended Action	Recommend approval of the requested special exception with staff and any additional conditions deemed necessary by the Commission
Alternatives/Options	Recommend denial of the special exception; recommend approval of the special exception with no or alternate conditions.
Budget/Financial impact	N/A
Public comments	None received at this time
Enforcement Issues	N/A
Comprehensive Plan Element	N/A