



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620
512.858.4725 • www.cityofdrippingsprings.com

September 8, 2020

Meritage Homes
Attn: Rob Archer
8920 Business Park Drive, Suite 350
Austin, Texas, 78759
512-615-6432

RE: Decision by Board of Adjustment on September 8, 2020 Board of Adjustment Order – Special Exception/Variance - located at 133 Dome Peak Terrace and 159 Delaware Mountains Terrace, Dripping Springs, Texas 78620.

Shawn Davis,

Your request for a special exception/variance was heard on September 8, 2020. The Board of Adjustment considered the Applicant's special exception/variance application, and the staff report presentation made at the Board of Adjustment meeting. The applicant requested a special exception/variance to encroach within the setback defined in Chapter 30, Exhibit B, Planned Development District 10, 2.4.5 (b) and the ten foot (10') Public Utility Easement.

The intent of the Code is to provide safety for all lots fronting a street-right-of way. The code requirement of a seven and a half (7.5) foot setback requirement ensures that the properties have adequate sight visibility, and safety for the property owner and citizens within Dripping Springs.

When determining whether to grant the special exception the Board of Adjustment shall consider the below findings from Chapter 30 Zoning Exhibit A Zoning Ordinance Section 2.22.2:

- (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
- (2) the special exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (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
- (4) the granting of the special exception constitutes a minimal departure from this Chapter; and
- (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.



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620
512.858.4725 • www.cityofdrippingsprings.com

- (6) Granting the special exception is in harmony with the spirit, general purpose, and intent of this Chapter so that:
- the public health, safety and welfare may be secured; and
 - that substantial justice may be done

Order of the Board of Adjustment

[Place Motion Here]

This letter has been filed with the City Secretary which is considered the office of the Board of Adjustment and shall serve as the decision contemplated in Section 211.011 of the Texas Local Government Code.

Bill Foulds, Jr., Board of Adjustment Chair

Attest:

Andrea Cunningham, City Secretary