



Planning and Zoning Commission

Planning Department Staff Report

Planning and Zoning Commission Meeting:

December 10, 2024

Project No:

VAR2024-011

Project Planner:

Tory Carpenter, AICP – Planning Director

Item Details

Project Name:

Morganville Subdivision

Property Location:

403 KC Memory Lane

Legal Description:

5.67 Acres out of the JM Mading Survey

Applicant:

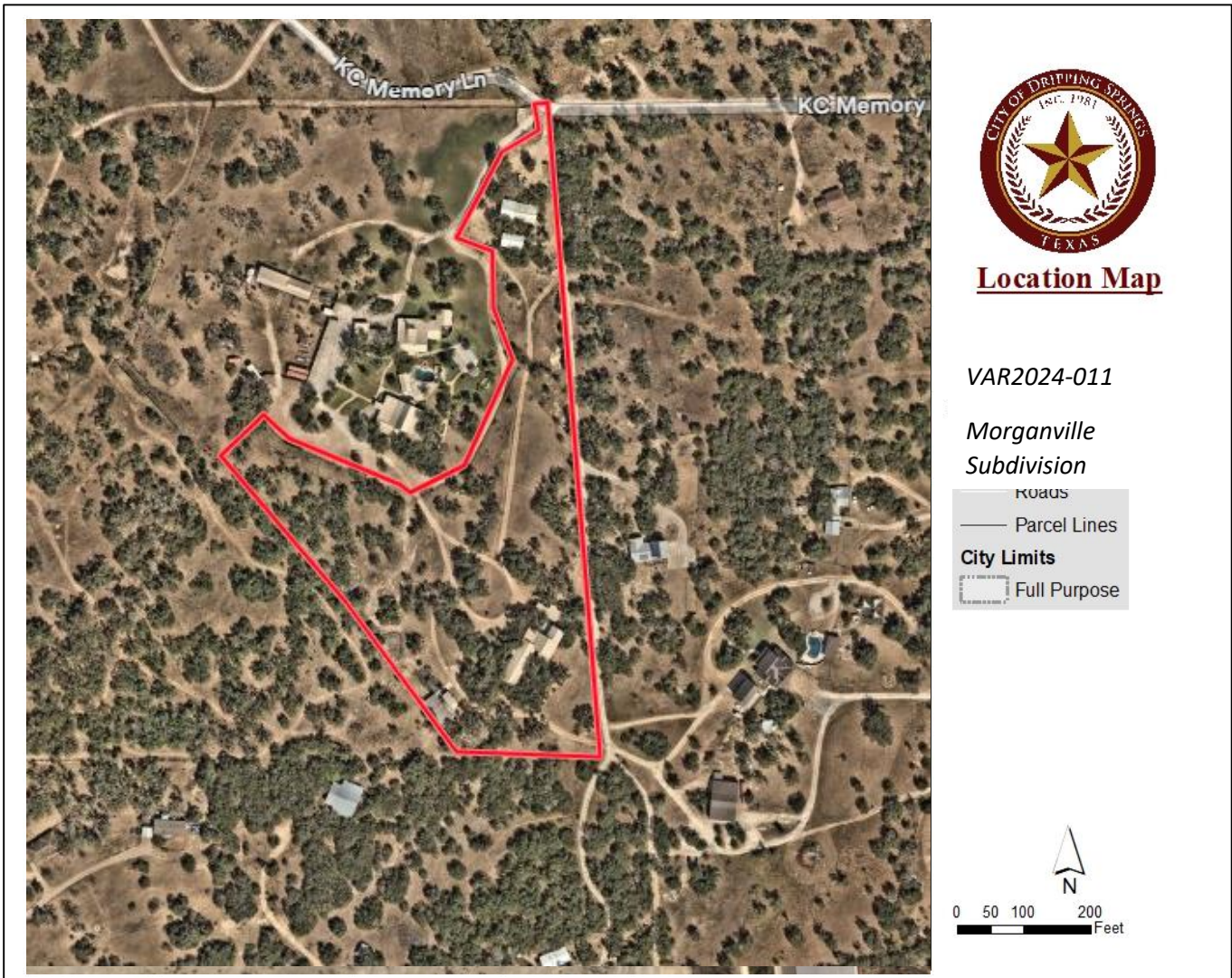
Jon Tompson, J Thompson Professional Consulting

Property Owner:

Mike Morgan

Request:

Applicant is requesting a variance to Ordinance 30, Section 14.3 to allow a flag lot



Planning Department Staff Report

Overview

The applicant is requesting a variance to allow a flag lot with approximately 19 feet of frontage along the dead-end portion of KC Memory Lane. Per Chapter 28, Exhibit A, Section 14, Subsection 14.2 of the Code of Ordinances, a minimum of 30 feet of frontage is required. Given the lot configuration and the fact that the minimum frontage is not being met, the lot is considered a flag lot.

The property currently has 19 feet of frontage on a segment of KC Memory Lane dedicated solely for access. While the property also abuts approximately 1,200 feet of a privately owned road easement known as KC Memory Lane, this segment does not constitute road frontage under the City's Code of Ordinances.

The applicant is requesting a variance to the following section:

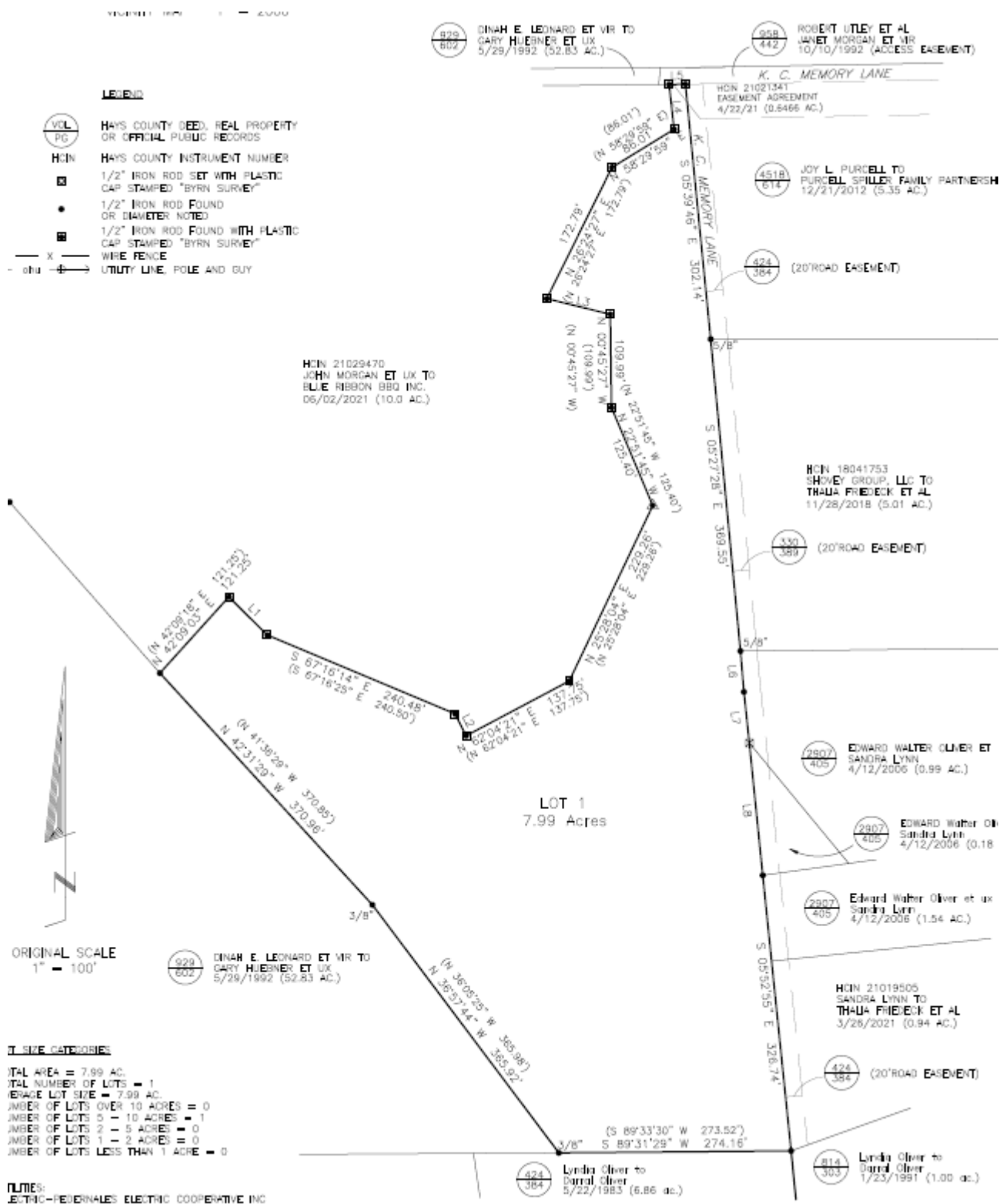
14.3 Irregular-shaped lots

Irregular-shaped lots or units shall have sufficient width at the building line to meet lot width and frontage requirements of the appropriate zoning district (if within the city's limits), and shall provide a reasonable building pad without encroachment into front, side or rear yard setbacks or into any type of easement. Also, the rear width shall be sufficient to provide access for all necessary utilities, including access for driveways and solid waste collection when alleys are present (minimum 20-foot alley frontage). **Flag lots are prohibited.** In general, triangular, severely elongated or tapered lots or units shall be avoided, and the city reserves the right to disapprove any lot which, in its sole opinion, will not be suitable or desirable for the purpose intended, which is an obvious attempt to circumvent the purpose and intent of lot or unit configuration or lot or unit width minimums, or which is so oddly shaped as to create a hindrance to the logical lot or unit layout of surrounding properties.

Applicant Justification:

- *The owner of the property a couple of years sold a significant amount of his property that contained his wedding venue to a new owner. The property sold (10+ acres) had the majority of the frontage on the cul-de-sac on KC Memory Lane that runs directly off of RR12. Mr. Morgan retained a little bit of frontage on this same cul-de-sac but also has nearly a thousand feet of frontage on what is also known as KC Memory Lane that runs to the south off of the portion of KC Memory Lane that comes off of RR12. The need for platting is so that Mr. Morgan can obtain a new septic permit from Hays County.*
- *The acreage of this tract of land is over the minimum lot size required by the City of Dripping Springs and Hays County. The use of the land is residential and for Mr. Morgan's recording studio. Otherwise, the impervious cover and usage of this 9+ acres is minimal.*

Planning Department Staff Report



Planning Department Staff Report

Approval Criteria for Subdivision Variances

Approval Criteria	Staff Comments
1. Special circumstances or conditions affecting the land involved	The existing access configuration makes it infeasible to comply with the standard subdivision regulations without creating unusable or inaccessible portions of the land.
2. Necessary for preservation and enjoyment of a substantial property right	The flag lot design allows the applicant to develop and access all portions of the property.
3. Not detrimental to public health, safety, welfare, or injurious to other property	The flag lot design includes adequate access for emergency services and complies with all safety regulations.
4. Will not prevent the orderly development of other land in the area	The proposed variance aligns with surrounding development patterns and maintains connectivity and accessibility for future subdivision planning, supporting orderly and sustainable growth in the area.

Summary and Recommendation

Staff find that this request meets the criteria of approval and recommends **approval** of the variance request as submitted.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the site, and notice was placed on the City Website.

Attachments

Exhibit 1 – Variance Application

Exhibit 2 – Proposed Subdivision

Recommended Action	Approve the requested variance.
Alternatives/Options	Deny the Variance; Approve the Variance with conditions.
Budget/Financial impact	N/A
Public comments	None received at this time
Enforcement Issues	N/A
Comprehensive Plan Element	N/A