



Planning and Zoning Commission

Planning Department Staff Report

Planning and Zoning Commission Meeting:

October 27, 2026

Project No:

VAR2026-008

City Planner:

Sara Varvarigos, AICP, Senior Planner

Item Details

Project Name:

Davis Pool Project

Property Location:

280 Barnhill Loop

Legal Description:

Caliterra Phase 4 Sec 11, Block J, Lot 6, Acres 0.229 (9,975 SF)

Applicant:

Jeremy Killebrew

Property Owner:

Tonya Davis

Request:

Applicant is requesting a variance to allow a pergola to be built within the rear property setback



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Texas

Location Map

VAR2026-008
280 Barnhill Loop

- ExtraTerritorialJurisdiction
- Parcels
- Subject Property



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Feet



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Overview

This variance request is associated with a requested building permit for a pool and pergola structure at 280 Barnhill Loop. This property is located in Phase 4 Section 11 of the Caliterra subdivision. As such, it is subject to the Caliterra Development Agreement and the Phase 4 Section 11 Plat development requirements. These documents establish a minimum rear yard setback of 20' and a side yard setback of 5', for residential lots. The existing yard setbacks of 280 Barnhill Loop are shown in Attachment 1.

The applicant is proposing to add a 1-story pergola measuring 10' wide x 8' deep x 10' height (refer to Attachment 1), which would encroach 8' into the property's required 20' rear yard building setback, as shown in the proposed site plan exhibit provided in Attachment 1.

The current residential development requirements for Phase 4, Section 11 of the Caliterra development, and the requested variances for 280 Barnhill Loop are summarized in the table below:

Development Agreement and Plat Requirement for Residential Lots in Caliterra Phase 4, Section 11	Applicant Variance Request	Difference
Structures must be set back at least 20' from the rear property line and 5' from the side yard property line (refer to attachment 2, Phase 4 Section 11 Plat notes, and attachment 3 Development Agreement excerpt).	Applicant is proposing a pergola structure that encroaches approximately 8' into the rear building setback line.	The proposed 8' encroachment into the required 20' rear setback line is significant

In order to qualify for a variance, an applicant must identify unique conditions or constraints on their property that would result in undue hardship if the City's ordinance is applied to the property as-is. The applicant for 280 Barnhill Loop submitted the following description of the property's hardship and reason for this variance request:

"The current 20' setback does not allow the homeowner to fully use her space. A variance for the pool has already been given as well."

Analysis of Surrounding Properties

The properties surrounding the site are residential and located within Phase 4 of the Caliterra Development. As such, they are subject to the same building setback requirements as 280 Barnhill Loop. The surrounding properties' lot sizes, building footprints and layouts also appear to be consistent with the property located at 280 Barnhill Loop.

The property at 280 Barnhill Loop does not appear to embody any unique constraints or physical characteristics that would result in a hardship meriting a variance.

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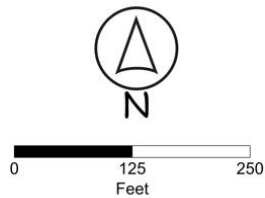


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Texas

Zoning Map

VAR2026-008
280 Barnhill Loop

- ✓ Development Agreements
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Direction	Zoning District	Existing Land Use
North	ETJ- Caliterra DA	Single Family
East	ETJ- Caliterra DA	Open Space
South	ETJ- Caliterra DA	Single Family
West	ETJ- Caliterra DA	Single Family

In order to meet the threshold for approval of a variance request, a variance application must meet the approval criteria set out in section 2.22.2 of the Zoning Ordinance. The variance approval criteria and staff analysis of the variance application are presented in the table below.

Approval Criteria for Variance (2.22.2-Zoning Ordinance)

Variance Approval Criteria	Staff Analysis of Variance Application
a. 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	There are no special circumstances or conditions affecting the property at 280 Barnhill Loop. The residential properties in Phase 4 Section 11 of the Caliterra Development are subject to the same setbacks and have similar building layouts and lot sizes, and the majority back up onto green spaces.
b. the variance 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	Staff does not consider placing a pergola within the rear yard setback to be necessary for the preservation and enjoyment of a substantial property right of the applicant, nor does it contribute to preserving the natural features

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	and topography of the land.
c. the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and	Granting this variance will be detrimental as it may encourage significantly more variance applications that are inconsistent with the original intent of the ordinance, and will ultimately: 1. erode the overall character of the development (as caused by new structures encroaching into minimum building setbacks)
d. the granting of the variance constitutes a minimal departure from this Chapter; and	The granting of the variance would introduce an encroachment of 8 ' within a 20' rear yard setback, which is significant.
e. 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 are no apparent circumstances or conditions giving rise to a hardship on this property.
f. Granting the variance is in harmony with the spirit, general purpose, and intent of this Chapter so that: 1. the public health, safety and welfare may be secured; and 2. that substantial justice may be done.	Granting this variance request would be inconsistent with the intent of the Ordinance variance chapter, as it does not ultimately contribute to securing public health, safety and welfare, and it does not reverse a substantial injustice on the property.

Summary and Recommendation

Staff recommends denial of the variance request.

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 Variance request. Three public comments of support were received as of the date of posting of this staff report (refer to attachment 4).

Meetings Schedule

October 27, 2026, Planning & Zoning Commission

December 1, 2026, Board of Adjustments

Attachments

Attachment 1 – Variance Application

Attachment 2 – Caliterra Phase 4 Section 11 Plat

Attachment 3 – Caliterra Development Agreement

Attachment 4 – Public Input

Recommended Action	Recommend denial of the requested variance
Alternatives/Options	Recommend approval of the variance with no or alternate conditions.
Budget/Financial impact	N/A

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Public comments	Three received at the time of posting of the report
Enforcement Issues	N/A
Comprehensive Plan Element	N/A