



# Planning and Zoning Commission

## Planning Department Staff Report

### Planning and Zoning Commission Meeting:

June 28, 2022

### Project No:

VAR2021-0008

### Project Planner:

Tory Carpenter, AICP, Senior Planner

### Item Details

### Project Name:

Hanelius Frontage Variance

### Property Location:

449 Twin Oaks Trail

### Legal Description:

Hanelius & Peterson Subdivision Lot 11 A

### Applicant:

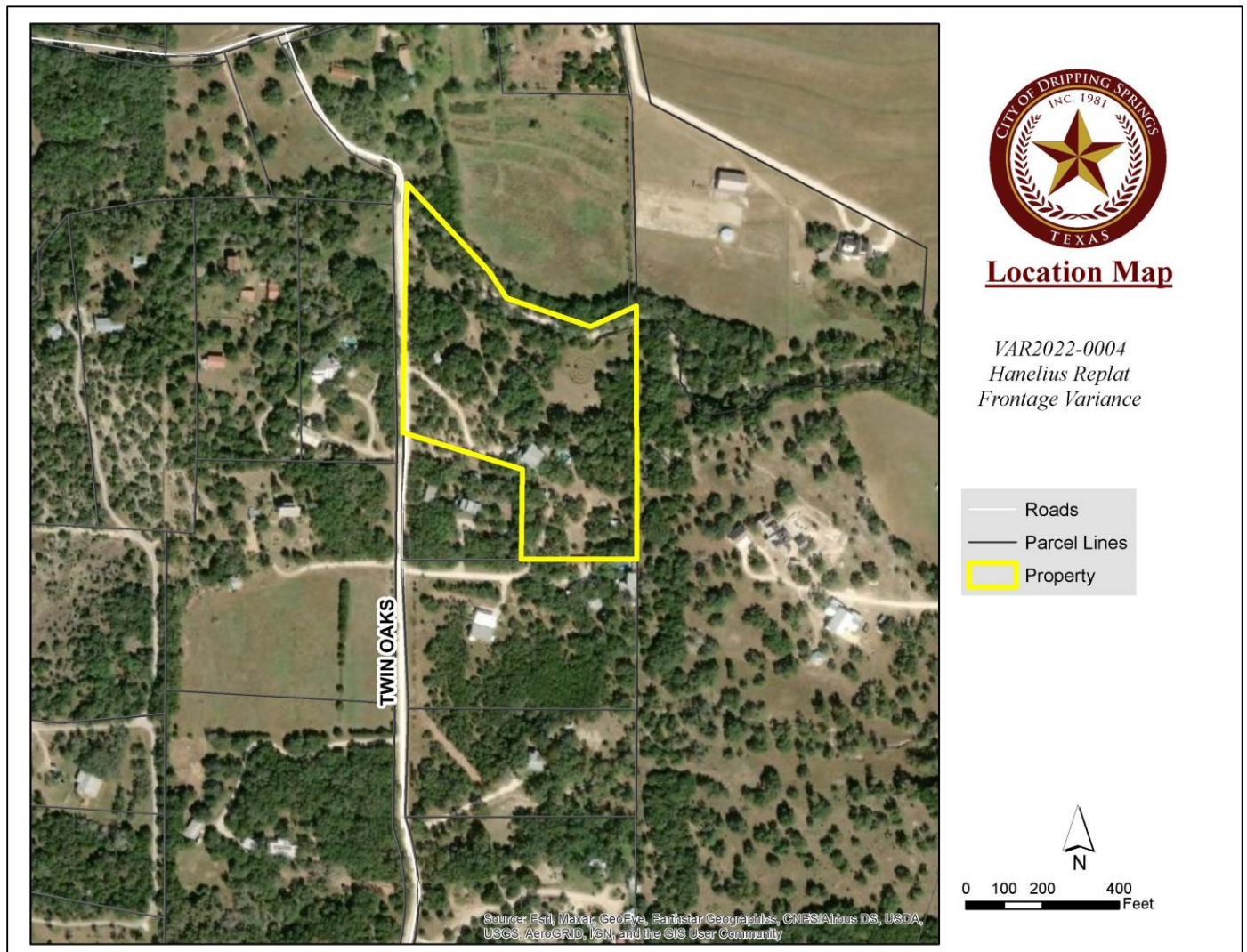
Ignacio Gonzales, Jr.

### Property Owner:

William and Elizabeth Hanelius

### Request:

Applicant is requesting a variance to Ordinance 30, Section 14 Standards and Specification Section J (5) Lot Frontage



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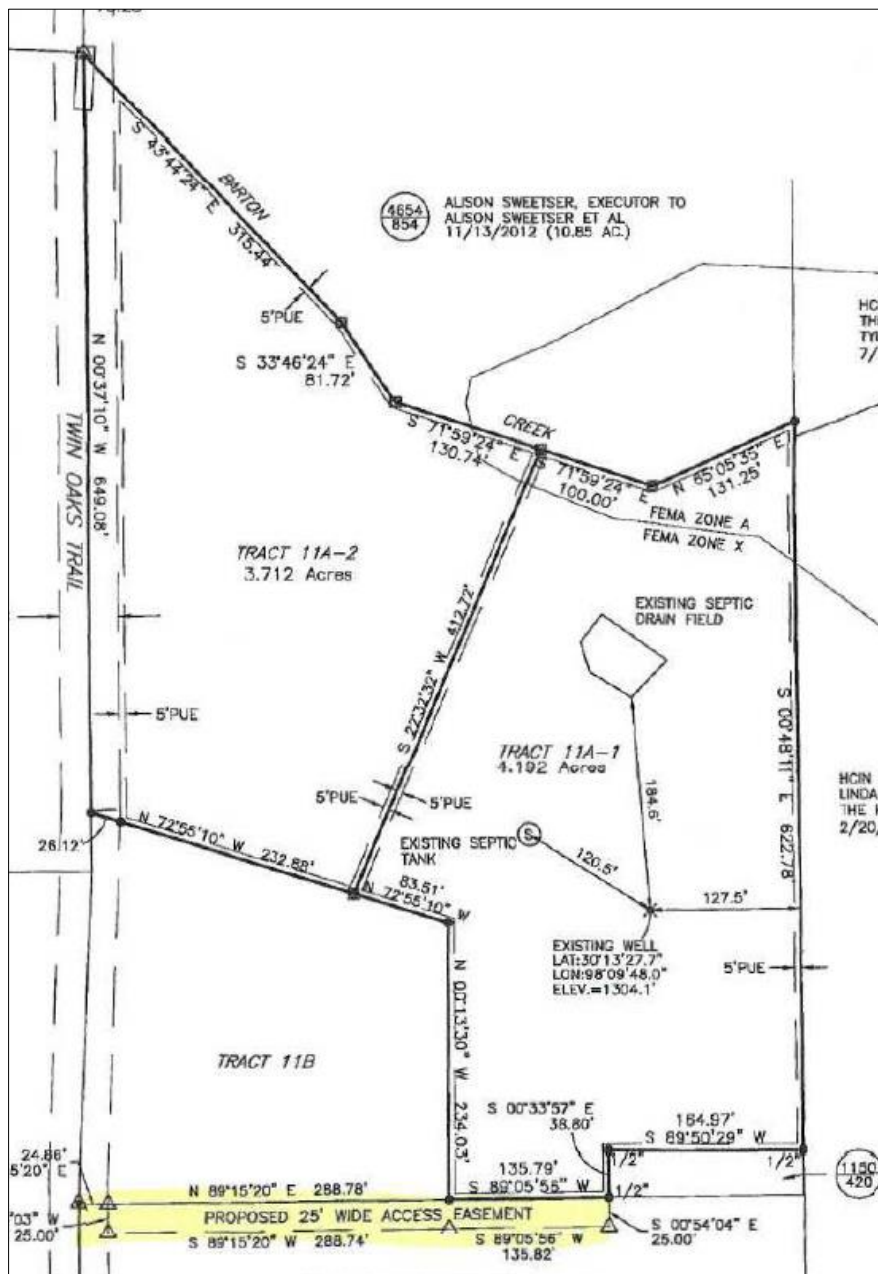
## Overview

The applicant is requesting a variance to Ordinance 30, Section 14.J.5 Frontage. The applicant currently has a replat under review to subdivide this lot into two lots. While the existing platted lot has frontage along Twin Oaks Trail, this replat shows that one of the newly created lots would not have public street frontage. Below is the section of the code of ordinances that the applicant is requesting a Variance to:

### 14.J.5 Frontage

**Each lot shall front upon a public street.** Lots of irregular shape shall be discouraged, and shall be prohibited unless they have a street frontage of at least one hundred (100) feet. Lots on a standard street shall have a minimum street frontage of one hundred (100) feet, and that lots on a cul de—sac street shall have a minimum street frontage of sixty (60) feet.

The applicant is requesting to meet the intent of the code for lot frontage by allowing Lot 11A-1 to have frontage on to an access easement.



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## Approval Criteria for Special Exceptions (2.22.2-Zoning Ordinance)

Approval Criteria	Staff Comments
1. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, and are not applicable generally to other property; and	Though the request is not unique the applicant is meeting the intent of the code with a shared access easement.
2. Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; 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 the applicant with a shared access easement, that will provide the applicant with proper ingress and egress.
3. The variance will not in any manner vary the provisions of the Zoning Ordinance, Planned Development District Ordinance, or Comprehensive Plan, or any other adopted plan(s) or ordinance(s) of the City; and	Not applicable at this time. The property is currently in the Extra-Territorial Jurisdiction. This variance does not allow the applicant any other deviations from City codes.
4. An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein; and	The applicant is meeting the intent of the code by the provided shared access easement that will provide adequate ingress and egress for the lot.
5. The variance will enable the applicant to preserve more native trees, provide more open space, or ensure more wildlife preservation than would be possible complying with the strict mandates of this Chapter.	The variance will not affect any open space or trees.
6. Granting the variance will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the variance will not prevent the orderly subdivision of other property in the vicinity	The Variance will not be detrimental to the public health, safety, or welfare.

## Summary and Recommendation

Based on the above findings staff believes that the intent of the code is being met, that the variance will not cause any undue harm to the properties within the vicinity and recommends approval of the variance with the following conditions:

1. The property shall comply with the City's Lighting Ordinance.

In September 2019, the City updated our Subdivision Ordinance process for Variances. Previously Variances would go to the Planning and Zoning Commission for recommendation and the Board of Adjustments for final action, the update now allows the Planning and Zoning Commission authorization to approve Subdivision Variances.

## 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.

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Attachments

- Exhibit 1 – Variance Application
- Exhibit 2 – Proposed Subdivision

Recommended Action	Approve the requested Variance with staff and any additional conditions deemed necessary by the Commission
Alternatives/Options	Deny the Variance; Approve the Variance 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