



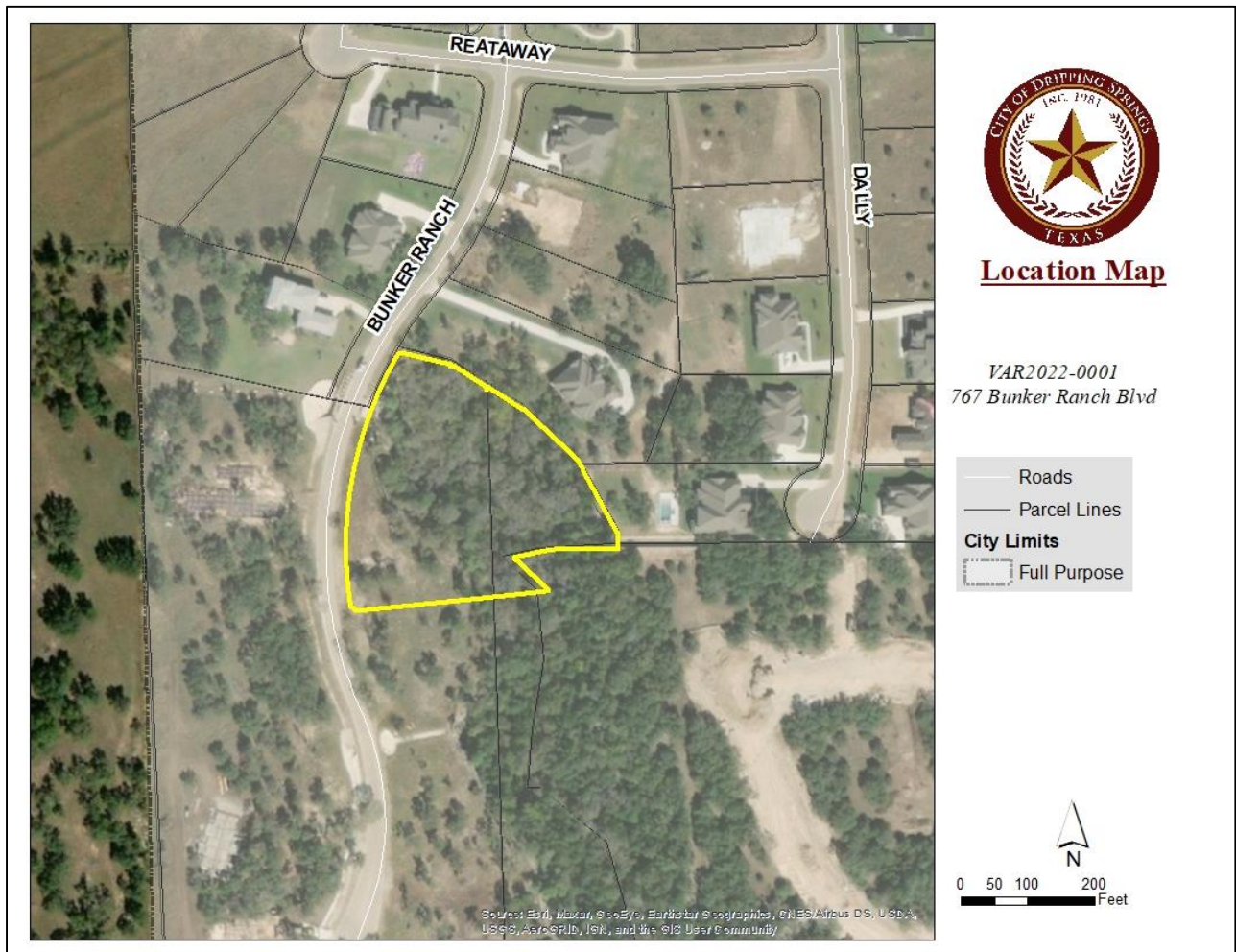
# City Council Planning Department Staff Report

**City Council:** March 1, 2021  
**Project No:** VAR2022-0001  
**Project Planner:** Tory Carpenter, Senior Planner

## Item Details

**Project Name:** Bunker Ranch Building Setback  
**Property Location:** 767 Bunker Ranch Boulevard  
**Legal Description:** Lot 1 Block 1 Bunker Ranch Phase 2  
**Applicant:** Trent Marino  
**Property Owner:** Trent Marino

**Request:** Applicant is requesting a variance to Section 3.4.4(b)(2) requiring a 15-foot side setback for properties zoned SF-2 for an existing home.



# Planning Department Staff Report

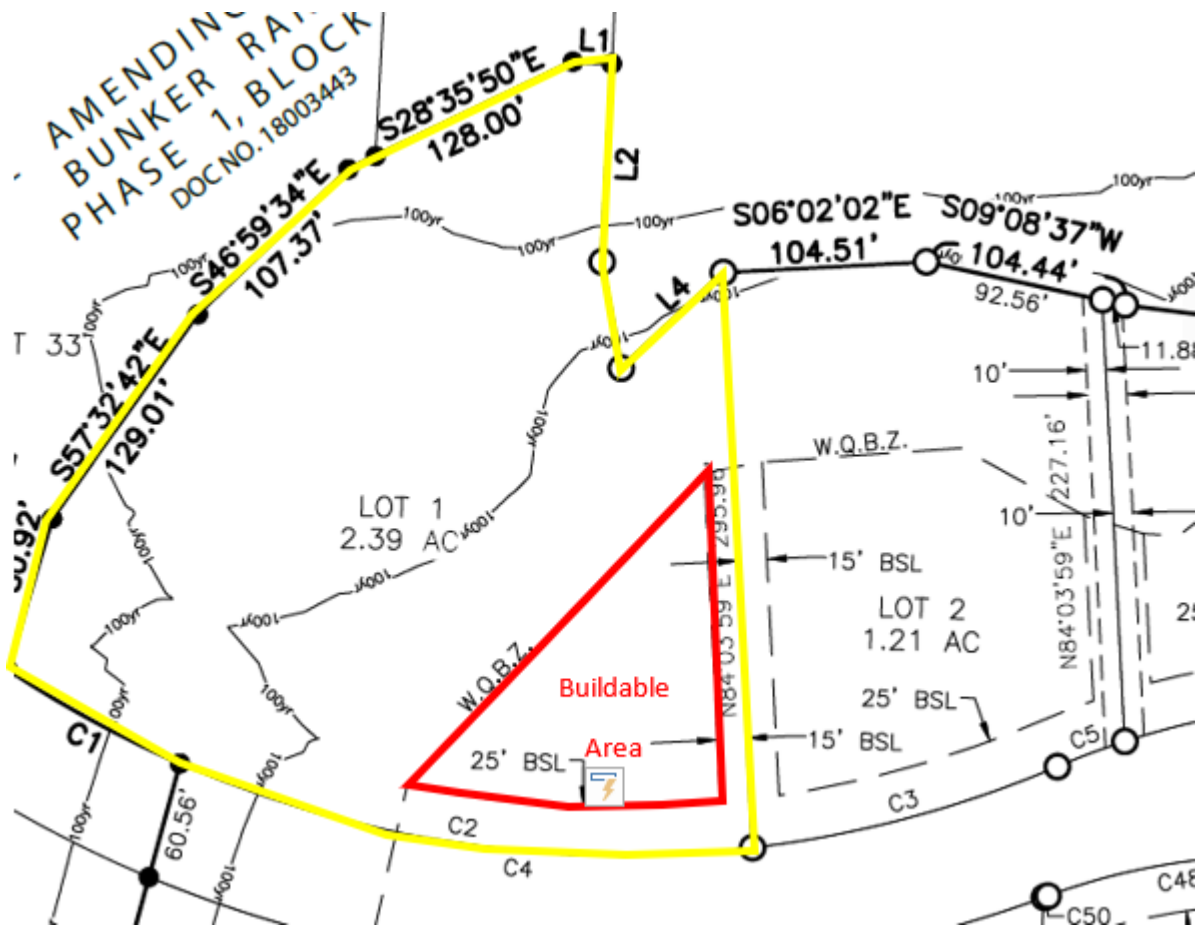
## Overview

The applicant is requesting a variance to encroach into the side setback of 15 feet for a recently-constructed home in the Bunker Ranch Subdivision. The applicant applied for building permits which were approved with the house shown meeting the setback requirements. However, HOA architectural requirements called for a “bump out” to meet blank wall limitations in the deed restrictions. The applicant was granted a setback variance from the HOA and provided updated building plans with the City to reflect the change. However, there were discrepancies in the submitted plans and the building permit was approved and construction completed on the home.

The property owner provided the following description of the hardship and reason for this request:

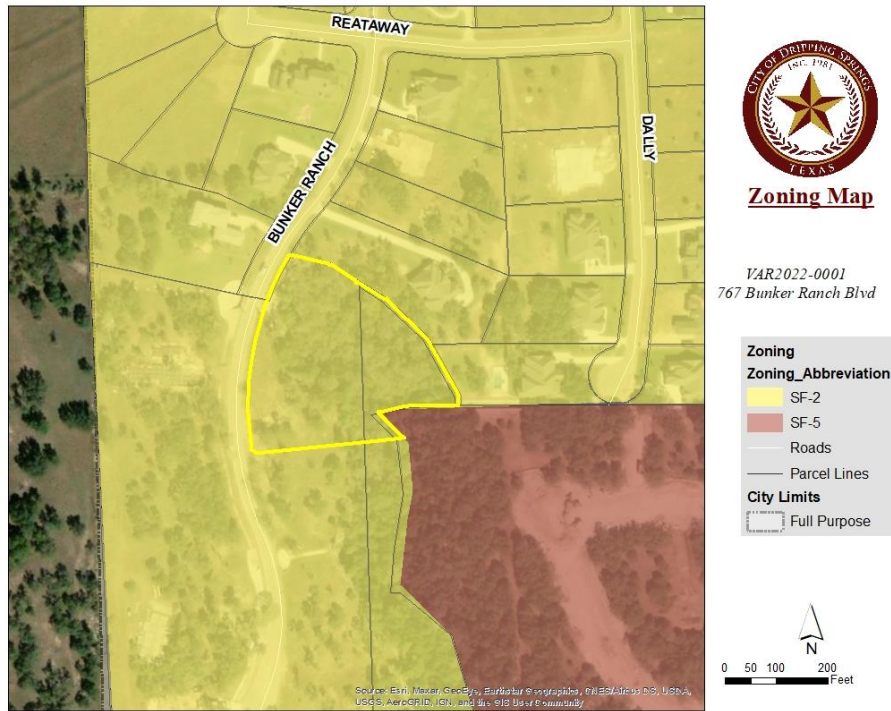
1. The garage bump out goes into the 15’ side setback by about 1’ for the length of 17’.
2. Water quality buffer zone is over 3/4 of the lot. In order to make a house fit, it has to be up against the south property.
3. The bump out was required by the HOA to meet neighborhood ordinance.
4. There is landscaping around it, and by adding this bump out it conforms to HOA requirements.

Code Requirement	Applicant Request	Required Yard Deficit
15-foot rear yard.	Construct home 14 feet from the property line.	<b>1 foot</b> <b>(6.66% deviation)</b>



# Planning Department Staff Report

## Surrounding Properties



Direction	Zoning District	Existing Use	Comprehensive Plan
North	SF-2	Single Family	The area is not shown on the city's comprehensive future land use plan.
East	SF-2 / SF-5	Single Family	
South	SF-2	Single Family	
West	SF-2	Single Family	

## Approval Criteria for Variance (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	There is a drainage easement across most the property significantly limiting the overall building area.
2. 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	While a home can be built in the established buildable area, this variance is necessary to avoid having to remove or modify the existing structure.
3. 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 of the variance would not be detrimental to the public health, safety, welfare, or injurious to other property within the area.
4. the granting of the variance constitutes a minimal departure from this Chapter; and	The requested one foot encroachment into the setback is considered a minimum departure from the requirement.

## Planning Department Staff Report

<p>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</p>	<p>The request is not based solely on economic gain and the constraints of this property do not affect other properties in the vicinity.</p>
<p>6. Granting the variance is in harmony with the spirit, general purpose, and intent of this Chapter so that:</p> <ul style="list-style-type: none"> <li>a. the public health, safety and welfare may be secured; and</li> <li>b. that substantial justice may be done.</li> </ul>	<p>This request is consistent with the purpose and intent of the code.</p>

### Summary and Recommendation

**Staff recommends approval of the variance request. At their February 22 meeting, the Planning & Zoning Commission voted unanimously to approve 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.

### Meetings Schedule

February 22, 2022 Planning & Zoning Commission

March 1, 2022 Board of Adjustments

### Attachments

Attachment 1 – Variance Application

Attachment 2 – Application Materials

Recommended Action	Recommend approval of the requested variance
Alternatives/Options	Recommend disapproval of 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