

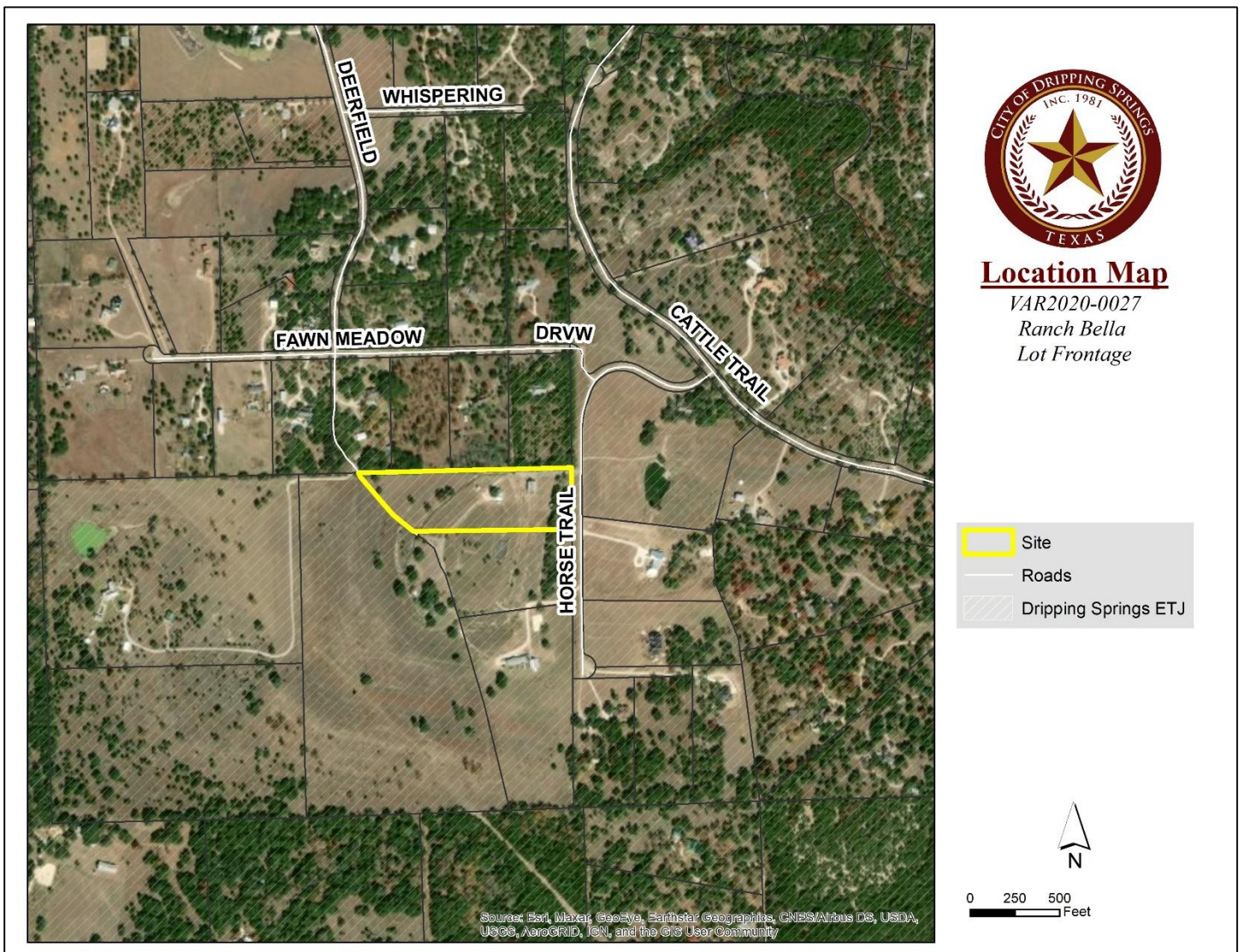


# Planning & Zoning Commission Planning Department Staff Report

**P & Z Meeting:** January 26, 2021  
**Project Number:** VAR2020-0027 – Rancho Bella Subdivision Variance  
**Project Planner:** Robyn Miga, Consulting Planner

## Item Details

**Project Name:** Rancho Bella Subdivision Variance (Lot 2)  
**Property Location:** 340 Horse Trail Dr.  
**Legal Description:** Approximately 8.251 acres, called Lot 2 in the Bella Rancho Subdivision  
**Applicant:** J Thompson Professional Consulting LLC c/o Jon Thompson  
**Property Owner:** Harold Eugene Williams  
**Request:** Subdivision Variance Request

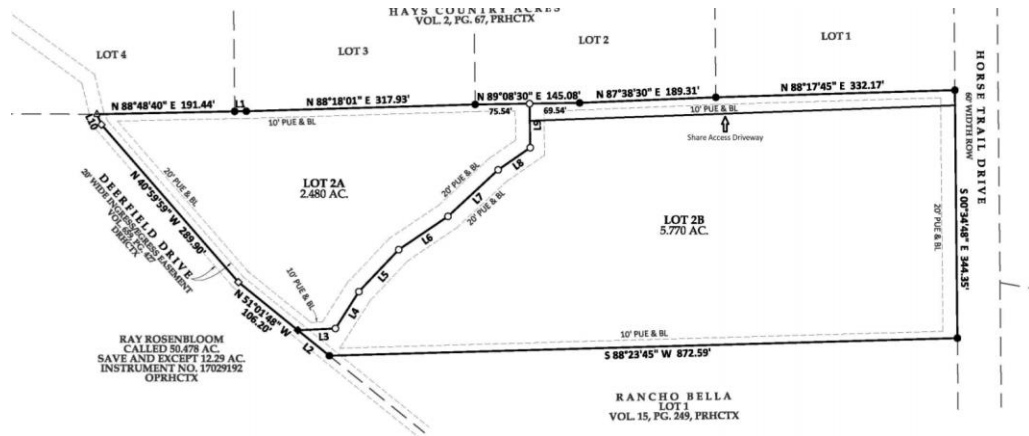


# Planning Department Staff Report

## Overview

The applicant submitted an application for a subdivision variance from Chapter 28, Subdivision, Section 14.2, Frontage, which requires that all new lots/units front onto a public or private drive.

The applicant is proposing to subdivide the called Lot 2 in the Bella Rancho Subdivision, which is approximately 8.251 acres, into two lots, similar to the configuration below:



The proposed configuration, Lot 2A does not front onto a Public or Private street. Deerfield Drive is an access easement, and is not improved.

The city’s Subdivision ordinance defines access as:

Access: A way or means of approach (public or private) to provide vehicular or pedestrian physical entrance to a property which shall include public or private right-of-way dedicated to this use.

The applicant stated in the application that the owner is proposing to subdivide the lots into this configuration for family members. The application with comments are attached as well.

## Action Requested

Conduct a public hearing and consider action regarding a subdivision variance request from Exhibit A, Subdivision, Section 1.7.7(a), for a property located at 340 Horse Trail Drive, Lot 2, Bella Rancho Subdivision, to be known as Bella Rancho Lot 2 Subdivision Variance.

## Site Information

### Location:

340 Horse Trail, south of Cattle Trail Drive, and west of Dripping Springs Ranch Road.

**Zoning Designation:** ETJ

## Variance Criteria

Section 1.7, Variances, require the following be met in granting a variance from the City’s Subdivision Ordinance.

Variance Criteria	Staff Comments
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 waiver	Granting the variance request would not be detrimental to the public safety, health, or welfare, or be injurious to other

## Planning Department Staff Report

will not prevent the orderly subdivision of other property in the vicinity	property, nor would it prevent the orderly subdivision of other property in the vicinity.
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	The proposed request is not unique to the property. The lot could be subdivided to meet the criteria of the City's Subdivision Ordinance.
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	There is no known physical feature or condition that would prevent this property from being subdivided to meet the City's Subdivision standards.
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	This property is located in the City's ETJ, therefore not subject to any zoning regulations. The only ordinance that the request is attempting to vary from would be the criteria for lot frontage.
An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein	The lots could attempt an alternative design in an effort to meet the city's subdivision ordinance criteria.
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.	It is not known whether the variance request would allow the applicant to preserve more native trees, however, it does not appear to be the case, and the subdivision would not be required to provide open space.

### Recommendation

Staff analyzed the proposed subdivision variance (VAR2020-0027) against the city's code of ordinances and criteria for a hardship, and is recommending denial based on the hardship criteria outlined above.

### Attachments

Exhibit 1 – Variance Application

Exhibit 2 – Proposed Plat (not being considered with this request)

Recommended Action:	Recommend denial with reasons set forth.
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A