



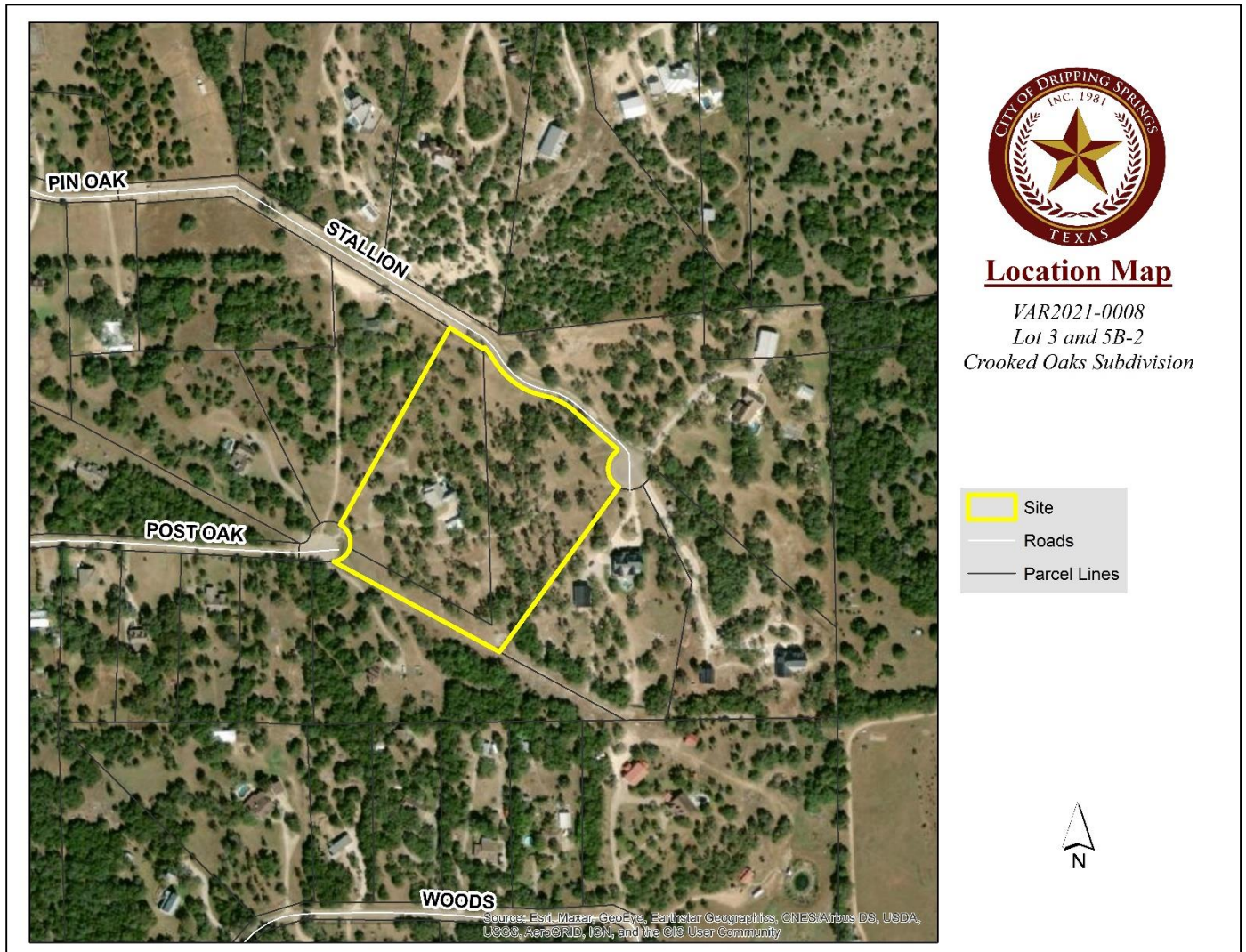
# Planning and Zoning Commission

## Planning Department Staff Report

**Planning and Zoning Commission Meeting:** April 27, 2021  
**Project No:** VAR2021-0008  
**Project Planner:** Amanda Padilla, Senior Planner

### Item Details

**Project Name:** Crooked Oaks Lot Frontage Variance  
**Property Location:** 823 Post Oak Drive, Dripping Springs, Tx 78620  
**Legal Description:** Crooked Oaks, Lots 3, and 5B-2  
**Applicant:** Jon Thompson, J Thompson Professional Consulting  
**Property Owner:** Clint and Andrea Leschber  
**Request:** Applicant is requesting a variance to Ordinance 30, Section 14 Standards and Specification Section J (5) Lot Frontage



# Planning Department Staff Report

## Overview

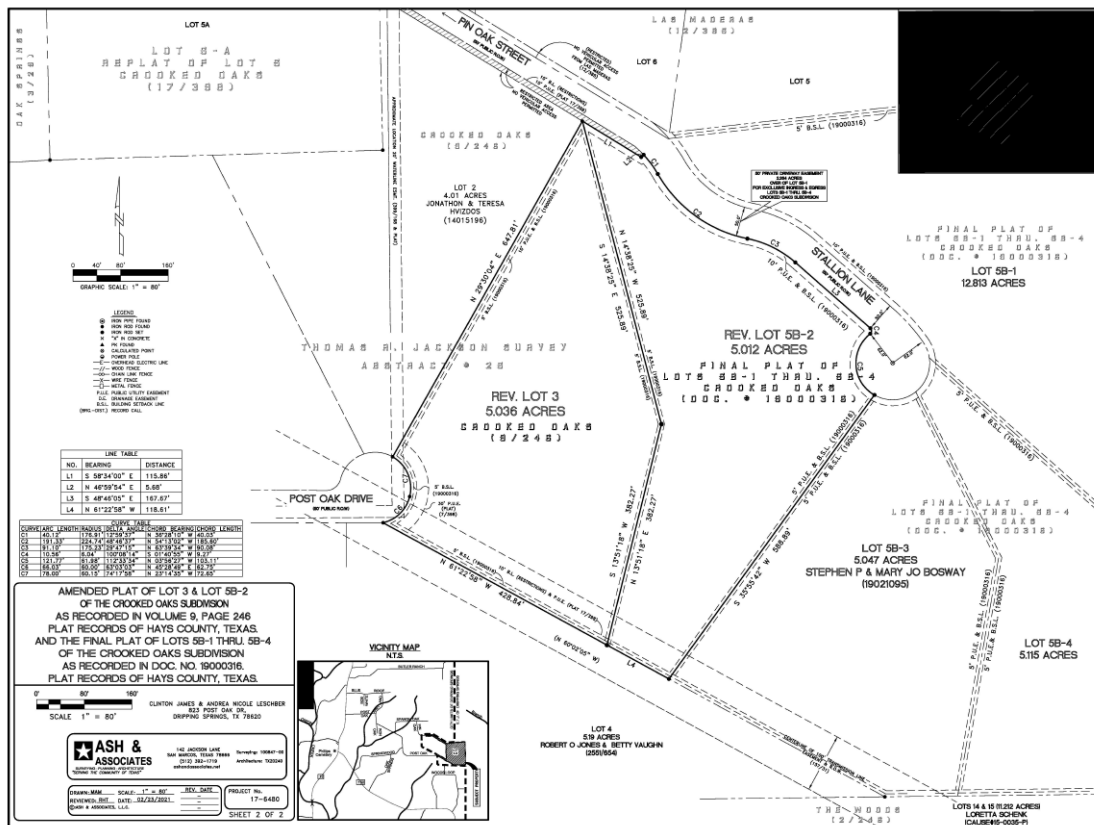
The applicant is requesting a variance to Ordinance 30, Section 14.J.5 Frontage. The applicant currently has an amending plat under review. For the amending plat application to be approved the applicant will need an approval for a variance to lot frontage. The amending plat will shift the property line between Lots 3 and 5B-2 of the Crooked Oaks Subdivision (See below Image). 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.

It is important to note that this subdivision is vested under Ordinance 30 (attached as an exhibit), which was adopted in 1985. The applicant is requesting to meet the intent of the code for lot frontage by allowing Lot 5B-2 to have frontage on to an access easement, named Stallion Lane, located on lot 5B-1 of the Crooked Oaks Subdivision. The lots located to the east of the two lots utilize the access easement, Stallion Lane, as well. The plat allows 5B-2 to utilize the access easement.

Please see the below image for what the applicant is proposing:



Both lots are within the City's Extra-Territorial Jurisdiction (ETJ). Within the City's ETJ the City has limited jurisdiction and can regulate such items as Subdivision, Site Development, Water Quality, Drainage, Parkland Dedication, and Signage.

## Surrounding Properties

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The properties to the west of the two lots are within the City Limits and are zoned Single-Family Residential District - Low Density (SF-1). The lots to the west have lot frontage on public right-of-way owned and maintained by the City. The lots to the east do not have proper frontage and if they are to subdivide will need to come in for a similar variance.

## 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. Though the applicant is vested under older ordinances the applicant has asked to comply with the Current process for variance action.

## Public Notification

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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.

## Meetings Schedule

April 27, 2021 Planning and Zoning Commission

## Attachments

Exhibit 1 – Variance Application

Exhibit 2 – Proposed Subdivision

Exhibit 3 – Lighting Ordinance Agreement

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