



ZONING BOARD OF ADJUSTMENT PUBLIC HEARING CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: The Zoning Board of Adjustment (ZBOA) of the City of Fair Oaks Ranch, Texas, will conduct a public hearing to receive public testimony on the Variance Application No. ZBOA 2024-01 from the applicant Cude Engineers, on behalf of property owners Gerald W Rentz Jr. and Lisa Rentz, to grant variances for the property located at 8923 and 8979 Dietz Elkhorn Road, Boerne, TX. (Located within the City Limits of Fair Oaks Ranch)

DATE: May 15, 2024

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lee Muñoz, P.E., CFM, Manager of Engineering Services

INTRODUCTION/BACKGROUND:

The applicant is proposing a development that will consist of a daycare/childcare facility located at 8923 and 8979 Dietz Elkhorn Road, northwest of the intersection of Dietz Elkhorn Road and Elkhorn Ridge. Street access to the development will be provided from Dietz Elkhorn Road. The property is not platted, and the site contains a single-family residential structure. The proposed daycare/childcare facility is approximately 13,500 square feet.

Current Zoning: Mixed Use Village

Proposed Use: Daycare/childcare facility (Permitted with Conditions)

Property Size: 4.289 acres

Variances Requested: On April 09, 2024, the applicant submitted a complete variance application requesting variances to the UDC sections listed below.

1. Variance from the requirements of UDC Section 6.8 (1) b (i) to vary the Build-to Zone (maximum building setback requirement) along Primary Frontage (Dietz Elkhorn Road) from 20 feet to 140 feet.
2. Variance from the requirements of UDC Section 6.8 (1) (d) (i) to allow surface parking in the area located between the building and the Dietz Elkhorn Road.

All Public Hearing notification requirements have been met. A newspaper notice was published in the Boerne Star newspaper on April 28, 2024 and mailed notices were sent to all property owners within 200 feet of the subject property on April 27, 2024. In addition, a sign was posted along the right-of-way frontage of the subject property by the applicant on April 28, 2024.

Detailed information on the requested variances are included in the attached staff report.

PUBLIC HEARING:

The sequence for conducting the public hearing is as follows:

1. Zoning Board of Adjustments Commission (ZBOA) Chairperson opens the public hearing
2. Staff presentation of the proposed zone change application
3. Applicant presentation of the proposed zone application
4. ZBOA receives public testimony for/against the proposed zone change application
5. ZBOA Chairperson closes the public hearing
6. ZBOA discusses the request, inclusive of asking questions of the applicant and staff

FUTURE STEPS:

The ZBOA will consider and take possible action on the requested variances under the Consideration/Discussion Items portion of the agenda.

LEGAL ANALYSIS:

The attached staff report and public hearing demonstrate compliance with the requirements as prescribed in the Texas Local Government Code and the City's Unified Development Code.