



**Zoning Board of Adjustment
July 7, 2022**

Minutes Resolution

Action Item

Agenda Description:

Public hearing on a request for a variance of the front yard setback regarding approximately .60 acre of land in the J.H. Cooper Survey, Being Lots 1A and 1B, Block1, Royal Addition Phase III, J.H. Cooper Survey, Abstract No. 145, County of Johnson, Texas, located at 96 & 98 Honey Bee Dr. Joshua, Texas.

- A. Staff Presentation
- B. Owner's Presentation
- C. Those in Favor
- D. Those Against
- E. Owner's Rebuttal

Background Information:

HISTORY: The property was rezoned to (R-2) on June 17, 2021. A replat of the property was approved on September 7, 2021.

ZONING: This property is zoned (R-2) Two Family Residential District.

ANALYSIS: The applicant is requesting a 7 foot variance to the front yard setback.

Variance: 3.4.4 VARIANCES.

- A. In order to grant a variance from this Ordinance, the Board of Adjustment must make written findings that the variance creates undue hardship, using the following criteria:
1. That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property;
 2. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district;
 3. That the relief sought will not injure the permitted use of adjacent conforming property; and

4. That the granting of a variance will be in harmony with the spirit and purpose of this Ordinance.

B. A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person a privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship on another parcel of land.

C. The applicant bears the burden of proof in establishing the facts justifying a variance.

Financial Information:

Only cost associated with the variance request is the publication expense and mailing of public hearing notices to property owners within 200 ft. as required by law. Public written notices sent out not less 15 days before the Zoning Board of Adjustment.

City Contact and Recommendations:

Aaron Maldonado, Development Services Director

Attachments:

- 1) Variance Application
- 2) Vicinity Map
- 3) Plot Survey
- 4) Title Survey
- 5) Tax Certificate
- 6) Public Notice