



March 13, 2024

Dear Sir or Madam:

The City of Rollingwood Board of Adjustment will be considering a request for the following:

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<b>Request:</b>	<b>Subject Property:</b>	<b>Listed Applicant Contact:</b>
Variance, as requested in Sec. 107-492, from Sec. 107- 76(d) -Minimum required width and depth of yards to reduce the rear yard setback from 20' to 10'	2409 Vance Lane Rollingwood, Texas 78746	Carina Coel, Restructure Studio Authorized Agent 7500 Ladle Lane Austin, Texas 78749

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You are receiving this letter because you have been identified as the owner of real property, which is located within the city limits subject to this request. According to Rollingwood Code of Ordinances, 107-494, notice of a public hearing on a request for a variance, special exception, or appeal to the Board of Adjustment shall be mailed at least 30- days before the public hearing to the petitioner and owners of property located within 250 feet of any point of the lot, or portion thereof which is the subject of the public hearing. Please consider this letter as your official notice of a public hearing to be held by the Board of Adjustment on a special exception request concerning property located within 250 feet of your property in the City of Rollingwood.

**The City of Rollingwood Board of Adjustment will hold a public hearing beginning at 6:00 p.m. on Monday, April 15, 2024 in the Council Chambers at Rollingwood City Hall 403 Nixon Drive, Rollingwood, Texas 78746. Members of the public may participate in the meeting in person or virtually.**

One of the principal functions of municipal government is to encourage citizen participation within the framework of local government operations and decision-making. During the public hearings, the applicant and people in favor of, neutral or opposed to the request may present their views. Any member of the public may appear at the hearings and present evidence for or against the request. Written comments should be submitted no later than 72 hours before the hearing to the City Secretary, Desiree Adair at City Hall or at [dadair@rollingwoodtx.gov](mailto:dadair@rollingwoodtx.gov). Agendas will be posted on the City's website at [www.rollingwoodtx.gov/meetings](http://www.rollingwoodtx.gov/meetings) 72 hours prior to the meeting; please call or check the website for additional information.

For more information regarding this matter as well as any questions, please contact the City of Rollingwood City Hall at 512-327-1838 or by email at [developmentservices@rollingwoodtx.gov](mailto:developmentservices@rollingwoodtx.gov).

Respectfully,

A handwritten signature in red ink that reads "Nikki Stautzenberger". The signature is written in a cursive, flowing style.

Nikki Stautzenberger  
Development Services Manager

Cc: Board of Adjustment members

## Sec. 107-492. Variances.

- (a) The board may authorize upon appeal, in specific cases, such variances from the terms of this chapter, where the board finds that the variance 1) will not be contrary to the public interest, 2) where, owing to special conditions, literal enforcement of the provisions of this chapter will result in unnecessary hardship, and 3) the spirit of this chapter will be observed and substantial justice done.
- (b) Prior to granting a variance in a zoning district other than a residential district, the board must find, in concert with the findings required in subsection (a), that:
  - (1) The variance is the minimum variance necessary to alleviate the unnecessary hardship;
  - (2) Granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to adjoining properties or the neighborhood, or be otherwise detrimental to the public welfare;
  - (3) The special conditions with respect to which a variance is sought are not the result of an action of the applicant;
  - (4) If applicable, there is sufficient water and wastewater capacity and fire service available to serve the applicant's land as developed under the variance without detriment to the other property within the city; and
  - (5) Granting the variance will not merely serve as a convenience to the applicant but will alleviate some demonstrable and unnecessary hardship which is created by the literal enforcement of the provisions of this chapter.
- (c) Prior to granting a variance in a residential district, in concert with the findings required in subsection (a), the board must find that:
  - (1) A special individual reason makes the literal enforcement of this chapter result in an unnecessary hardship;
  - (2) Granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to adjoining properties or the neighborhood, or be otherwise detrimental to the public welfare;
  - (3) The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to the property in the area;
  - (4) There are special circumstances or conditions such as topography, natural obstructions, aesthetic or environmental considerations affecting the land involved such that the strict application of the provisions of this chapter would impose an unnecessary hardship which is created by the literal enforcement of the provisions of this chapter;
  - (5) The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this chapter;
  - (6) If applicable, there is sufficient water and wastewater capacity and fire service available to serve the applicant's land as developed under the variance without detriment to the other property within the city; and
  - (7) The circumstances or conditions from which relief is sought are not solely of an economic nature.
- (d) In granting a variance, the board may prescribe appropriate conditions and safeguards in conformity with this chapter.
- (e) In considering a variance as applied to a structure, the board may, in addition to other relevant considerations, consider the following as grounds to determine whether an unnecessary hardship would result from compliance with the ordinance:
  - (1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under V.T.C.A., Tax Code, § 26.01;
  - (2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
  - (3) Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
  - (4) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
  - (5) The municipality considers the structure to be a nonconforming structure.