

City of Woodcreek Application for Variance

Please provide the following items with the completed Application for Variance for a variance request:

- One paper copy and one digital copy of the survey or site plan with the requested area for the variance clouded to indicate the location.
- A filing fee of \$500.00 (Applicant will also be charged the cost of postage and publication).
- If requesting a variance of an existing structure, please include 2-3 photographs that will show the structure placement in relation to your property and adjacent structures.
- If requesting a variance in impervious cover limits, please include calculations showing current impervious cover (as of date of application) and proposed impervious cover.

Following receipt of the completed Application for Variance, along with the required items and filing fee, Woodcreek will schedule your request for consideration at a future Board of Adjustment meeting. You will be notified of the Board of Adjustment meeting date.

Woodcreek will prepare and send notices via the USPS to property owners within two hundred (200) feet of the property before the Board of Adjustment scheduled meeting date. The notice will also be published in the newspaper of record.

Application Information

Date of Application Submission: 02/23/24

Petitioner's Name: Benjamin Mejia

Mailing Address: [REDACTED]

Email Address(s): [REDACTED]

Telephone Number(s): ([REDACTED]) : ([REDACTED])

Description and Location of Property for which Variance is Requested.

Property Owner's Name: Benjamin Mejia

Property Owner's Mailing Address: [REDACTED]

Section Location, Lot Number, & Zoning Designation: LOT 16, PAR VIEW VILLAGE #10

Property Address: LOT 16, PAR VIEW VILLAGE #10

City of Woodcreek

IN THE MOUNT OF THE TEXAS HILL COUNTRY

As per § 30.57 of the Woodcreek Code of Ordinances, a Variance is defined as “An adjustment or deviation in the application of specific regulations of Ch. 50, 154 and 156 of this code of ordinances or other applicable ordinances under the purview of the city and applicable to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property owner from being deprived rights and privileges, enjoyed by other owners of similarly situated parcels in the same vicinity and district.”

No variance shall be granted unless the Board finds that each of the following provisions are met.

State how your request meets each provision:

1. There are special circumstances or conditions affecting the land involved, such that the strict application of the provisions of Ch. 50 or Ch. 154 or Ch. 156 would deprive the applicant of the reasonable use of the involved land.
Since we are in a culdesac, the layout of each lot creates difficulty to meet driveway requirements. It also creates a challenge for a two car garage as well as staying within the impervious coverage requirements.
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
To have accessible parking area - impervious coverage. Also, to have access to a covered garage, only one would fit on lot.
3. The granting of the variance will neither be detrimental to the public health, safety or welfare, nor injurious to other property in the area.
No, it would not. Neighboring homes have similar challenges and do not affect any of the listed above. See pictures attached.
4. 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.
No, it will not. In fact, it will help.

Variance Requested – Please be specific. Pecuniary hardship to the applicant, property owner or developer, standing alone, shall not be deemed sufficient to constitute undue hardship.

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY

We are requested this variance, to give the owner ample space to park their cars and sufficient space to park their car inside a one car garage. This will compromise the impervious coverage percentage and help the protection of trees.



Applicant Signature: Benjamin Mejia

Date: 02/23/24

For City Use Only:

Application, required information, and fee received:

Date: App - 2/23/24 Check # \$500 Initials: JB
online

Referred to Board of Adjustment:

Date: _____ Initials: _____

Publication of Public Hearing by Board of Adjustment:

Date: _____ Initials: _____

Action by Board of Adjustment:

Approved: _____ Denied: _____

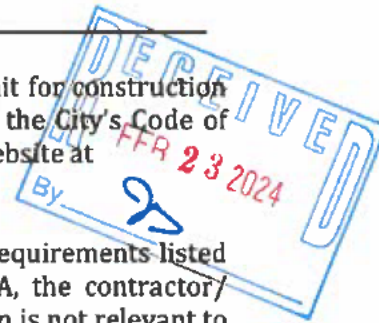
Date: _____ Initials: _____

Notes:

City of Woodcreek Construction Acknowledgement of Code of Ordinances

Property Address: lot 16, PAR View Village #10 Date: 2-23-24
Project Name: 31 PAR VIEW VARIANCE

Applicants requesting review of submitted construction drawings and a building permit for construction in the City of Woodcreek must read and acknowledge the following items relating to the City's Code of Ordinances. All references to the City's Code of Ordinances can be found on the City's website at www.woodcreektx.gov



Instructions: All three parties are asked to confirm their understanding of the code requirements listed below where applicable. The Architect (when applicable) should initial in section A, the contractor/builder should initial in section B, and the property owner/client in Section C. If the item is not relevant to the proposed project, check "Not Applicable," and still initial. If your project is not compliant with the item and you intend to request a variance to that requirement, check "Requesting A Variance," (with separate form) and also initial. All three parties should print and sign their name at the bottom of the form.

1. Impervious cover: (Woodcreek Code Sections 50.37 and 156.063)

- a) Impervious cover varies with the lot size. For your project, have you correctly determined the allowable percentage of impervious cover?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- b) Have you correctly determined what various materials/conditions constitute impervious cover: concrete, asphalt, pavers, swimming pools, crushed gravel and granite, decking materials, etc.?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance

2. Setbacks: (Woodcreek Code Sections 155.43 (SF Residential), 156.057, -.062, -.063, and -.064)

- a) Setbacks are determined by the lot size. Have you correctly determined the setbacks for your project?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- b) If the property fronts one or more streets, each setback along those streets must conform to the 155.43 setback requirements. Have you checked your project for this condition?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- c) Roof eaves and overhangs are not allowed in the building setbacks. Have you verified that the project's roof eaves and overhangs are not within the setbacks?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- d) Have you insured that no building, accessory building, or structure is located within the setback? This requirement includes but is not limited to retaining walls, patios, fountains, air conditioning pads, pool equipment, pergolas and arbors.
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- e) Do your project's driveways meet the driveway setback requirements?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- f) Do you understand that no site disturbance (cutting, filling, grading, etc.) is allowed in the setback?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance

3. Structure height: (Woodcreek Code Sections 156.062, -.063, and -.064)

- a) Has a current, topographic ground survey with 1-foot contour lines produced by a licensed surveyor been submitted? Your height calculations must be determined from this survey.
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- b) Has the correct methodology as defined in the code, been used to calculate the height of your project?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- c) Do you understand that the height restriction includes all roof appurtenances and building materials?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance

4. Trees and vegetation: (Woodcreek Codes Chapters 50, 91, 154 & 156. Staff can offer to assist.)

- a) Has a current and certified tree survey been submitted to the City?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- b) Do you understand that no site clearing, brush/undergrowth removal, or tree removal can be done until a tree permit and building permit have been issued by the City?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- c) Do you understand that NO tree with a diameter greater than or equal to 19 inches can be removed without first obtaining a variance from the City?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- d) Do you understand that all tree replacement must be completed before a certificate of occupancy will be issued?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance

5. Additional considerations:

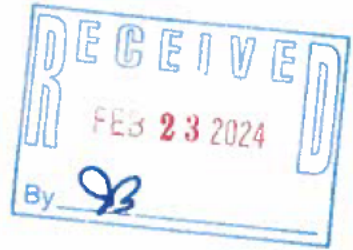
- a) If required, have you reviewed the steep slope restriction for construction? (Woodcreek Code Section 50.42 (Non-Residential))
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- b) If required, will your septic system comply with State minimum standards to obtain a permit? (Woodcreek Code Section 151.05)
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- c) Does your site plan show all of the structures, hardscape elements such as retaining walls and planters, patios, decks, sidewalks, driveways, water tanks, pool equipment and other items? Please note that such items are not allowed in the setbacks and may not be installed later without City approval.?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- d) Do you understand that no work (including but not limited to mailbox construction or placement, planting, grading, landscaping, etc.) may be done in the City Right of Way without City approval?
A: _____ B: BM C: _____ Not Applicable Requesting A Variance
- e) Do you understand that a certification letter from a septic designer must be submitted if an existing septic system is being utilize
A: _____ B: BM C: _____ Not Applicable Requesting A Variance

- f) Do you understand that your project may require a tree permit in addition to a building permit?
(Woodcreek Code Chapter 91)
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- g) Do you understand that if your project is in an Aquifer Recharge and/or Contributing Zone, you may be required to submit a Water Pollution Abatement Plan? (State requirement)
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- h) Do you understand that a separate permit must be obtained for fence construction and that the requirements in Woodcreek Code Chapters 151, 154 & 156 must be followed? Do you understand that unique or irregularly-shaped yards with fences have special requirements?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- i) Do you understand that a variance and separate permit may be required for a swimming pool and that the requirements of Woodcreek Code must be followed?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- j) Do you understand that if any professional services (attorneys, engineers, surveyors, etc.) are required to be used by the city that those fees will be passed-through and will be the responsibility of the applicant?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- k) Do you understand and have correctly identified any and all nonconforming uses and structures through a meeting with City staff?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- l) Have you correctly verified if you project is located within the floodplain and obtained the necessary permits if it is?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance
- m) Have you correctly verified that the proposal conforms to any variance and site plan approvals if applicable?
A: _____ B: Bm C: _____ Not Applicable Requesting A Variance

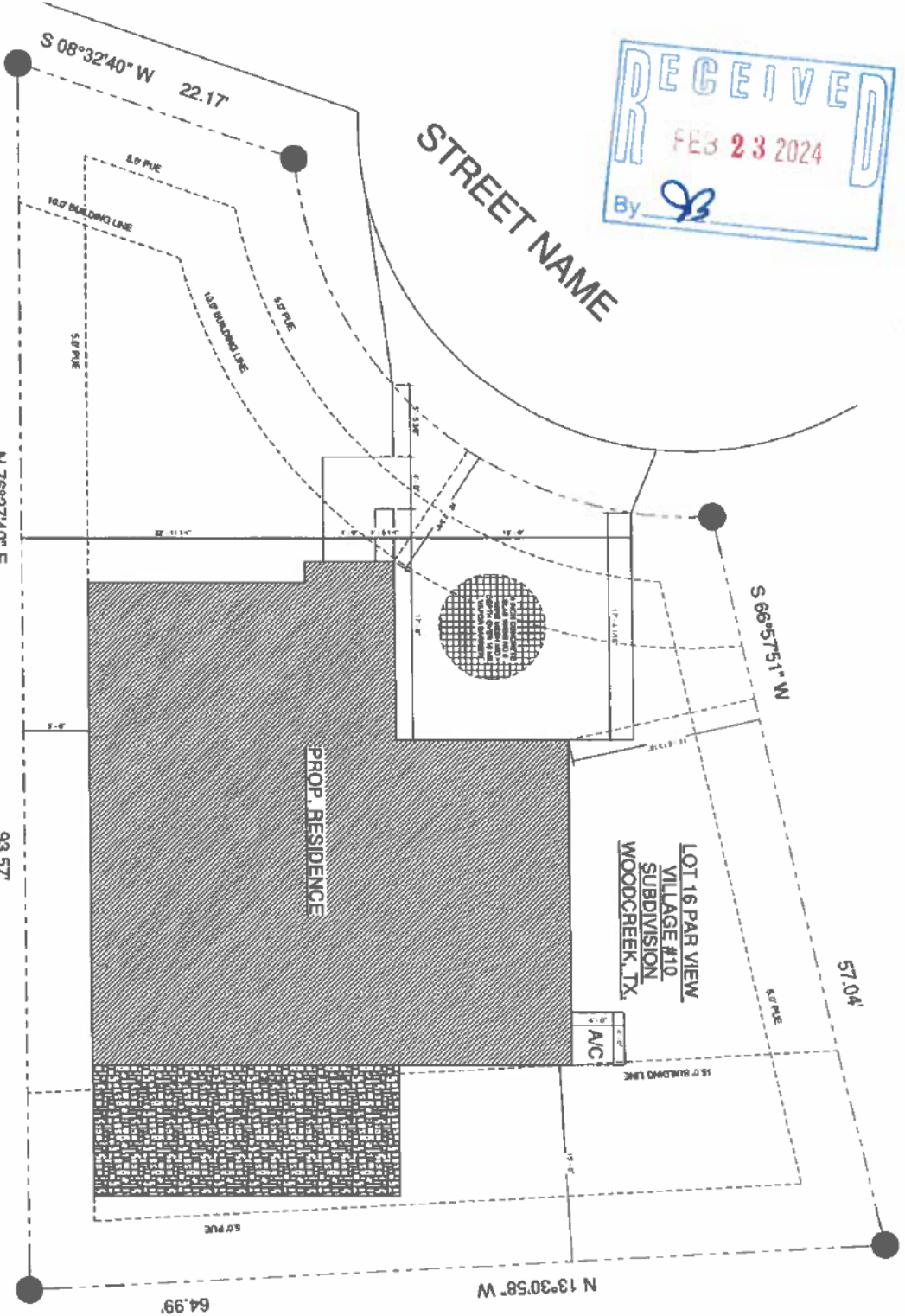


I hereby acknowledge that I have read and understand the requirements listed above. I further understand that nothing in this document relieves me of my legal responsibility to comply with any and all relevant West Lake Hills Ordinances regarding this project including the requirements referenced in this document.

	NAME	SIGNATURE	DATE
A: Architect:	_____	_____	_____
B: Builder/Contractor:	<u>Benjamin Meja</u>	<u>BENJAMIN MEJA</u>	<u>FEB 23, 2024</u>
C: Property Owner/Client:	_____	_____	_____



STREET NAME



TOTAL LOT AREA: 4,215.38 SQ. FT.
 HOUSE IMPERVIOUS AREA: 1,197.88 SQ. FT.
 AC PAD: 16.00 SQ. FT.
 DRIVEWAY AND SIDEWALK: 413.06 SQ. FT.
 TOTAL IMPERVIOUS COVERAGE: 1,826.74 SQ. FT.
 IMPERVIOUS COVERAGE: 38.59%

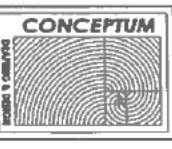
LOT 16 PAR VIEW
 VILLAGE #10
 SUBDIVISION
 WOODCREEK, TX

PROP. RESIDENCE

SITE PLAN NOTES

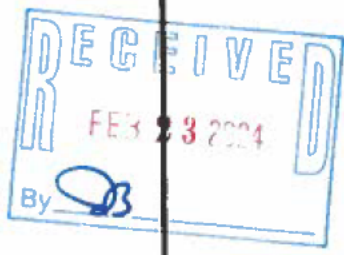
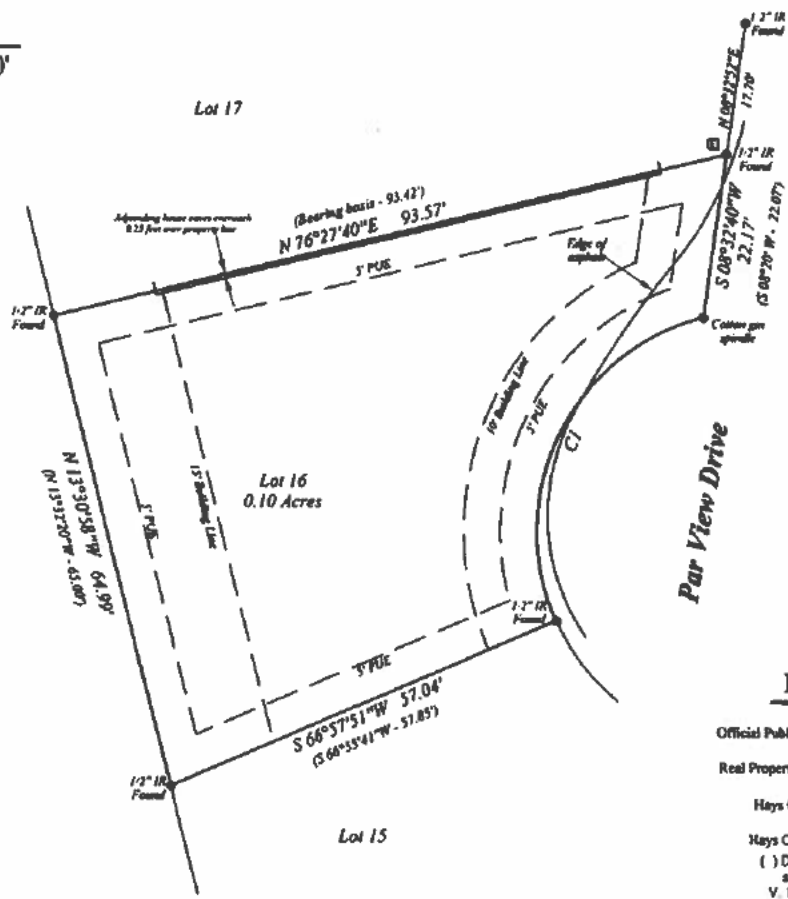
1. SITE PLAN IS FOR INFORMATION ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF UTILITIES AND STRUCTURES ON THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN RECORD DRAWINGS OF ALL CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN RECORD DRAWINGS OF ALL CONSTRUCTION.

PROJECT ADDRESS Enter address here	SHEET NAME SITE PLAN	SCALE As Indicated	PROJECT NO. Project Number
		DATE Issue Date	SHEET NO. 1.0
PROJECT RESPONSIBLE Project Name	CLIENT INFORMATION Owner	DRAWN BY Designer	APPE BY Checker





Scale
1" = 20'



- Legend**
- OPRHC
Official Public Records of Hays County
 - RPRHC
Real Property Records of Hays County
 - HCPR
Hays County Plat Records
 - HCDR
Hays County Deed Records
 - () Data from recorded subdivision plat
V. 1/P. 338 - HCPR
 - Electrical Box

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	98°33'46"	30.00	51.61	34.86	45.48	S 26°04'44"W

Surveyor's Notes: Volume 290, Page 103, HCDR, describes owner restrictions including a 3' public utility easement (PUE) along all streets, a 10' street frontage and 15' golf course frontage building line. Volume 295, Page 399, HCDR, describes a 3' PUE for all lot lines. This survey was done without the use of a title search. There may be easements/documents that affect this lot that are not shown.

PLAT SHOWING SURVEY OF LOT 16, PAR VIEW VILLAGE #10, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 338, OF THE PLAT RECORDS OF HAYS COUNTY.

FOR: Harold and Martha Shelton

DATE: November 3, 2015

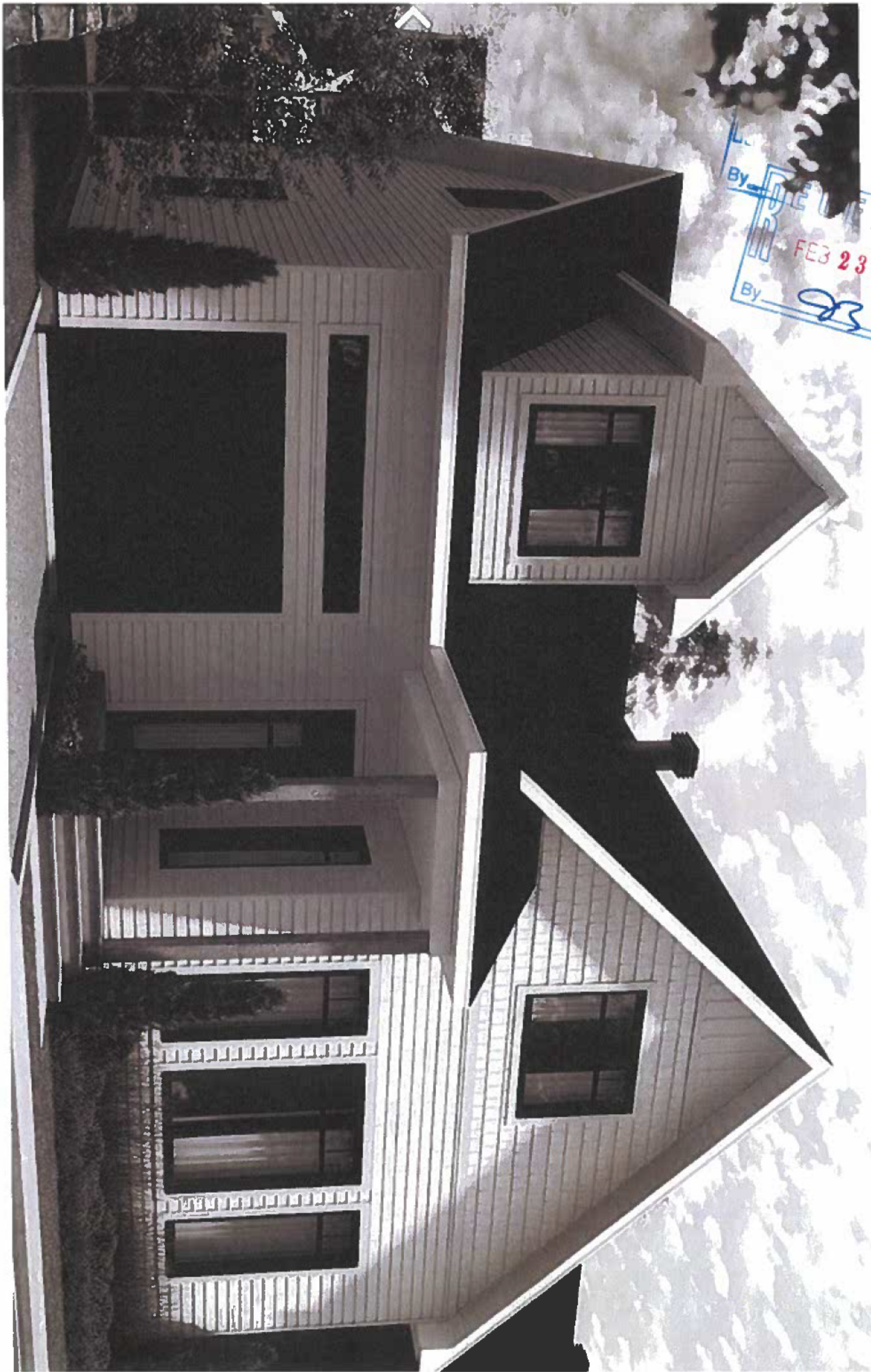
The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that there are no visible discrepancies, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown and that said property has access to a public road. Only those plats with a red surveyor's seal and red signature shall be deemed reliable and authentic.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

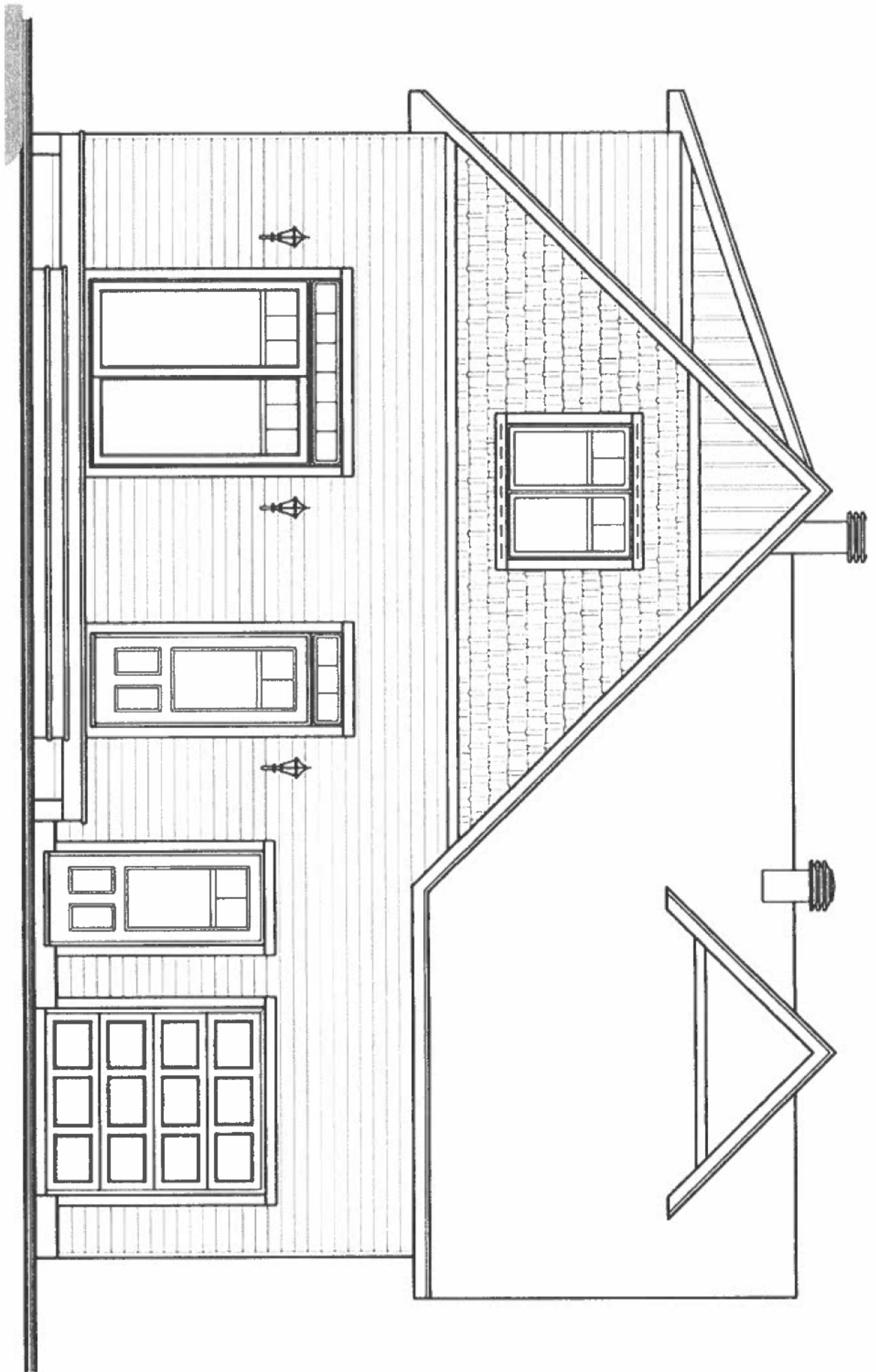
According to the scaling of Map Panel 0238F of the September 2, 2005 insurance rate map for the County of Hays, Texas, the property described hereon is in the Zone "X" of the flood hazard area and determined to be outside the 100 year flood zone.



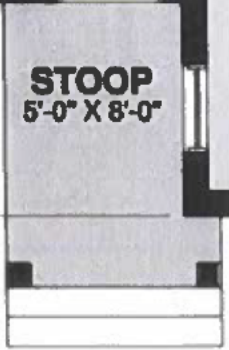
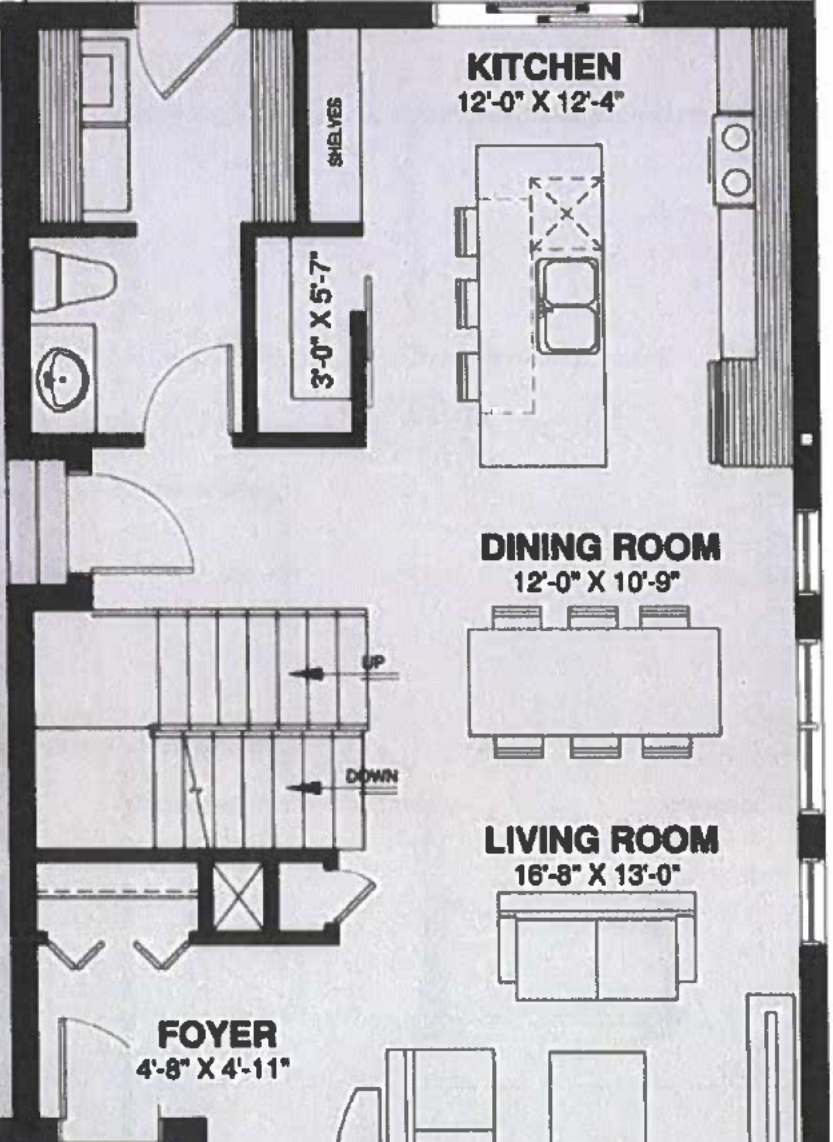
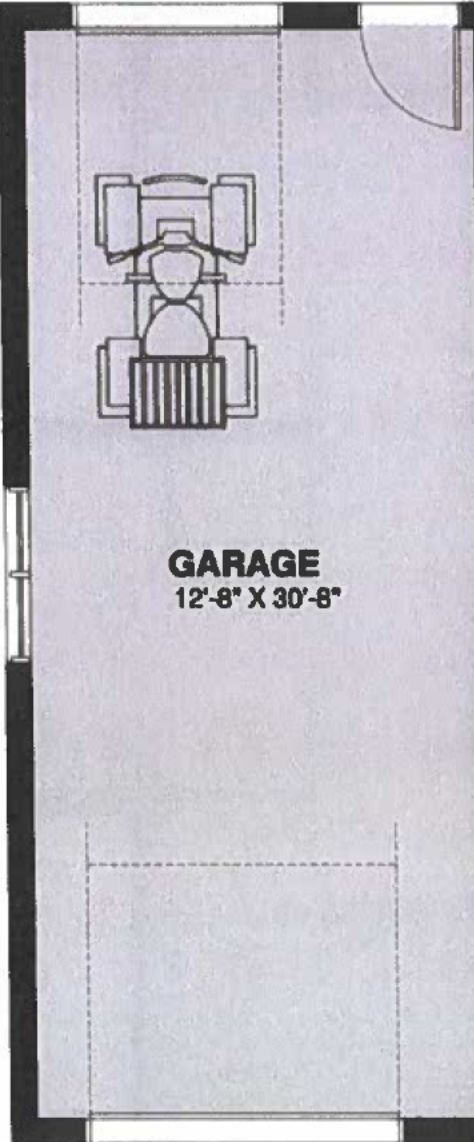
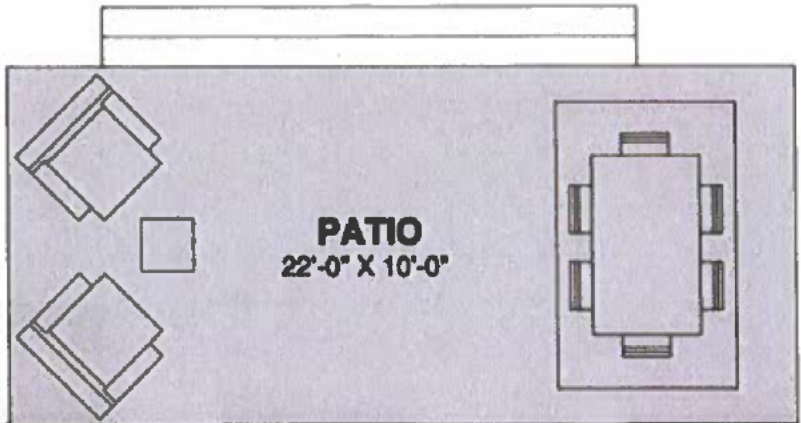
HAYES SURVEYING
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-268-4813



By _____
RECEIVED
FEB 23 2024
By *JS*

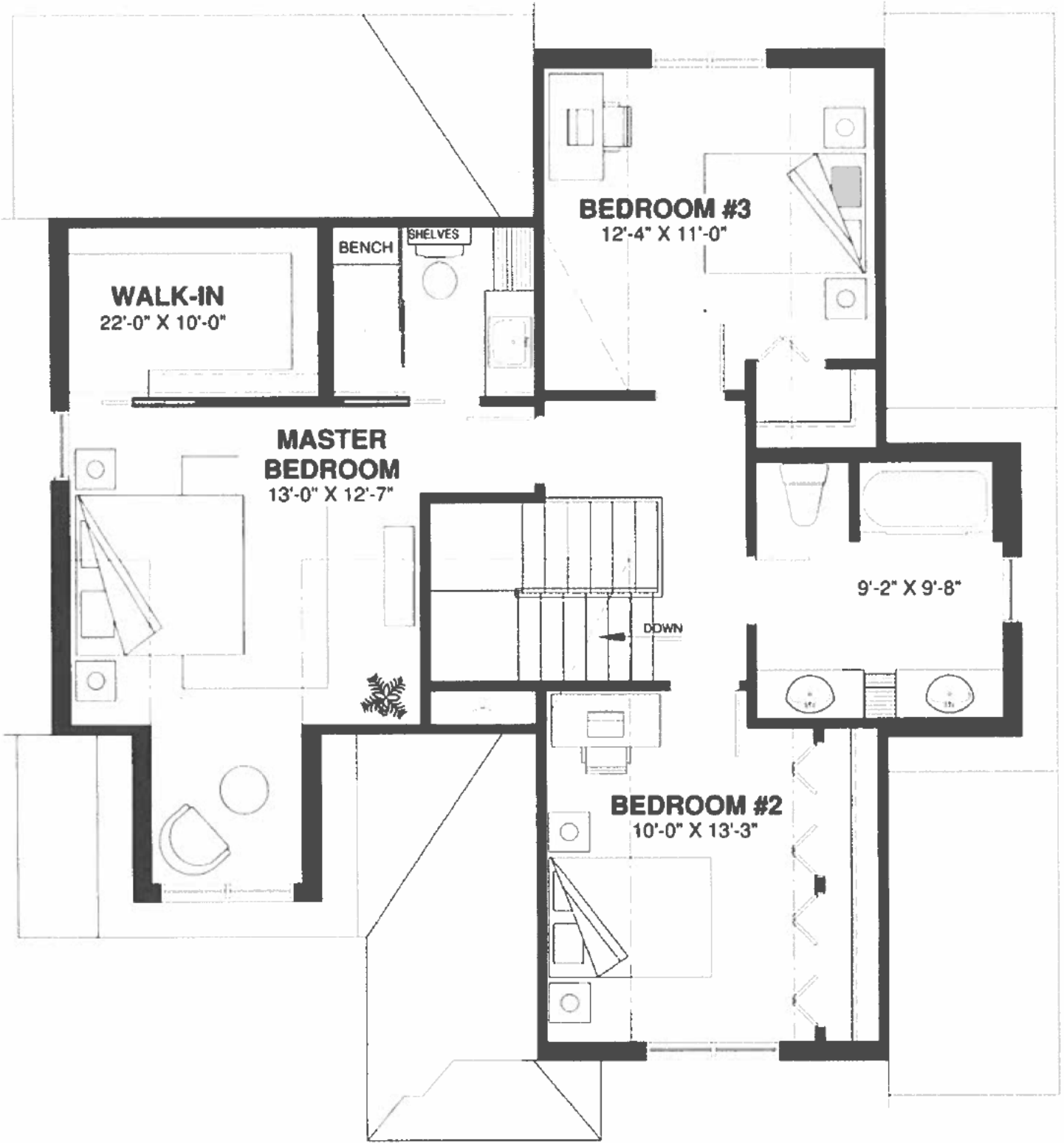


RECEIVED
FEB 23 2024
By *[Signature]*



38'-0"

36'-0"



WALK-IN
22'-0" X 10'-0"

BEDROOM #3
12'-4" X 11'-0"

**MASTER
BEDROOM**
13'-0" X 12'-7"

9'-2" X 9'-8"

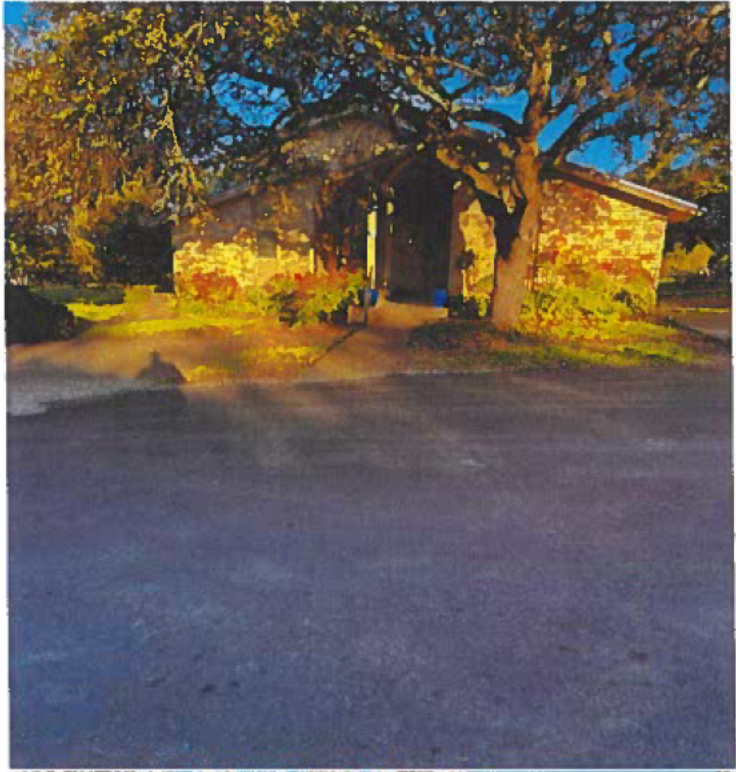
BEDROOM #2
10'-0" X 13'-3"

BENCH

SHELVES

DOWN

RECEIVED
FEB 23 2024
By JB







RECEIVED
FEB 23 2008
By *JB*