

PVC-18-02 Variance

4829 Highway 21



Applicant Information:

Agent: Mitchell & Steve Classen
215 Farmers Rd
Maxwell, TX 78656

Property Owners: Classen Properties, LLC.
654 Hwy 71 West
Bastrop, TX 78602

Subdivision: Proposed development plat consisting of 10.007 acres in the San Marcos ETJ.

Applicant Request: The applicant is requesting a variance from Section 6.7.2.1(j) of the Land Development Code requiring that lot depth shall not exceed three times the lot width.

Subject Property:

Zoning: ETJ - NA

Preferred Scenario: Low-Stability

Existing Use: Vacant / Agricultural

Proposed Use: Recreational Vehicle Park

Background:

The subject property is located on Highway 21 across from the San Marcos Regional Airport. Other nearby uses consist primarily of single-family residential lots. The applicant is proposing to plat the lot in order to develop a recreational vehicle park.

The applicant is requesting a variance to the 3 to 1 length to width lot ratio outlined in Section 6.7.2.1(j) of the Land Development Code.

Planning Department Analysis:

The lot width requirement outlined in the LDC is intended to prevent the creation of long narrow lots, as well as the crowding of buildings along access roads while leaving the land behind the buildings vacant and unserviceable.

In deciding the variance petition, the decision-maker shall apply the following criteria outlined in section 1.10.2.4(a). Staff has evaluated the request with regard to the criteria for subdivision variances:

1. **There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land.**

Consistent; The only special circumstance is the similar configuration of the adjacent unplatted properties.

2. **The circumstances causing the hardship similarly affect all or most properties in the vicinity of the petitioner's land.**

Consistent; The majority of property are in a similar configuration.

3. **The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.**

Neutral; The property would still be able to be platted and meet this requirement. This would entail construction of a public road and the subdivision of the lot.

4. **Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.**

Consistent; Staff does not feel that this request is detrimental to health, safety, or welfare because the development will have to meet all other required development codes.

5. **Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property.**

Consistent; Staff finds that this configuration would not have an effect on the public health, safety, or general welfare of neighboring owners or occupants.

6. **The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner.**

Consistent; The unusual lot configuration was caused prior to the applicant's involvement in this property.

7. **The request for a variance is not based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship.**

Consistent; The applicant has stated that the request is not for a reduction of an existing financial hardship.

8. **The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this section.**

Consistent; The variance requested by the petitioner is the minimum required to plat this property without the construction of a public road.

Prepared By:

Tory Carpenter, CNU-A

Planner

May 17, 2018

Name

Title

Date