ZONING VARIANCE APPLICATION FORM

Updated: March, 2017

Applicant's Name

Proposed Meeting Date: _

Case # VR-___-



DAVID CHIU

CONTACT INFORMATION

Applicant's Mailing Address	1625 SPRUCE ST, SAN MARCOS, TX 78666	Owner's Mailing Address	311 LAUREL HILL, SAN MARCOS, T
ROPERTY INFO	RMATION ress: 2550 HUNTER RD, STE 1105	. SAN MARCOS. TX 7	78666
Legal Description: Lot 3A Block 1		Subdivision HUNTER HILL SUBD. SEC 1	
	TAURANT/BAR	_	
DESCRIPTION O	F REQUEST		
	off	the Land Developme	nt Code, which requires:
Description of propos	ed variance (additional pages may	y be used):	
	ES A BORDER WITH A SCHOOL		
ADDRESSES THE	PROXIMITY OF A SCHOOL WI	TH A BUSINESS I	HAT SELLS ALCOHOL -
UTHORIZATION	4		
	documents are attached. I understand my responsibility to be present at		
Filing Fee \$700	Technology Fee \$1	11 <u>TOTAL C</u>	<u>OST \$711</u>
Applicant's Signature Printed Name: JORG			Date: 9/9/25
To be completed by Sta	ff: Accepted By:		Date Accepted:

Application Deadline: _

JORGE RUIZ MARTINEZ Property Owner

ZONING VARIANCE CONSIDERATIONS

(Please include additional pages as necessary)

1)	What special circumstances or conditions affect the subject property such that strict application of the provisions of the Land Development Code would create an unnecessary hardship or inequity upon the applicant or would deprive the applicant of the reasonable and beneficial use of the property? APPLYING PROVISIONS STRICTLY WOULD CAUSE FINANCIAL HARDSHIP TO THE BUSINESS ON THIS PROPERTY AS IT WOULD NO LONGER BE ABLE TO SELL ALCOHOL, NOR WOULD IT BE ABLE TO PAY THE SALES TAXES GENERATED FROM THOSE SALES
2)	Do the circumstances or conditions causing the hardship similarly affect all or most of the properties in the vicinity of the subject property? NO, THIS IS THE ONLY BUSINESS THAT SELLS ALCOHOL ON THE PREMESIS
3)	What substantial property right would not be preserved or enjoyed if the provisions of the Land Development Code were literally enforced? WOULD BE UNABLE TO SELL ALCOHOL ON THE PREMESIS
4)	What effect, if any, would the variance have on the rights of owners or occupants of surrounding property, or on the public health, safety or general welfare? NONE TO DATE
5)	What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the provisions of the Land Development Code?
6)	Is the hardship or inequity suffered by the applicant caused wholly or in substantial part by the property owner or applicant? WHOLLY
7)	To what extent is the request for variance based upon a desire of the owner, occupant or applicant for increase financial gain from the property, or to reduce an existing financial hardship? THIS VARIANCE IS TO BOTH INCREASE FINANCIAL GAIN AND REDUCE FINANCIAL HARDSHIP; IT ALSO ALLOWS APPLICANT TO PAY STATE AND CITY TAXES ON REVENUE
8)	Is the degree of variance requested the minimum amount necessary to meet the needs of the applicant or property owner? YES
	ote for the Board / Commission: Following responses were provided by the applicant and may not be consistent with the Department staff report

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$150 plus a \$15 technology fee.
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the
 Texas Local Government Code. If, for any reason, more than one notice is required to be mailed it may be
 at the expense of the applicant. The renotification fee shall be \$150 plus a \$15 technology fee.

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: _	Phuis	Date:	
Print Name:	JORGE RUIZ MARTINEZ		

Form Updated March, 2023

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER _____ (owner) acknowledge that I am the rightful owner of the I DAVID CHIU property located at 2550 HUNTER RD, STE 1106, SAN MARCOS, TX 78666 (address). I hereby authorize ANA DEL TORO _____(agent name) to serve as my agent to file this application for VARIANCE AND CONDITIONAL USE PERMITS (application type), and to work with the Responsible Official / Department on my behalf throughout the process. Printed Name: Date: 3-4-21 Printed Name: Date: 3-4-21 Signature of Agent: _< Printed Name: ANA DEL TORO To be completed by Staff: