

CITY OF BOERNE  
PLANNING AND ZONING COMMISSION

VARIANCE APPLICATION

APPLICANT: Kenneth R Dirksen PHONE NO. 830-279-9447

PROPERTY ADDRESS: 220 Plant Street

LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_

OWNER: Alamo Ridge Investments PHONE NO. 210-260-5548  
(If different from Applicant)

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:

Owner is giving Kenneth R Dirksen authority to represent him/her at the hearing.  
(Applicant)

  
(Owner's Signature)  
ROLAND L. GARCIA

9-6-17  
(Date)

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1. Applicant is making a request from the Boerne Subdivision Ordinance  
(Article & Section No. 3.04.004.B Lot Access Minimum Separation )

Check one: ( ☒ ) Variance ( ☐ ) Appeal ( ☐ ) Special Exception

2. Describe request:

Variance from requirement to have minimum spacing between drives. The separation distance between the new drive and existing drives on Plant Street is 147 and 142 feet. This drive will be an entrance only. The drive on Stahl Street will be 92 feet from the driveway to the south. The drive onto Stall Street will be exit only.

3. Applicant hereby requests this case be reviewed by the Planning and Zoning Commission for a decision. I do hereby certify that the above statements are true and correct.

  
(Applicant's Signature)

09-06-17  
(Date)

**CITY OF BOERNE  
PLANNING & ZONING COMMISSION**

**ZONING VARIANCE WORKSHEET**

**Commission's Power to Grant Variances.**

The Planning and Zoning Commission may grant a variance from the requirements of this ordinance when, in the Commission's judgment, the application of a subdivision standard to a particular property or project meets the required findings of section 2.06.002 of the Subdivision Ordinance.

**Procedures for Variances.**

The subdivider shall submit to the City Manager a written application for each variance which is requested, 14 days prior to the meeting at which the variance is to be considered, along with the appropriate filing fee established by City Council. The Planning and Zoning Commission shall not consider any action on the variance request until this fee has been paid. The findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the minutes of the Commission meeting at which the variance is granted.

In order to make a finding of hardship and to grant a variance, the Planning and Zoning Commission must determine that all of the following conditions are met. State how your request meets these conditions.

**Findings Required for Variances.**

A variance to the standards in the subdivision ordinance may be granted where the Planning and Zoning Commission finds that the following conditions exist:

- A. Are there unusual topographic or other physical conditions of the land or surrounding area, and these conditions are not typical to other lands in the area.

Land on both sides of the property is developed with existing drives. Any access to this property will require a variance.

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- B. Is the condition beyond the control of the subdivider and is not due to the convenience or needs of a specific application or development proposal.

The existing drives into adjacent property is beyond this landowners control

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- C. Is the deviation minimal from the required standard necessary to allow a more appropriate design.

The deviation is typical for residential use on both sides of the property.

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D. Will the variance alter, negate or negatively impact the ability to meet any specific standard contained in the City of Boerne Zoning Ordinance.

No. The proposed lot will be multifamily apartments similar to the tract to the south.

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E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:

1. The goals and policies of the Master Plan;
  2. The purposes of these regulations; and
  3. The intent of the standards
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F. Will the variance have an adverse affect on existing adjacent landowners, potential future landowners in and adjacent to the subdivision, existing or potential development within any area of impact of the proposed subdivision.

The land will be developed as multi family the same use as tract to the south.

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G. Will the variance negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan.

Most of the land on both sides are developed as single family or multi family. This will not affect the land use.

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H. Will the variance adversely impact the general health, safety and welfare of the public.

No. This variance will provide for the efficient use of land.

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Each subdivision standard for which a variance is requested shall be specifically identified as a Note on the final plat.

### **Conditions.**

In granting approval of a subdivision with a variance, the Planning Commission may prescribe conditions to secure the objectives and interest of the City, and to enforce the purpose and intent of these regulations. In granting a variance, the Commission shall prescribe only conditions that it deems necessary to or desirable in the public interest.