

CITY OF BOERNE  
PLANNING AND ZONING COMMISSION

VARIANCE APPLICATION

APPLICANT: ML&E Landquest Cascade Caverns, LLC PHONE NO. 830-816-5360

PROPERTY ADDRESS: 214 Cascade Caverns Road

LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: Southglen Phase 11

OWNER: \_\_\_\_\_ PHONE NO. \_\_\_\_\_  
(If different from Applicant)

MAILING ADDRESS FOR NOTIFICATION OF PENDING COMMISSION MEETING:  
470 S. Main, Suite 4, Boerne, Texas 78006

Owner is giving Ken Kolacny, P.E. authority to represent him/her at the  
hearing. (Applicant)

D. Scott Wilson, Member  
(Owner's Signature)

3/22/2018  
(Date)

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1. Applicant is making a request from the Boerne Subdivision Ordinance  
(Article & Section No. 3.04.002 E.1.a.)

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

2. Describe request:

We hereby request approval of a 1,100 foot long street permanently ending in a cul-  
de-sac, for the proposed Southglen Phase 11 subdivision. The length of the dead-  
end street will be mitigated by providing an emergency access easement to/from  
Cascade Caverns Road.

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.

D. Scott Wilson, Member  
(Applicant's Signature)

3/22/2018  
(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.

Yes, topographic restrictions include a drainage low that bisects the property and only allows for one feasible street crossing of the low, to access the east side of the property from the west side. The eastern side of the property fronts on Cascade Caverns Rd; however, Cascade Caverns Rd is not conducive to through traffic to/from this development.

- 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.

Yes, the existing condition of Cascade Caverns Rd is beyond the control of the subdivider.

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

Yes.



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.

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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.

1. Proper circulation within the subdivision is provided without allowing thru-traffic onto the adjacent Cascade Caverns Road, which is not conducive to additional traffic.

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2. Safe & orderly traffic circulation and emergency access is being provided.

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3. The intent of the standards with regards to safe & orderly ingress/egress is being met.

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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.

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No, the variance will help adjacent landowners on Cascade Caverns Road by not connecting the subdivision street, or allowing through traffic to Cascade Caverns Road

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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.

No.

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

No, a 30' emergency access easement to Cascade Caverns Road will provide a secondary access point along the dead-end street in case of emergencies.

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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.

