

## VARIANCE, APPEAL, & SPECIAL EXCEPTION

	<u><b>Applicant</b></u>	<u><b>Property Owner</b></u>
<b>Name:</b>	Alex Granados	Dwaine Selman, Jan Selman
<b>Organization:</b>	Kimley-Horn	
<b>Mailing Address:</b>	10814 Jolly Ville Rd Bldg 4, Suite 200	1012 Ramble Creek Drive
<b>City, State, Zip:</b>	Austin, TX, 78759	Pflugerville, TX, 78660
<b>Phone Number:</b>	512-782-0602	
<b>Email Address:</b>	alex.granados@kimley-horn.com	
<b>Signatures:</b>		
<u><b>Property Description:</b></u>		
<b>Street Address:</b>	Northeast Corner of Immanuel Road and Wells Branch Parkway, Pflugerville, TX	
<b>Legal Description:</b>	169.169 Acres out of the Alexander Walters Survey, No. 67 Travis County, Texas	
	(Separate attachment accepted)	
<b>Dimensions of Lot:</b>		
	Frontage	Depth
	Square Feet	Acreage
<b>Parcel ID:</b> 263753	<b>Zoning District:</b> SF-R & SF-MU	
	(6 Digits)	
	Undeveloped, Ag.	
<b>Present Land Use:</b>	Auto Storage	<b>Proposed Land Use:</b> Single Family
<b>Existing Building on Property?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Year Built</b> _____
		<b>S.F of Building</b> _____
<b>Is a portion of property located in:</b>	<input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> CBD	
<u><b>To Be Completed By Staff:</b></u>		
<b>Case Name:</b> _____	<b>Case Manager:</b> _____	
<b>Date Received:</b> _____	<b>Submittal Completion Date:</b> _____	
<b>PH Notice sent to Pflag:</b> _____	<b>PH Notice appears in Pflag:</b> _____	
<b>BOA Meeting Date:</b> _____	<b>Record of Action:</b> _____	

## VARIANCE, APPEAL, & SPECIAL EXCEPTION

Request For: (Check one) ☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

Filing Fee: \$275.00  
+ \$15.00 Technology Fee  
= \$290.00

### Fee Schedule

**\$275 minimum Application Fee**, plus \$15 Technology Fee

Each additional Variance = \$125 additional Fee

*Applicant shall be responsible for any recordation fees per County's Recordation Fee Schedule*

### Submittal Requirements:

- ☒ 1. **A receipt or tax certificate** from the Travis County Tax Assessor/Collector indicating that the property taxes on the subject property are current.
- ☒ 2. **A Site Plan no larger than 11x17 (Scaled drawing and include the following :)**
  - a. North Arrow, Scale, and Property lines
  - b. Adjacent streets (names), alleys and sidewalks
  - c. Existing setbacks and proposed setbacks
  - d. Public or private easements
  - e. Location of Floodplain, if necessary
  - f. Location of existing and proposed structures, additions or other improvements
  - g. Location of existing and proposed drives and parking
  - h. Dimensions of existing and proposed improvements
  - i. Elevation and dimensioned drawings of proposed building, signs, or other improvements
- ☒ 3. **Images, graphics, letters, and etc.** (If applicable)
- ☒ 4. **In a typed response, please answer the following questions, as evidence that the request complies with the conditions required for approval of a Variance.**
  - a. Variance request pertains to Section **15.16.3R** of the Unified Development Code.
  - b. Describe in detail all efforts made to comply with the requirements of the regulation or ordinance referenced above, including dates where applicable.
  - c. Describe the action you would like the Board of Adjustment to take in reference to this application.
  - d. Explain how the Variance request is not contrary to the public interest.
  - e. Due to special conditions, how would literal enforcement of the ordinance result in unnecessary hardship?
  - f. Explain how the spirit of the ordinance and substantial justice will be observed if the Variance is granted.

### Additional Information:

- Applications submitted after the deadline will be processed for the next available scheduled meeting. (see page 6 for filing deadlines)
- Incomplete or illegible application will not be accepted.
- You will be notified by email, fax, or mail of the meeting. The Applicant is required to attend the meeting and bring documents, pictures, and drawings to the meeting.
- Signs will be placed on the subject property stating an application has been submitted. These signs must remain on the subject property until after the meeting. The City will remove the signs at the appropriate time.

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### Variance Criteria

A variance from provisions in the Unified Development Code (except permitted uses and procedural requirements) may be authorized when it will not be contrary to the public interest, when literal enforcement of the ordinance would result in unnecessary hardship due to special conditions, and that the spirit of the ordinance and substantial justice will be observed.

**Answer the questions on the following pages, as evidence that the request complies with the conditions required for approval of a variance (extra pages and supplemental illustrations or photographs may be requested by staff)**

### **Requested Zoning Variance:**

1. Variance pertains to Section 15.16.3R of the Unified Development Code (UDC) which requires...

At no time may a final plat create 100 lots or more, cumulatively with other final plats within the same preliminary plat, that would be subject to only one access point or to multiple access points with routes to an arterial street that duplicate a segment of the route of any other access point for the same final plat.

2. Describe in detail all efforts made to comply with the requirements of the regulation or ordinance reference in Item 1, above, including dates where applicable.

In an effort to provide 2 separate points of access as required by Pflugerville's UDC, for the initial 2 phases of development, the developer proposed 1 permanent point of access and one temporary access point. The temporary access point will eventually become a permanent access point with the third phase of development.

3. Describe the action you would like the Board of Adjustment to take in reference to this application.

We would like to be waived from the requirement of having a final plat that creates 100 lots or more, cumulatively with other final plats within the same preliminary plat, that would be subject to only one access point or to multiple access points with routes to an arterial street that duplicate a segment of the route of any other access point for the same final plat.

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4. The Variance is not contrary to the public interest, because:

We would like to be waived from the requirement of having a final plat that creates 100 lots or more, cumulatively with other final plats within the same preliminary plat, that would be subject to only one access point or to multiple access points with routes to an arterial street that duplicate a segment of the route of any other access point for the same final plat.

5. Literal enforcement of the ordinance would result in unnecessary hardship, due to special conditions, because:

Literal enforcement would require construction of 1760 LF of minor collector roadway that would not be necessary to serve the first 2 phases of development.

6. The spirit of the ordinance and substantial justice will be observed if the Variance is granted, because:

By providing a temporary emergency access roadway, the intent of the spirit of the ordinance is met.

Furthermore by providing only access to Wells Branch Parkway this will delay traffic going directly onto Immanuel roadway, which is due to receive improvements should the proposed bond package pass in May 2020. Also the proposed secondary access for phase 1 and phase 2 has been submitted and approved by the fire department.