



CITY OF BANDERA
BOARD OF ADJUSTMENT MEETING

Bandera City Hall, 511 Main Street, Bandera, Texas

Tuesday, June 25, 2024 at 5:45 PM

511 Main St. • PO Box 896 • Bandera, Texas 78003 • P: (830) 796-3765 • F: (830) 796-4247

AGENDA

1. **Call to order.**
2. **Discussion and possible action on the following items:**
 - A. Consider for action a request regarding Ordinance 397 requesting a 42" variance from garage placement at 612 Hackberry, BANDERA RNG 6 LT 15 0.318 ACRES, Robert Walz.

3. **Adjourn.**

/s/ Jill Shelton

Jill Shelton, City Secretary

The Board of Adjustment for the City of Bandera reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matter listed above, as authorized by Texas Government Code §551.071 (Consultations with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices) and §551.086 (Economic Development). There may be a quorum of Economic Development Corporation/Planning and Zoning/City Council member at any regularly scheduled Board of Adjustment Meeting. This facility is wheelchair accessible and handicapped parking is available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (830) 796-3765. This agenda is posted in accordance with the Texas Government Code, Chapter 551 on June 21, 2024.

CITY OF BANDERA BOARD OF ADJUSTMENT
Regular Meeting: Tuesday, June 25, 2024

AGENDA ITEM:

Consider for action a request regarding Ordinance 397 requesting a 42" variance from garage placement at 612 Hackberry, BANDERA RNG 6 LT 15 0.318 ACRES, Robert Walz.

SUBMITTED BY: Stephanie Biggs

APPROVED FOR AGENDA: Stan

BACKGROUND:

Robert Walz has submitted a variance request to have the garage protrude forward of build-to-line the new single-family residence he is building at 612 Hackberry, an undeveloped lot. The current code requires the garage to be located behind the façade and start in the second layer. He is seeking a 42" variance to Ordinance 397 (14A:62) "All structures and encroachments customarily allowed on the lot are permitted in the first layer, with the exception of the garage. The garage must be located behind the principle façade and start in the second layer." See also pages 43, A3-66 and A3-69 of the Comprehensive Master Plan.

FISCAL ANALYSIS:

None

RECOMMENDATION:

The Findings Required for Variance are as follows:

- That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land;
- That the variance is necessary for the prevention and enjoyment of a substantial property right of the applicant;
- That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and
- That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.

Mr. Walz has provided written responses to these findings. Mr. Walz's and staff's responses to those statements, a conceptual site plan, and a ground level photo are included.

To whom it may concern regarding the four findings required for variance:

That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land

- Due to the location of the lot being on the interior of the block, access is strictly from the front. Having to use a side load or rear load garage would greatly restrict the usability of the yard space. In addition, the impervious cover would be greatly increased by the need for significantly more concrete for driveway usage.
- The photo included supports this statement. Requiring a 12' – 14' wide side- or rear-entry driveway would result in impervious cover being built out to the property line.

That the variance is necessary for the prevention and enjoyment of a substantial property right of the applicant

- The ability to have a natural yard and space between houses would be greatly diminished if a driveway was required to go along the entire side and to the rear of the house. Small vegetable gardens have been planned to go on the sides of the house as both a recreational endeavor and as means of fresh foods. In addition, the ability to protect valuable vehicles from the elements should be a basic right of a property owner. Requiring a side or rear garage dramatically decreases the useable yard space of any interior lot.
- The City and the builder share the goal of “remaining rural in nature”. Having a natural yard space and garden furthers this goal.

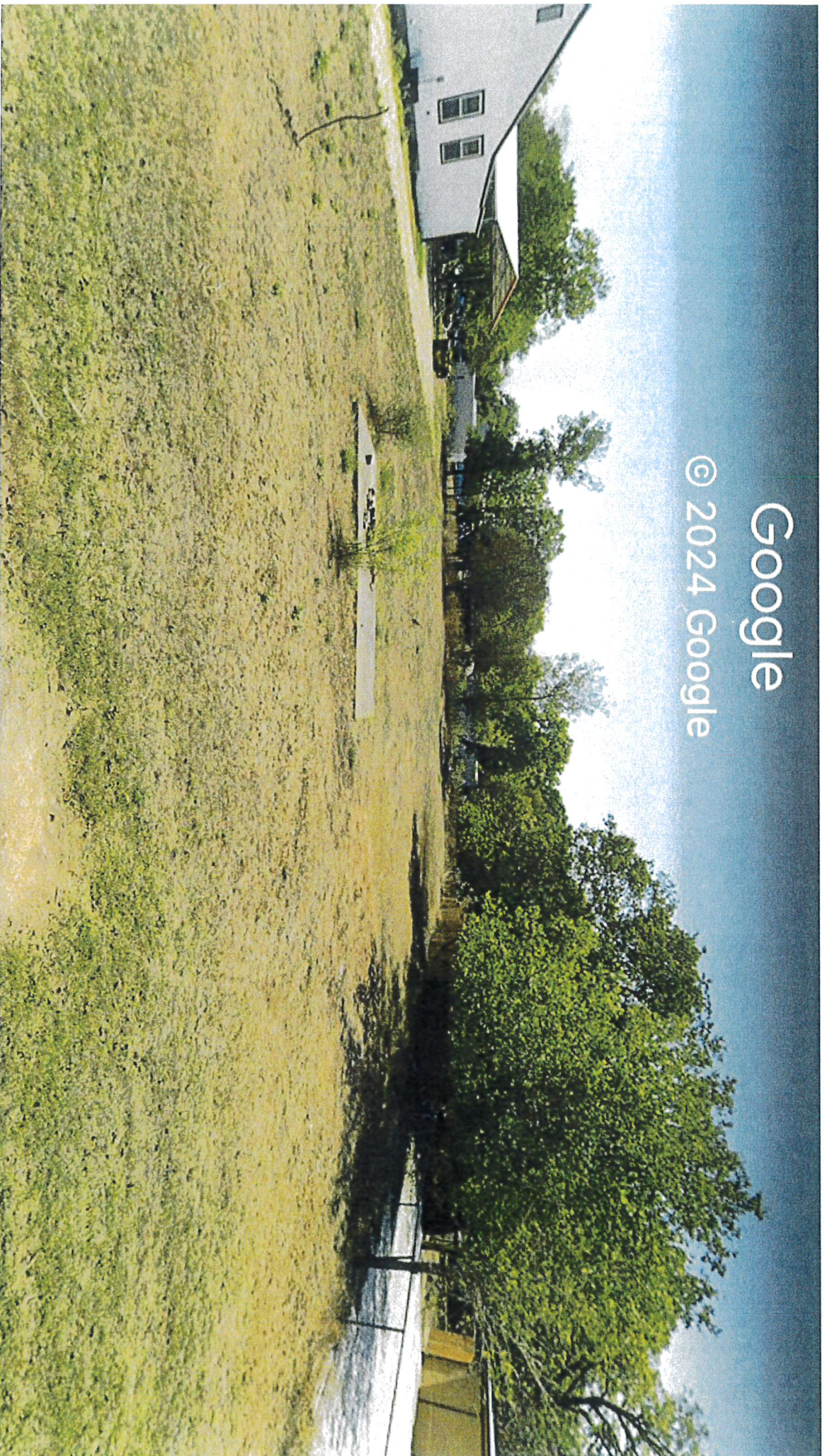
That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area

- I can foresee no detriment to anyone by having a garage facing the front of the property. Numerous other houses have this already and there appears to be no impact on the neighbors. In fact, requiring a side drive would put the neighbor's property at a higher risk for damage due to vehicles being in closer proximity to the property line.
- Staff agrees placement of the garage 42" in front of the façade in the first layer will not negatively impact public health, safety, or welfare, or be injurious to other property in the area.

That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.

- I can see no downside to the orderly subdivision of other land in the area. I am not aware of any land that is subdividable that this would have any impact on.
- Staff agrees that granting the various will not impact the future subdivision of other lots in the area.

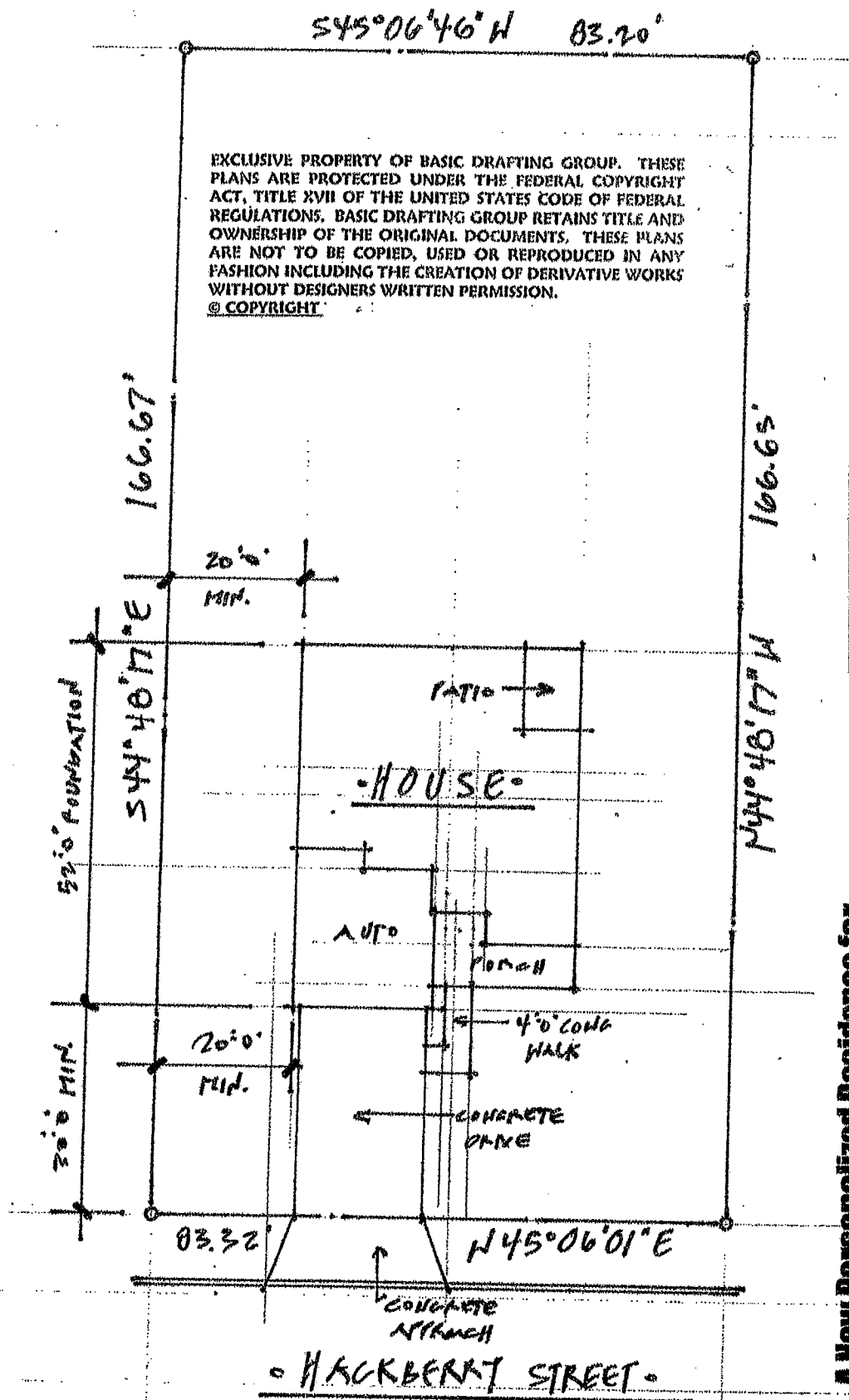
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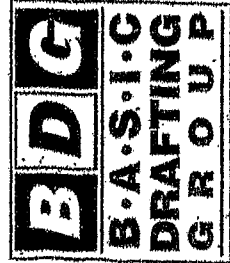
Site Plan

SCALE: 1" = 20'0"

RANGE VI SUBDIVISION

A New Personalized Residence for
Robert & Cheyenne Walz

Range VI Subdivision
Block 3 Lot 15



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