



Established 1824

The mission of the City of Victoria is to meet or exceed our citizens' expectations in the provision of municipal services.

CITY OF VICTORIA PLANNING COMMISSION
REGULAR MEETING

**THURSDAY, October 20, 2011
5:15 PM**

Council Chamber
107 W. Juan Linn Street

AGENDA

A: CALL TO ORDER

B: APPROVAL OF MEETING MINUTES

September 15, 2011 – Regular Meeting

C: CITIZEN COMMUNICATION

[Chairperson will recognize any citizen wishing to address the Commission on issues not specifically listed on the Agenda.]

D: DEVELOPMENT REVIEWS/FORMAL ACTION

1. CONSIDER APPROVAL OF AN EXTENSION TO THE RECORDING REQUIREMENTS FOR A FINAL PLAT FOR COLONY CREEK SUBDIVISION PHASE 1, RESUBDIVISION #11 – preliminary and final plat; 5 lots, 1 block, 52.44 acres; duplex-residential use; 615-621 Charleston Drive; Colony Creek Country Club Land Acquisition Trust (owner); Urban Engineering (consultant); plat #101001; extension requested 09/26/11.

- a. Planning Staff Briefing
- b. Deliberations

2. VARIANCE REQUEST FOR 2506 BLACK STREET. The property is legally described as Lot 1, Block 1, Black Street Subdivision, Victoria County, Texas. The property is owned by Cynthia Black; received 9/27/11.

Planning Services:
700 Main Center, Suite 115

P.O. BOX 1758
VICTORIA, TX 77902
PHONE (361) 485-3360
FAX (361) 485-3364
www.victoriatx.org



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The mission of the City of Victoria is to meet or exceed our citizens' expectations in the provision of municipal services.

The applicant is requesting two (2) variances to the City Code:

- 1) Section 21-82(g)(5) which requires which requires a minimum front yard setback of 20 feet.
- 2) Section 21-82(g)(6) which requires a minimum side yard setback of 5 feet.

The variances will allow the property owner to have a manufactured home encroach into the front and side yard setback lines, and a storage building encroach into the front yard setback line.

- a. Planning Staff Briefing
- b. Variance Public Hearing
- c. Variance Deliberations

E: OTHER BUSINESS

1. Development Services Monthly Development Report

F: ITEMS FROM PLANNING COMMISSIONERS

G: ADJOURNMENT

* In addition to the items listed under "Public Hearings" every item on this agenda shall be considered a public hearing.

** Regardless of the agenda heading under which any item is listed, any subject mentioned in any word or phrase of any item listed on this agenda may be deliberated by the Planning Commission, and it may vote on recommendations and resolutions concerning any such item. Additionally, any ordinance of the City of Victoria relating to the development of land, including, but not limited to, Chapter 21 of the Victoria City Code, may be discussed and deliberated, and the subjects of this agenda are hereby stated as such, regardless of the limitations of any particular item on the Planning Commission agenda. Also, in this meeting, the Planning Commission may discuss: (1) Article XIII, "Signs" of Chapter 5 of the Victoria City Code, (2) the City's adopted Building Code, Electrical Code, Fire Code, Plumbing Code, Residential Building Code, or Minimum Housing Code, (3) the City's unsafe building ordinance, (4) City requirements to extend sewer, water, and other utility lines, (5) the provision of transportation facilities, including sidewalks, roads and public transit, within the City and its extraterritorial jurisdiction (ETJ), (6) the master plans of the City, including the City's Comprehensive Plan, Master Thoroughfare Plan, Master Drainage Plan, and Annexation Plan, (7) City restrictions on private water wells and septic tanks, (8) manufactured housing parks, permitting, and placement, (9) the City's capital improvements plans, (10) federal and state environmental restrictions on the City and residents thereof, (11) the control of nuisances within the City and the City's ETJ, (12) City restrictions on mineral production and exploration, (13) City requirements for landscaping and restrictions thereon, (14) restrictions on development in floodplains and floodways, (15) driveway restrictions, (16) platting requirements and procedures, (17) requirements for dedication and construction of land, easements, and facilities, (18) development guidelines, (19) parking requirements and restrictions, (20) drainage requirements and restrictions, (21) restrictions on fences, lighting, and building height, (22) zoning regulations, (23) infrastructure reimbursement methodology and requirements, (24) building setback requirements, (25) storm water drainage mains, channels, retention ponds, and other drainage facilities, (26) the width and construction requirements for streets and other public facilities, and (27) design principles for subdivision planning and development. No action or failure of the Planning Commission to act in any proceeding or any statement by any member of the Planning Commission may be relied on by any member of the public to limit the Planning Commission's right to discuss any of the aforementioned subjects in any of its meetings. Any statement specifying inclusion of any word or phrase shall not exclude non-listed items.

*** Any item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the Planning Commission. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, to the maximum extent for which executive sessions are permitted pursuant to Chapter 551 of the Texas Local Government Code.

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MEETING MINUTES

Date and Time: September 15, 2011
5:17pm

MEMBERS PRESENT:

Donna Rodriguez- Chairperson
Keith Williams, Vice-Chairperson
Jeff Bauknight, Secretary
Gabriel Lopez
Dan Mikulenska
Louise Hull-Patillo
Omar Rachid
Sharon Steen

STAFF PRESENT:

Development Services:
Ray Miller, Deputy Director
Jared Mayfield, Deputy Director
Monica Leal, Development Coordinator

City Attorney's Office:
Linda Champion, Asst. City Attorney

MEMBERS ABSENT:

Richard Janecka

A: CALL TO ORDER – Meeting was called to order at 5:17p.m. by Ms. Rodriguez, Chairperson.

B: ELECTION OF OFFICERS

The Board voted and approved the following slate of officers for the 2011-2012 year:

1. Donna Rodriguez – Chairperson Nomination motion made by Mr. Bauknight and seconded by Mr. Williams. Motion passed unanimously.
2. Keith Williams – Vice-Chairperson Nomination motion made by Mr. Rachid and seconded by Ms. Steen. Motion passed unanimously.
3. Jeff Bauknight – Secretary Nomination motion made by Ms. Rodriguez and seconded by Mr. Williams. Motion passed unanimously.

C. APPROVAL OF MEETING MINUTES

The August 17, 2011 Regular Meeting Minutes were approved as delivered. Mr. Rachid motioned to approve the minutes, seconded by Mr. Mikulenska. Motion passed.

D: CITIZEN COMMUNICATION – None.

E: DEVELOPMENT REVIEWS/FORMAL ACTION

1. **TERRAVISTA SUBDIVISION PHASE III** – preliminary and final plat; 7.07 acres; Arthur W. & Dolores B. Kenne (owner); Urban Engineering (consultant); plat# 110802; received 8/22/11.

a. Staff Briefing

Ms. Leal stated TerraVista Subdivision Phase III is a proposed plat of 7.07 acres. The subject property is located along the north side of Ball Airport Road near the intersection of Mallette Drive. The property is undeveloped and is being platted into twenty-four (24) Single-Family Residential lots for patio-home development and one (1) commercial lot. Residential lots in the proposed subdivision range from 6,501 sq. ft. to 10,695 sq. ft.

The subject property contains two proposed local streets with 60ft. of right-of-way: Vista Place and Sierra Court. Access to the subdivision will be provided through a new entrance to Ball Airport Road. A cul-de-sac will be provided off Sierra Court, which terminates at the existing hanger location. The proposed 24 single family lots would generate approximately 240 vehicle trips per day (based on ITE traffic generation software).

There is one (1) General Commercial lot within this development. This lot contains the existing airport hanger and will take access directly from Ball Airport Road via a temporary access easement. The existing easement will expire upon approval of a future resubdivision of said lot.

Staff recommends approval of the preliminary and final plat.

b. Public Hearing –

Ray Bridges, Urban Engineering 2004 N Commerce Victoria, TX 77901

Mr. Bauknight questioned whether this plat would eliminate the access easement the Commission requested as part of Phase II. In response to Mr. Bauknight's question, Mr. Bridges stated that this plat was a way of changing the temporary easements between cul-de-sacs to the permanent easement that Planning Commission requested.

c. Deliberations –

Motion was made to accept the Preliminary and Final plat of TerraVista Subdivision Phase III by Ms. Hull-Patillo, seconded by Mr. Rachid. Motion passed unanimously.

2. **TERRAVISTA SUBDIVISION PHASE IV** – preliminary and final plat; 6.17 acres; 27 lots, 2 blocks; single-family residential use; addressing on plat Flint Rock Court and Sierra Court; Arthur W. & Dolores B. Kenne (owner); Urban Engineering (consultant); plat# 110803; received 8/22/11.

a. Staff Briefing –

Ms. Leal stated TerraVista Subdivision Phase IV is a proposed plat of 6.17 acres. The subject property is located along the north side of Ball Airport Road near the intersection of Mallette Drive. The property is undeveloped and is being platted into twenty-seven (27) Single-Family residential lots.

The subject property contains two proposed local streets with 60ft. of right-of-way: Vista Place and Flint Rock Court. Access to the subdivision will be provided through a new entrance to Ball Airport Road. A cul-de-sac will be provided off Flint Rock Court. The proposed 27 single-family lots would generate approximately 270 vehicle trips per day (based on ITE traffic generation software).

The proposed plat contains a variance request that would allow the property owner to create two cul-de-sacs with a separation of approximately fifty-eight (58) feet. The ordinance requires a cul-de-sac to not be less than one hundred (100) feet from the right-of-way line of another street.

The plat proposes two cul-de-sacs with a "pedestrian connection" between Phase II and Phase IV. This will provide for connectivity within the subdivision and will be enhanced with a path and landscaping. A fence with pedestrian gate will be installed to disrupt the view and to prevent vehicular traffic from one cul-de-sac to the other. The variance request submitted by the applicant indicates that this type of subdivision layout is unique to Victoria and would be beneficial to this area. This subdivision is planned to develop in numerous phases with similar connectivity throughout.

Allowing for a decreased separation between these cul-de-sacs would not negatively impact the adjacent area. The pedestrian connectivity would reduce pedestrian and vehicular traffic along Ball Airport Road for those traveling between phases of this subdivision. Staff will require that the proposed development not allow for vehicular traffic from cul-de-sac to cul-de-sac for those traveling between phases of this subdivision.

b. Public Hearing – None

c. Variance Deliberations –

Motion was made by Mr. Rachid and seconded by Ms. Hull-Patillo to approve the variance with the condition that a gate be installed that prevents vehicular access. Motion passed unanimously.

d. Plat Deliberations –

Motion was made "*That the preliminary and final plat of TerraVista Subdivision Phase IV be disapproved subject to the approval of the submitted variance request by the City Council and the re-offer of any dedications upon approval of said variance. If the variance is approved by the City Council, the plat will be considered approved by the Planning Commission.*" by Mr. Williams, seconded by Ms. Hull-Patillo. Motion passed unanimously.

3. **RIO GRANDE MAIN VICTORIA, LLC.** Consider approval of an extension to the recording requirements for a Final Plat – final plat; 1 lot, 1 block; 2.05 acres; General Commercial use; 703 N Main St.; Speedy Stop Food Stores, LLC. (owner); Urban Engineering (consultant); plat #081001; received 09/22/08; extension requested 08/26/11.

a. Staff Briefing

Ms. Leal stated the preliminary and final plats for Rio Grande Main Victoria, LLC. were approved by Planning Commission at the October 16, 2008 meeting. The applicant planned to demolish the existing building on the property and redevelop the land as a general commercial use. However due to the economic situation, the project was delayed. Planning Commission previously granted one-year extensions in October 2009 and September 2010. The owner expects construction to begin in 2012 and is requesting an additional extension to the final plat's one-year recording/filing deadline.

- b. Deliberations –
Motion was made by Mr. Bauknight, seconded by Ms. Steen to allow the extension.
Motion passed unanimously.

4. CONSIDER AMENDMENTS TO PLANNING COMMISSION BY-LAWS

- a. Staff Briefing
Mr. Mayfield presented minor changes to the By-Laws to adopt formal term limits and to correct out of date wording related to the extra-territorial jurisdiction, the Department's name and the variance review criteria.
- b. Deliberations
A motion to accept the proposed changes was made by Mr. Rachid, seconded by Mr. Mikulenska. Motion passed unanimously.

F: OTHER BUSINESS

- 1. Development Services Monthly Development Report – Mr. Miller addressed the information in the monthly report.

G: ITEMS FROM PLANNING COMMISSIONERS –

Ms. Rodriguez mentioned the need for a traffic signal at Mallette and Briggs/Mead Drive. Mr. Miller explained that there is a process that the City must go through to install traffic control devices. He mentioned that this intersection is already a four-way stop and probably does not warrant a signal at this time, but would pass the request on to the Public Works Department.

Mr. Williams asked if signage could be put up at the west bound frontage road of Zac Lentz Parkway at Nursery Road that states "do not block the intersection". Traffic from the US 87 and frontage road light queues up passed the Nursery Road intersection. This is a very short distance and traffic on the frontage Road is supposed to leave the intersection open when the light is at a stop position.

- H: ADJOURNMENT** – Motion to adjourn was made by Mr. Rachid and seconded by Mr. Bauknight. The meeting adjourned at 6:22 p.m.

APPROVED: _____
Donna Rodriguez, Chairperson
Victoria Planning Commission

APPROVED: _____
Jeff Bauknight, Secretary
Victoria Planning Commission



Agenda Item #: D-1

October 20, 2011

CASE:

1. Consider approval of an extension to the recording requirements for a Final Plat for Colony Creek Subdivision Phase I, Resubdivision #11

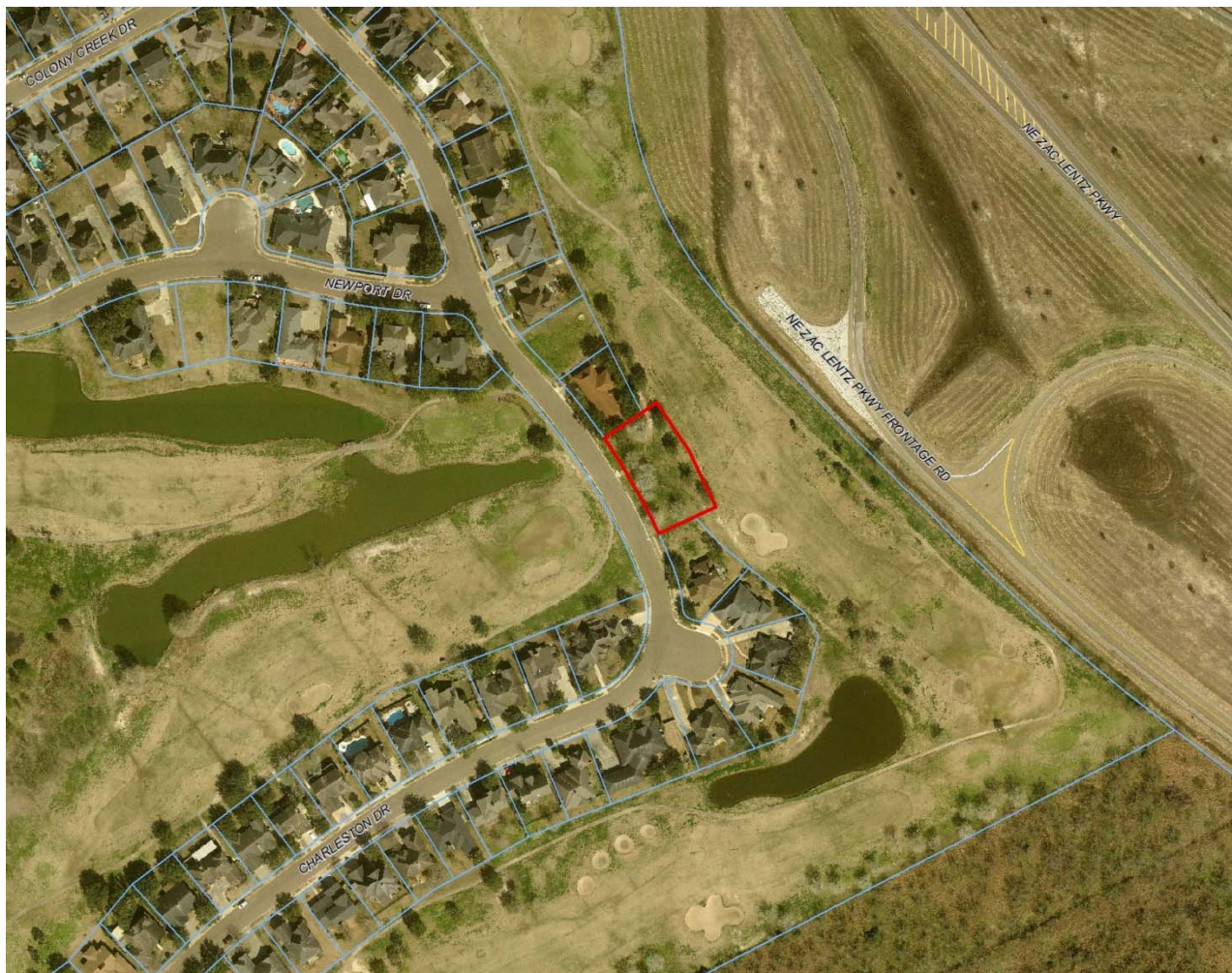
Location: 615-621 Charleston Drive – A 52.44 acre tract of land situated in the Z. Lanningham Survey, Abstract 250, Victoria County, Texas.

Land Use: Duplex/Two Family Residential (R2)

Applicant(s): Urban Engineering on behalf of Landmark Residential Development

Staff Contact: Monica Leal, Development Coordinator

LOCATION MAP:



GENERAL DESCRIPTION:

The subject property is a 52.44 acre tract composed of holes 5 through 15 of the Colony Creek Country Club golf course as it meanders along Charleston Drive. The developers are proposing to plat a portion of the golf course to create four (4) Duplex/Two Family Residential lots with the remaining acreage continuing as golf course. The property is owned by Landmark Residential Development.

Since the original approval of this plat, no changes to Chapter 21 of the Code of Ordinances have occurred that would be applicable to the subject property.

RECORDING EXTENSION:

The preliminary and final plats for Colony Creek Subdivision Phase I, Resubdivision #11 were approved by Planning Commission at the October 21, 2010 meeting. The applicant planned to develop the property as four Duplex/Two Family Residential lots. However, due to meeting with adjacent property owners, and formerly meeting with the HOA to address concerns over this development, the project was delayed. The owner expects construction to begin in 2012 and is requesting an extension to the final plat's one-year recording/filing deadline.

APPROVAL AND RECORDING OF THE FINAL PLAT

Section 21-41(a) of the Subdivision & Development Ordinance states that all final plats shall be filed within one year of Planning Commission approval. Failure to record the plat within one year of Planning Commission approval shall void all approvals, unless an extension is granted by the Planning Commission.

INFRASTRUCTURE:

- Water: Water service provided by an existing 8" line located in Charleston Dr.
- Sewer: Sanitary sewer service provided by extending an 8" line located in Charleston Dr.
- Streets: Charleston Drive, local street, existing 55.6' ROW.
- Drainage: Drainage provided by existing 24" storm sewer line in Charleston Dr.

STAFF RECOMMENDATION:

Planning Staff recommends approval of an extension to the recording requirements for the Final Plat for one additional year.

- Attachment: 1) Extension Request Letter



STEVE KLEIN
CUSTOM BUILDER
DEVELOP DESIGN BUILD

September 15, 2011

Mr. Ray Miller, Jr.
Deputy Director, Development Services
City of Victoria
P.O. Box 1758
Victoria, TX 77902

Re: Colony Creek Country Club Golf Course Re-subdivision Final Plat Extension

Dear Mr. Miller;

It has come to my attention that the plat expiration date for this intended project is nearing. I wish to formally ask for an extension of this plat to allow me to pursue this project in the near future.

As you may remember the granting of this plat originally caused suitable concern throughout a part of Colony Creek. I did meet with and answer concerns in the following months with numerous property owners as well as formally with The HOA in Colony Creek. To effectively do what I felt was right by existing property owners caused several months further delay. No further issues remain after this effort. Upon intended commencement of my intentions for this plat, my time became suited to focus on the approval and construction of TerraVista Development within our north city limits. As of this date I am still not able to return to Colony Creek to resume intentions there, but will be able to during this winter.

Construction of this project will commence in 2012 as per The City of Victoria approvals, ordinances and codes.

Please contact me if any further questions are at hand.

Sincerely;



Steve Klein
The Klein Companies
Landmark Residential Development
Landmark Residential Construction
Steve Klein Custom Builder
SK/sk

Cc: Lesley Smejkal , Controller
Ray Bridges, Urban Engineering
Don Fehner, Urban Engineering

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GRADUATE MASTER BUILDER | ENERGY STAR PARTNER | AMERICA'S BEST BUILDER - NAHB

SQUARE FOOTAGE & DIMENSIONS ARE APPROXIMATE. PRICING WILL VARY BASED ON LOT SELECTION, OPTIONS SELECTED & CUSTOMIZATION.
TO IMPROVE OUR DESIGNS, FEATURES ARE SUBJECT TO CHANGE WITHOUT NOTICE. © PROTECTED BY COPYRIGHT LAWS



STAFF REPORT

Planning Commission

Agenda Item #: D-2

October 20, 2011

CASE:

1. Variance to Section 21-82(g)(5) of the City Code which requires a minimum front yard setback of 20 feet.
2. Variance to Section 21-82(g)(6) of the City Code which requires a minimum side yard setback of 5 feet.

Location: 2506 Black St. – Lot 1, Block 1, Black Street Subdivision, Victoria County, Texas.

Land Use: Manufactured Home Residential (R6)

Applicant(s): Cynthia Jackson, property owner

Staff Contact: Monica Leal, Development Coordinator

LOCATION MAP:



GENERAL DESCRIPTION:

The subject property is a 0.16 acre lot located at 2506 Black Street in the Black Street Subdivision. The property is an interior lot with frontage on Black Street. The property is a manufactured home residence within a residential subdivision.

The property owner is in the process of placing a manufactured home on the property, and constructing a storage building on the property. The concrete slab for the manufactured home was created prior to the final plat being filed. The slab did not take into account the ten (10) foot dedication of right-of-way that would occur, and encroaches approximately seven (7) feet into the newly platted front yard setback. When the manufactured home was placed, the installer encroached approximately six (6) inches into the side yard setback. Correcting this would require adding additional concrete to the existing slab, and reinstalling the manufactured home into place.

A storage building is also being constructed on this lot. The property owners shifted the location of the storage building from its original location. This caused the storage building to encroach into the front yard setback. This accessory structure sits approximately two (2) feet off of the front property line. Any modifications to existing residence would require the structure to be removed.

The proposed variance would allow the property owner to leave all structures in their current placement. Since this is an interior lot, there is only frontage on Black Street. The property owner owns the adjacent lot at the corner of Nova Avenue and Black Street. The driveway for this property will take access off of Black Street.

The ordinance requires all structures to remain outside of the platted front yard setback line, and the platted side yard setback line. To construct in compliance with the current ordinance the newly placed manufactured home would need to be moved, and the storage building which is currently under construction would need to be demolished and reconstructed at another location.

VARIANCE:**Staff Analysis:**

The variance request submitted by the applicant indicates that Black Street is a dead end street that extends approximately 120 linear feet beyond the limits of the subject property. The majority of this area is unplatted and has reduced setback lines. This area was developed prior to the current subdivision ordinance. There is one existing residence on Black Street.

Allowing for an encroachment of the side yard setback, and front yard setback would not create a hardship for the adjacent property owners. Staff will require that any additional construction occur within the platted setback lines, or a replat be submitted requesting a reduction of the platted building setback lines.

Staff Concessions to Applicant: None.

Variance Review Criteria:

Section 20-91(c) requires the applicant to show that literal enforcement of the ordinance provisions will result in

an unnecessary and extraordinary hardship.

In Favor

- Granting the variances will not create a negative effect on the surrounding property.
- A new residence will be added to this area.
- There are no residences currently built on this side of the street.
- The literal enforcement of the setback lines will require the movement of the placed manufactured home and the demolition of the storage building.

Against

- Granting of the variances would create two non-conforming structures.
- There are other alternatives, such as demolishing the storage building and moving the manufactured home.

STAFF RECOMMENDATION:

Staff recommends approval of both variance requests.

Attachments: 1) Variance request letter
2) Variance application

RE: 2506 Black Street – Variance Requests

To Whom it May Concern:

As the owner of the above referenced property, I respectfully request that the Planning Commission and City Council of the City of Victoria, Texas consider the following variance requests to the City of Victoria Code of Ordinances:

- Section 20-82(g)(5) Minimum front yard setback.
- Section 20-82(g)(6) Minimum side yard setback.

The subject property was recently platted as Lot 1, Block 1 of the Black Street Subdivision No. 1. This property sits on a dead end street that extends approximately one hundred twenty (120) linear feet beyond the property line. This side of the street is undeveloped and contains only three (3) lots, of which two (2) lots we currently own. We are seeking two (2) variances to encroach into the front and side platted building lines.

It was required that this property be platted in order to place a manufactured home on the lot. The slab for the mobile home was created prior to the plat being recorded. We were not aware that there would be a ten (10) foot dedication to the City of Victoria, nor the current limits of the existing right-of-way in relation to the front property line. The manufactured home current sits 4.71 feet from the eastern side property line, and 12.68 feet from the front property line.

A storage building was also added to the property. The storage building sits 1.87 feet from the front property line. When the storage building was added, we were not aware that a building permit would be required, and that a storage building could not be constructed within the building line.

The majority of this area contains older construction and unplatted lots. The current guidelines for building lines do not exist in this area. There is one (1) existing residence across the street. Allowing for the encroachment of building lines would not create a hardship for our neighbor.

Thank you for your consideration on this matter.

Sincerely,

Cynthia Jackson



Variance Application

Application must be accurately completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. Development Services cannot guarantee a deadline extension for omitted information or materials.

The following items shall accompany the Application:

- Variance Application Fee. (First request: \$150.00 Each Additional Request: \$50.00)
- A copy of the deed(s) to the subject property verifying legal ownership.
- A legible site plan or plot plan of the subject property.
- A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
- Other materials, as appropriate (i.e. photos, drawings, plats, petitions, etc.)

Please check the appropriate box(es) below to indicate the type of variance requested.

Subdivision Ordinance Variance Sign Variance Driveway Variance

PROJECT INFORMATION

Project Name: Black Street Subdivision No. 1
Project Address or Location: 2506 Black Street
Legal Description: Black Street Subdivision No. 1

Parcel(s) Tax ID#: R 47587
Acreage: .16 Land Use: R6

OWNER INFORMATION

Owner Name: Cynthia M. Jackson
Mailing Address: P.O. Box 924-512 N. 2nd St
City: Sanderson State: TX Zip Code: 79848
Telephone: 701-891-8876 Fax: _____
Email: c.jackson08@yahoo.com

Owner, check ONE of the following:

I will represent this application myself; OR

I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

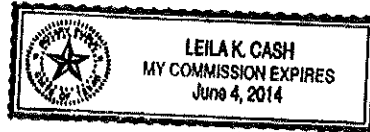
I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct.

Owner's Signature Cynthia Jackson Date 9.27.11

State of Texas:
County of Terrell :

SUBSCRIBED AND SWORN TO before me, this the 27th day of September 2011.

[Signature]
Notary Public



Owner's Signature _____ Date _____

State of Texas:
County of _____ :

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____ 20____.

Notary Public

PROJECT REPRESENTATIVE (Complete if Designated By Owner)

Agent Name: _____

Company Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Email: _____

VARIANCE REQUEST:

I / We, being the legal owner or agent of the property described above, hereby request that the Planning Commission and City Council of the City of Victoria consider the following variance request(s) to the City of Victoria Code of Ordinances:

Section 21-82 (g)(5) Minimum front yard setback
and Section 21-82 (g)(6) Minimum side yard
setback.

REASON / HARDSHIP FOR THE VARIANCE:

As noted in the instructions, you must attach a letter describing the reasons for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

SUBDIVISION ORDINANCE VARIANCE REVIEW CRITERIA:

In order to recommend approval of a Subdivision Ordinance variance, the Planning Commission must make a finding of hardship by determining that all of the following criteria are met. In your attached letter, state how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.

1. The granting of the variance will not be detrimental to the public safety, health, or welfare, or be injurious to surrounding property;
2. The granting of the variance is not based on a hardship which is self-imposed;
3. The hardship is not based solely on the cost of complying with the regulation;
4. The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this chapter; and
5. There are special or unique circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the property.



*DEVELOPMENT SERVICES DEPARTMENT
MONTHLY DEVELOPMENT REPORT
September 6, 2011 thru October 10, 2011*

MINOR PLATS RECEIVED:

Charles Stevens Subdivision – 2 Commercial lots & 1 Single Family Residential lot; 4302 & 4306 Houston Hwy. & 115 Stoner Road; 4.547 acres; Charles & Charlene Stevens (owner); Ganem & Kelly Surveying (agent).

MAJOR PLATS RECEIVED:

None.

MINOR PLATS APPROVED:

J.B. Shaw Properties Subdivision – 2 General Commercial lots; 122 & 128 N John Stockbauer; 1.78 acres; Blake Shaw (owner); Urban Engineering (agent).

MAJOR PLATS APPROVED:

TerraVista Subdivision Phase IV – 27 Single Family Residential lots; 6.17 acres; Arthur W. Kenne (owner); Urban Engineering (agent).

DEED APPROVAL APPLICATIONS RECEIVED:

None.

SITE PLANS RECEIVED:

HHSC Offices – General Commercial; 2208 Leary Lane; Carlos Villarreal (owner); CivilCorp (Agent).

SITE PLANS APPROVED:

Warm Springs Specialty Hospital of Victoria – Quasi-Public/Institutional; 101 James Coleman Drive; Post Acute Medical at Victoria, d/b/a Warm Springs Specialty Hospital of Victoria (owner); PennTerra Engineering (Agent).

Energy Transfer – Industrial; 248 Burroughsville Road; Houston Pipeline, d/b/a Energy Transfer (owner); CivilCorp (Agent).

Hartman Distributing – Industrial; 8316 Lone Tree; Hartman Distributing Co. (owner); Krueger Construction (Agent).

HATEC Building on Lot 2, Block 1 – General Commercial; 122 John Stockbauer; Blake Shaw (owner); Urban Engineering (Agent).

PLATS RECORDED (Major & Minor):

Kendal Acres– 9/6/11

BGS Development Resubdivision No.1 – 9/6/11

Hall's Addition, Resubdivision No.6 – 9/9/11

Brownson Addition, Resubdivision No.3 – 9/20/11

J.B. Shaw Properties Subdivision – 10/5/11

Lake Forest Subdivision, Section 2, Phase I, Resubdivision No.1 – 10/5/11

CITY COUNCIL ACTION:

VARIANCE REQUESTS FOR 2506 BLACK STREET –The property is legally described as Lot 1, Block 1, Black Street Subdivision, Victoria County, Texas. The property is owned by Cynthia Jackson; received 9/27/11.

The applicant requested two variances to the City Code: Section 21-82(g)(5) which indicates the minimum front yard setback as 20 feet, and Section 21-82(g)(6) which indicates the minimum side yard setback as 5 feet. The variances would allow the placement of a mobile home to remain in its current location, and a partially constructed storage building to remain.

√ October 20, 2011 - Planning Commission RECOMMENDED APPROVAL of the variance request.

√ November 15, 2011 - City Council ACTION PENDING the variance request.

City of Victoria Monthly Activity Report

September 2011			Fiscal YTD - 12 months of year		September 2010	
Description	Total #	Valuation (rounded)	Total #	Valuation (rounded)	Total #	Valuation (rounded)
Residential Single Family	12	\$ 2,337,509.00	79	\$ 14,747,453.00	6	\$ 1,365,121.00
RMH Placement	4	\$ 128,378.00	43	\$ 1,180,796.00	6	\$ 62,500.00
Res Multi. Family	0	\$ -	120	\$ 6,426,393.00	0	\$ -
Res Add/Repairs	40	\$ 442,266.00	493	\$ 4,310,178.00	38	\$ 238,317.00
Comm. New Constr	1	\$ 138,000.00	32	\$ 72,285,896.00	4	\$ 1,318,197.00
Comm. Add/Repair	15	\$ 2,096,150.00	229	\$ 12,724,960.00	23	\$ 433,300.00
Signs	8	\$ 42,100.00	90	\$ 530,756.00	3	\$ 4,884.00
Other	51	\$ 105,173.00	517	\$ 597,783.00	51	\$ -
Plan Reviews	5	\$ -	110	\$ -	19	\$ -
Total:	136	\$ 5,289,576.00	1594	\$ 112,804,215.00	150	\$ 4,277,958.00

M.E.P. Permits Issued

September 2011		Fiscal YTD - 12 months of year		September 2010	
	Total		Total		Total
Electrical Permits	73	Electrical Permits	651	Electrical Permits	50
Mechanical Permits	59	Mechanical Permits	153	Mechanical Permits	30
Plumbing Permits	62	Plumbing Permits	563	Plumbing Permits	40
Total	194		1,727		120

Permit Fees Collected

September 2011		Fiscal YTD - 12 months of year		September 2010	
	Total		Total		Total
Building	\$ 9,174.00	Building	\$ 103,616.00	Building	\$ 7,865.00
Electrical	\$ 4,346.00	Electrical	\$ 47,339.00	Electrical	\$ 2,727.00
Mechanical	\$ 3,110.00	Mechanical	\$ 29,523.00	Mechanical	\$ 1,499.00
Plumbing	\$ 4,692.00	Plumbing	\$ 40,054.00	Plumbing	\$ 3,130.00
License Fees	\$ 3,800.00	License Fees	\$ 38,000.00	License Fees	\$ 3,000.00
Plan Review Fees	\$ 5,762.00	Plan Review Fees	\$ 51,119.00	Plan Review Fees	\$ 4,773.00
Misc. Fees	\$ 1,781.00	Misc. Fees	\$ 22,479.00	Misc. Fees	\$ 1,532.00
Total	\$ 32,665.00		\$ 332,130.00		\$ 24,526.00