



Planning & Development Services Department
550 Landa Street
New Braunfels, Texas 78130
(830) 221-4050 www.nbtexas.org

CC/Cash/Check No.: _____

Amount Recd. \$ _____

Receipt No.: _____

Case No.: _____

Submittal date – office use only

Variance Application (Zoning Board of Adjustment)

APPLICATION FEES:

Homestead: \$350 plus \$50 for each additional variance sought

Non-Homestead: \$700 plus \$50 for each additional variance sought

Please note that a 3% technology fee is applied to the total application fee

Any application that is missing information will be considered incomplete and will not be processed.

The applicant bears the burden of proof in establishing the facts that may justify a variance, a special exception, an appeal, or any other action in his/her favor by the ZBA.

Name of Applicant/Agent*: Steve & Rachelle Keller (Keller Living Trust)

Property Address: 554 Mill Street

Mailing Address: 29446 FM 3009 New Braunfels, Tx 78132

Contact information:

Phone: (210) 833-6481

E-Mail: Kellers@rushenterprises.com

Legal Description: Lot #: _____ Block: _____ Subdivision: _____

(NOTE: If property is not platted, attach a copy of the metes and bounds description and survey/drawing.)

Present Use of Property: Residential/Vacant Zoning: Residential

Describe Variance Request: Requesting variance for the set back at the rear of the property of 12.5 feet vs. the 20 feet requirement

SUBMITTAL CHECKLIST:

STAFF:

APPLICANT:

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Completed application

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Copy of deed showing current ownership

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Homestead Verification (if applicable)

☐☐

Application Fee

☐☐

Letter of authorization if applicant is not property owner

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Site plan, drawn to scale and no larger than 11"x17", showing all existing and proposed improvements, setbacks from the property lines, and building elevations (if applicable.)

Explain the following in detail:

Please note: The information provided in response to the following questions is imperative to the variance request process. You may use additional pages if necessary.

(1) What are the special circumstances or conditions affecting the land that warrant the variance?

The Texas Historical Commission has designated this property a historical landmark & denied our plans to restore & add to the home that kept it inside the city's set back requirements. ~~The house as it sits today~~

(2) Why is the variance necessary to preserve a substantial property right of the applicant?

Applicant has the right to add/improve the home to bring it up to modern living standards (ie. have master/dryer hook ups, closets, a second bedroom). The THC would not allow us to alter the existing home ~~for these~~ so we were forced to add on to the rear of the property which encroaches on the set back requirement

(3) Will the granting of the variance be detrimental to the public health, safety or welfare, or injurious to other properties within the surrounding area?

No. In fact the property has been a bit of an 'eye-sore' for years. Sitting vacant it has been broken into & fixtures & hardware were stolen. Once renovated w/ the addition that will allow a family to live there will improve public safety.

(4) Would granting the variance prevent the orderly use of other properties within the area?

No. The entire property is currently fenced & separate & distinct from neighboring properties. All neighboring properties will continue to enjoy the same usage of their properties post construction.

(5) Does an undue hardship to the land exist that is not self-created, personal or financial?

If yes, please explain in detail. If no, a variance cannot be granted.

Yes the house was built in 1855 on a larger parcel of land that was subsequently subdivided. It was the first home in Comal County to receive a ~~land~~ historical landmark designation by the Texas Historical Commission (THC). The THC exercises wide discretion on all alterations of the property. Efforts to have plans approved by the THC that kept the home inside setback boundaries were denied.

(6) Will granting the variance be in harmony with the spirit and purpose of the City's regulations?

Absolutely. The City of NB has an interest in preserving historical homes in the area. This home was built by George Ulrich, the wagon master that brought Prince Solms to New Braunfels. Rachelle Keller is George Ulrich's 4x Great Granddaughter. Granting this variance will allow the home to be restored and kept in the family of one of New Braunfels founding fathers.

Please initial the following important reminders:

gm

APPEARANCE AT MEETINGS

It is strongly advised that the applicant be represented at the hearing. The Board may deny requests for which the applicant or an agent do not appear.

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NOTIFICATION SIGNS

The applicant shall post the public hearing notification sign(s) at least **15 days prior to the hearing date and maintain said sign(s) in good condition**. One sign shall be required for the first 100 feet of frontage of the tract, and one additional sign for every 200 feet of frontage thereafter, or fraction thereof, except that no more than three (3) signs shall be required on each roadway frontage. If the tract has less than 200 feet of frontage per roadway, then only one sign is required per road.

The applicant is responsible for:

1. Paying for the required mail notification (**\$2.15 per mailed notice**)
2. Purchasing (**\$15 per sign**) and placing the signs at least **15 days prior to the hearing date**
3. Posting signs so they are clearly visible to the public from the adjacent public streets.
4. Ensuring that the signs remain on the property throughout the variance process.
5. In the event that a sign(s) is removed from the property or damaged, the applicant shall be responsible for purchasing a replacement sign(s) and installing it immediately.
6. Removing the signs after the final action by the Zoning Board of Adjustment.

I hereby certify that the information provided is true and correct to the best of my knowledge.

Signed: [Signature]

Rachelle U Keller

Date: 3/24/01

Print Name: Steven L Keller

Applicant/Agent*

* If signed by an agent, a letter of authorization must be furnished by the property owner.