



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*: Toya Ohlrich Boyer

Property Address: 1020 Cole Ave, New Braunfels, Tx 78130

Mailing Address: 2471 Wallaby Circle, New Braunfels, Tx 78132

Contact information:

Phone: 830-708-4425

E-Mail: toyanbtx@outlook.com

Legal Description: Lot 1/2 lot 31 Block: 11 Subdivision: Landa Park Estates
(NOTE: If property is not platted, attach a copy of the metes and bounds description and survey/drawing.)

Present Use of Property: Residence Vacant Zoning: R2

Describe Variance Request: 2 Variances - One for a 15' encroachment in the rear and one
for a 5' encroachment in the front

SUBMITTAL CHECKLIST:

STAFF:

APPLICANT:

☐☒

Completed application

☐☒

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

☐☒

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 current setback codes were designed for newer developments which are more than
100' in length (depth). Current setback codes would restrict 45' or almost half the
buildable space. The hardship is the size of the lot and code setbacks.

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

NO

(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

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

NO

(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.

The existing structure is in violation of all setbacks on every side of the property. We want
to improve the neighborhood. However, if we are held to the current setback code, the
buildable area would require a taller and skinnier structure that would not be
characteristic of the neighborhood.

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

YES - Additionally, we believe these setback adjustments will allow us to make

improvements more in keeping with the neighborhood than the current structure.

Please initial the following important reminders:

(7)

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.

(7)

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: _____

Toya Ohlrich Boyer
Applicant/Agent*

Date: _____

7-19-21

Print Name: Toya Ohlrich Boyer

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

R. Bruce Boyer