



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

CC/Cash/Check No.: 3251

Amount Recd. \$ 360.00

Receipt No.: 41215

Case No.: ZB21-0005

Submittal date – office use only

Received
09/23/21

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*: Kristen Burnup

Property Address: 325 S Santa Clara Ave, New Braunfels, TX 78130

Mailing Address: (Same as above)

Contact information:

Phone: 830-515-2237

E-Mail: Kristen22799@yahoo.com

Legal Description: Lot #: _____ Block: 4026 Subdivision: city block

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

Present Use of Property: home/living Zoning: _____

Describe Variance Request: primary suite addition and

Carport

SUBMITTAL CHECKLIST:

STAFF:



APPLICANT:



Completed application

Copy of deed showing current ownership

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.)

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

We live on a narrow corner lot which requires a significant side setback for new construction. There isn't room for the addition on the back of the house because of the back porch which runs the length of the house and it would also require the removal of a large mature pecan tree. Our home was built in 1925 in the colonial style, which is described as rectangular, typically two stories, and fairly symmetrical. They have steep, side-gabled roofs, which means the triangular portion of the roof is only visible from the sides. Putting the addition in the front of the house would destroy the symmetry of the house and go against the historic colonial facade of the home which we are trying to maintain for the continued beauty of our neighborhood. The other side of the house is too close to the property line to allow any other addition in that direction.

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

We are seeking a variance to the side setback requirements on a corner lot. We have a carriage house at the back of our lot which is original to the home. The planned additions would maintain the side setback that the carriage house provides. The current setback from South Santa Clara Ave will be maintained as is.

Our home was built in 1925. When it was built, there was of course, no central air or heat, only one bathroom, and a cast iron stove to cook on. Through the years, a half bath was added downstairs so that guests wouldn't have to go upstairs as well as central air and heat and a gas stove. We love the history of our home, but due to the age and design, it is no longer providing us what we need or what is expected in a home of this era.

A primary suite is needed on the first floor of the house. Currently, all bedrooms and the one full bathroom are up a narrow staircase that is becoming hazardous as we get older. The addition will also allow for a laundry room in the primary closet because the current laundry area is down in the unfinished basement down another set of hazardous stairs.

This is important for two reasons. The first reason is that we are very concerned when our parents and older guests visit us, there isn't an option downstairs for them to be able to sleep and use bathroom facilities and this requires them to use the stairs that were built in 1925 and are very steep and narrow. We are constantly concerned that one of them could fall down the stairs and be seriously injured. The second reason is that I (James Burnup) am a 100% disabled veteran and have limited mobility. This sometimes makes it difficult to get up and down the stairs especially when carrying objects like laundry baskets. Also, due to the steep and narrow staircase, we are unable to get some items that are very standard in any modern home up the stairs such as a queen bed box spring. The ability to have a primary suite on the main level which incorporates a laundry room would allow me to live in this house for the long term instead of being forced out when it becomes too difficult for me to navigate.

A carport is also required to protect our investment in our cars from inclement weather and the Texas sun.

Both a carport/garage and main level primary suites are the standard in newer homes for good reason and we need to be able to bring our historic home to a place that provides these things for our family while maintaining the historic look and feel.

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

No.

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

No.

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

Yes. As stated in our answer to question number 2 above, this is a hardship due to our limited use of our lot and home based on antiquated plans and building practices that no longer fit the needs of a modern family. This hardship was not self-created since it is the original footprint of the home that was built in 1925 with the exception of a half bath and small kitchen addition that was added on prior to our ownership. The hardship is not personal to us as it would provide a hardship for any elderly or disabled person forced to climb steep stairs multiple times daily for normal household events and chores. The hardship is also not financial because no amount of money would change the layout or disfunction of the design of the home for a modern family. Modernizing this home is simply the best and greatest use of this downtown space and will be beneficial to any owner in the future.

The requested variance would also allow us to build proper drainage on the low point in our yard. Currently, due to the slope of our driveway and our lot layout, the low point of our yard collects water which eventually drains through walls or the basement window into our basement unless I pump it back into the street. This is exacerbated by the slope of our driveway which directs water towards our home and collects water around the foundation of the home which weakens the foundation at the back corner of the house and our large fireplace. The addition of a primary suite and carport would allow us to capture much of this water through gutters before it collects and damages the home.

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

Yes. We are not attempting to build an enormous addition which will fill our entire lot and be an eyesore. We are simply asking to build a roughly 500 square foot primary bedroom addition which will make this house livable for our family with elderly parents and my disabilities from my military service. We will still have a large setback (over 10 feet) from the street on the side of the primary addition and our front setback will not change which provides ample space to observe cross traffic on South Santa Clara Ave. Our intention is to keep the addition in the historic spirit of our 1925 home which will increase the beauty of our neighborhood while providing much needed updates to our home. This will allow us to bring our home to a level which is expected and needed in this day and age both to us as current owners and any future owners as this house begins its second century as a downtown New Braunfels home.