

RESOLUTION NO. 2006- 89 R

A resolution granting a variance from section 20-82(b) of the Victoria City Code, which defines the maximum number of driveways for commercial land uses, to Lot 1, Block 66, Original Townsite of Victoria, Texas located at 207 South Moody St , which is owned by Jose E. Vara-Munoz, conditioned on no more than two driveways being installed on West Juan Linn Street from said lot and no driveways being installed on South Moody Street from said lot; and declaring an effective date.

Section 20-82(b) of the Victoria City Code provides in relevant part as follows:

(b) A commercial or multifamily land use on a street other than a freeway shall be permitted access only in accordance with the following:

(1) a driveway onto a street from a land use with less than 200 feet of frontage on that street shall be permitted in accordance with special conditions established by the director in accordance with section 20-91. . .

Jose E. Vara-Munoz, owner of Vara's Fine Cabinetry Shop at Lot 1, Block 66, Original Townsite of Victoria, Texas, located at the corner of South Moody Street and West Juan Linn Street , has a legal right to place one driveway on South Moody Street, but for safety reasons, desires to instead install two driveways on West Juan Linn Street; therefore, he has requested a variance to Section 20-82(b) of the Victoria City Code, which would normally limit his property to a single driveway on Juan Linn Street; and

Section 20-91 of the Victoria City Code provides "the city council may authorize variances if literal enforcement of any provision will result in an unnecessary and extraordinary hardship," and the City Council finds that literal enforcement of the aforementioned provisions of the Victoria City Code will result in an unnecessary and extraordinary hardship to the aforementioned property, and it is proper to grant the aforementioned variances

THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

A variance from Section 20-82(b) of the Victoria City Code is granted to Lot 1, Block 66, Original Townsite of Victoria, Texas, conditioned on no more than two driveways being installed on West Juan Linn Street from said lot and no driveways being installed on South Moody Street from said lot.

2.

This resolution shall become effective immediately upon adoption.

PASSED, this the 20th of June, 2006.

AYES: **7**

NAYS: **0**

ABSTENTIONS: **0**

APPROVED AND ADOPTED, this the 20th of June, 2006.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria, Texas
David Atmar Smith
APPROVED AS TO LEGAL FORM:
DAVID ATMAR SMITH, City Attorney

Distribution: Legal Department
Public Works Department

Copies Sent: JUNE 21, 2006