

RESOLUTION NO. 2009- 148 R

A resolution granting a variance to Section 21-83(a)(2) of the Victoria City Code, which requires a minimum lot width for a general commercial lot of at least 100 feet on a public street, for the proposed U & T Cordova Subdivision No. 1, located at 402 Salem Road, which is owned by Uvaldo and Teresa J. Cordova; and declaring an effective date.

Section 21-83(a)(2) of the Victoria City Code requires a commercial lot to have at least 100 feet of width where it fronts a public street;

The owners of the proposed U & T Cordova Subdivision No. 1 wish to create one general commercial lot with a lot width of 97.03 feet; therefore, they are requesting a variance to the City's 100-foot lot frontage requirement;

This request for a variance was considered at a public hearing before the Planning Commission, which recommended approval of the variance; and

The City Council finds based upon the evidence presented in this case that:

- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation;
- (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; and
- (4) The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties.

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

1.

A variance to Section 21-83(a)(2) of the Victoria City Code is granted to the proposed U & T Cordova Subdivision No. 1, located at 402 Salem Road, which is owned by Uvaldo and Teresa J. Cordova.

2.

This resolution shall become effective immediately upon adoption.

PASSED, this the 18th of August, 2009.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 18th of August, 2009.



ATTEST:

Scarlet Swoboda
 SCARLET SWOBODA, City Secretary

Will Armstrong

WILL ARMSTRONG, Mayor of the
 City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

George E. Hyde
 BY: GEORGE E. HYDE, City Attorney
 Denton, Navarro, Rocha & Bernal, P.C.

Distribution: Legal Department
 Development Services

Copies Sent: AUGUST 24, 2009