



PLANNING & ZONING REPORT

Zoning Board of Appeals Meeting of May 19, 2026

File # 013-26

APPLICANT: Attorney Christian Solares

LOCATION: 2520 Driftwood Lane

REQUESTED ACTION: A Variation to reduce the required front yard setback from 30 feet to 15 feet and 11 inches and a Variation to reduce the required rear yard setback from 30 feet to 16 feet and 4 inches in an R-1, Single family Residential Zoning District.

EXISTING USE: Vacant land

PROPOSED USE: Single-family residence

DIMENSIONS: Irregular shape lot. See Exhibit D.

ADJACENT ZONING AND LAND USES:

| | | |
|--------|-----|--------------------------|
| NORTH: | R-1 | Single-family Residences |
| EAST: | R-1 | Single-family Residences |
| SOUTH: | R-1 | Single-family Residences |
| WEST: | R-1 | Single-family Residences |

YEAR 2040 PLAN: RL Low Density Residential

HISTORY: There is no relevant history in the immediate area.

REVIEW COMMENTS: The Applicant is requesting a Variation to reduce the required front yard setback from 30 feet to 15 feet and 11 inches and a Variation to reduce the required rear yard setback from 30 feet to 16 feet and 4 inches in an R-1, Single family Residential Zoning District (Exhibits A & B). This is north of Spring Creek Road and on the west side of Driftwood Lane.

The Applicant, Attorney Christian Solares, is requesting a Variation to reduce the required front yard setback from 30 feet to 15 feet and 11 inches and a Variation to reduce the required rear yard setback from 30 feet to 16 feet and 4 inches in an R-1, Single family Residential Zoning District. The Applicant is looking to build a single-family house with a three (3) car garage. The Zoning Ordinance says "Where no average exists, the front façade of a residential structure must be setback a minimum of 25 feet and any parking garage including an attached garage must be setback a minimum of 30 feet. However, where a residential structure is constructed on a street designated as an arterial street by the Metropolitan Planning Organization Transportation Study, the setback must be consistent with the setback indicated on the recorded lot, or equal to one-half the consistent with the setback a minimum of 30 feet. Additionally, in all other R districts, the required rear setback for principal

buildings other than detached accessory structures is 30 feet.” Due to the required setbacks for both the front and rear yard not meeting a minimum of 30 feet, a Variation is needed. The Zoning Ordinance defines the front yard as “Any yard adjoining a street shall be considered a front yard and shall meet the required setback for the respective district in which it is located.” For a rear yard as “The area between the side lot lines and most nearly opposite the front lot line at a depth specified for the respective district in which it is located. For a front yard exception, the Zoning Ordinance indicates “Buildings and structures in R Districts must be setback from the front property line a distance equal to the average front yard depth that exists on the nearest 2 lots on either side of the subject lot. The Zoning Officer may issue a zoning certification based on a determination that the proposed development complies with the depth of the average front setback.” The property is located within the Spring Creek Grove Subdivision with a platted front yard setback of 30 feet. On irregularly-shaped lots, the rear *yard* may be designated by the Zoning Officer. Since the proposed rear setback is less than the required rear setback, it requires a Variation approval.

Exhibit D is a site plan of the proposed layout. The plan shows that the single-family one-story home will be 34' by 98'. There will be a covered entry in the front of the house shown as a covered patio. A pergola covered patio is shown at the rear of the house that will be 12' by 19'. The rear yard setback is shown at the 16 feet and 4 inches and the house will be 28 feet and 5 inches.

Exhibit E is both the front and rear house elevations along with the interior floor plan. The house will have wood siding with various windows and glass doors throughout. There will be an open frame patio/pergola and the garage door will have windows. The house will consist of four (4) bedrooms, two bathrooms, great room, dining room, and kitchen.

Staff is of the opinion that the Applicant's request is unique due to the irregular shaped lot. In this case, it allows for flexibility by permitting a reduction in the front and rear yard and encouraging new construction. This helps achieve the goal of encouraging continued residential reinvestment on a lot that has sat vacant for over 60 years. Infill development often involves constrained or irregularly shaped parcels that do not align with current zoning standards that were established for larger, more uniform subdivisions. Additionally, the character of the home will be consistent with the character of the existing neighborhood. Also, there are existing homes to the south that appear closer to the front and rear yard property than the required setbacks. For these reason, Staff recommends approval of this request.

RECOMMENDATION: Staff recommends APPROVAL of a Variation to reduce the required front yard setback from 30 feet to 15 feet and 11 inches and APPROVAL of a Variation to reduce the required rear yard setback from 30 feet to 16 feet and 4 inches in an R-1, Single family Residential Zoning District subject to the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Must be constructed as shown in submitted building elevation Exhibit E.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION TO
REDUCE THE REQUIRED FRONT YARD SETBACK FROM
30 FEET TO 15 FEET AND 11 INCHES
IN AN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT
LOCATED AT 2520 DRIFTWOOD LANE**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation is based are unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is not caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION TO
REDUCE THE REQUIRED REAR YARD SETBACK FROM
30 FEET TO 16 FEET AND 4 INCHES
IN AN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT
LOCATED AT 2520 DRIFTWOOD LANE**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation is based are unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
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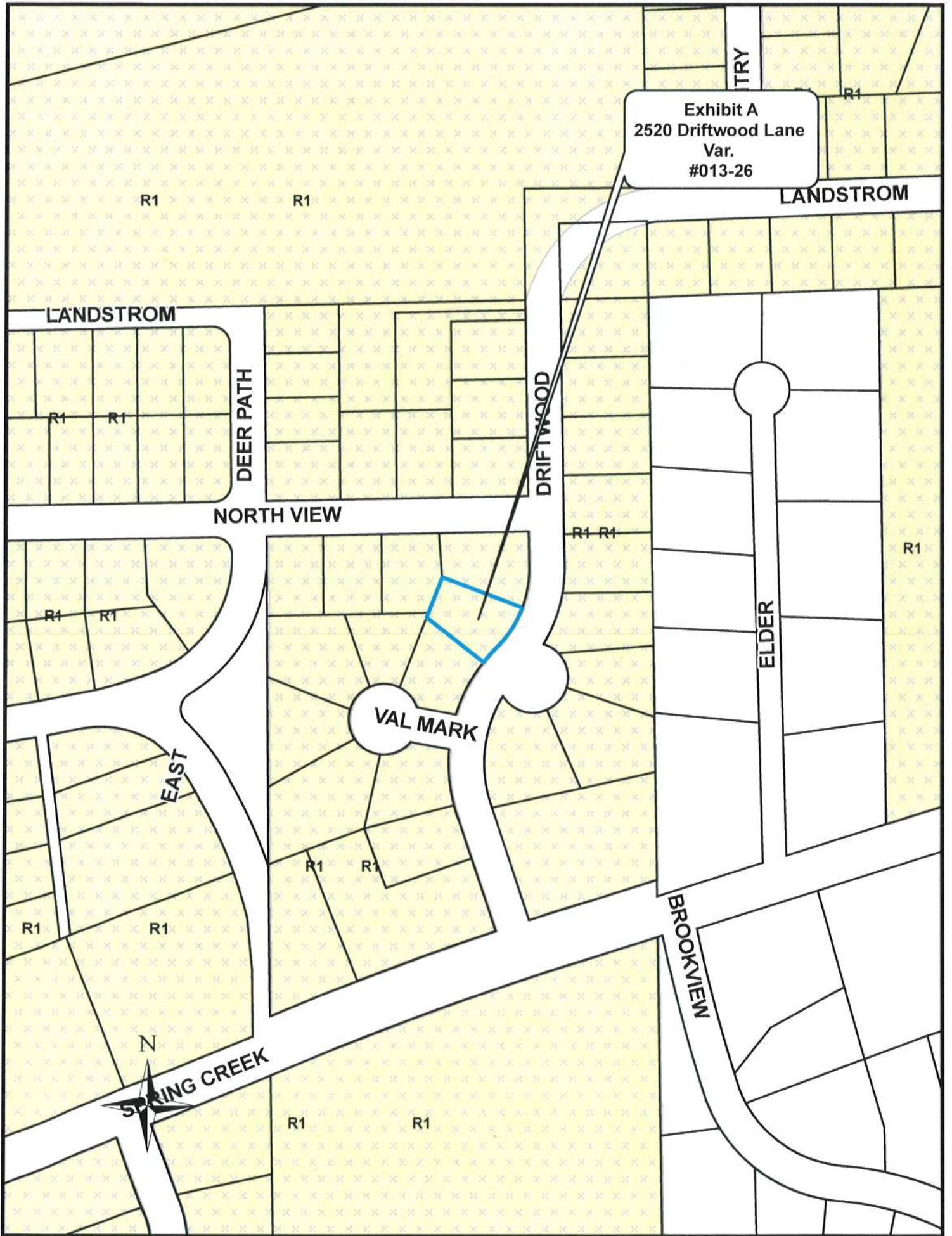


Exhibit A
2520 Driftwood Lane
Var.
#013-26

LANDSTROM

LANDSTROM

DEER PATH

DRIFTWOOD

NORTH VIEW

VAL MARK

EAST

ELDER

BROOKVIEW

SPRING CREEK

Exhibit C
2520 Driftwood Lane
Var.
#013-26



Exhibit E
 2520 Driftwood Lane
 Var.
 #013-26



Main Level



1,982 Sq.Ft. | 4 Beds | 2 Baths | W: 114' 4" D: 43' 4" H: 18' 7"

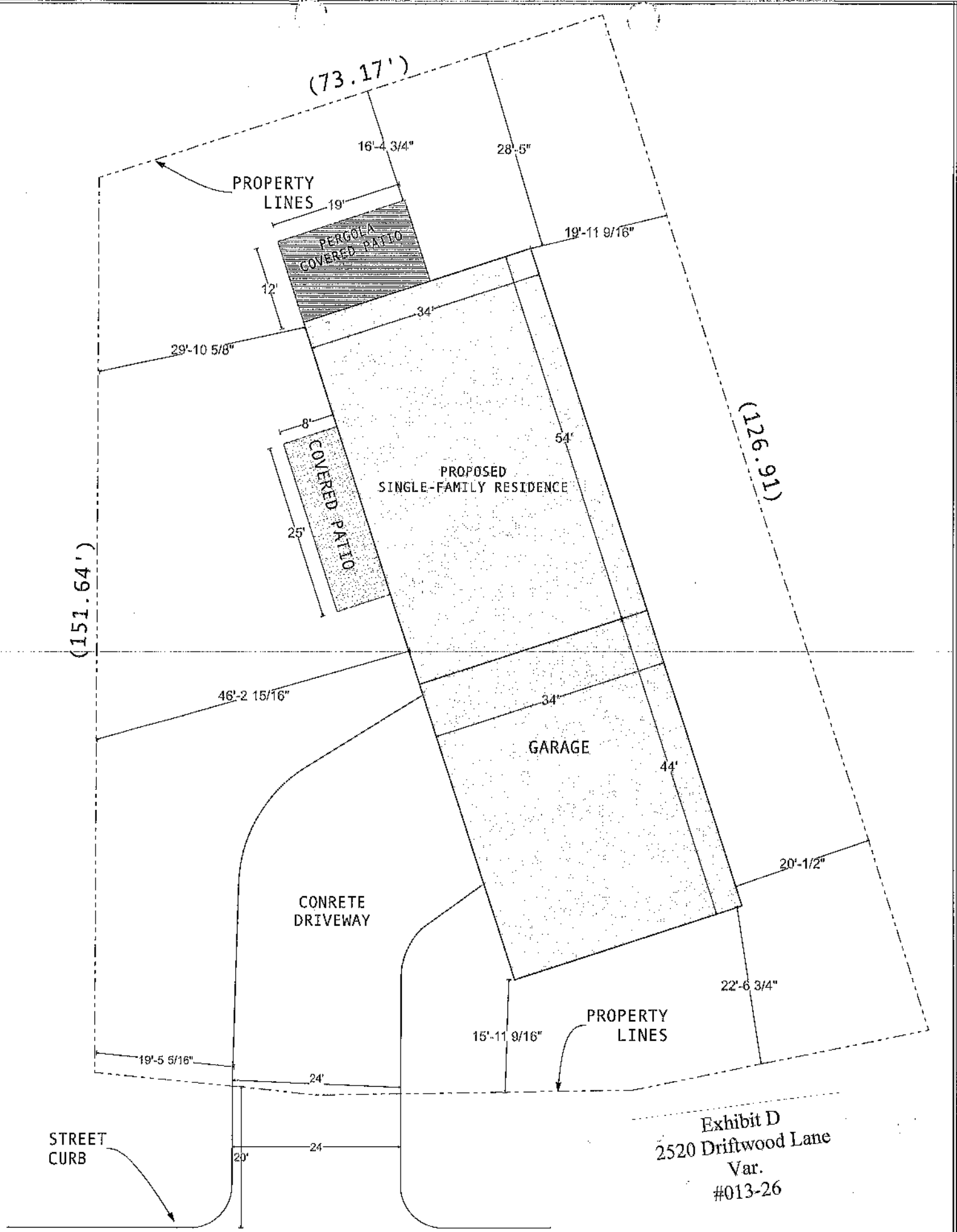


Exhibit D
 2520 Driftwood Lane
 Var.
 #013-26

DRIFTWOOD