

Notice of Meeting of the Zoning Board of Adjustment of the City of Georgetown, Texas June 2, 2026

The Georgetown Zoning Board of Adjustment will meet on June 2, 2026 at 5:00 PM at .

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King Jr. Street, Georgetown, TX 78626 for additional information; TTY users route through Relay Texas at 711.

Public Wishing to Address the Board

On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found on the table at the entrance to the meeting room. Clearly print your name and the letter of the item on which you wish to speak and present it to the Board Liaison prior to the start of the meeting. You will be called forward to speak when the Board considers that item. Only persons who have delivered the speaker form prior to the meeting being called to order may speak. Speakers will be allowed up to three minutes to speak. If you wish to speak for six minutes, it is permissible to use another requestor's granted time to speak. No more than six minutes for a speaker may be granted. The requestor granting time to another speaker must also submit a form and be present at the meeting.

On a subject not posted on the agenda: A request must be received by the Advisory Board or Commission Liaison prior to the day the agenda for this meeting is posted. Each speaker will be given three minutes to address the Board or Commission members. No action can be taken.

At the time of posting, no one has signed up to speak on an item not posted on the agenda.

Regular Session

1.A Meeting Minutes

Consideration and possible action to approve the minutes from the March 17, 2026 meeting of the Zoning Board of Adjustment.

1.B 2026-5-VAR " 1205 Walnut Street, Group Day Care Parking Variance

Public Hearing and possible action on Zoning Variances to the minimum vehicle stacking spaces and the minimum required parking spaces for a Group Day Care Use pursuant to Section 9.02.030 and 9.04.010 of the Unified Development Code, for the property located at 1205 Walnut Street, Georgetown, TX 78626, bearing the legal description of 0.15 Acres, Part of Block No. 1 of the Snyder's Addition to the City of Georgetown (2026-5-VAR). – Ryan Clark, Planning Manager

1.C 2026-4-VAR " 2401 Westinghouse Road

Public Hearing and possible action on a Zoning Variance for an accessory structure to encroach into the 15' side setback pursuant to Section 6.02.090.A of the Unified Development Code, for the property located at 2401 Westinghouse Road, bearing the legal description of Lot 6, Block A, out of the North Star Senior Multifamily Subdivision

(2026-4-VAR). Colin Davidson, Senior Planner

Adjournment

Certificate of Posting

I, Robyn Densmore, City Secretary for the City of Georgetown, Texas, do hereby certify that this Notice of Meeting was posted at City Hall, 808 Martin Luther King Jr. Street, Georgetown, TX 78626, a place readily accessible to the general public as required by law, on the _____ day of _____, 2026, at _____, and remained so posted for at least three business days preceding the scheduled time of said meeting.

Robyn Densmore, City Secretary

City of Georgetown, Texas
Zoning Board of Adjustment
June 2, 2026

SUBJECT:

Meeting Minutes

SUGGESTED ACTION:

Consideration and possible action to approve the minutes from the March 17, 2026 meeting of the Zoning Board of Adjustment.

ITEM SUMMARY:

FINANCIAL IMPACT:

SUBMITTED BY:

Stephanie McNickle, Planning Department

ATTACHMENTS:

[3.17.26 Minutes Final.pdf](#)

Minutes of the Zoning Board of Adjustment City of Georgetown, Texas Tuesday, March 17, 2026

The Georgetown Zoning Board of Adjustment met on Tuesday, March 17, 2026 at 5:00 PM at Council and Court Building, 510 W. 9th Street.

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King, Jr Street for additional information; TTY users route through Relay Texas at 711.

The following Members were in attendance:

Present were: Scott A Allen, Travis Perthuis, Michael D Charles, Ercel Brashear, Shelley Rodocker

Public Wishing to Address the Board

On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found on the table at the entrance to the meeting room. Clearly print your name and the letter of the item on which you wish to speak and present it to the Board Liaison prior to the start of the meeting. You will be called forward to speak when the Board considers that item. Only persons who have delivered the speaker form prior to the meeting being called to order may speak. Speakers will be allowed up to three minutes to speak. If you wish to speak for six minutes, it is permissible to use another requestor's granted time to speak. No more than six minutes for a speaker may be granted. The requestor granting time to another speaker must also submit a form and be present at the meeting.

On a subject not posted on the agenda: A request must be received by the Advisory Board or Commission Liaison prior to the day the agenda for this meeting is posted. Each speaker will be given three minutes to address the Board or Commission members. No action can be taken.

1. Regular Session

1.A Minutes of the February 17, 2026 Meeting

Consideration and possible action to approve the minutes from the February 17, 2026, meeting of the Zoning Board of Adjustment -- Stephanie McNickle, Planning Specialist

Moved by Michael D Charles; seconded by Travis Perthuis to Approve to approve the minutes from the February 17, 2026 meeting of the Zoning Board of Adjustment..

Motion Approved: 4- 0

Voting For: Travis Perthuis, Michael D Charles, Ercel Brashear, Shelley Rodocker

Voting Against: None

1.B 2026-1-VAR - The Preserve at Water Oak

Public Hearing and possible action on Zoning Variances for maximum allowed height and square footage for signage pursuant to Section 3.15, 10.06.010, 10.06.030, and 10.06.050 of the Unified Development Code, for the property located at 3701 HWY 29 W, Georgetown, TX 78626, bearing the legal description of Lot 1, Block 1 of The Preserve at Water Oak Subdivision 2026-1-VAR -- Haley Webre, Planner

Staff report by Haley Webre, Planner

Staff stated the applicant is requesting two variances for 1 sign along SH 29. The applicant is requesting an increase in the allowed square footage and height for 1 sign.

Staff stated she reviewed the variance request and the applicant's stated findings and has evaluated the request based on the UDC required findings for a variance in accordance with UDC Section 3.15.030. The Zoning Board of Adjustment may authorize a variance from the requirements of the zoning provisions of the UDC if the variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done.

No variance shall be granted unless the ZBA finds all the required findings established in UDC Section 3.15.030.A.

Staff has reviewed the submitted Zoning Variance request in accordance with the UDC and other applicable codes. Staff has determined that the request complies with 6 of the 6 required findings established in UDC Section 3.15.030.A for a Zoning Variance as outlined in the staff report.

Chair Perthuis questioned the reason this was not addressed in the PUD agreement. Staff stated there is also a PID and a monument sign was briefly addressed.

Board member Brashear asked and staff stated this sign is 3 times the height as what is approved in the code. Board member Brashear stated the trees do more to impede the ability to see the signage. Discussion on the location of the sign. Board member Brashear voiced concern if this variance is approved, it opens the door for more Variance requests. Mr. Gonzales, Planning Director, stated that the state law is very clear that Variances approved or disapproved by Zoning Board Adjustment are on a case-by-case basis and does not set a precedence. Board member Rodocker asks if the applicant is willing to turn the sign at 90-degree angle?

At this time the applicant addressed the Board.

Don Pool, 2P Consultants, representing the applicant, stated the sign is not internally lite. He also stated the buildings in that area that are 30+ feet tall and the sign is only 21.6 feet tall. He stated the intent is not so much for the sign to be seen from the highway. It's for those driving into the center.

Chair Perthuis opened the Public Hearing. No one came forward. The Public Hearing was closed.

Moved by Ercel Brashear; seconded by Michael D Charles to Approve Zoning Variances for maximum allowed height and square footage for signage pursuant to Section 3.15, 10.06.010, 10.06.030, and 10.06.050 of the Unified Development Code, for the property located at 3701 HWY 29 W, Georgetown, TX 78626, bearing the legal description of Lot 1, Block 1 of The Preserve at Water Oak Subdivision. **Motion** Approved: 5- 0

Voting For: Scott A Allen, Travis Perthuis, Michael D Charles, Ercel Brashear, Shelley Rodocker

Voting Against: None

Adjournment

These minutes were approved at the meeting of _____

Chair

Attest

City of Georgetown, Texas
Zoning Board of Adjustment
June 2, 2026

SUBJECT:

2026-5-VAR – 1205 Walnut Street, Group Day Care Parking Variance

SUGGESTED ACTION:

Public Hearing and possible action on Zoning Variances to the minimum vehicle stacking spaces and the minimum required parking spaces for a Group Day Care Use pursuant to Section 9.02.030 and 9.04.010 of the Unified Development Code, for the property located at 1205 Walnut Street, Georgetown, TX 78626, bearing the legal description of 0.15 Acres, Part of Block No. 1 of the Snyder's Addition to the City of Georgetown (2026-5-VAR). – Ryan Clark, Planning Manager

ITEM SUMMARY:

The applicant is seeking to open a Group Day Care Use through a companion Special Use Permit Application that seeks to allow up to 12 children under the age of five to attend the Day Care. The Group Day Care Use is required to have six parking spaces and three vehicle stacking spaces by the UDC, and the subject property, a former single-family home that is still zoned Residential Single-Family (RS), only has two parking spaces. Planning staff were able to confirm with the Fire and Transportation Departments that South Walnut Street is wide enough for vehicular parking on both sides of the roadway.

Staff's Analysis:

The following are the pertinent sections of the Unified Development Code (UDC) related to this request:

- UDC Section 5.03.010. – Civic Uses Allowed by District
- UDC Section 9.02.030. – Off-Street Parking Requirements
- UDC Section 9.04.010. – Vehicle Stacking Areas, Minimum Number of Spaces
- UDC Section 16.02. – Definitions
 - o Day Care, Family Home. A home occupation in which an individual provides less than 24-hour care and supervision for six or fewer children under the age of 14, plus no more than six additional elementary school-age children (age five to thirteen). The total number of children, including those under the legal custody of the day care provider, is no more than 12 at any time. This use is subject to registration with the Texas Department of Protective and Regulatory Services.
 - o Day Care, Group. A day care facility that provides less than 24-hour care and supervision for seven to twelve children under 14 years of age at any one time, including those under the legal custody of the day care provider or employees.

Staff has reviewed the variance request and the applicant's stated findings and has evaluated the request based on the UDC required findings for a variance in accordance with UDC Section 3.15.030.

The Zoning Board of Adjustment may authorize a variance from the requirements of the zoning provisions of the UDC if the variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done. No variance shall be granted unless the ZBA finds all of the required findings established in UDC Section 3.15.030.A.

Staff has reviewed the submitted Zoning Variance request in accordance with the UDC and other

applicable codes. Staff has determined that the request complies with five of the six required findings established in UDC Section 3.15.030.A for a Zoning Variance as outlined in the attached staff report and Approval Criteria Exhibit (Exhibit 4).

A seventh criteria established in the UDC states the following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance:

- a. That the property cannot be used for its highest and best use.
- b. That there is a financial or economic hardship, except as authorized in Local Government Code 211.009.
- c. That there is a self-created hardship by the property owner or their agent.
- d. That the development objectives of the property owner are or will be frustrated. The applicant is not requesting any of the above findings, therefore, the seventh criteria is not applicable, and staff recommendations are based on only the following six (6) criteria.

FINANCIAL IMPACT:

SUBMITTED BY:

Stephanie McNickle, Planning Department

ATTACHMENTS:

[2026-5-VAR Staff Presentation.pdf](#)

[2026-5-VAR Staff Report.pdf](#)

[Exhibit 1 - Location Map.pdf](#)

[Exhibit 2 - Conceptual Plan.pdf](#)

[Exhibit 3 - Letter of Intent.pdf](#)

[Exhibit 4 - 2026-5-VAR - Approval Criteria Staff Analysis.pdf](#)

1205 South Walnut Street 2026-5-VAR

June 2, 2026 | Zoning Board of Adjustment

Item Under Consideration

2026-5-VAR

- Public Hearing and possible action on Zoning Variances to the minimum vehicle stacking spaces and the minimum required parking spaces for a Group Day Care Use pursuant to Section 9.02.030 and 9.04.010 of the Unified Development Code, for the property located at 1205 Walnut Street, Georgetown, TX 78626, bearing the legal description of 0.15 Acres, Part of Block No. 1 of the Snyder's Addition to the City of Georgetown (2026-5-VAR). – Ryan Clark, Planning Manager

Item Under Consideration

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions of this Unified Development Code if the Variance from the terms of the zoning provisions is:

- Not contrary to the public interest
- Due to special conditions
- A literal enforcement of the requirements would result in unnecessary hardship
- The spirit of this Code is preserved
- Substantial justice done



Aerial

2026-5-VAR

 Site



0 100 200
Feet

Summary of Request

- Applicant is seeking a Special Use Permit for the “Group Day Care Use”
- While allowing for the same # of children as the Family Day Care Use (Allowed by right in RS zoning), it requires four additional parking spaces and three queuing spaces



Applicable UDC Sections

- UDC Section 16.02 – Definitions
 - Defines Family Home Day Care as “care and supervision for six or fewer children under the age of 14, plus no more than six additional elementary school-age children (age five to thirteen)... no more than 12 at any time.”
 - Defines Group Day Care as “care and supervision for seven to twelve children under 14 years of age at any given time”
- UDC Section 5.03.010 – Civic Uses Allowed by District
- UDC Section 9.02.030 – Off-Street Parking Requirements
 - Requires two spaces for Family Home Day Care, six spaces for Group Day Care
- UDC Section 9.04.010 – Minimum number of vehicle stacking spaces
 - Requires 3 for day care drop off (applicable to all day care uses)

Zoning Variance

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions of this Unified Development Code if the Variance from the terms of the zoning provisions is:

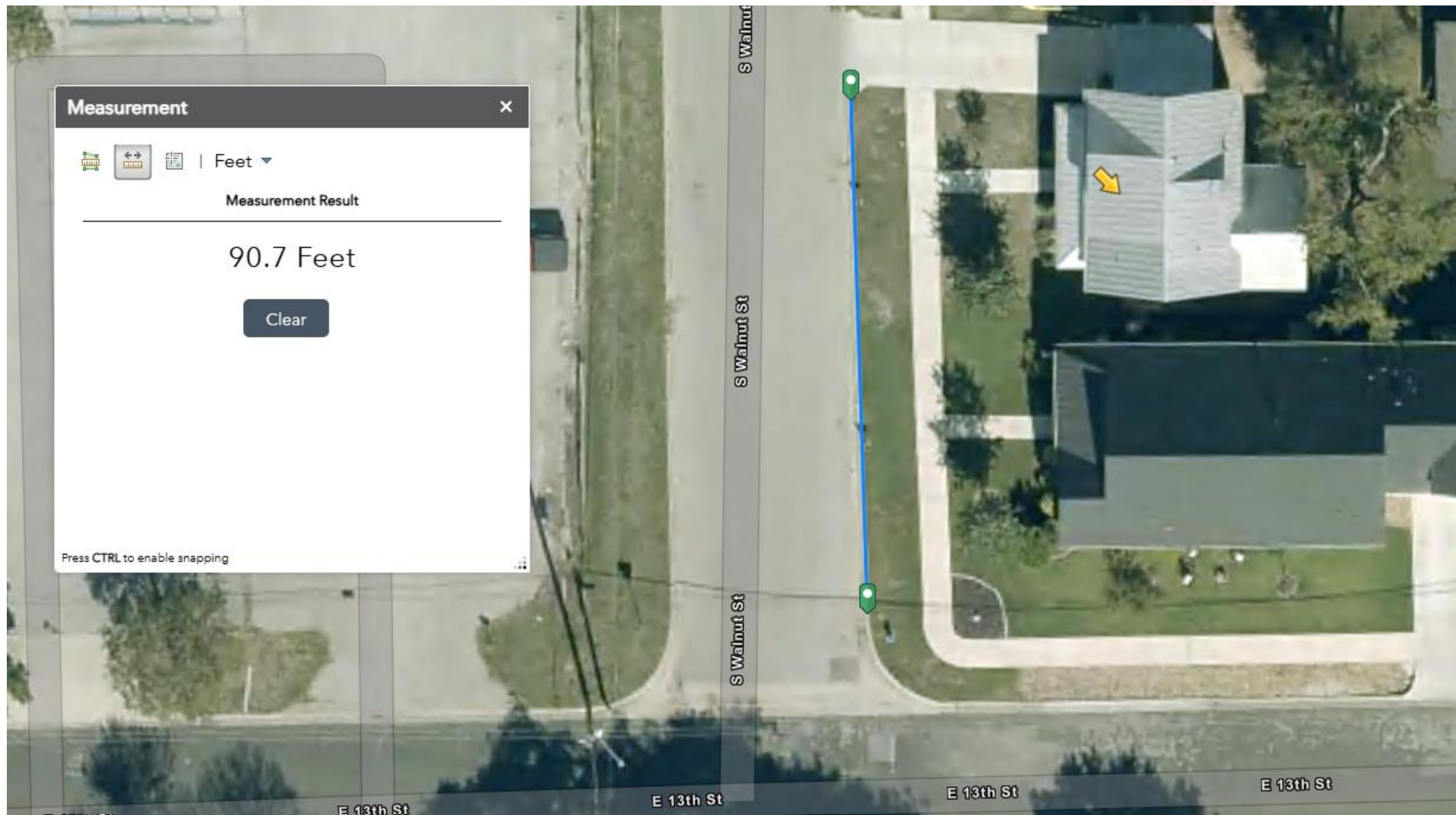
- Not contrary to the public interest
- Due to special conditions
- A literal enforcement of the requirements would result in unnecessary hardship
- The spirit of this Code is preserved
- Substantial justice done

Local Government Code 211.009

- (a)(3) – The board of adjustment may authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done

Local Government Code 211.009

- (b-1) - In exercising its authority under Subsection (a)(3), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
- (2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur
- Staff found that the required parking and queuing spaces would exceed 25% of that area (at least 1,248 square ft needed with only ~3,900 square ft of developable area)



Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
1. Extraordinary Conditions That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.	X		

Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
2. No Substantial Detriment That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.	X		
3. Other Property That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.	X		

Approval Criteria – UDC Section 3.15.030

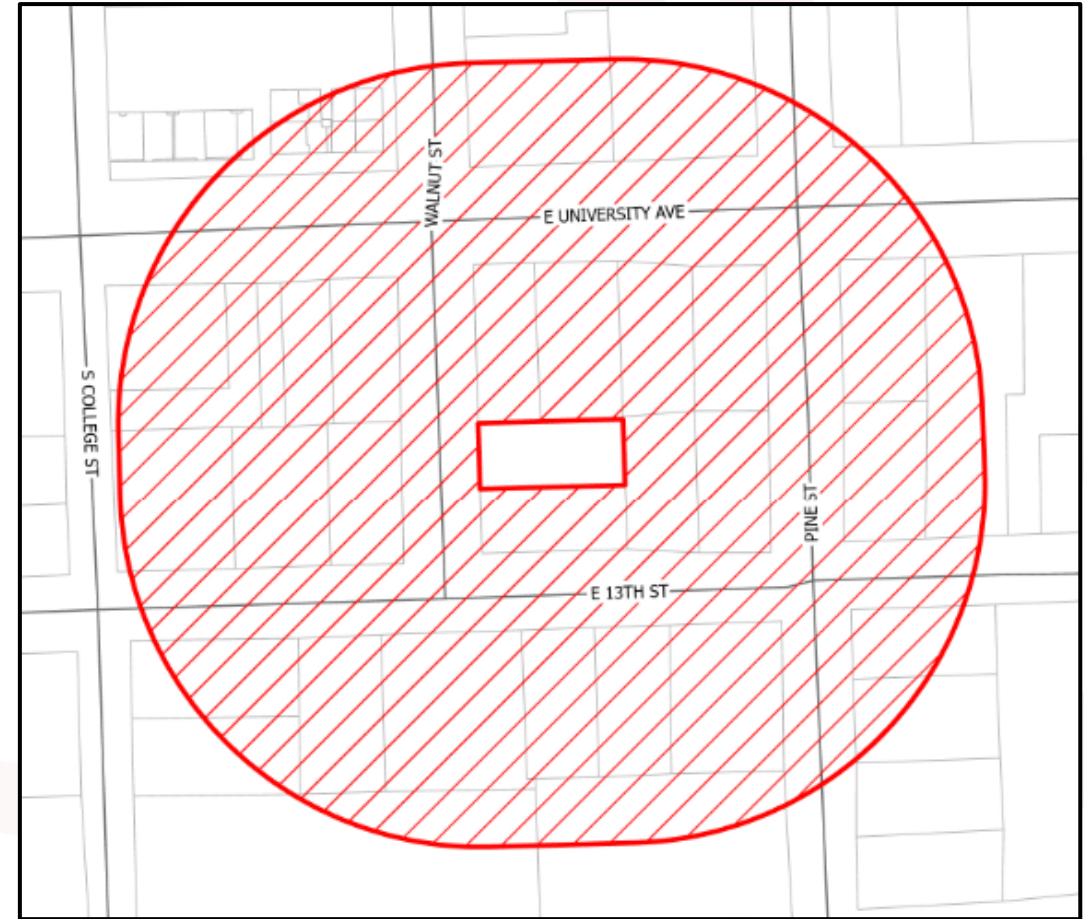
Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
4. Applicant's Actions That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.			X
5. Comprehensive Plan That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.	X		

Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
6. Utilization That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	X		

Public Notifications

- 39 property owners within the 300' buffer
- Notice in Sun News on May 17, 2026
- Signs posted on the property
- To date, staff has received:
 - 0 written comments IN FAVOR
 - 0 written comments OPPOSED



Summary

- Public Hearing and possible action on Zoning Variances to the minimum vehicle stacking spaces and the minimum required parking spaces for a Group Day Care Use pursuant to Section 9.02.030 and 9.04.010 of the Unified Development Code, for the property located at 1205 Walnut Street, Georgetown, TX 78626, bearing the legal description of 0.15 Acres, Part of Block No. 1 of the Snyder's Addition to the City of Georgetown (2026-5-VAR). – Ryan Clark, Planning Manager
- Four votes (a supermajority (3/4) vote of the Board) are required to grant a Variance. A variance that does not receive four votes is considered denied. (Code of Ord. 2.29.040)
- When making a motion, the Board must make a finding of the criteria.

Report Date: May 26, 2026

Case Number: 2026-5-VAR

AGENDA ITEM DESCRIPTION

Public Hearing and possible action on Zoning Variances to the minimum vehicle stacking spaces and the minimum required parking spaces for a Group Day Care Use pursuant to Section 9.02.030 and 9.04.010 of the Unified Development Code, for the property located at 1205 Walnut Street, Georgetown, TX 78626, bearing the legal description of 0.15 Acres, Part of Block No. 1 of the Snyder's Addition to the City of Georgetown (2026-5-VAR). – Ryan Clark, Planning Manager

AGENDA ITEM DETAILS

Project Name: Group Day Care Use Parking Variance
Applicant: Patricia Rojas
Property Owner: Chance Leigh Custom Homes, LLC
Property Address: 1205 South Walnut Avenue, Georgetown, Texas, within Council District No. 6.
Legal Description: 0.15 Acres, Part of Block No. 1 of the Snyder Addition
Current Zoning: Residential Single-Family (RS)
Current Use: Vacant, formerly a single-family home

APPLICANT'S REQUEST

The applicant is seeking to open a Group Day Care Use through a companion Special Use Permit application that seeks to allow up to 12 children under the age of five to attend the Day Care. The Group Day Care Use is required to have six parking spaces and three vehicle stacking spaces by the Unified Development Code (UDC), and the subject property, a former single-family home that is still zoned Residential Single-Family (RS), only has two parking spaces.

RECOMMENDATION

Staff recommend approval of the request with the following condition:

The Day Care shall operate with a staggered drop-off and pick-up schedule that requires no more than three children to be dropped off or picked up within the same 10-minute time frame.

PROPERTY CONTEXT

The subject property is in the Old Town Overlay District and is directly south of Gus's Drug Store on East University Avenue. To its South and East are Single-Family Homes.

STAFF ANALYSIS

Staff reviewed the requested variance and found that the variance to the vehicular parking requirements and stacking spaces requirement complies with five of the six required findings for a zoning variance established in UDC Section 3.15.030, as detailed in Exhibit 4.

Staff found it complies with five of the six based on three primary reasons:

- 1) The Group Day Care Use has the same operational intensity as the Family Day Care Use, which is a separate Use defined in the UDC that is allowed by right with limitations in the RS zoning district. Both uses allow the same number of children, but the Family Day Care Use is only required to have two parking spaces and no stacking spaces, unlike the proposed Group Day Care Use. City Staff do not have any concerns with six of the children being under the age of six versus being over the age of six in terms of operational intensity.
- 2) The Fire and Transportation Departments informed staff that South Walnut Street is wide enough for vehicular parking on both sides of the roadway. There are at least 80' of undisturbed curb on both sides that could allow for up to four parked cars on both sides of the roadway in front of the subject property.
- 3) The subject property is 120.94' by 54.91'. With 30' removed for front and rear setbacks and 12' for side setbacks, the lot has a total area of 3902.2 square feet with which development may physically occur (90.94' by 42.91'). The four additional parking spaces and the three queuing spaces would be at least 1,248 square feet of needed developable area, which is more than 25% of that 3902.2 square feet area with which development may physically occur. Per Local Government Code 211.009(b-1)(2), the board of adjustments may consider the UDC's requirements for parking and stacking spaces as grounds for an unnecessary hardship. See Exhibit 5.

PUBLIC NOTIFICATION

As required by the Unified Development Code, all property owners within a 300-foot radius of the subject property were notified of the Zoning Variance request (19 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (Sunday, May 17, 2026) and signs were posted on-site. To date, staff has received 0 written comments in favor, and 0 in opposition to the request.

ATTACHMENTS

Exhibit 1 – Zoning Map
Exhibit 2 – Conceptual Plan
Exhibit 3 – Letter of Intent
Exhibit 4 – Zoning Variance Criteria Staff Analysis
Exhibit 5 – Local Government Code 211.009

SUBMITTED BY

Ryan Clark, AICP, Planning Manager

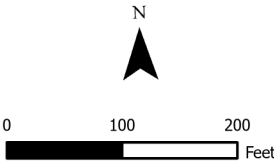


Location

2026-5-VAR

Exhibit #1

-  Site
-  Parcels



Conceptual Site Plan – Zoning Variance Request

Address: 1205 Walnut St, Georgetown, TX 78626

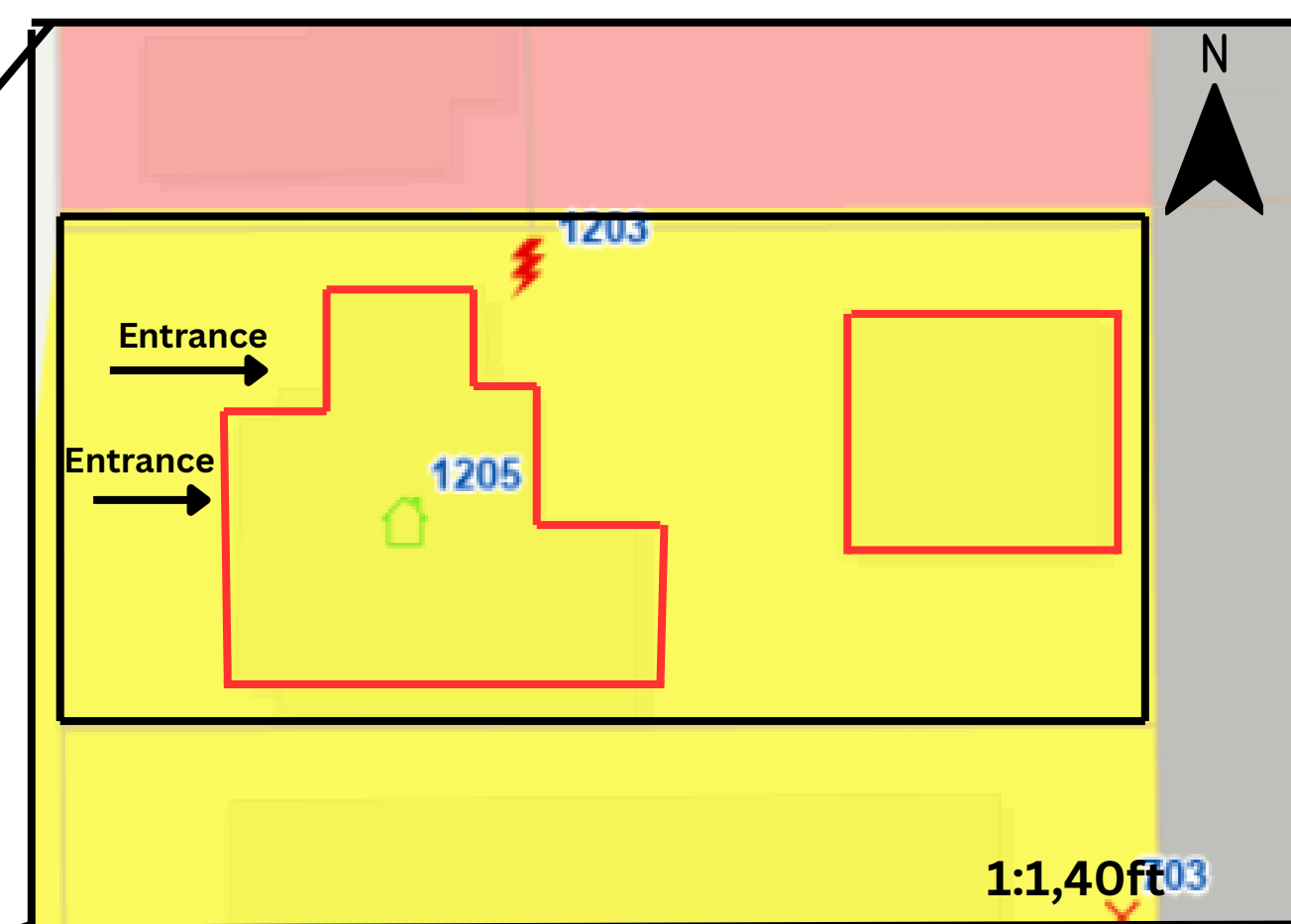
Parcel ID: R594444

Subdivision: S12238 – Snyder Add (Blk 1 Pt Replat)

Block 1, Lot 1

Acreage: 0.153 Acres (Frontage: ~55; Depth: ~ 120)

Zoning District: Residential Single-Family



Variance request: Home Daycare

Request to allow operation of a licensed home daycare with capacity for up to 12 children ages 0–5, in compliance with Texas Health and Human Services childcare regulations and staff to child ratios.

Notes:

- Property located within an existing residential neighborhood.
- Existing structure is a single family residence.
- No structural exterior expansion is proposed.
- Drop off and pick up times will be staggered to minimize traffic impact.
- Private driveway will be used for vehicle access rather than street parking.
- Operator will Supervise all Drop-off and Pick-up transitions to ensure safe and orderly traffic flow

City of Georgetown
Planning Department

Re: Zoning Variance Request – Family Home Day Care

Property Address: 1205 Walnut St

To the Planning Department,

My name is Patricia D. Rojas, and I am the owner and operator of a registered home child care program located at the address listed above.

I respectfully submit this Letter of Intent requesting a zoning variance to allow the operation of a Family Home Day Care serving up to twelve (12) children between the ages of 0–5 years old. Additionally, I respectfully request a zoning variance to lower the amount of parking spaces required by UDC Section 9.02.030 for the Group Day Care Use from six (6) to two (2), and to waive the requirement for a Vehicle Stacking Area consisting of three (3) stacking spaces as required by UDC Section 9.04.010, so that no stacking spaces are required for my intended Group Day Care Use.

If approved, I am amenable to the Zoning Board of Adjustments conditioning my approval to limit the number of children being picked up or dropped off to no more than two (2) at a time within any given 10-minute time frame.

The current zoning interpretation allows a Family Home Day Care to serve six (6) children under the age of fourteen and up to six additional children of elementary school age. My request seeks to modify the age distribution of children served so that the program may serve up to twelve (12) children ages 0–5 instead of limiting the additional six children to school-age only.

Extraordinary Conditions

The property is a single-family residential home that has already been evaluated and approved by the State of Texas Health and Human Services for home child care operations. The configuration of the home, yard space, and safety measures are appropriate for early childhood care. Limiting the program to school-age children for the additional capacity restricts the reasonable use of the property for the type of child care most needed by families in the community, which is care for children under school age.

No Substantial Detriment

Granting this variance will not negatively affect the public health, safety, or welfare of the surrounding neighborhood. The program operates on a small residential scale and follows all state child care safety requirements, supervision ratios, and operational standards. Outdoor play areas are contained within the property and properly fenced, and the number of children served will remain within the overall maximum allowed for Family Home Day Care operations.

To further minimize any potential impact on the neighborhood, staggered drop-off and pick-up schedules will be implemented so that multiple vehicles do not arrive at the same time. At no time will more than one or two vehicles be present simultaneously. All arrivals and departures will be directly supervised to ensure safe and orderly transitions. Additionally, the property includes a spacious private driveway that belongs entirely to the residence, allowing parents to enter and exit safely without creating traffic congestion on the street.

Furthermore, the operation will remain small-scale and residential in nature. There will be no exterior signage, no structural modifications to the home, and the appearance of the residence will remain consistent with the surrounding neighborhood.

Other Property

The conditions supporting this request are specific to this property, including its private driveway, lot configuration, and operational structure, and do not broadly apply to other properties in the vicinity.

Applicant's Actions

The condition limiting the additional capacity to school-age children was not created by the applicant. This request simply seeks to align the permitted capacity with the practical realities and demand of home-based early childhood programs.

Comprehensive Plan

The requested variance supports community needs for accessible child care services while maintaining the residential character of the neighborhood. Small-scale home child care programs are an important resource for working families and are consistent with the intent of residential zoning districts.

Utilization

Without the requested variance, the use of the property as a home child care program would be unreasonably restricted, as most demand for child care services in the area is for children under school age. Allowing the requested variance will enable the property to be utilized in a way that better serves the community while remaining within the overall capacity limits established for Family Home Day Care operations.

Thank you for your consideration of this request.

Sincerely,
Patricia D. Rojas

Report Date: May 26, 2026

Case Number: 2026-5-VAR

UDC Section 3.15.030 – Criteria for Zoning Variance Review

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions and sign regulations of this Unified Development Code if the Variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done.

No Zoning Variance shall be granted unless the ZBA finds that all six of the criteria listed in the table below are met. A seventh criterion established in the UDC states the following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance:

- a. That the property cannot be used for its highest and best use.
- b. That there is a financial or economic hardship, **except as authorized in Local Government Code 211.009(b-1).**
- c. That there is a self-created hardship by the property owner or their agent.
- d. That the development objectives of the property owner are or will be frustrated.

1. Extraordinary Conditions That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.	Complies
The subject property is approximately 6,534 square feet. With setbacks taken into consideration, there is only 3,902.2 square feet of space with which development may occur. The requirement for four additional parking spaces (each 162 square feet, 648 total) plus three stacking spaces (each 200 square feet, 600) total mean that the application of the UDC would require at least 1,248 square feet of the currently developable area be redeveloped for parking and stacking. Local Government	

Planning Department Staff Report

Code 211.009(b-1)(2) states that compliance with an ordinance that “would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur” can be considered as an unnecessary hardship.

Staff additionally finds the subject property to have a unique condition in that it would otherwise comply with the Family Day Care Use’s parking requirements (which allows for the same number of children on the premises) as well as that there is significant amount of parking space available in the Right of Way in front of the subject property on South Walnut Street that may not normally be present in front of single-family homes.

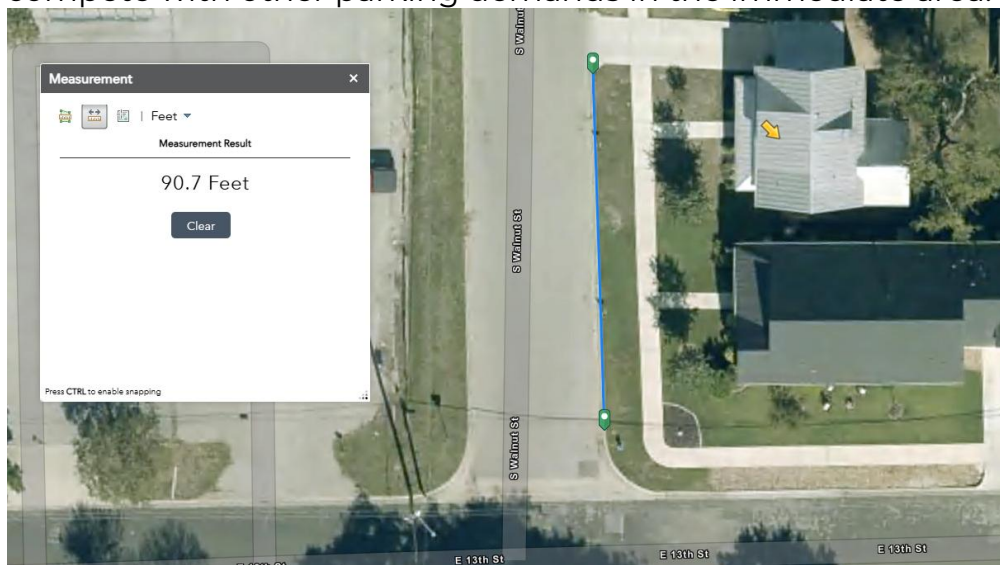
2. *No Substantial Detriment*

That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.

Complies

Granting the variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the area. The nearby businesses on South Walnut Avenue derive their primary entrances and frontages from East University Avenue and have their own parking spaces. No other lots have a driveway along the stretch of South Walnut Avenue adjacent to the subject property.

The City’s Transportation and Fire Department reviewed the case and found that parking is allowed on both sides of South Walnut Avenue at this location, and so there is sufficient (at least 80 feet of undisturbed curb on both sides directly in front of the house and to the south towards East 13th Street that would could fit 8 parked cars) publicly available parking adjacent to the subject property that will likely not compete with other parking demands in the immediate area.



Planning Department Staff Report

3. Other Property That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.	Complies
The subject property is unique in that it is in a location that can accommodate a transitional civic/non-residential use as a day care, transitioning between the drug store and other commercial uses along University Avenue to the North and the Single-Family neighborhood to the South, yet is also a smaller lot at around 6,500 square feet. The requirement for at least 1,248 square feet of additional parking is unique in that it requires a much more substantial percentage of the usable area of the lot than other non-residential uses in the area. While most residential single-family homes would run into this same size constraint if they were proposed to be used as a Group Day Care, this site is unique in that it is in an appropriate transitional location for the use rather than in the middle of a neighborhood. It also has a significant amount (relative to what is required) of available public parking along the street directly in front of the house.	
4. Applicant's Actions That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.	Does not Comply
The conditions that create the need for the Zoning Variance are the result of the applicant's own actions in that they are seeking to operate as Group Day Care Use rather than as a Family Day Care Use, which the subject property allows for.	
5. Comprehensive Plan That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.	Complies
There are no recommendations or policies in the Comprehensive Plan that conflict with the applicant's request to reduce parking.	
6. Utilization That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	Complies
The requirements for six parking spaces and three stacking spaces would unreasonably restrict the utilization of the property for a Group Day Care. The Group Day Care use is no more intense than the Family Day Care Use as both allow for twelve children, yet by seeking to have six of the twelve allowed children be under the age of six years old the UDC require four more parking spaces and three stacking spaces which would take up more than 25% of the usable area of the lot, which staff finds to be an unreasonable requirement in the context of the need for those spaces to be derived by the children's age.	

City of Georgetown, Texas
Zoning Board of Adjustment
June 2, 2026

SUBJECT:

2026-4-VAR – 2401 Westinghouse Road

SUGGESTED ACTION:

Public Hearing and possible action on a Zoning Variance for an accessory structure to encroach into the 15' side setback pursuant to Section 6.02.090.A of the Unified Development Code, for the property located at 2401 Westinghouse Road, bearing the legal description of Lot 6, Block A, out of the North Star Senior Multifamily Subdivision (2026-4-VAR). Colin Davidson, Senior Planner

ITEM SUMMARY:

The applicant is requesting a variance to have an existing garage encroach into the 15' setback.

Staff's Analysis:

The following are the pertinent sections of the Unified Development Code (UDC) related to this request:

- UDC Section 6.02.090.A

Staff has reviewed the variance request and the applicant's stated findings, and has evaluated the request based on the UDC required findings for a variance in accordance with UDC Section 3.15.030, which stated:

Required Findings

The Zoning Board of Adjustment may authorize a variance from the requirements of the zoning provisions of the UDC if the variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done. No variance shall be granted unless the ZBA finds all of the required findings established in UDC Section 3.15.030.A.

Staff has reviewed the submitted Zoning Variance request in accordance with the UDC and other applicable codes. Staff has determined that the request complies with 1 and does not comply with 5 of the required findings established in UDC Section 3.15.030.A for a Zoning Variance as outlined in the attached staff report.

FINANCIAL IMPACT:

SUBMITTED BY:

Stephanie McNickle, Planning Department

ATTACHMENTS:

[2026-4-VAR - Presentation.pdf](#)

[2026-4-VAR - Staff Report.pdf](#)

[Exhibit 1 - Zoning Map.pdf](#)

[Exhibit 2 - Concept Plan.pdf](#)

[Exhibit 3 - Letter of Intent.pdf](#)

[Exhibit 4 - Approval Criteria Staff Analysis.pdf](#)

[Exhibit 5 - Public Comment.pdf](#)

2401 Westinghouse Road 2026-4-VAR

June 2nd, 2026| Zoning Board of Adjustment

Item Under Consideration

2026-4-VAR

- Public Hearing and possible action on a Zoning Variance for an accessory structure to encroach into the 15' side setback pursuant to Section 6.02.090.A of the Unified Development Code, for the property located at 2401 Westinghouse Road, bearing the legal description of Lot 6, Block A, out of the North Star Senior Multifamily Subdivision (2026-4-VAR). Colin Davidson, Senior Planner

Item Under Consideration

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions of this Unified Development Code if the Variance from the terms of the zoning provisions is:

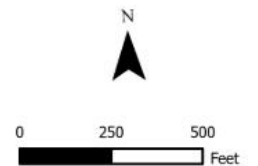
- Not contrary to the public interest
- Due to special conditions
- A literal enforcement of the requirements would result in unnecessary hardship
- The spirit of this Code is preserved
- Substantial justice done



Aerial

2026-4-VAR

-  Site
-  City Limits
-  Georgetown ETJ



Summary of Request

- Applicant is seeking a variance to allow an existing garage to encroach into a setback.
- Garage was shown and approved on 2019-12-SDP.
- This variance would eliminate the existing non-conformity.



Zoning Variance

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions of this Unified Development Code if the Variance from the terms of the zoning provisions is:

- Not contrary to the public interest
- Due to special conditions
- A literal enforcement of the requirements would result in unnecessary hardship
- The spirit of this Code is preserved
- Substantial justice done

Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
1. Extraordinary Conditions That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.			X

Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
2. No Substantial Detriment That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.	X		
3. Other Property That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.			X

Approval Criteria – UDC Section 3.15.030

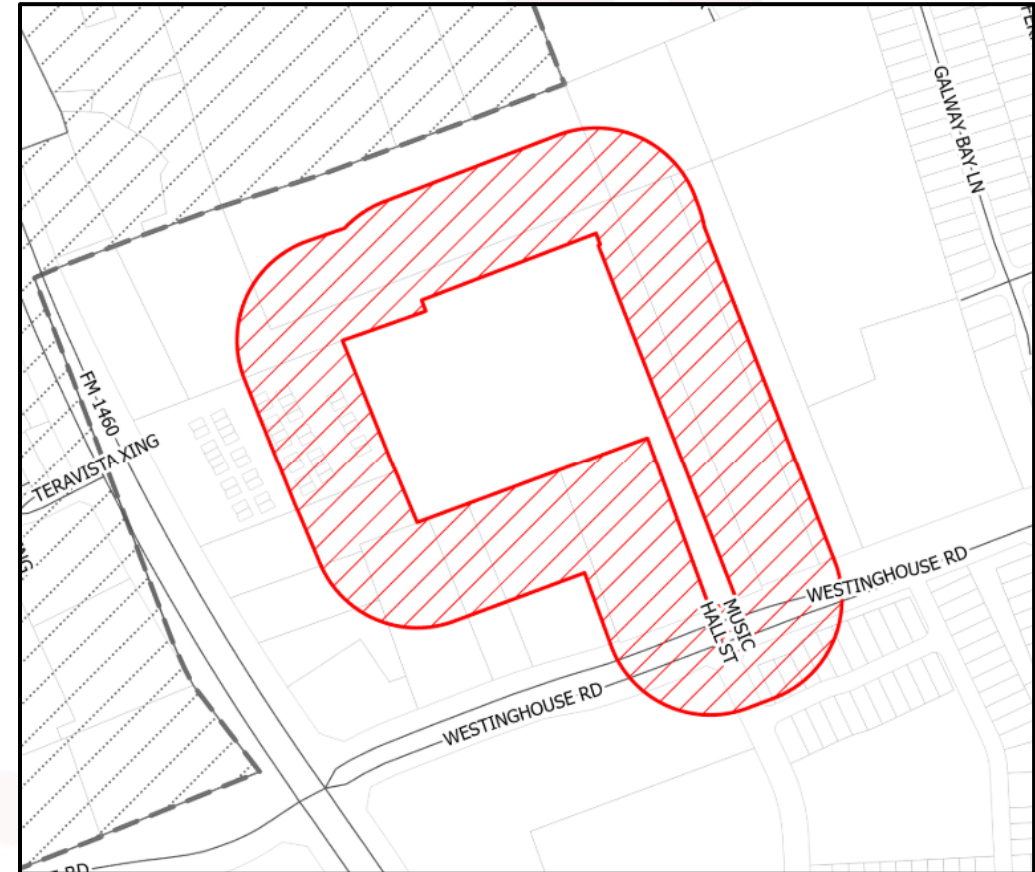
Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
4. Applicant's Actions That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.			X
5. Comprehensive Plan That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.			X

Approval Criteria – UDC Section 3.15.030

Criteria for Rezoning	Complies	Partially Complies	Does Not Comply
6. Utilization That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.			X

Public Notifications

- 21 property owners within the 300' buffer
- Notice in Sun News on 5/17/2026
- Signs posted on the property
- To date, staff has received:
 - 1 written comments IN FAVOR
 - 0 written comments OPPOSED



Summary

- Public Hearing and possible action on a Zoning Variance for an accessory structure to encroach into the 15' side setback pursuant to Section 6.02.090.A of the Unified Development Code, for the property located at 2401 Westinghouse Road, bearing the legal description of Lot 6, Block A, out of the North Star Senior Multifamily Subdivision (2026-4-VAR). Colin Davidson, Senior Planner
- Four votes (a supermajority (3/4) vote of the Board) are required to grant a Variance. A variance that does not receive four votes is considered denied. (Code of Ord. 2.29.040)
- When making a motion, the Board must make a finding of the criteria.

Report Date: May 27, 2026

Case Number: 2026-4-VAR

AGENDA ITEM DESCRIPTION

Public Hearing and possible action on a Zoning Variance for an accessory structure to encroach into the 15' side setback pursuant to Section 6.02.090.A of the Unified Development Code, for the property located at 2401 Westinghouse Road, bearing the legal description of Lot 6, Block A, out of the North Star Senior Multifamily Subdivision (2026-4-VAR). Colin Davidson, Senior Planner

AGENDA ITEM DETAILS

Project Name: 2401 Westinghouse Road Variance
Applicant: Amanda Brown, HD Brown Consulting, LLC
Property Owner: CSH Georgetown ACT LLC
Property Address: 2401 Westinghouse Road, Georgetown, Texas within Council District No. 7
Legal Description: Lot 6, Block A, out of the North Star Senior Multifamily Subdivision
Current Zoning: High Density Multifamily (MF-2)
Current Use: Multifamily, Attached

APPLICANT'S REQUEST

The applicant is requesting to encroach into the 15' side setback pursuant to section 6.02.090 of the UDC. This existing structure was erroneously approved with Site Development Plan #2019-12-SDP.

RECOMMENDATION

Staff recommends denial of the request.

PROPERTY CONTEXT

The subject property is currently home to two multifamily buildings comprising of 210 age restricted units, community amenities, and on-site garages. The property is surrounded by an existing office park on the west side and a proposed office park on the south side. Additionally, there is also a private school along the southern boundary of the subject site. An existing garage is located on the southern property

Planning Department Staff Report

boundary about 3' from the property line, encroaching into the side setback and is the center of this request. The closest proposed building to the garage is roughly 26' away.

STAFF ANALYSIS

Staff reviewed the requested variance and found that the request does not comply with 5 of 6 required findings for a zoning variance established in UDC Section 3.15.030, as detailed in Exhibit 4.

In summary, staff analysis finds that while the structure was permitted in error through the approval of an SDP, the approval of this variance would preserve this error permanently allowing this structure and future structures to encroach into this setback in perpetuity. The structure is currently non-conforming and should be left that way, so that when the property redevelops, or the garage needs to be replaced, it is moved out of the setback.

PUBLIC NOTIFICATION

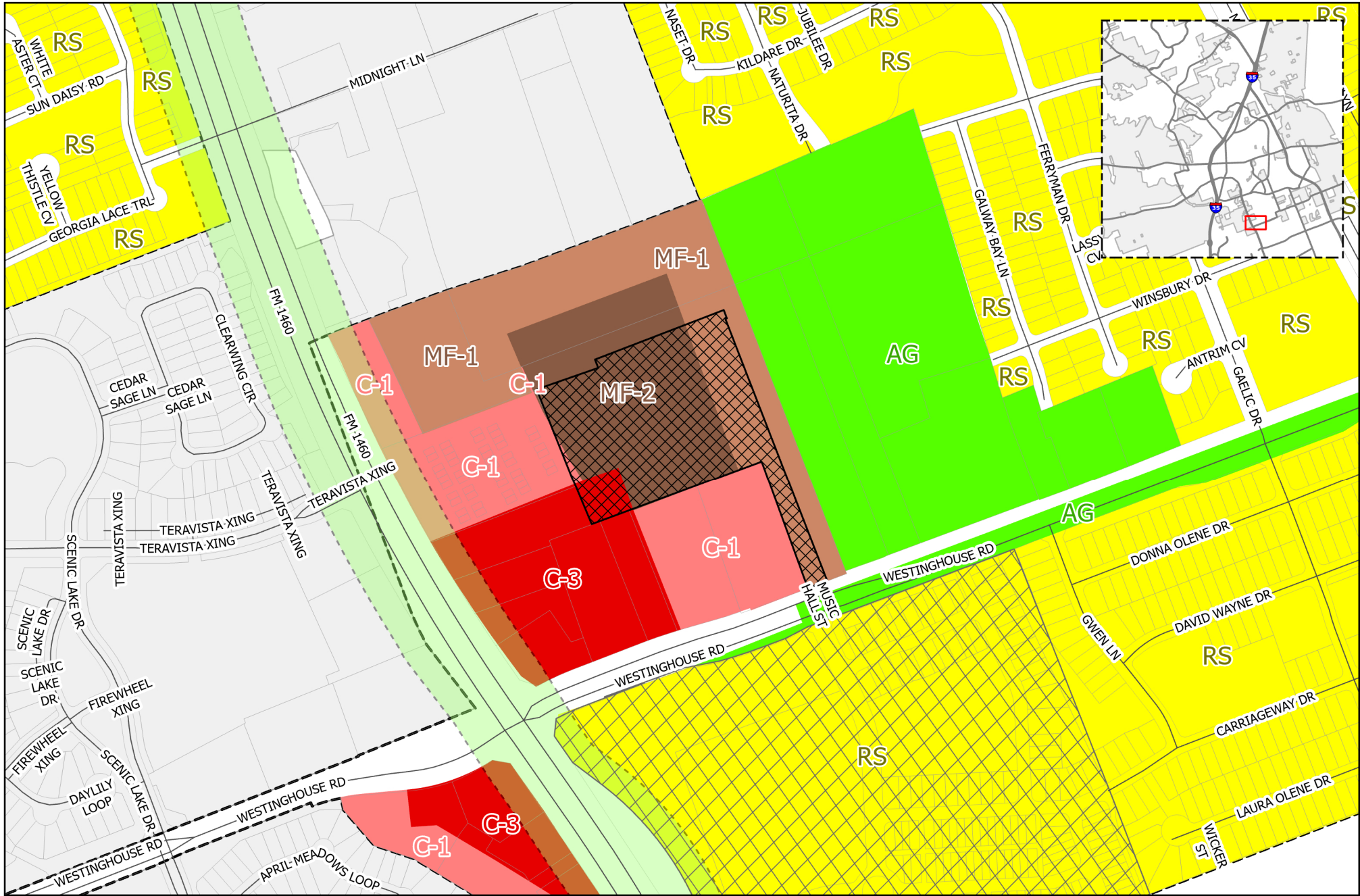
As required by the Unified Development Code, all property owners within a 300-foot radius of the subject property were notified of the Zoning Variance request (21 notices), a legal notice advertising the public hearing was placed in the Williamson County Sun Newspaper (5.17.2026) and signs were posted on-site. To date, staff has received 1 written comments in favor, and 0 in opposition to the request.

ATTACHMENTS

Exhibit 1 – Zoning Map
Exhibit 2 – Conceptual Plan
Exhibit 3 – Letter of Intent
Exhibit 4 – Zoning Variance Criteria Staff Analysis
Exhibit 5 – Public Comment

SUBMITTED BY

Colin Davidson, Senior Planner



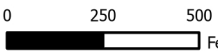
Zoning 2026-4-VAR

Exhibit #3

- Site
- road
- PUD
- Courthouse View Overlay
- Old Town Overlay
- Historic Overlay
- Downtown Overlay
- Gateway Overlay
- Parcels

Zoning ZONE

- AG -Agriculture
- BP - Business Park
- C-1 - Local Commercial
- C-3 - General Commercial
- CN - Neighborhood Commercial
- IN - Industrial
- MF-1 - Low-Density Multi-family
- MF-2 - High-Density Multi-family
- MH - Manufactured Housing
- MU-DT - Mixed-Use Downtown
- OF - Office
- PF - Public Facility
- RE - Residential Estate
- RL - Residential Low-Density
- RS - Residential Single-Family
- TF -Two-Family
- TH -Townhouse
- City Limits
- Georgetown ETJ



April 6, 2026

Edgar Garcia
Planning Director
City of Georgetown Planning Department
809 Martin Luther King Jr Street
Georgetown, TX 78626

RE: Request for a Zoning Variance; Block A, Lot 6 of the North Star Senior Multifamily Subdivision; Case Number 2019-12-SDP; 11.5 acres generally located at 2401 Westinghouse Road; WCAD parcel R584701 (the “Property”).

Dear Mr. Garcia,

As representative of the owner of the above stated Property we respectfully submit the attached application for a zoning variance to be heard at the Zoning Board of Adjustments (ZBA). The purpose of the variance is to correct an error in the site plan approval of the Northstar Georgetown development to allow for an existing encroachment of a detached garage into the 25’ zoning setback.

The Northstar Georgetown is a residential community for active adult living, only allowing residents aged 55 or over. It is a highly amenitized community which includes a clubhouse, resort style pools, and theater room. The community has designated staff to create a vibrant and engaging community for the residents, including coordinating multiple community activities on a daily basis.

The site plan (2019-12-SDP) was reviewed and approved by the City of Georgetown in 2019. The project was subsequently constructed in accordance with the approved site plan and received a Certificate of Occupancy in 2021 with Permit # 2018-45607 (Exhibit A). The building is currently occupied with residents. A minor part of the approved site plan was a detached garage structure which is out of compliance with the required 25’ zoning front setback (UDC § 6.02.090) along the southern property line, as shown on Exhibit B. This appears to be a minor error in the site plan review process. The property to the south is developed with an existing school with a building constructed 119’ feet south of the subject tracts property line.

The requested zoning variance is a minor administrative request to ensure the existing, approved project complies with all rules and requirements of the City’s Unified Development Code (UDC). Below is describes how the request meets the criteria for a zoning variance established in UDC § 3.15.030:

This request complies with the criteria of UDC 3.25.030 for an annexation:

- 1. Extraordinary Conditions. That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified**

Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.

The special condition affecting the site is that the entire project, including the encroaching garage structure, exists and is occupied by residents. The garage was reviewed and approved by the City of Georgetown through the site development plan process and was erroneously approved. The purpose of the variance is to correct an error. Additionally, this current use of the Property, including the garage, has been in existence for several years without causing any concern or harm to adjacent neighbors.

- 2. No Substantial Detriment. That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.**

The garage encroachment is minor in nature and will not pose a detriment to other property in the area. The garage only extends 130' along the property line is not occupied as a living space.

- 3. Other Property. That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.**

The condition of the Property is unique in that the garage structure exists and is occupied. The site plan review process is a very comprehensive review, which rarely results in errors.

- 4. Applicant's Actions. That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.**

The garage structure was constructed according the approved site plan which was reviewed and approved by the City of Georgetown. The intent was to construct a code compliant development, but the setback encroachment was erroneously overlooked.

- 5. Comprehensive Plan. That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.**

The garage structure and the property adjacent to the setback encroachment is within the Community Center future land use and will not conflict with the comprehensive plan. Additionally, the adjacent zoning to the south is zoned Local Commercial (C-1) which is a more intense zoning category than the Property, which is residentially zoned with MF-2.

- 6. Utilization. That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.**

The purpose of the variance is to allow for the property to be utilized as it is being used currently by the residents of the community. The variance is intended to correct an error in the site development plan.

7. Insufficient Findings. The following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance:

a. That the property cannot be used for its highest and best use.

The purpose of the variance is to allow for the existing residents to continue to live in the current use and structure legally.

b. That there is a financial or economic hardship, except as authorized in Local Government Code 211.009(b-1).

There is no financial or economic hardship.

c. That there is a self-created hardship by the property owner or their agent.

There is not a self-created hardship. The structures in the project were constructed according to construction plans that were reviewed and approved by the City of Georgetown.

d. That the development objectives of the property owner are or will be frustrated.

The development is existing.

If there any questions or if additional information is needed regarding this application, please reach out at your convenience.

Sincerely,



Amanda Brown, President
HD Brown Consulting, LLC



City of Georgetown
Building Inspection Department

Certificate of Occupancy

This Certificate is issued pursuant to the requirements of Section 110 of the 2012 International Building Code certifying that at the time of issuance this structure was in compliance with the Ordinances of the City of Georgetown regulating building construction and development use for the following:

Property Address: 2401 & 2403 Westinghouse Rd, Georgetown, TX 78626

Permit Number: 2018-45607

Occupancy Classification: Multi-Family R2

Construction Type: IBC Type 5

Zoning: MF-2

Occupant Load: Multi-Family 210
Unit

Property Owner: APITX 10, LLC dba North Star Georgetown

Business : APITX 10, LLC dba North Star Georgetown

Business Owner: APITX 10, LLC dba North Star
Georgetown

Address: 6601 E Hillcrest Ave. Ste 212, Dallas TX, 75205

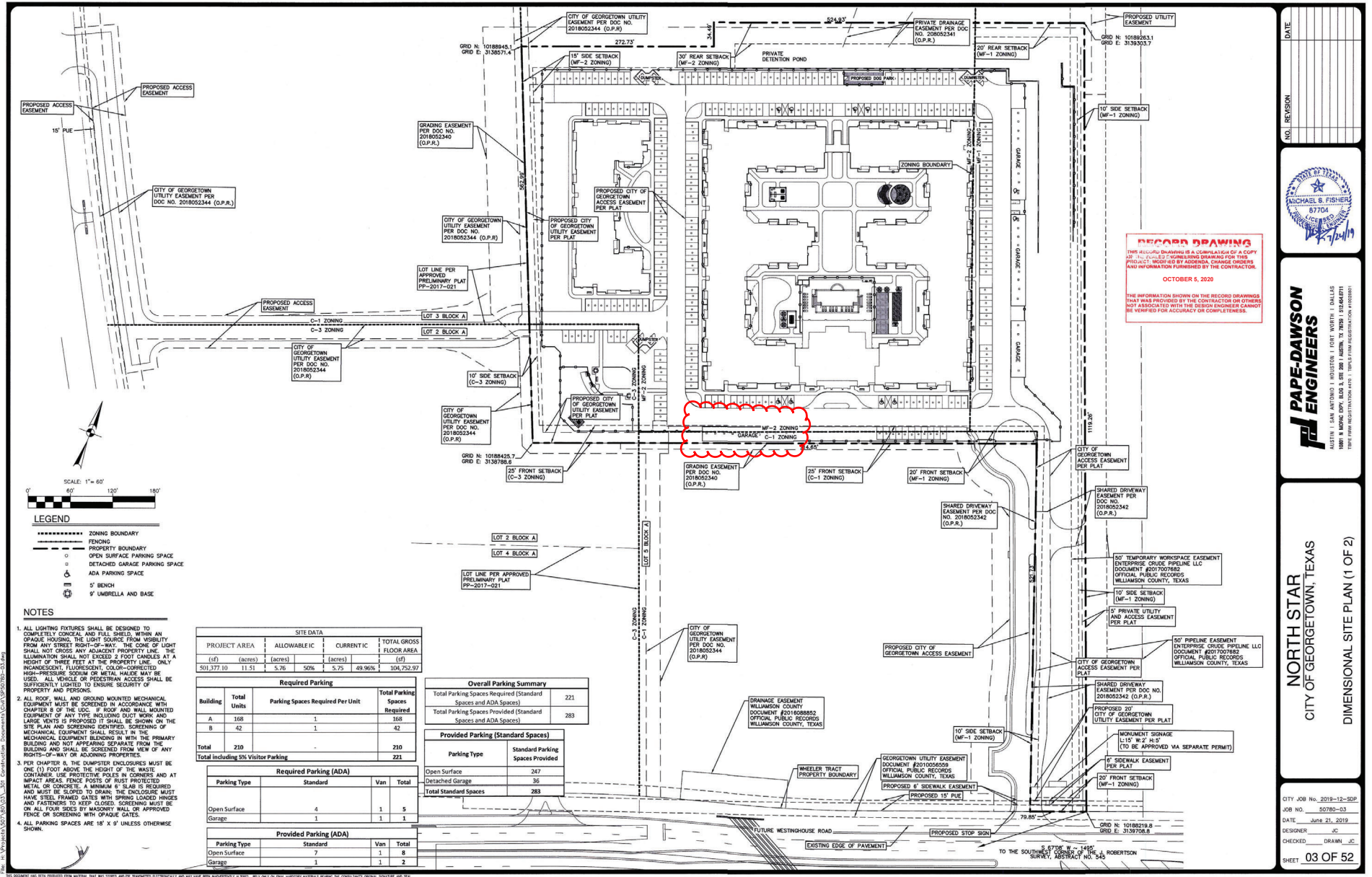
Building Official

1/29/2021

Date

Must post at place of business.

Exhibit B



RECORD DRAWING
THIS RECORD DRAWING IS A COMPLIANCE OF A COPY OF THE ORIGINAL DRAWING. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES. ANY CHANGES OR MODIFICATIONS TO THIS DRAWING MUST BE APPROVED BY THE DESIGNER. THE INFORMATION SHOWN ON THE RECORD DRAWINGS THAT WAS PROVIDED BY THE CONTRACTOR OR OTHERS NOT ASSOCIATED WITH THE DESIGN ENGINEER CANNOT BE VERIFIED FOR ACCURACY OR COMPLETENESS.

OCTOBER 5, 2020

PAPE-DAWSON ENGINEERS
AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
1000 N. MOORE BLVD., SUITE 200 | AUSTIN, TX 78701 | 512.464.0711
TYPE 1000 REGISTRATION NO. 1 | TYPE 1000 REGISTRATION NO. 10000001

NORTH STAR
CITY OF GEORGETOWN, TEXAS
DIMENSIONAL SITE PLAN (1 OF 2)

CITY JOB NO. 2019-12-SOP
JOB NO. 50789-03
DATE: June 21, 2019
DESIGNER: JC
CHECKED: DRAWN: JC
SHEET 03 OF 52

Report Date: May 27, 2026

Case Number: 2026-4-VAR

UDC Section 3.15.030 – Criteria for Zoning Variance Review

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions and sign regulations of this Unified Development Code if the Variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done.

No Zoning Variance shall be granted unless the ZBA finds that all six of the criteria listed in the table below are met. A seventh criteria established in the UDC states the following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance:

- a. That the property cannot be used for its highest and best use.
- b. That there is a financial or economic hardship, except as authorized in Local Government Code 211.009(b-1).
- c. That there is a self-created hardship by the property owner or their agent.
- d. That the development objectives of the property owner are or will be frustrated.

1. Extraordinary Conditions That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.	Does Not Comply
There are no special or extraordinary conditions affecting the land that deprive the applicant of the reasonable use of their land. The structure was permitted in error through the approval of Site Development Plan #2019-12-SDP and is considered a non-conforming structure due to its encroachment into the setback. There are no unique features or conditions on the land that prevented the structure from being constructed outside of the setback, in accordance with the UDC. While the error in review is an extraordinary condition, the granting of this variance would preserve this error and allow for the site to continue to	

Planning Department Staff Report

occupy the setback, even if the property were to redevelop or be modified in the future. The denial of this variance will not result in the structure being demolished but will result in the need for this non-conforming to be addressed before the site can be further modified or redeveloped.	
2. <i>No Substantial Detriment</i> That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.	Complies
The granting of this variance is not anticipated to be detrimental to the public health, safety, or welfare of the city or injurious to other property in the area. The existing garage sits less than 3' from the property line, but no closer than 26' to any existing or proposed building. The property that abuts the subject site to the south is zoned Local Commercial (C-1), which has a 25' rear setback to any adjacent residential zoning district, meaning a building could not be constructed near the existing garage maintaining a safe distance in terms of fire separation. There are no other detrimental impacts in terms of drainage or access.	
3. <i>Other Property</i> That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.	Does Not Comply
There appear to be no conditions unique to this property that necessitate the need for a variance that do not generally apply to other properties in the vicinity. Garage structures are not allowed to encroach into zoning setbacks, and while approved erroneously through an SDP, this does not alleviate the property from requirements of the UDC.	
4. <i>Applicant's Actions</i> That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.	Does Not Comply
The conditions that create the need for this variance are the result of the applicant's own actions. While the site plan showing the garage was approved, there is still a responsibility to design and construct a site in accordance with the standards of the UDC.	

Planning Department Staff Report

5. Comprehensive Plan That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.	Does Not Comply
The proposed request would conflict with the purposes of the UDC. The code lays out setbacks for residential properties in order to promote building separation. Additionally, the UDC states one of the code's objectives is to <i>"Establish a process that effectively and fairly applies the regulations and standards of this Code and respects the rights of property owners and the interests of citizens."</i> Allowing the garage to encroach into the side setback in perpetuity would conflict with this statement. Setbacks are a universal development regulation and the encroachment into one is not supported by the code.	
6. Utilization That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	Does Not Comply
The application of the code would not unreasonably restrict the use of the subject property. The use and function of this property does not depend on a garage being allowed to encroach into a setback.	

May 6, 2026

City of Georgetown
Council and Court Building
510 W 9th Street
Georgetown, TX 78626

Dear Zoning Board of Adjustment:

As a nearby stakeholder, please accept this letter as a formal statement of non-opposition to the requested zoning variance for the subject property located at **2401 Westinghouse Road** (Project No. 2026-4-VAR).

Thank you,

Jon Denton
NORTH FOREST OFFICE SPACE
[Signature]