

VARIANCE CHECKLIST

- The Court may authorize a variance from these regulations when, in the opinion of the Commissioners Court, undue hardship will result from requiring strict compliance.
- In granting a variance, the Court shall prescribe only conditions that it deems necessary to, or desirable in, the public interest
- In making the findings required, the Court shall take into account the
 - nature of the proposed use of the land involved,
 - existing use of land in the vicinity,
 - the number of persons who will reside or work in the proposed subdivision, and
 - the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
- No variance shall be granted unless the Court finds:
 - That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of these Rules & Regulations would deprive the applicant of the reasonable use of his land; and
 - That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
 - That the granting of a variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
 - That the granting of a variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Kerr County Subdivision Rules & Regulations.
 - No variance shall be permitted with regard to the provision of water or wastewater services to residential development with two or more lots of five acres or less.
 - Such findings of the Court together with the specific facts upon which such findings are found shall be incorporated into the official minutes of the Court meeting at which such variance is granted.
 - Variances may be granted only when such variance is consistent with the general purpose and intent of these Kerr County Subdivision Rules & Regulations.
 - Monetary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship.