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PLANNING

Planning is a Division of the Department of Planning & Development Services

ADMINISTRATIVE ADJUSTMENTS

What is an administrative adjustment?

An administrative adjustment is a specified deviation from otherwise applicable development standards where development is proposed that would be (1) compatible with surrounding land uses; (2) in keeping with the public interest; and, (3) consistent with the purposes of the Zoning Ordinance.

Who can approve administrative adjustments?

The Director of Planning & Development Services is the approving authority.

What administrative adjustments are allowed?

The Director of Planning & Development Services only has the authority to grant adjustments in the following situations:

- An increase in the floor area of a residential accessory building above 50%, to no more than 60% of the total square footage of the principal structure, or above 100%, to no more than 110% of the principal structure on lots in Ranch & Estate (R&E) zoning districts;
- Allow a single delay in the provision of paved surface for off-street parking spaces required under the terms of this Zoning Ordinance, for a period up to 90 days;
- A variance of up to 10% from a numerical standard in Articles 4 or 5; and, *Examples: Decreasing the minimum setback requirements from 25 feet to 22.5 feet, increasing the Floor Area Ratio from 50% to 60%.*
- Allow an all-weather surface to be substituted for the requirement to pave the minimum off-street parking spaces required for single-family residences, where a finding is made that the character of the surrounding area is principally recreational or rustic in nature, with relatively narrow roadways not bordered by curbs and generally uncharacteristic of urban streets.

What is the process for this type of request?

1. Submit a completed application with the required application fee, as outlined on the Planning Fee Schedule.
2. The Director of Planning & Development Services will review the application and respond with one of three responses: approved, approved with conditions, or denied
3. The Director may impose conditions on an administrative adjustment as necessary to prevent or minimize adverse effects upon the public and the neighborhoods, and to ensure compatibility of the site with its surroundings. The decision, & related conditions, will be provided in writing to the applicant.

What criteria are used to determine the ruling on this type of request?

To approve an application, the Director will ensure that the following criteria are met:

- That granting the administrative adjustment will ensure the same general level of land use compatibility as the otherwise applicable standards;
- That granting the administrative adjustment will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate buffering, screening, setbacks and other environmental considerations;
- That granting the administrative adjustment will not adversely affect value of nearby property in any material way; and,
- That granting the administrative adjustment will be generally consistent with the purposes and intent of this Zoning Ordinance.

Is there a process for appeal of a decision?

Yes, an appeal of the Director's decision may be made within 30 days of the mailing of the decision. The appeal will be heard by the Zoning Board of Adjustment.

Does the decision expire?

Unless otherwise specified in the Director's approval, an application to commence construction of the approved adjustment must be applied for and approved within 12 months from the date of the Director's written acknowledgement of approval; otherwise, the administrative adjustment shall automatically become null and void

Additionally, approval of an adjustment shall authorize *only* the particular allowance, variation or exception which was specifically approved by the Director. Administrative approval of such an adjustment – so long as the application to commence is applied for and approved within 12 months of the decision - runs with the land.