



NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
Wednesday, September 17, 2025 – 12:00 noon

Notice is hereby given that a meeting of the Zoning Board of Adjustments of the City of Marble Falls, Texas, will be held on **Wednesday, September 17, 2025, at 12:00 noon** in the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, at which time the following subject will be discussed:

- 1. Call to order and announce presence of quorum.**
- 2. Consideration and action** on appointment of a Chairman and Vice-Chairman of the Zoning Board of Adjustment.
- 3. Public Hearing, Discussion, and Action** regarding a request for Zoning Variances to Section 4.3.1, Nonresidential and Mixed-Use Lot and Building Standards, regarding minimum street side setback within the General Commercial Zoning District, located west of N US 281 and south of Lantana Drive, City of Marble Falls, Burnet County, Texas, municipally addressed as 1300 Lantana Drive, Marble Falls, Texas. Case No. 2025-47-ZV. *Scarlet Moreno, Director of Development Services*
- 4. Adjournment.**

“The Zoning Board of Adjustments reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code including but not limited to, Section 321.3022 (Sales Tax Information).”

In compliance with the Americans for Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending the Board Meetings. To better serve you, requests should be received 24 hours prior to the meeting, by contacting Kaela Williams, Development Services Coordinator, at 830-798-7095.

Certificate of Posting

I, Scarlet Moreno, Director of Development Services, for the City of Marble Falls, Texas, certify this Meeting Notice was posted at the Marble Falls City Hall in a place readily accessible to the general public for at least three business days before the scheduled time of said meeting.

A handwritten signature in cursive script that reads "Scarlet Moreno".

Scarlet Moreno, Director of Development Services



Agenda Item #: 3

Item Description: Public Hearing, Discussion, and Action regarding a request for Zoning Variances to Section 4.3.1, Nonresidential and Mixed-Use Lot and Building Standards, regarding minimum street side setback within the General Commercial Zoning District, located west of N US 281 and south of Lantana Drive, City of Marble Falls, Burnet County, Texas, municipally addressed as 1300 Lantana Drive, Marble Falls, Texas.

Case No. 2025-47-ZV

Board Action: Approve or Deny

Department: Development Services

Staff Contact: Scarlet Moreno, Director of Development Services; Hanna Kadow, Planner

Property Owner: Sisters of Mercy Properties, LLC

Applicant Name: Austin Moon

Property Address: 1300 Lantana Drive, Marble Falls, Texas 78654

Item Summary

The subject property located at 1300 Lantana Drive is a commercial property within the General Commercial Zoning District (GC).

The Applicant is requesting relief (10 ft) from the 25-foot street side yard setback for a carport. The carport that has been constructed measures 24 feet deep and 8 feet wide (192 s.f.) and was constructed by a contractor without first obtaining the necessary building permit in August 2025.

The zoning code requires that the street side yard building setback is 25 feet within the General Commercial (GC) zoning district. The front lot line is situated approximately 11 feet from the paved section of the road. The business is constructed approximately 43 feet from the street side lot line. The majority of businesses along Lantana Drive and US 281 are in compliance with the street side yard setback for the zoning district. Based upon these existing conditions, this would not allow any of the businesses to construct a carport in the street side yard setback.

Street side yard setback impact: The carport encroaches into the street side yard setback by approximately twelve feet (10 ft.). The carport is not in compliance with the street side setback, 25-foot, within the General Commercial zoning district.

Notices

A total of 14 adjacent property owners within 200 feet of the Subject Area were mailed notification letters, which included the public hearing date and a pre-paid comment card for supporting/opposing the proposed variance. At the time of packet distribution, no comment cards had been received against this request citing safety concerns and no cards were received in favor.



ZBA Action Options

ZBA may approve, disapprove, or approve with conditions as deemed necessary to ensure compatibility with abutting uses and to preserve the public health, safety and welfare, and to promote compliance with the review criteria set out in the below table.

Code Reference:

The Zoning Variance is intended to provide relief from the terms of the zoning regulations when, because of **special circumstances applicable to the property, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classification** to ensure that any adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity in the district in which such property is situated. A Zoning Variance shall only be authorized for relief of zoning regulations that directly impact the undue hardship, such as setback dimensions, lot dimensions, floor area, structure height, building coverage, and lot coverage.

Review Criteria.

Insufficient Grounds for Zoning Variance. The following conditions do not constitute sufficient grounds for granting a Zoning Variance:

- a. That the property be used for its highest and best use;
- b. A financial or economic hardship, if the property can be used within the requirements of these regulations;
- c. Self-created hardships; or
- d. That the development regulations are an inconvenience.

In the review and consideration of a Zoning Variance application, the following criteria shall be considered:

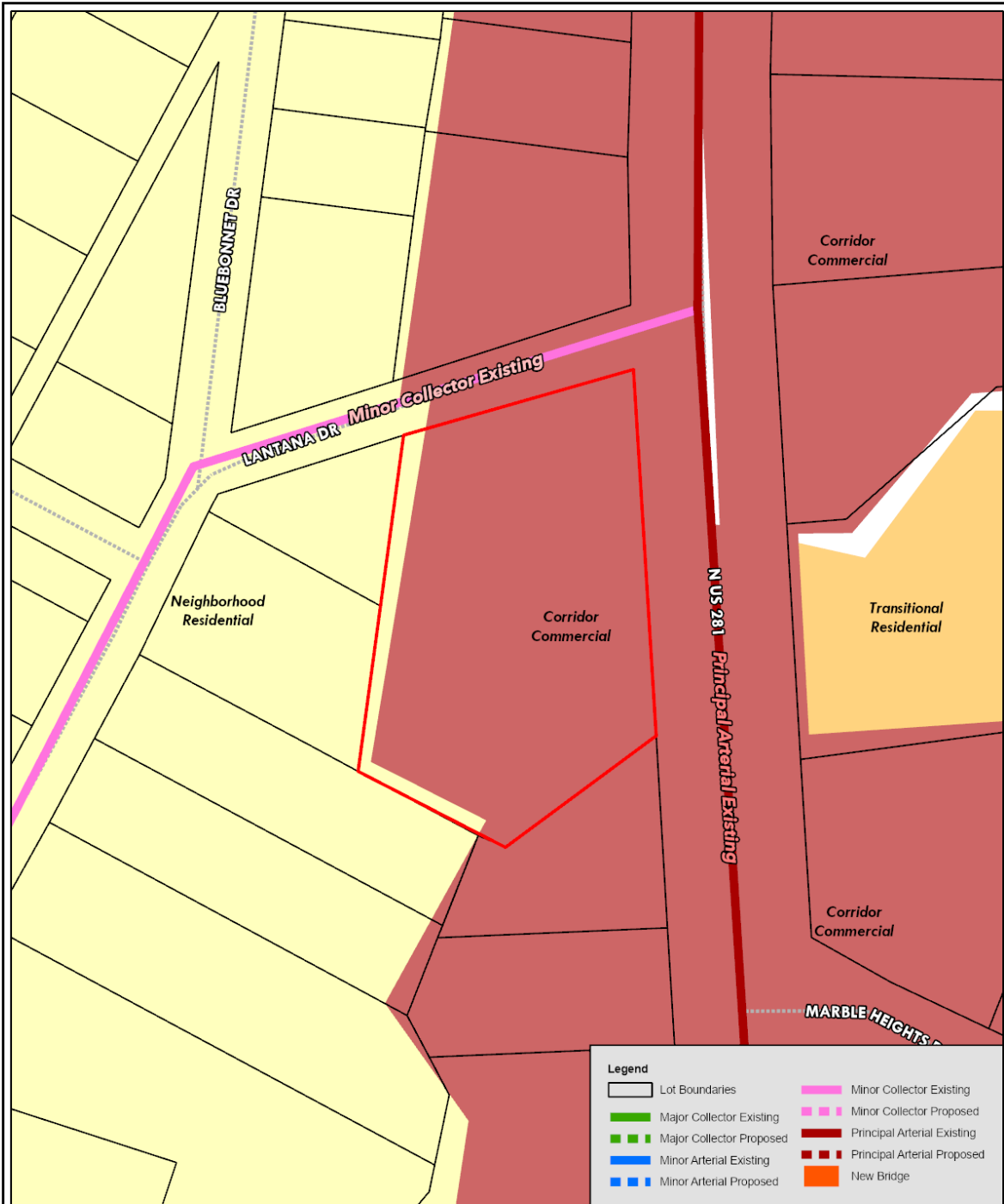
Criteria	Analysis
<p>Hardship Shall Exist. The applicant shall show that, due to unique conditions of the property, compliance with the requirements of these regulations will create an undue hardship and will effectively prohibit or unreasonably restrict the use of the property. Such hardship shall be unique conditions of the property (e.g., size, shape, or topography) and not be self-created by the owner/operator.</p>	<p>There are no identified unique conditions of the property (size, shape, or topography).</p>

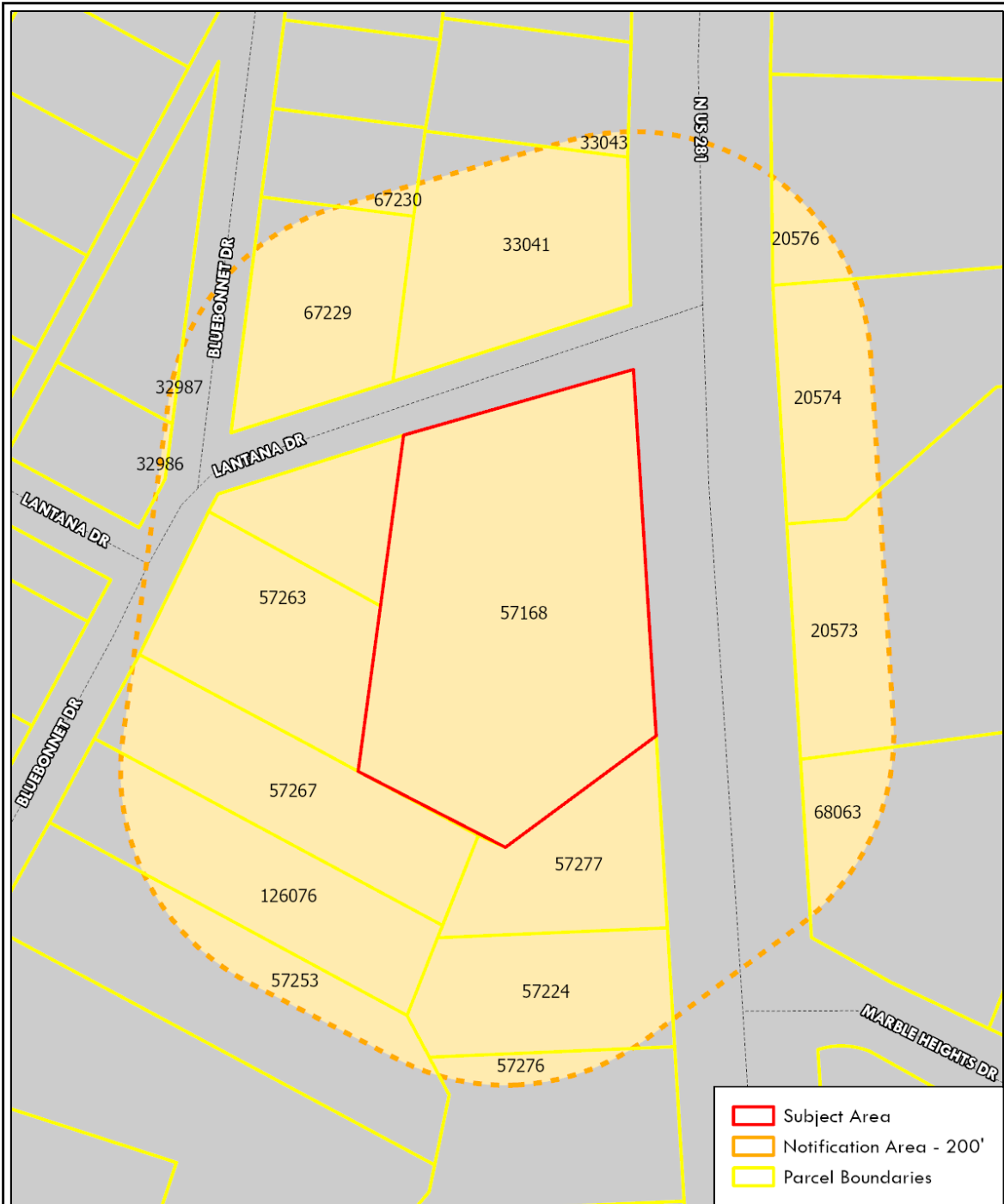


<p>Compatibility of the Zoning Variance. The Zoning Variance shall be compatible with the City's Comprehensive Plan, the City's other long-range plans, abutting land uses, and the purpose and intent of these regulations. The Zoning Board of Adjustment shall take into account the nature of the existing or proposed use of the subject property, existing uses in the surrounding vicinity of the subject property, and the probable effect the Zoning Variance will have upon traffic conditions and upon health, safety, and welfare of the public.</p>	<p>The Comprehensive Plan ensures development to support businesses that rely on high traffic volume and the visibility associated with being located along a major roadway. While accommodating the automobile will be the predominant focus, improved and enhanced design techniques will improve the quality and appearance of major corridors. The addition of the carport does not impose unfavorable conditions to traffic conditions, health, safety, and welfare of the public.</p> <p>The majority of businesses along Lantana Drive and US 281 are in compliance with the street side yard setback for the zoning district. Based upon these existing conditions, this would not allow any of the businesses to construct a carport in the street side yard setback.</p>
<p>Criteria</p>	<p>Analysis</p>
<p>Limitations on Permitted Zoning Variance. The requested Zoning Variance shall focus on only what is necessary to relieve the undue hardship. The Zoning Variance shall not:</p> <ol style="list-style-type: none"> a. Allow a use not otherwise permitted in the zoning district; b. Modify provisions of a restricted use or conditional use; c. Increase density above that which is permitted in the zoning district; d. Extend a nonconforming use of land; or e. Change the zoning boundaries of the Official Zoning Map. 	<p>All existing and proposed uses are allowed in the zoning district.</p> <p>There are no restricted or conditional uses applicable to the property.</p> <p>The current and proposed density is allowed in the applicable zoning district.</p> <p>There are no existing nonconforming uses on the property.</p> <p>The proposed variance does not change the zoning boundaries.</p>
<p>Impact on the Public. The Zoning Variance shall not be detrimental to the public health, safety, and welfare or injurious to other property in the area or to the City.</p>	<p>Encroachment into the setback would have no affect on visibility or traffic. The addition of the carport would allow for double drive thru which would reduce the amount of traffic back up on Lantana Drive. The double drive thru would allow additional vehicle stacking to occur onsite</p>

Memo Attachments:

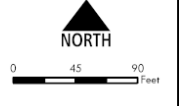
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| <ol style="list-style-type: none"> 1. Maps produced by City staff 2. Applicant Statement 3. Site Plan 4. Photo | <p>Pages 4-9</p> <p>Page 10</p> <p>Page 11</p> <p>Page 12</p> |
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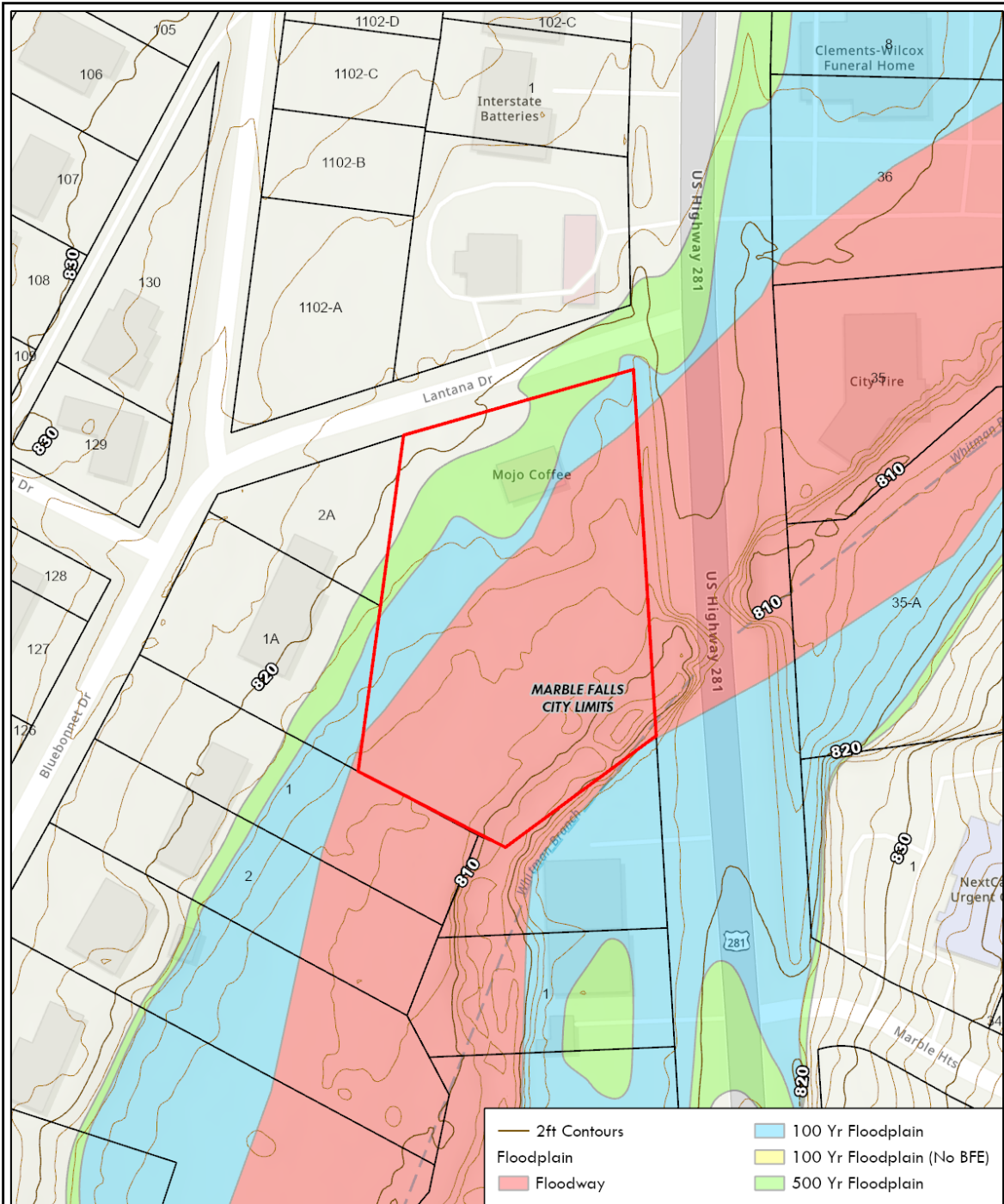


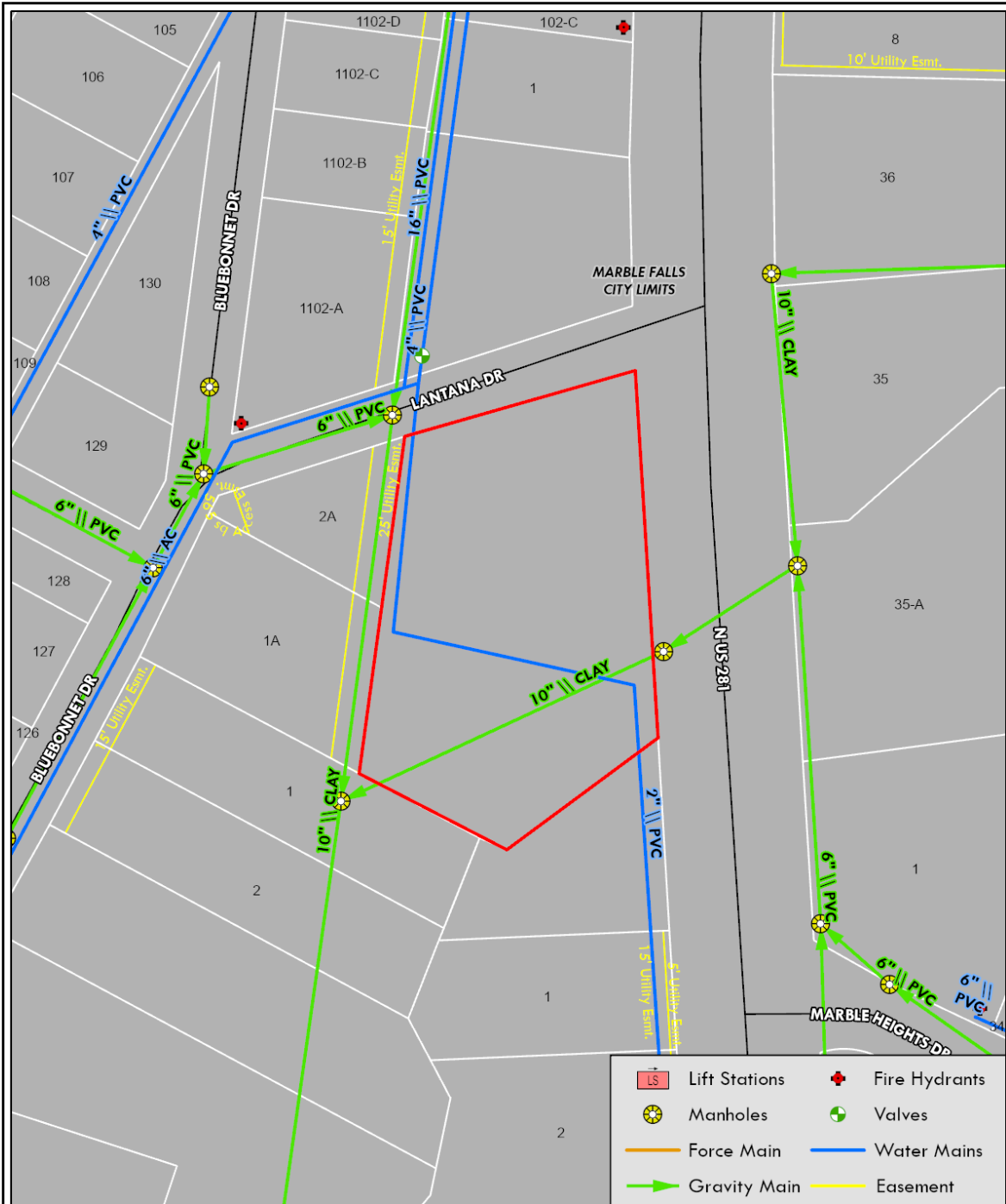


▭ Subject Area
▭ Notification Area - 200'
▭ Parcel Boundaries

2025-47-ZV - Mojos Variance
 Notification













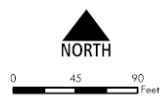


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 N. Hicks (830) 798-7089
 Development Services, 9/2/2025



2025-47-ZV - Mojos Variance
Utilities and Easements

 LS	Lift Stations		Fire Hydrants
	Manholes		Valves
	Force Main		Water Mains
	Gravity Main		Easement





Austin Moon from Mojo Coffee
1300 Lantana Dr.
Marble Falls, TX 78654

August 28, 2025

Zoning Variance Committee
RE: Drive Thru Awning at Mojo Coffee

Dear Committee Members,

Thank you for your time and attention regarding Mojo Coffee's zoning variance request. First, I want to sincerely apologize for our oversight in the development process. We mistakenly assumed that a permit would not be required, and I assure you this will not happen again.

We respectfully request a variance to allow the installation of a 24x8 awning at Mojo Coffee, located at 1300 Lantana Drive. This addition will enable us to fully operate a double drive-thru lane around our building, which provides several important benefits:

- Capacity: Increases car-stacking ability to serve more customers efficiently.
- Service: Supports faster throughput by tending to two lanes simultaneously.
- Safety: Shields employees from rain and intense summer heat.
- Traffic Flow: Reduces the risk of cars backing up onto Lantana Drive.
- Customer Safety: Eliminates the conflict created by a two-lane merge into one.

This model has been proven successful by other respected brands such as Chick-fil-A and P. Terry's, and we are confident it will enhance both efficiency and safety at our Marble Falls location. Importantly, the awning will be placed entirely over the existing concrete driveway, meaning there will be no impact on impervious coverage calculations.

We deeply appreciate your consideration and the work you do to support the community. Thank you for reviewing our request, and we look forward to your guidance on how we can move forward, appropriately.

Respectfully,

A handwritten signature in black ink, appearing to read "Austin Moon".

Austin Moon
Owner, Mojo Coffee

CITY OF
Marble Falls
TEXAS

