



AGENDA

PLANNING & ZONING COMMISSION

REGULAR MEETING

MONDAY, APRIL 24, 2023, 6:30 P.M.

PUBLIC LIBRARY ANNEX, CIVIC CENTER

404 NORTH MAIN STREET

1. CALL TO ORDER

2. PUBLIC COMMENTS FOR NON-AGENDA RELATED ITEMS

Individuals may request to speak on items not on the agenda. Speaker comments are limited to three (3) minutes and no formal action can be taken. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Commissioner, Staff, or others.

3. CONSENT AGENDA

All matters listed below are to be considered routine by the Commission and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.

<!--[if !supportLists]-->1. Consider approval of the following Minutes:

3.I. March 27, 2023 Minutes

Documents:

[MARCH 27, 2023 MINUTES.PDF](#)

4. OLD BUSINESS

- 4.I. Project #: 202200129: A Preliminary Plat For "Ella Estates Preliminary Plat" Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 13241, Located At The Intersection Of VFW Road And Ella Ln. For A Total Of 7 Lots On 10.733 Acres Of Land.

- A. Staff Presentation
- B. Applicant Presentation
- C. Discussion
- D. Consideration

Documents:

[STAFF REPORT FOR PRELIMINARY PLAT.PDF](#)

- 4.II. Project #: 202200130: A Final Plat For "Ella Estates Final Plat" Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 13241, Located Near The Intersection Of VFW Road And Ella Ln. For A Total Of 7 Lots On 10.733 Acres Of Land.

- A. Staff Presentation
- B. Applicant Presentation
- C. Discussion
- D. Consideration

Documents:

[FINAL PLAT STAFF REPORT.PDF](#)

5. NEW BUSINESS

- 5.I. Project #: 202200183: A Final Plat For "Briarwood Phase 1" Located On A Parcel Of Land Known By The Travis County Appraisal District As Parcel 248232, Located Adjacent To Neidig Elementary And Austin Community College Off County Line Rd And For A Total Of 236 Lots On 46.878 Acres Of Land.

- A. Staff Presentation
- B. Applicant Presentation
- C. Open Public Hearing
- D. Close Public Hearing

E. Discussion

F. Consideration.

Documents:

[BRIARWOOD PHASE 1 FINAL PLAT COMBINED PACKET.PDF](#)

- 5.II. Project #: 202300050: A Subdivision Variance From Sec. 36-175 To Allow For The Creation Of A 4.179-Acre Flag Lot, Out Of The A373 Young Richard, Tract 2, Bastrop Co., TX For A Future Subdivision Plat (BCAD # 8728395).

A. Staff Presentation

B. Applicant Presentation

C. Open Public Hearing

D. Close Public Hearing

E. Discussion

F. Consideration

Documents:

[WORTHY SUBDIVISION VARIANCE COMBINED PACKET.PDF](#)

- 5.III. Project #: 202300055: An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map To Wit: To Rezone Land From "R-1" Single Family Dwelling District To "C-3" Highway Commercial District Located On Parcels Of Land Known By The Travis County Appraisal District As Parcel 815585, Located At 13708 County Line Rd. (ABS 518 SUR 65 MARTIN H, ACR 4.096), Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

A. Staff Presentation

B. Applicant Presentation

C. Open Public Hearing

D. Close Public Hearing

E. Discussion

F. Recommendation

Documents:

[COUNTY LINE ROAD REZONING TOTAL COMBINED PACKET.PDF](#)

5.IV. An Ordinance Amending Ch. 46 Zoning, Article I In General, Article IV Zoning District Regulations; And Providing For A Savings Clause And Repealing Conflicting Ordinances Or Resolutions.

- A. Staff Presentation
- B. Open Public Hearing
- C. Close Public Hearing
- D. Discussion
- E. Recommendation

Documents:

[ACCESSORY DWELLING UNIT ORDINANCE COMBINED PACKET.PDF](#)

6. ANNOUNCEMENTS

7. ADJOURNMENT

The Commission may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code. The Commission will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-0119. Servicios de traduccion disponible en la reunion.

MINUTES
CITY OF ELGIN PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, MARCH 27, 2023

I. CALL TO ORDER – ROLL CALL: The Chair called the meeting to order at 6:30 P.M. at the Library Annex (Civic Center) located at 404 N. Main St., Elgin, TX U.S.A.

COMMISSION PRESENT: Chair Antonio Prete, Vice-Chair Ronnie Creppon, Scott Mackay, Dorothy McCarther, Jason Tatum, and David Lanford.

COMMISSION ABSENT: Berney Williams.

STAFF PRESENT: David Harrell, Development Services Director; Melissa Lipiec, Secretary; Beau Perry, TRC Engineers (3rd Party City Engineers).

II. PUBLIC COMMENT FOR NON-AGENDA RELATED ITEMS: No members of the public desired to speak on this item.

III. CONSENT AGENDA

1. February 27, 2023, Minutes.

Scott Mackay requested that the Commission pull the minutes for discussion and the item was moved to New Business item number 0.1.

IV. NEW BUSINESS

- 0.1 February 27, 2023 Minutes.

Discussion: Scott Mackay stated that he believed that there were some fencing ordinances that were not discussed at the last meeting and he would like to request that those items be put on the agenda for review and discussion. The items discussed at the last meeting was taken before Council and the changes have already been approved. It was decided that a new agenda item to discuss fencing would be placed on the next agenda. Scott Mackay then moved that the February 27, 2023 minutes be approved as presented. David Lanford seconded the motion. The motion passed with a vote of four (4) for, zero (0) against with Ronnie Creppon and Antonio Prete abstaining from the vote.

1. Project #: 202200167: A final plat for “Trinity Ranch Phase 2, Section 1” located on parcels of land known by the Bastrop County Appraisal District as Parcels 872871 & 11949, located adjacent to the south and west of Trinity Ranch Phase 1, Section 2, to plat right-of-way (ROW) for Grist Mill Ln., extend Swenson Blvd. ROW, and add a school site on 24.13 acres of land.
 - A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report.
 - B. Applicant Presentation – Applicant was not present for presentation.
 - C. Open Public Hearing –The public hearing was opened at 6:39 P.M., with no members of the public desiring to speak.
 - D. Close Public Hearing – The public hearing was closed at 6:39 P.M.

IV. NEW BUSINESS (Cont.)

- E. Discussion – There was discussion between the Commission and City Staff regarding Traffic Impact Analysis (TIA) requirement for this project, and whether or not we can require acceleration or deceleration lanes on Upper Elgin River Road. The City Engineer answered questions regarding the TIA and stated that certain improvements such as the light at Swenson Boulevard were required as a result of the TIA. He also stated that Bastrop County had the opportunity to review the proposed project. Ronnie Creppon asked if Elgin ISD had accepted the 13+ acre site. The City Engineer indicated that the School District is ready to build on the site. Antonio Prete pointed out that the School will technically not front on a street. He also pointed out that tract 2 is being left as a remainder lot. He also pointed out that the Parkland Requirement Table is incorrect listing proposed Open Space at 11.75 acres. He stated that the plat as presented does not meet the intent of the Subdivision Ordinance for the school lot.
 - F. Consideration – Scott Mackay, made a motion to deny the item on the basis that there were several errors on the plat and the school lot did not abut on a public street, seconded by Jason Tatum. The motion passed unanimously by a vote of six (6) to zero (0).
2. Project #: 202200129: A preliminary plat for “Ella Estates Preliminary Plat” located on a parcel of land known by the Bastrop County Appraisal District as Parcel 13241, located at the intersection of VFW Road and Ella Ln. for a total of 7 lots on 10.733 acres of land.
- A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report.
 - B. Applicant Presentation –Leticia Ramirez, applicant, indicated she had no presentation but was present for any questions.
 - C. Open Public Hearing –The public hearing was opened at 7:02 P.M., with no members of the public desiring to speak.
 - D. Close Public Hearing – The public hearing was closed at 7:02 P.M.
 - E. Discussion – There was discussion between the Commission and City Staff regarding the fact that the proposed subdivision is in the ETJ and serviced by Aqua WSC for water and will have septic systems. Antonio Prete stated that the plat is not ready for approval. In light of the issues pointed out by the Commission, the applicant, Leticia Ramirez requested that the item be tabled until the next meeting.
 - F. Consideration – Jason Tatum, made a motion to table the item until the April meeting seconded by Ronnie Creppon. The motion passed unanimously by a vote of six (6) to zero (0).
3. Project #: 202200130: A final plat for “Ella Estates Final Plat” located on a parcel of land known by the Bastrop County Appraisal District as Parcel 13241, located at the intersection of VFW Road and Ella Ln. for a total of 7 lots on 10.733 acres of land.
- A. Staff Presentation – David Harrell recommended this item be tabled as it is related to item number 2 but the public hearing should be held.
 - B. Applicant Presentation – Leticia Ramirez, applicant, indicated she had no presentation but was present for any questions.

IV. NEW BUSINESS (Cont.)

- C. Open Public Hearing –The public hearing was opened at 7:15 P.M., with no members of the public desiring to speak.
 - D. Close Public Hearing – The public hearing was closed at 7:15 P.M.
 - E. Discussion – None
 - F. Consideration – Applicant, Leticia Ramirez requested that this item be tabled until the next meeting. Jason Tatum, made a motion to table the item until the next meeting, seconded by Ronnie Creppon. The motion passed unanimously by a vote of six (6) to zero (0).
4. Project #: 202200177: A preliminary plat for “Eagles Landing Phase 5” located on a parcel of land known by the Travis County Appraisal District as Parcel 467330, located adjacent to Eagles Landing Ph. 4 and south of Carlson Ln. for a total of 161 lots on 26.77 acres of land.
- A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report.
 - B. Applicant Presentation – Chris Reed, applicant, indicated he had no presentation but was present for any questions.
 - C. Open Public Hearing –The public hearing was opened at 7:19 P.M., with no members of the public desiring to speak.
 - D. Close Public Hearing – The public hearing was closed at 7:19 P.M.
 - E. Discussion – There was discussion between the Commission and City Staff regarding general notes, whether Hacienda Estates Drive runs through the neighboring subdivision, drainage, required connectivity to adjacent properties, and detention ponds.
 - F. Consideration – Scott Mackay made a motion to approve the item with the following condition: 1) Streets A-E are to be officially named with approval of City Staff, seconded by Ronnie Creppon. The motion passed unanimously by a vote of six (6) to zero (0).
5. Project #: 202300038: A subdivision variance from Sec. 36-202 to allow for the creation of a 1.942-acre flag lot for a future subdivision plat, out of the Thomas Garretson Survey, Ab. #178, Bastrop Co., TX located at 1011 Old McDade Rd. for a future subdivision plat (BCAD # 128898).
- A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report.
 - B. Applicant Presentation – Lloyd Armbrust, applicant, indicated he had no formal presentation and gave some background on why he was requesting the variance and stated that he was present for any questions.
 - C. Open Public Hearing –The public hearing was opened at 7:46 P.M. Bo and Patricia Carter of 1019 Old McDade Road spoke about their concerns regarding additional development of Mr. Armbrust’s property. They do not want to see another large building constructed on the property blocking their view.
 - D. Close Public Hearing – The public hearing was closed at 7:50 P.M.

IV. NEW BUSINESS (Cont.)

- E. Discussion – The Chair asked Mr. Armbrust why he was not seeking a variance on both tracts and platting them both. David Harrell answered that the second tract is larger than ten acres and therefore not subject to platting. There was discussion between the Commission and City Staff regarding which Tract was requesting the variance. It was clarified that the subdivision variance was being requested for the 1.942 Acre lot only; the remaining 11.04 Acres would remain as an un-platted tract of land.
- F. Consideration – Scott Mackay made a motion to approve the item as presented, seconded by Ronnie Creppon. The motion passed with a vote of five (5) to one (1), David Lanford voting No.

Due to a conflict of interest, the Chair relinquished control of the next item to the Vice Chair and removed himself from the dais at 7:55 P.M.

- 6. Project #: 202200184: A preliminary plat for “Burleson Creek Estates” located on a parcel of land known by the Bastrop County Appraisal District as Parcel 15693, located on the eastside of Red Town Rd. for a total of 30 lots on 52.814 acres of land.
 - A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report.
 - B. Applicant Presentation – Antonio Prete, applicant, indicated he had no presentation but was present for any questions.
 - C. Open Public Hearing –The public hearing was opened at 7:58 P.M., with no members of the public desiring to speak.
 - D. Close Public Hearing – The public hearing was closed at 7:58 P.M.
 - E. Discussion – There was discussion between the Commission and City Staff regarding permit requirements and building in the floodplain. It was determined that building permits would be issued by the County. Antonio Prete responded by stating all improvements will be outside of the floodplain.
 - F. Consideration – Dorothy McCarther, made a motion to approve the item as presented, seconded by David Lanford. The motion passed unanimously by a vote of five (5) to zero (0).

After Item #6 had been completed the Vice-Chair relinquished control back to the Chair and he took a seat back at the dais at 8:02 P.M. A five-minute recess was called.

The Chair called the meeting back to order at 8:07 P.M. at the workshop tables.

V. WORKSHOP

- 1. Review, discuss, and provide input regarding Graham Tract Development Agreement.

David Harrell & Beau Perry conducted a presentation of the proposed Development Agreement. Beau Perry presented a large-scale map of the proposed Exhibit associated with the Agreement. Staff and Commission discussed site location, lot sizes, & placement of collector running through the site.

V. WORKSHOP (Cont.)

Some of the Commission individual members expressed concerns with the small size of the majority of the lots. There was discussion between allowing one side setback versus two side setbacks and allowing different zoning districts based on the size of the lots as presently laid out. It was noted that the County will dictate the Traffic Impact Analysis. It was also noted that the portion of the proposed development to the West of the collector only had one point of entry. Chris Reid of Doucet & Associates, the applicant's engineer was present to receive the Commission's input.

2. Review, discuss, and provide input on proposed Ch. 46 Zoning Code changes for Accessory Dwelling Units.

The Chair opened the item. One member of the public had requested to make comments on this item so the Chair called upon Sarah Gudenkauf of 813 Old McDade Road to speak on the item. Ms. Gudenkauf thanked the Commission and Staff for considering an ordinance allowing Accessory Dwelling Units in the City. She expressed concern about the present language in section VII regarding the minimum size of the accessory dwelling unit. The Commission reviewed the proposed ordinance and brought up the change as denoted below: The Commission suggested lowering the minimum size from 600 square feet to 370 square feet. David Harrell indicated these items would come back to the Commission on April 24th for a recommendation and go to the City Council on May 16th for a consideration.

VI. ANNOUNCEMENTS

None.

VII. ADJOURNMENT

The meeting was adjourned by the Chair at 9:35 P.M.

Antonio Prete, Chair

ATTEST: _____
Melissa Lipiec, Secretary

On a motion by _____, seconded by _____
the foregoing instrument was passed and approved on this 24th day of April 2023.



Development Services Department

STAFF REPORT

Ella Estate Preliminary Plat

Project #: 202200129

Date: April 11, 2023

Applicant: Leticia Vasquez Ramirez

Representative: SAME

Hearing Dates: Planning & Zoning Commission – April 24, 2023

Location: Bastrop Co. Appraisal District Parcel 13241. Located at the intersection of VFW Road and Ella Ln.

APPLICATION SUMMARY

Consideration of a preliminary plat for Ella Estates which consists of seven (7) single-family home lots consisting from 1.3 to 1.6 acres in lot area and from 110' to 235' in lot width.

DEPARTMENT COMMENTS

The lot width, depth, and area exceed the minimum Code requirements of 80' lot width, 120' depth, and 12,000 square feet of lot area. These standards are the minimum necessary for lots with septic systems. These lots will be along the already established Ella Lane and will not require construction of any subdivision improvements. Reserved right-of-way will be dedicated along both roadways.

STAFF ANALYSIS

Currently, the applicant is working to address the Commission comments from their March meeting and the item is not ready for presentation. Staff would recommend the Commission table the item until the May meeting.



Development Services Department

STAFF REPORT

Ella Estates Final Plat

File Number: 202200130

Date: April 11, 2023

Applicant: Leticia Vasquez Ramirez

Representative: SAME

Hearing Dates: Planning & Zoning Commission – April 24, 2023

Location: Bastrop Co. Appraisal District Parcel 13241. Located at the intersection of VFW Road and Ella Ln. (see attachment 2).

APPLICATION SUMMARY

Consideration of a final plat for Peppergrass Phase 3 which consists of 7 lots (all single-family lots) within 1 block.

DEPARTMENT COMMENTS

A preliminary plat for Ella Estates should be approved tonight by the Commission. If that has occurred, then the final plat layout as proposed matches the approved preliminary plat. If not, then this item must either be tabled or denied as the previous Preliminary Plat has not been approved by the Commission.

STAFF ANALYSIS

Currently, the applicant is working to address the Commission comments from their March meeting and the item is not ready for presentation. Staff would recommend the Commission table the item until the May meeting.



Development Services Department

STAFF REPORT

Briarwood Phase 1 Final Plat

File Number: 202200183

Date: April 14, 2023

Applicant: John Kim c/o BGE

Representative: SAME

Hearing Dates: Planning & Zoning Commission – April 24, 2023

Location: BCAD Parcels 248232; located adjacent to Neidig Elementary and Austin Community College off County Line Rd.

APPLICATION SUMMARY

Consideration of a final plat for Briarwood Phase 1 which consists of 236 lots (224 single family lots and 12 open space/detention lot) within 9 blocks.

DEPARTMENT COMMENTS

This final plat is within an in-City Municipal Utility District (MUD). The development agreement (DA) was approved by the Council on June 7, 2022 along with the Concept Plan (attachment 2). From the approved Concept Plan, the Commission approved the Preliminary Plat for the entire development on March 27, 2023 (attachment 3). This final plat is the first phase of a development that will occur in multiple phases (see blue areas on attachment 2 & 3). The proposed final plat will occur along the eastern portion of the development along County Line Rd. (see attachment 4). In review of the final plat layout, it matches the approved preliminary plat.

STAFF ANALYSIS

Based on the information provided by the applicant, which is included with the packet, review of the approved preliminary plat, review of applicable City Codes, and review of the Briarwood DA, Staff believes there are no issues or concerns with approving the request. The Commission may approve, approve with conditions, or deny the request.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application.
2. Approved Concept Plan.
3. Approved Preliminary Plat.
4. Proposed Final Plat.

Attachment 1

Application

FINAL PLAT APPLICATION

Date: 12/19/2022

SITE INFORMATION

Project Address: 18407 FM 1100, Elgin, TX 78653

Parcel Identification Number (if no address): _____

APPLICANT

Name: John KimPostal Address: 101 W Louis Henna Blvd, Suite 400
Austin, TX 78728E-Mail Address: jkim@bgeinc.com; Phone Number: 512-879-0477

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

John Kim12/19/2022

Signature

Printed Name

Date

Project Description:

Final plat for 224 single-family lots in Briarwood Phase 1.802 N. Ave. C.
P.O. Box 591
Elgin, Texas, 78621

(512) 281-0119



www.elgintx.com



June 15, 2022

City of Elgin
Development Services Department
PO Box 591
Elgin, Texas 78621

RE: Briarwood

To Whom It May Concern:

As property owner of record, ATX Elgin Dev LLC & Ashton Gray Development hereby authorizes BGE, Inc. to submit and process all development applications for the proposed Briarwood subdivision.

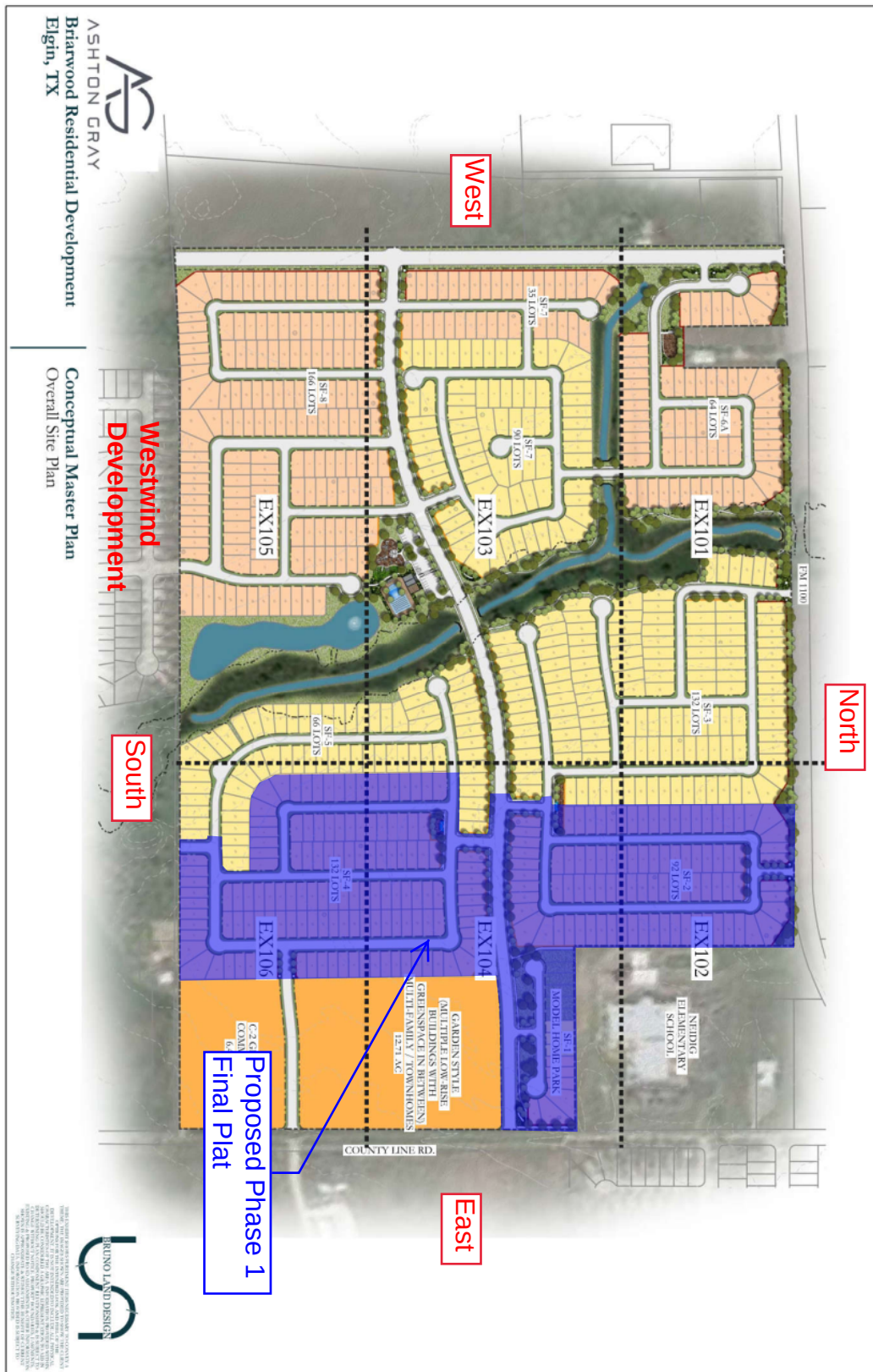
Sincerely,

Ashton Gray Development

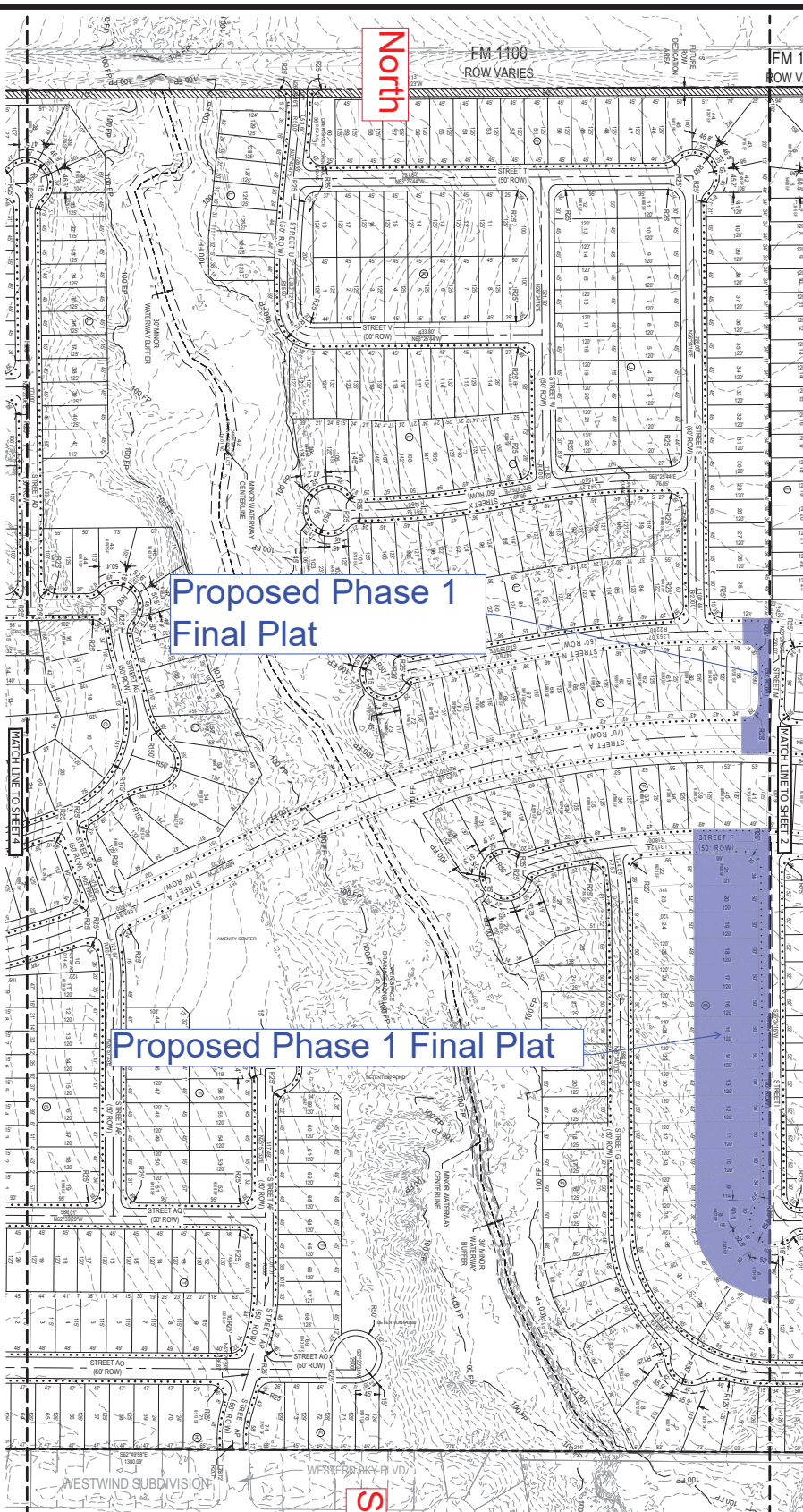
Mark Janik
Vice President of Land
mark@ashtongraydev.com

Attachment 2
Approved Concept Plan

EXHIBIT "G" **CONCEPTUAL MASTER PLAN; DEPICTION OF PARKLAND CORRIDOR**



Attachment 3
Approved Preliminary Plat



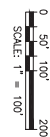
East

BRIARWOOD
PRELIMINARY PLAT

North

West

South



LEGEND

- PROPOSED RIGHT OF WAY
EXISTING MAJOR CONTIGUOUS
EXISTING MINOR CONTIGUOUS
ROAD CENTERLINE
PROPOSED LOT LINE
28
PROPOSED LOT NUMBER
PROPOSED SIDEWALK
PROPOSED EASEMENT
100' PP
100-YEAR FLOOD PLAIN LINE
ROW DEDICATION AREA

DISC'D BY:	△			
REVENUE DBY:	△			
DRAMA BY:	△			
	△			
	△			
TDM	REV	DESCRIPTION	DATE	APR
LOG				

BRIARWOOD
ELGIN, TEXAS

PRELIMINARY PLAT (2 OF 3)

BGE, INC.
101 W Louis Henna Blvd, Suite 400
AUSTIN, TX 78728
TBPE Registration No. F-1046
TEL: 512-879-0400 www.bgeinc.com



Attachment 4
Proposed Final Plat

HENRY MARTIN
SURVEY NO. 35

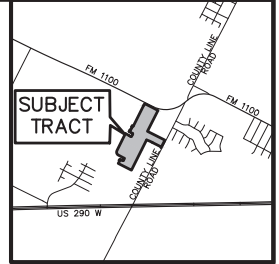
ITEX PARTNERS HOLDING, LLC
CALLED 68.992 ACRES
VOL. 1536, PG. 126 D.R.T.C.

F.M. 1100
80' R.O.W.
VOL. 482, PG. 422 D.R.T.C.
VOL. 1536, PG. 126 D.R.T.C.

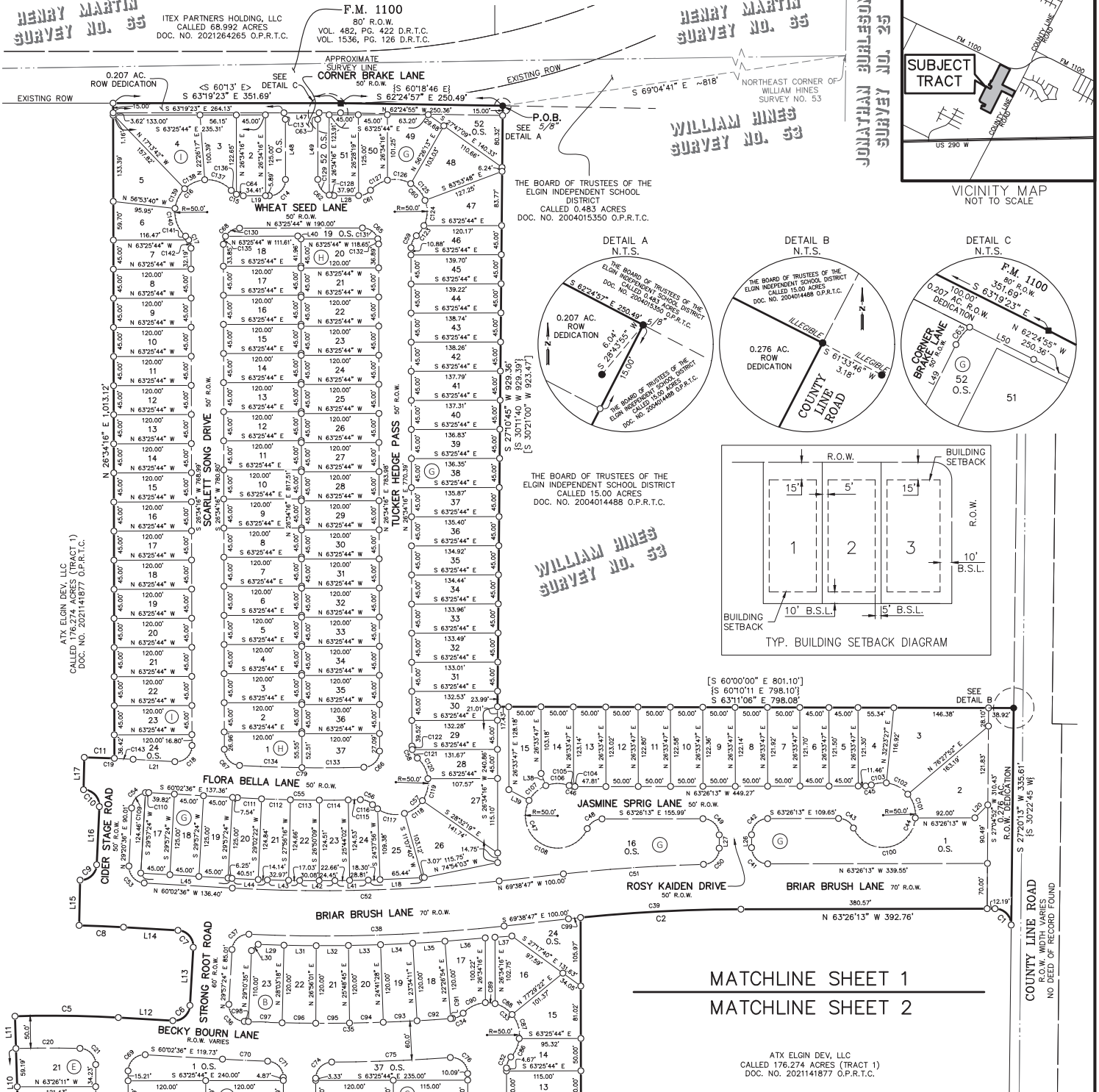
HENRY MARTIN
SURVEY NO. 35

WILLIAM HINES
SURVEY NO. 53

JONATHAN BURELSON
SURVEY NO. 35



VICINITY MAP
NOT TO SCALE



UNDER NO CIRCUMSTANCES WILL THE CITY BE OBLIGATED TO ACCEPT STREETS, ROADWAYS, ALLEYS, CURBS, GUTTERS/DRAINAGE SYSTEMS, SIDEWALKS, STREET LIGHTS, AND/OR RELATED IMPROVEMENTS WITHIN THE DISTRICT FOR OWNERSHIP, OPERATION, AND MAINTENANCE UNTIL SUCH TIME OF FULL-PURPOSE ANNEXATION. WITH RESPECT TO SUCH STREETS AND ROADWAYS WITHIN THE DISTRICT, THE DEVELOPER SHALL DESIGN AND CONSTRUCT THE STREETS AND ROADWAYS SOLELY TO THE CITY'S APPLICABLE STANDARDS, AS MODIFIED BY THE DEVELOPMENT AGREEMENT. THE DISTRICT WILL BE OBLIGATED TO ACCEPT, OPERATE AND MAINTAIN THE STREETS AND ALL OTHER COMPONENTS THEREOF, INCLUDING BUT NOT LIMITED TO CURBS, GUTTER/DRAINAGE SYSTEMS, SIDEWALKS AND STREET LIGHTS.

LEGEND

- B.S.L. BUILDING SETBACK LINE
- D.E. DRAINAGE EASEMENT
- DOC. DOCUMENT
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- ESMT. EASEMENT
- L.S. LANDSCAPE
- NO. NUMBER
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- O.S. OPEN SPACE
- P.G. PAGE
- P.O.B. POINT OF BEGINNING
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- VOL. VOLUME
- [] RECORD INFORMATION, DOC. NO. 2021141877 O.P.R.T.C.
- [] RECORD INFORMATION, DOC. NO. 201400175 O.P.R.T.C.
- [] RECORD INFORMATION, DOC. NO. 2004014488 O.P.R.T.C.
- [] RECORD INFORMATION, TEXAS STATE HIGHWAY DEPARTMENT R.O.W. MAP OF FM 1100 DATED OCTOBER 1954
- [] FOUND TYPOT TYPE 1/2" CONCRETE MONUMENT
- [] FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
- [] CALCULATED POINT
- [] SET 1/2" IRON ROD W/ "BGE, INC." CAP
- [] FOUND 1/2" IRON PIPE
- SCALE BREAK SYMBOL

BEARING BASIS:
BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83.

0 100 200 300

FINAL PLAT BRIARWOOD PHASE 1

A SUBDIVISION OF 46.878 ACRES OF LAND
LOCATED IN THE WILLIAM HINES SURVEY
ABSTRACT NO. 53 TRAVIS COUNTY, TEXAS

MATCHLINE SHEET 1
MATCHLINE SHEET 2

ATX ELGIN DEV, LLC
CALLED 176.274 ACRES (TRACT 1)
DOC. NO. 2021141877 O.P.R.T.C.

SITE BENCHMARKS

POINT NO.	GRID NORTHING	GRID EASTING	ELEVATION	DESCRIPTION
27	10,108,525.67	3,217,374.46	523.62'	CUT SQUARE WITH "X" IN CONCRETE
28	10,105,303.21	3,218,704.98	508.49'	CUT SQUARE WITH "X" IN CONCRETE
29	10,105,775.83	3,216,659.83	513.17'	CUT SQUARE WITH "X" IN CONCRETE

DATE SUBMITTED: DECEMBER 20, 2022

REVISED: FEBRUARY 21, 2023
MARCH 15, 2023
MARCH 30, 2023

OWNER: ATX ELGIN DEV, LLC
ADDRESS: 101 PARKLANE BLVD., SUITE 102
SUGAR LAND, TX, 77478
PHONE: FAX:

ACREAGE: 46.878 ACRES
SURVEY: WILLIAM HINES SURVEY, ABSTRACT NO. 53

NUMBER AND ACREAGE (SEE LAND USE SCHEDULE, SHEET 3)

BY LOT TYPE:

SURVEYOR: BGE, INC. (DAMIAN G. FISHER, RPLS)

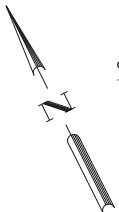
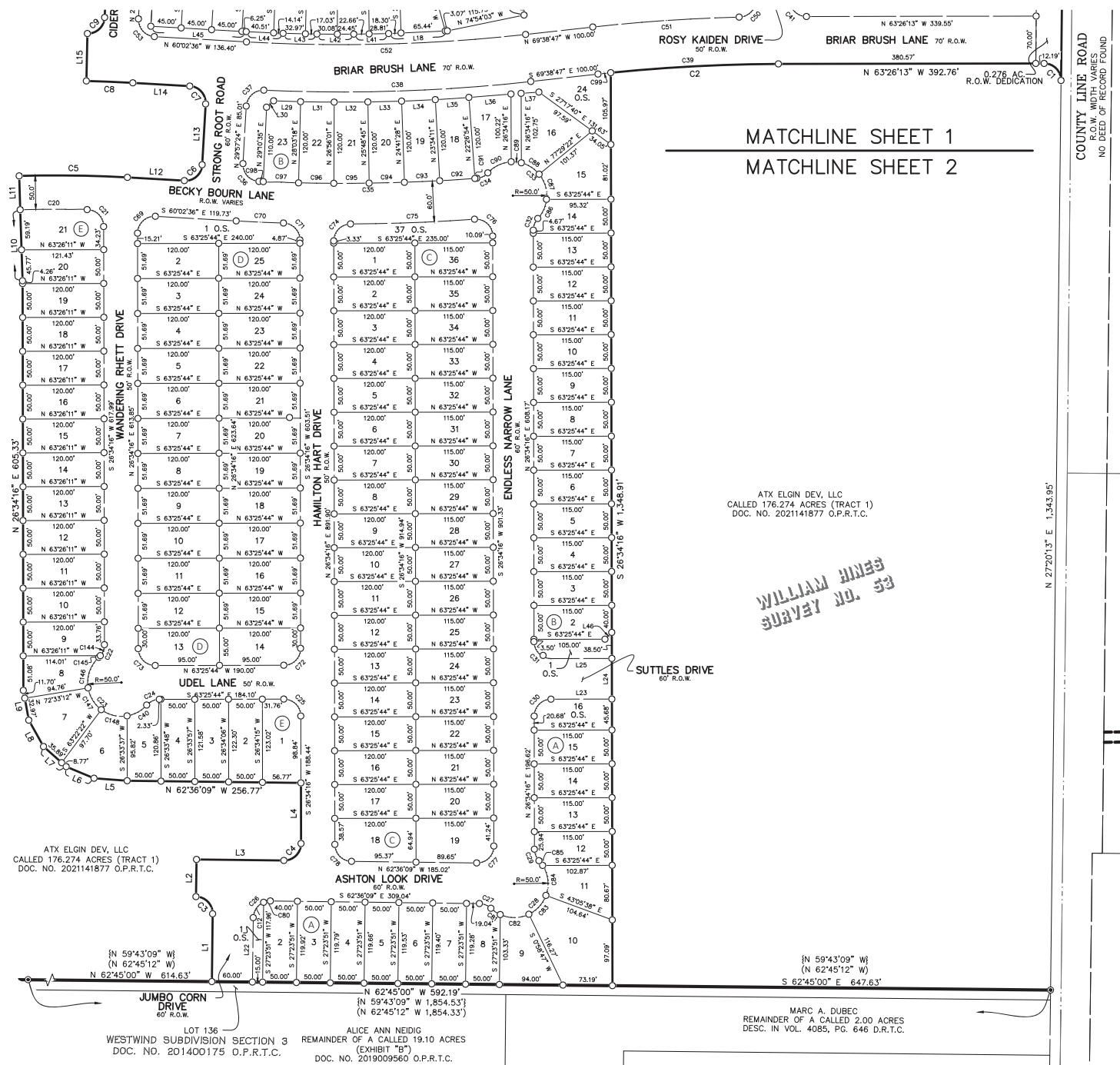
PHONE: 512-879-0400

ENGINEER: BGE, INC. (JOHN KIM, PE)

PHONE: 512-879-0477



BGE, Inc.
101 West Louis Henna Blvd., Suite 400
Austin, Texas 78728
Tel: 512-879-0400 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10106502



BEARING BASIS:
BEARING ORIENTATION IS BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL
ZONE 4204, NAD83.

FINAL PLAT BRIARWOOD PHASE 1

A SUBDIVISION OF 46.878 ACRES OF LAND
LOCATED IN THE WILLIAM HINES SURVEY
ABSTRACT NO. 53 TRAVIS COUNTY, TEXAS



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TBPELS Licensed Surveying Firm No. 10105602

CURVE DATA					
NUMBER	RADIUS	DELTA ANGLE	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	25.00'	90°46'26"	39.61'	N 180°00' W	35.59'
C2	2465.00'	5°46'10"	248.21'	N 66°19'18" W	248.11'
C3	25.00'	90°00'00"	39.27'	N 17°36'09" W	35.36'
C4	25.00'	90°55'49"	39.68'	N 71°55'57" E	35.64'
C5	1825.00'	5°01'20"	159.97'	N 62°33'16" W	159.92'
C6	25.00'	90°00'00"	39.27'	N 74°57'24" E	35.36'
C7	25.00'	90°00'00"	39.27'	N 71°55'57" W	35.36'
C8	1965.00'	2°00'15"	68.74'	N 61°02'43" W	68.73'
C9	25.00'	88°36'33"	38.66'	N 73°38'52" E	34.92'
C10	25.00'	91°19'57"	39.85'	N 16°03'00" W	35.76'
C11	2225.00'	1°11'43"	46.42'	N 61°23'30" W	46.42'
C12	25.00'	66°25'19"	28.98'	S 60°36'30" W	27.39'
C13	25.00'	23°28'20"	10.24'	N 14°50'06" E	10.17'
C14	25.00'	90°00'00"	39.27'	N 71°34'16" E	35.36'
C15	25.00'	48°11'23"	21.03'	S 39°20'03" E	20.41'
C16	50.00'	186°22'46"	162.65'	S 71°34'16" W	99.85'
C17	25.00'	48°11'23"	21.03'	N 2°28'34" E	20.41'
C18	25.00'	93°23'09"	40.75'	N 73°15'50" W	36.38'
C19	2225.00'	1°56'46"	75.57'	N 61°00'59" W	75.57'
C20	1775.00'	3°11'42"	98.98'	N 63°28'05" W	98.97'
C21	25.00'	88°26'29"	38.59'	N 17°38'59" W	34.87'
C22	25.00'	48°11'23"	21.03'	N 50°39'57" E	20.41'
C23	50.00'	186°22'46"	162.65'	S 18°25'44" E	99.85'
C24	25.00'	48°11'23"	21.03'	N 87°31'26" W	20.41'
C25	25.00'	90°00'00"	39.27'	N 18°25'44" W	35.36'
C26	25.00'	90°00'00"	39.27'	S 72°23'51" W	35.36'
C27	25.00'	42°50'00"	18.69'	N 41°11'09" W	18.26'
C28	50.00'	176°29'36"	154.02'	N 71°59'03" E	99.95'
C29	25.00'	42°50'00"	18.69'	S 5°09'15" W	18.26'
C30	25.00'	90°00'02"	39.27'	S 71°34'16" W	35.36'
C31	25.00'	89°59'58"	39.27'	S 18°25'44" E	35.36'
C32	25.00'	42°50'00"	18.69'	S 47°59'16" W	18.26'
C33	50.00'	180°23'50"	157.43'	N 20°47'39" W	100.00'
C34	24.82'	43°22'00"	18.79'	S 89°28'16" E	18.34'
C35	2665.00'	6°55'27"	322.06'	S 64°08'58" E	321.87'
C36	25.00'	90°38'38"	39.55'	S 15°21'55" E	35.55'
C37	25.00'	89°19'43"	38.98'	S 74°37'16" W	35.15'
C38	2535.00'	8°55'54"	395.17'	S 65°10'50" E	394.77'
C39	2465.00'	6°12'34"	267.14'	N 66°32'30" W	267.01'
C40	50.00'	38°42'18"	33.78'	N 87°44'02" E	33.14'
C41	25.00'	90°00'00"	39.27'	S 18°26'13" E	35.36'
C42	25.00'	90°00'00"	39.27'	S 71°33'47" W	35.36'
C43	25.00'	66°25'19"	28.98'	N 30°13'34" W	27.39'
C44	50.00'	267°27'41"	233.40'	N 49°15'16" E	72.26'
C45	25.00'	21°02'22"	9.18'	S 73°57'24" W	9.13'
C46	25.00'	21°02'21"	9.18'	S 52°55'02" E	9.13'
C47	50.00'	267°27'40"	233.40'	S 3°52'18" W	72.26'
C48	25.00'	66°25'19"	28.98'	S 83°21'08" W	27.39'
C49	25.00'	90°00'00"	39.27'	N 18°26'13" W	35.36'
C50	25.00'	88°41'38"	38.70'	N 70°54'36" E	34.95'

CURVE DATA					
NUMBER	RADIUS	DELTA ANGLE	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C51	2535.00'	4°54'12"	216.95'	N 67°11'41" W	216.88'
C52	2465.00'	9°36'11"	413.15'	S 64°50'41" E	412.66'
C53	25.00'	89°23'12"	39.00'	S 15°21'00" E	35.17'
C54	25.00'	90°36'48"	39.54'	S 74°39'00" W	35.54'
C55	2325.00'	4°41'10"	190.16'	S 62°23'11" E	190.11'
C56	25.00'	47°30'16"	20.73'	N 40°58'38" W	20.14'
C57	50.00'	184°23'37"	160.91'	N 70°34'41" E	99.93'
C58	25.00'	48°11'23"	21.03'	S 2°28'34" W	20.41'
C59	25.00'	48°11'23"	21.03'	S 50°39'57" W	20.41'
C60	50.00'	186°22'46"	162.65'	N 18°25'44" W	99.85'
C61	25.00'	48°11'23"	21.03'	S 87°31'26" E	20.41'
C62	25.00'	90°00'00"	39.27'	S 18°25'44" W	35.36'
C63	25.00'	23°41'03"	10.33'	N 38°24'47" E	10.26'
C64	25.00'	25°03'47"	10.94'	S 50°55'51" E	10.85'
C65	25.00'	90°00'00"	39.27'	N 18°25'44" W	35.36'
C66	25.00'	88°32'11"	38.63'	N 70°50'21" E	34.90'
C67	25.00'	86°37'24"	37.80'	S 16°44'26" E	34.30'
C68	25.00'	90°00'00"	39.27'	S 71°34'16" W	35.36'
C69	25.00'	93°23'09"	40.75'	S 73°15'50" W	36.38'
C70	2665.00'	1°30'12"	69.92'	S 60°46'16" E	69.92'
C71	25.00'	88°04'39"	38.43'	N 17°28'04" W	34.78'
C72	25.00'	90°00'00"	39.27'	N 71°34'16" E	35.36'
C73	25.00'	90°00'00"	39.27'	S 18°25'44" E	35.36'
C74	25.00'	89°50'19"	39.20'	S 71°29'25" W	35.31'
C75	2725.00'	3°51'28"	183.47'	S 65°31'09" E	183.44'
C76	25.00'	94°01'09"	41.02'	N 20°26'19" W	36.57'
C77	25.00'	90°49'35"	39.63'	N 71°59'03" E	35.61'
C78	25.00'	89°10'25"	38.91'	S 18°00'57" E	35.10'
C79	2275.00'	4°50'26"	192.20'	S 62°28'21" E	192.14'
C80	25.00'	23°34'41"	10.29'	N 74°23'30" W	10.22'
C81	50.00'	19°13'03"	16.77'	S 29°22'40" E	16.69'
C82	50.00'	50°02'01"	43.66'	S 64°00'12" E	42.29'
C83	50.00'	44°04'25"	38.46'	N 68°56'35" E	37.52'
C84	50.00'	52°55'27"	46.19'	N 20°26'39" E	44.56'
C85	50.00'	10°14'40"	8.94'	N 11°08'25" W	8.93'
C86	50.00'	36°19'47"	31.70'	N 51°14'22" E	31.18'
C87	50.00'	45°35'07"	39.78'	N 10°16'56" E	38.74'
C88	50.00'	36°26'27"	31.80'	N 30°43'52" W	31.27'
C89	50.00'	17°20'37"	15.14'	N 57°37'24" W	15.08'
C90	50.00'	44°41'52"	39.01'	N 88°38'38" W	38.02'
C91	2665.00'	0°03'36"	2.79'	S 67°34'53" E	2.79'
C92	2665.00'	1°07'17"	52.15'	S 66°59'27" E	52.15'
C93	2665.00'	1°07'17"	52.15'	S 65°52'10" E	52.15'
C94	2665.00'	1°07'17"	52.15'	S 64°44'54" E	52.15'
C95	2665.00'	1°07'17"	52.15'	S 63°37'37" E	52.15'
C96	2665.00'	1°07'17"	52.15'	S 62°30'21" E	52.15'
C97	2665.00'	1°07'17"	52.15'	S 61°23'04" E	52.15'
C98	2665.00'	0°08'12"	6.35'	S 60°45'20" E	6.35'
C99	2465.00'	0°26'24"	18.93'	N 69°25'35" W	18.93'
C100	50.00'	151°14'50"	131.99'	S 72°38'19" E	96.87'

CURVE DATA					
NUMBER	RADIUS	DELTA ANGLE	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C101	50.00'	45°16'24"	39.51'	N 9°06'04" E	38.49'
C102	50.00'	44°04'25"	38.46'	N 35°34'20" W	37.52'
C103	50.00'	26°52'02"	23.45'	N 71°02'34" W	23.23'
C104	25.00'	5°02'00"	2.20'	S 60°55'13" E	2.20'
C105	25.00'	16°00'21"	6.98'	S 50°24'02" E	6.96'
C106	50.00'	42°11'56"	36.83'	N 63°29'50" W	36.00'
C107	50.00'	40°33'21"	35.39'	S 75°07'31" W	34.66'
C108	50.00'	184°42'22"	161.19'	S 37°30'21" E	99.92'
C109	25.00'	78°39'33"	34.32'	S 68°40'23" W	31.69'
C110	25.00'	11°07'15"	5.22'	N 66°01'13" W	5.21'
C111	2325.00'	0°55'02"	37.22'	S 60°30'07" E	37.22'
C112	2325.00'	1°06'07"	44.71'	S 61°30'41" E	44.71'
C113	2325.00'	1°06'07"	44.71'	S 62°36'48" E	44.71'
C114	2325.00'	1°06'07"	44.71'	S 63°42'54" E	44.71'
C115	2325.00'	0°27'49"	18.81'	S 64°29'52" E	18.81'
C116	50.00'	11°43'54"	10.24'	S 23°05'27" E	10.22'
C117	50.00'	49°54'57"	43.56'	S 53°54'52" E	42.20'
C118	50.00'	39°39'59"	34.62'	N 81°17'40" E	33.93'
C119	50.00'	41°06'41"	35.88'	N 40°54'21" E	35.11'
C120	50.00'	41°58'08"	36.62'	N 03°08'30" W	35.81'
C121	25.00'	35°31'09"	15.50'	S 3°51'33" E	15.25'
C122	25.00'	12°40'14"	5.53'	S 20°14'09" W	5.52'
C123	50.00'	22°21'58"	19.52'	N 63°34'40" E	19.39'
C124	50.00'	46°17'29"	40.40'	N 29°14'56" E	39.31'
C125	50.00'	39°39'59"	34.62'	N 13°43'47" W	33.93'
C126	50.00'	42°42'50"	37.27'	N 54°55'12" W	36.42'
C127	50.00'	35°20'31"	30.84'	S 86°03'08" W	30.35'
C128	25.00'	17°00'48"	7.42'	S 54°55'20" E	7.40'
C129	25.00'	72°59'12"	31.85'	S 5°55'20" E	29.74'
C130	25.00'	59°49'37"	26.10'	S 86°39'27" W	24.93'
C131	25.00'	71°04'09"	31.01'	N 27°53'40" W	29.06'
C132	25.00'	18°55'51"	8.26'	N 17°06'20" E	8.22'
C133	2275.00'	2°24'32"	95.65'	S 63°41'18" E	95.64'
C134	2275.00'	2°25'54"	96.55'	S 61°16'05" E	96.54'
C135	25.00'	30°10'23"	13.17'	S 41°39'27" W	13.01'
C136	25.00'	23°07'36"	10.09'	S 26°48'09" E	10.02'
C137	50.00'	52°19'21"	45.66'	N 41°24'02" W	44.09'
C138	50.00'	39°39'59"	34.62'	N 87°23'42" W	33.93'
C139	50.00'	39°39'59"	34.62'	S 52°56'19" W	33.93'
C140	50.00'	54°43'27"	47.76'	S 5°44'36" W	45.96'
C141	25.00'	17°21'11"	7.57'	N 12°56'32" W	7.54'
C142	25.00'	30°50'12"	13.46'	N 11°09'10" E	13.29'
C143	2225.00'	0°45'03"	29.15'	N 60°25'07" W	29.15'
C144	25.00'	40°30'44"	17.68'	N 46°49'38" E	17.31'
C145	25.00'	7°40'39"	3.35'	N 70°55'19" E	3.35'
C146	50.00'	57°18'16"	50.01'	S 46°06'30" W	47.95'
C147	50.00'	44°04'25"	38.46'	S 4°34'50" E	37.52'
C148	50.00'	46°17'46"	40.40'	S 49°45'56" E	39.31'

LINE DATA		
NUMBER	BEARING	DISTANCE
L1	N27°23'51"E	100.24'
L2	N27°23'51"E	55.00'
L3	S62°36'09"E	129.20'
L4	N26°34'16"E	89.60'
L5	N58°58'13"W	49.13'
L6	N40°45'12"W	44.67'
L7	N21°42'32"W	44.67'
L8	N2°39'52"W	44.67'
L9	N16°22'06"E	44.67'
L10	N24°46'36"E	104.96'
L11	N24°56'04"E	50.00'
L12	S60°02'36"E	84.34'
L13	N60°57'24"E	90.00'
L14	N60°02'36"W	84.34'
L15	N27°57'09"E	70.00'
L16	N29°20'36"E	90.03'
L17	N28°00'39"E	50.00'
L18	S66°00'43"E	86.81'
L19	N63°25'44"W	40.30'
L20	S71°49'19"W	28.41'
L21	N60°02'36"W	64.52'
L22	N27°23'51"E	95.08'
L23	S63°25'44"E	90.00'
L24	N26°34'16"E	60.00'
L25	N63°25'44"W	90.00'

LINE DATA		
NUMBER	BEARING	DISTANCE
L26	N26°33'47"E	20.00'
L27	S26°33'47"W	20.67'
L28	N63°25'44"W	37.90'
L29	N61°22'45"W	39.8

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	A	1,674
2	A	5,992
3	A	5,993
4	A	5,986
5	A	5,980
6	A	5,973
7	A	5,967
8	A	5,760
9	A	6,951
10	A	11,533
11	A	6,079
12	A	5,647
13	A	5,750
14	A	5,750
15	A	5,750
16	A	5,119

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	B	3,193
2	B	5,700
3	B	5,750
4	B	5,750
5	B	5,750
6	B	5,750
7	B	5,750
8	B	5,750
9	B	5,750
10	B	5,750
11	B	5,750
12	B	5,750
13	B	5,750
14	B	5,289
15	B	7,641
16	B	7,672
17	B	6,388
18	B	6,121
19	B	6,121
20	B	6,121
21	B	6,121
22	B	6,121
23	B	6,072
24	B	18,030

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	C	6,000
2	C	6,000
3	C	6,000
4	C	6,000
5	C	6,000
6	C	6,000
7	C	6,000
8	C	6,000
9	C	6,000
10	C	6,000
11	C	6,000
12	C	6,000
13	C	6,000
14	C	6,000
15	C	6,000
16	C	6,000
17	C	6,000
18	C	7,560
19	C	7,425
20	C	5,750
21	C	5,750
22	C	5,750
23	C	5,750
24	C	5,750
25	C	5,750
26	C	5,750
27	C	5,750
28	C	5,750

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
29	C	5,750
30	C	5,750
31	C	5,750
32	C	5,750
33	C	5,750
34	C	5,750
35	C	5,750
36	C	5,750
37	C	6,995

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	D	8,084
2	D	6,203
3	D	6,203
4	D	6,203
5	D	6,203
6	D	6,203
7	D	6,203
8	D	6,203
9	D	6,203
10	D	6,203
11	D	6,203
12	D	6,203
13	D	6,466
14	D	6,466
15	D	6,203
16	D	6,203
17	D	6,203
18	D	6,203
19	D	6,203
20	D	6,203
21	D	6,203
22	D	6,203
23	D	6,203
24	D	6,203
25	D	6,203

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	E	6,872
2	E	6,133
3	E	6,097
4	E	6,060
5	E	5,440
6	E	6,831
7	E	7,341
8	E	5,477
9	E	5,969
10	E	6,000
11	E	6,000
12	E	6,000
13	E	6,000
14	E	6,000
15	E	6,000
16	E	6,000
17	E	6,000
18	E	6,000
19	E	6,000
20	E	6,033
21	E	7,155

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	G	22,039
2	G	10,541
3	G	13,472
4	G	5,859
5	G	5,463
6	G	5,472
7	G	6,090
8	G	6,101
9	G	6,112
10	G	6,123
11	G	6,134
12	G	6,145
13	G	6,156
14	G	5,943
15	G	6,844
16	G	39,420
17	G	5,624
18	G	5,625
19	G	5,625
20	G	5,714
21	G	5,730
22	G	5,720
23	G	5,718
24	G	5,583
25	G	5,418
26	G	9,391
27	G	8,445
28	G	5,300
29	G	5,951
30	G	5,955
31	G	5,975
32	G	5,996
33	G	6,018
34	G	6,039
35	G	6,061
36	G	6,082
37	G	6,104
38	G	6,125
39	G	6,147
40	G	6,168
41	G	6,190
42	G	6,211
43	G	6,233
44	G	6,254
45	G	6,276
46	G	6,018
47	G	7,226
48	G	8,075
49	G	6,631
50	G	5,096
51	G	5,636
52	G	7,067

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	H	6,305
2	H	5,400
3	H	5,400
4	H	5,400
5	H	5,400
6	H	5,400
7	H	5,400
8	H	5,400
9	H	5,400
10	H	5,400
11	H	5,400
12	H	5,400
13	H	5,400
14	H	5,400
15	H	5,400
16	H	5,400
17	H	5,400
18	H	5,545
19	H	3,279
20	H	5,396
21	H	5,400
22	H	5,400
23	H	5,400
24	H	5,400
25	H	5,400
26	H	5,400
27	H	5,400
28	H	5,400
29	H	5,400
30	H	5,400
31	H	5,400
32	H	5,400
33	H	5,400
34	H	5,400
35	H	5,400
36	H	5,400
37	H	6,168

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	I	4,618
2	I	5,617
3	I	5,606
4	I	9,110
5	I	8,892
6	I	5,458
7	I	5,385
8	I	5,400
9	I	5,400
10	I	5,400
11	I	5,400
12	I	5,400
13	I	5,400
14	I	5,400
15	I	5,400
16	I	5,400
17	I	5,400
18	I	5,400
19	I	5,400
20	I	5,400
21	I	5,400
22	I	5,400
23	I	5,400
24	I	4,621

FINAL PLAT BRIARWOOD PHASE 1

A SUBDIVISION OF 46.878 ACRES OF LAND
LOCATED IN THE WILLIAM HINES SURVEY
ABSTRACT NO. 53 TRAVIS COUNTY, TEXAS



BGE, Inc.
101 West Louis Henna Blvd., Suite 400
Austin, Texas 78728
Tel: 512-879-0400 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10106502

METES & BOUNDS DESCRIPTION

FIELD NOTES FOR A 46.878 ACRE TRACT OF LAND OUT OF THE WILLIAM HINES SURVEY NO. 53, TRAVIS COUNTY, TEXAS; BEING A PORTION OF A CALLED 176.274 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO ATX ELGIN DEV, LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2021141877 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 46.878 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8--inch iron rod found disturbed on the southwest line of a called 0.483 acre tract of land as conveyed to The Board of Trustees of the Elgin Independent School District by General Warranty Deed recorded in Document Number 2004015350 of the Official Public Records of Travis County, Texas, at the northeast corner of said ATX Elgin Tract 1, and at the northwest corner of a called 15.00 acre tract of land as conveyed to The Board of Trustees of the Elgin Independent School District by Warranty Deed recorded in Document Number 2004014488 of the Official Public Records of Travis County, Texas, for the northeast corner and POINT OF BEGINNING of the herein described tract, from which a 1/2--inch iron rod found disturbed bears S 28°43'55" W a distance of 6.04 feet;

THENCE, with a southeast line of said ATX Elgin Tract 1 and the northwest line of said 15.00 acre Elgin Independent School District Tract, S 27°10'45" W a distance of 929.36 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at an interior corner of said ATX Elgin Tract 1, and at the southwest corner of said 15.00 acre Elgin Independent School District Tract, for an interior corner of the herein described tract;

THENCE, with a northeast line of said ATX Elgin Tract 1 and the southwest line of said 15.00 acre Elgin Independent School District Tract, S 63°11'06" E a distance of 798.08 feet to a 5/8--inch iron rod with an illegible cap found on the northwest right--of--way line of County Line Road (right--of--way width varies, no deed of record found) at the most easterly corner of said ATX Elgin Tract 1, and at the southeast corner of said 15.00 acre Elgin Independent School District Tract, for the most easterly corner of the herein described tract, from which a 1/2--inch iron rod with an illegible cap found bears S 61°33'46" E a distance of 3.18 feet;

THENCE, with the northwest right--of--way line of said County Line Road and the southeast line of said ATX Elgin Tract 1, S 27°20'13" W a distance of 335.61 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at a point of curvature of a curve to the left, for the most easterly southeast corner of the herein described tract, from which a 1/2--inch iron pipe found on the northwest right--of--way line of said County Line Road, at the southeast corner of said ATX Elgin Tract 1, and at the most easterly corner of Lot 136 of WESTWIND SUBDIVISION SECTION 3, a subdivision as recorded in Document Number 201400175 of the Official Public Records of Travis County, Texas, bears S 27°20'13" W a distance of 1,343.95 feet;

THENCE, over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.61 feet, having a radius of 25.00 feet, a central angle of 90°46'26" and a chord which bears N 18°03'00" W a distance of 35.59 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1, N 63°26'13" W a distance of 392.76 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 248.21 feet, having a radius of 2,465.00 feet, a central angle of 05°46'10" and a chord which bears N 66°19'18" W a distance of 248.11 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an interior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, S 26°34'16" W a distance of 1,348.91 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set on the southwest line of said ATX Elgin Tract 1 and the northeast line of said WESTWIND SUBDIVISION SECTION 3, for the most southerly corner of the herein described tract;

THENCE, with the southwest line of said ATX Elgin Tract 1 and the northeast line of said WESTWIND SUBDIVISION SECTION 3, N 62°45'00" W a distance of 592.19 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for the southwest corner of the herein described tract, from which a 1/2--inch iron pipe found at the northwest corner of said Lot 136 of said WESTWIND SUBDIVISION SECTION 3, bears N 62°45'00" W a distance of 614.63 feet;

THENCE, leaving the northeast line of said WESTWIND SUBDIVISION SECTION 3, over and across said ATX Elgin Tract 1, N 27°23'51" E a distance of 100.24 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.27 feet, having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 17°36'09" W a distance of 35.36 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, N 27°23'51" E a distance of 55.00 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, S 62°36'09" E a distance of 129.20 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.68 feet, having a radius of 25.00 feet, a central angle of 90°55'49" and a chord which bears N 71°55'57" E a distance of 35.64 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1 N 26°34'16" E a distance of 89.60 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an interior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, N 62°36'09" E a distance of 256.77 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 58°58'13" W a distance of 49.13 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 40°45'12" W a distance of 44.67 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 21°42'32" W a distance of 44.67 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 02°39'52" W a distance of 44.67 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 16°22'06" E a distance of 44.67 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 26°34'16" E a distance of 605.33 feet to a 1/2--inch iron rod with cap stamped "BGE INC" for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1 N 24°46'36" E a distance of 104.96 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an angle point;

THENCE, continuing over and across said ATX Elgin Tract 1, N 24°56'04" E a distance of 50.00 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at the beginning of a non--tangent curve to the right, for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the right, an arc distance of 159.97 feet, having a radius of 1,825.00 feet, a central angle of 05°01'20" and a chord which bears S 62°33'16" E a distance of 159.92 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1, S 60°02'36" E a distance of 84.34 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.27 feet, having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 17°45'24" W a distance of 35.36 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1, N 29°57'24" E a distance of 90.00 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.27 feet, having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 15°02'36" W a distance of 35.36 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1, N 60°02'36" W a distance of 84.34 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 68.74 feet, having a radius of 1,965.00 feet, a central angle of 02°00'15" and a chord which bears N 61°02'43" W a distance of 68.73 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, N 27°57'09" E a distance of 70.00 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at the beginning of a non--tangent curve to the left for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 38.66 feet, having a radius of 25.00 feet, a central angle of 88°36'33" and a chord which bears N 73°38'52" E a distance of 34.92 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of tangency;

THENCE, continuing over and across said ATX Elgin Tract 1, N 29°20'36" E a distance of 90.03 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for a point of curvature of a curve to the left;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the left, an arc distance of 39.85 feet, having a radius of 25.00 feet, a central angle of 91°19'57" and a chord which bears N 16°19'23" W a distance of 35.76 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, N 28°00'39" E a distance of 50.00 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set at the beginning of a non--tangent curve to the right for an exterior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, along said curve to the right, an arc distance of 46.42 feet, having a radius of 2,225.00 feet, a central angle of 01°11'43" and a chord which bears S 61°23'30" E a distance of 46.42 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set for an interior corner of the herein described tract;

THENCE, continuing over and across said ATX Elgin Tract 1, N 26°34'16" E a distance of 1,013.12 feet to a 1/2--inch iron rod with cap stamped "BGE INC" set on the northeast line of said ATX Elgin Tract 1 and the southwest right--of--way line of F.M. 1100 (80 feet wide) as dedicated by Volume 482, Page 422 and Volume 1536, Page 126, both of the Deed Records of Travis County, Texas, and as shown on the Texas State Highway Department Right--of--Way Map dated October 1954, for the most northerly corner of the herein described tract;

THENCE, with the northeast line of said ATX Elgin Tract 1 and the southwest right--of--way line of said F.M. 1100, S 63°19'23" E a distance of 351.69 feet to a broken TxDOT Type I concrete monument found at an angle point in the northeast line of said ATX Elgin Tract 1, and at the northwest corner of said 0.483 acre Elgin Independent School District tract, for an angle point;

THENCE, departing the southwest right--of--way line of said F.M. 1100, with the northeast line of said ATX Elgin Tract 1 and the southwest line of said 0.483 acre Elgin Independent School District Tract, S 62°24'57" E a distance of 250.49 feet to the POINT OF BEGINNING and containing 46.878 acres of land, more or less.



BGE, Inc.

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TBPELS Registration No. F-1046

TBPELS Licensed Surveying Firm No. 10106502

FINAL PLAT
**BRIARWOOD
PHASE 1**

A SUBDIVISION OF 46.878 ACRES OF LAND
LOCATED IN THE WILLIAM HINES SURVEY
ABSTRACT NO. 53 TRAVIS COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT ATX ELGIN DEV, LLC, BEING THE OWNER OF A 46.868 ACRE TRACT OF LAND IN THE WILLIAM HINES SURVEY, ABSTRACT NO. 53, TRAVIS COUNTY, TEXAS, BEING OUT OF CALLED 176.274 ACRE TRACT OF LAND (TRACT 1) AS CONVEYED BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2021141877 OF THE THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, DOES HEREBY SUBDIVIDE THE FOREMENTIONED 46.878 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

BRIARWOOD PHASE 1

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____, A.D.

ATX ELVIN DEV, LLC,
A TEXAS LIMITED LIABILITY COMPANY

BY: ATX ELGIN MANAGER LLC,
A TEXAS LIMITED LIABILITY COMPANY
ITS MANAGER

BY: SVAG INVESTMENTS LLC,
A TEXAS LIMITED LIABILITY COMPANY
ITS MANAGER

BY: SVAG ASSET MANAGEMENT LLC
A TEXAS LIMITED LIABILITY COMPANY
ITS MANAGER

SUDHARSHAN R. VEMBUTTY, MANAGER
ATX ELGIN DEV, LLC
101 PARKLANE BLVD., SUITE 102
SUGAR LAND, HARRIS COUNTY, TEXAS 77478

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED SUDHARSHAN VAMBUTTY, MANAGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME _____
MY COMMISSION EXPIRES _____

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, JOHN KIM, P.E., DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLY WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF ELGIN, TEXAS.

PRELIMINARY PENDING FINAL REVIEW

JOHN KIM, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 135480

DATE: _____

BGE, INC.
101 WEST LOUIS HENNA BLVD, SUITE 400
AUSTIN, TEXAS 78728

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, DAMIAN G. FISHER, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WILL BE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS, UPON COMPLETION OF CONSTRUCTION.

PRELIMINARY PENDING FINAL REVIEW

DAMIAN G. FISHER, R.P.L.S. DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6928
BGE, INC.
101 WEST LOUIS HENNA BLVD, SUITE 400
AUSTIN, TEXAS 78728

GENERAL NOTES:

1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF ELGIN'S FULL PURPOSE CITY LIMITS, WITHIN TRAVIS COUNTY.
2. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83
3. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FLOOD INSURANCE RATE MAPS FOR TRAVIS COUNTY, TEXAS, AND INCORPORATED AREAS, MAP NUMBER 48453C0510H, EFFECTIVE SEPTEMBER 26, 2008. ANY FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
4. THIS FINAL PLAT IS IN GENERAL CONFORMANCE WITH THE PRELIMINARY PLAT.
5. NO DWELLING STRUCTURE MAY BE OCCUPIED UNTIL SUCH TIME AS WATER AND WASTEWATER CONNECTIONS ARE FULLY OPERATIONAL.
6. ALL ELECTRICAL, TELEPHONE, CABLE TELEVISION, GAS, AND SIMILAR UTILITY SERVICE LINES SHALL BE PLACED UNDERGROUND, SUCH LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS AND REQUIREMENTS ESTABLISHED BY EACH UTILITY OR SERVICE COMPANY, AS APPLICABLE, AND CITY ORDINANCE.
7. NO PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE OR CONTRIBUTING ZONE.
8. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER. APPROVAL OF THIS PLAT BY THE CITY OF ELGIN DOES NOT REMOVE THESE RESPONSIBILITIES.
9. THE ESTIMATED AVERAGE SINGLE FAMILY LOT SIZE IS 6,033 S.F.

A. <6,000 S.F.	118
B. 6,000 - 7,500 S.F.	95
C. 7,500 - 9,000 S.F.	6
D. >9,000 S.F.	5
10. PARKLAND REQUIREMENTS FOR THE DEVELOPMENT WILL BE SATISFIED AS FOLLOWS:

REQUIRED PER DEVELOPMENT AGREEMENT:	32.61 AC.
PREVIOUSLY DEDICATED:	0.00 AC.
PROPOSED THIS PHASE:	3.15 AC.

REMAINING PARKLAND DEDICATION WILL BE INCORPORATED INTO FUTURE FINAL PLATS

11. A TEN FOOT PUBLIC UTILITY EASEMENT ADJACENT TO ALL RIGHTS-OF-WAY IS HEREBY DEDICATED.

CITY OF ELGIN:
CERTIFICATE OF APPROVAL:

THIS FINAL PLAT WAS APPROVED BY THE CITY OF ELGIN PLANNING & ZONING COMMISSION ON THIS ____ DAY OF _____, 20____

CHAIRPERSON	DATE	RECORDING SECRETARY	DATE
_____, CHAIR		_____, SECRETARY	

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, DYANA LIMON-MERCADO, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THIS THE ____ DAY OF _____, 20____ A.D., DULY RECORDED ON THIS THE ____ DAY OF _____, 20____ A.D., AT O'CLOCK ____M., PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. _____ OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT OF SAID COUNTY, ON THIS THE ____ DAY OF _____, 20____ A.D.,

DYANA LIMON-MERCADO
COUNTY CLERK
TRAVIS COUNTY, TEXAS

BY: _____
DEPUTY

FINAL PLAT
**BRIARWOOD
PHASE 1**

A SUBDIVISION OF 46.878 ACRES OF LAND
LOCATED IN THE WILLIAM HINES SURVEY
ABSTRACT NO. 53 TRAVIS COUNTY, TEXAS



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Development Services Department

STAFF REPORT

(Worthy) Subdivision Variance

File Number: 202300050

Date: April 14, 2023
Applicant: Stephanie Worthy
Representative: Same
Hearing Dates: Planning & Zoning Commission – April 24, 2023
Location: Bastrop Co. Appraisal District PIN #8728395

APPLICATION SUMMARY

Consideration of a subdivision variance from Section 36-175, City Code to allow for the creation of a future flag lot.

DEPARTMENT COMMENTS

The City's Subdivision Code prohibits the creation of a flag lot. Presently, the current un-platted 4.00-acre Tract layout was carved off a parent parcel (see attachment 1 map). After the fact, it was determined the County allowed the Deed recording of this Division and didn't check with the City to determine if this land division would be legal. This should have gone through our platting process since the future lot being created is less than 10 acres in size.

In working with the applicant to address this issue, after the fact, they have modified the Tract to be reflective of our code requirements, except for the fact it's a flag lot (see attachment 2, #2). There is an elongation of the proposed lot into a backward "L" shape to allow access to a right-of-way which is FM 1704 (i.e. the flag lot portion). The original tract abutted McVay Ln. (see attachment 1, red outline) however that is not a roadway under our Subdivision Code, hence the creation of the lot in this fashion.

If approved by the Commission, the applicant will be able to file a Short Form Plat to be administratively considered by the Subdivision Administrator.

Under Section 36-37(g) of the Subdivision Code there are certain findings of fact the Commission must base their decision; these are as follows:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would have a substantial adverse impact on the applicant's reasonable use of his land;
2. That the granting of the variance will not be detrimental to the public interest, health, safety, or welfare, or injurious to other property in the area;
3. That the granting of the variance is in harmony with the general purpose and intent of this chapter so that the public health, safety, and welfare may be secured, and substantial justice served; and
4. That the proposed hardship is not caused by the owner and/or is not for economic reasons.

STAFF ANALYSIS

Staff agrees with the applicant's assessment as provided with the packet, except Staff sees this as a County created issue instead of the applicant's misunderstanding of the requirements (see attachment 1). Staff has no issues of concerns with the items as presented by the applicant. Staff's interpretation is the following in *italics*:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Chapter would have a substantial adverse impact on the applicant's reasonable use of his land; *The creation of the tract of land where the owner owns the back portion of the lot and the fact that McVay Ln. is not a right-of-way is a special circumstance and condition which only a flag lot can address.*
2. That the granting of the variance will not be detrimental to the public interest, health, safety, or welfare, or injurious to other property in the area; *The granting of the variance is not detrimental because it allows the applicant to better meet Code requirements given the circumstance, otherwise to plat the land as shown as a Tract on attachment 1 would require more subdivision variances to be granted such as a lot not fronting on a right-of-way (i.e. McVay Ln).*
3. That the granting of the variance is in harmony with the general purpose and intent of this chapter so that the public health, safety, and welfare may be secured, and substantial justice served; *The granting is in harmony with the Chapter as it is the best possible design for the tract to be subdivided, given the situation.*
4. That the proposed hardship is not caused by the owner and/or is not for economic reasons. *The request is not cause by the owner and is not for economic reasons.*

However, it is the Commission's decision, independent of the staff analysis, as whether to approve it, approve it with conditions, continue with concurrence with the applicant, or deny this subdivision variance based on the provided findings of fact and the evidence.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application & Applicant Narrative.
2. Proposed New Lot.
3. 200' Notice Letter and Map.

Attachment 1

Application & Applicant Narrative

SUBDIVISION VARIANCE APPLICATION

Date: 3/2/2023

SITE INFORMATION

Project Address: FM 1704 and McVay Lane; near 1331 FM 1704, Elgin, TX 78621

Parcel Identification Number (if no address): 8728395

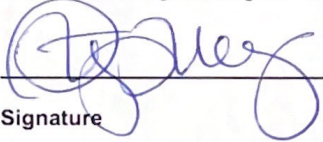
APPLICANT

Name: Stephanie Worthy

Postal Address: No 911 Address Yet; Parcel is near intersection of FM 1704
and McVay Lane

E-Mail Address: goteamworthy@gmail.com; Phone Number: 512-826-5308

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

	<u>Stephanie Worthy</u>	<u>3/15/2023</u>
Signature	Printed Name	Date

Project Description:

We're seeking approval of a flag lot for a single family home. Land is being transferred
from parents to child, so that we can build a home near them. The lot in question is
tucked between McVay Lane and several lots that face FM 1704. To reach the lot while
fronting the only available dedicated right-of-way, FM 1704, we're proposing this
flag lot solution.



802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgin.tx.com

Date: March 13, 2023

To: City of Elgin Planning and Zoning Commission

From: Stephanie Decan Worthy and Jack Worthy

Subject: Worthy Family Flag Lot Subdivision Variance Proposal

Members of the Planning and Zoning Commission:

Overview

We're seeking approval to deviate from one of the subdivision standards in the City of Elgin's Code, Chapter 36. Specifically, we are seeking approval of a flag lot for a residential, single family home property.

Background

Gordon R. Molina and Phylis Davis Molina, Co-Trustees of The Gordon R & Phylis Davis Molina Living Trust, own approximately 16 acres of land at the intersection of FM 1704 and McVay Lane ("Parent Tract"). They live at the address 1331 FM 1704, Elgin, TX 78621 (which is the residence currently located on the Parent Tract). The Parent Tract is L-shaped, with approximately 436 feet fronting FM 1704, at a depth of approximately 980 feet. McVay Lane runs along the Northern lot line, and there's a portion of the land that is landlocked between McVay Lane and seven other FM 1704-facing lots. The landlocked portion of the property is about 663 feet by 420 feet.

I plan to build a single family home on approximately four acres of land my family was willing to transfer to my name. Misunderstanding the Code, we made an illegal subdivision in December 2022 that fronted McVay Lane and was a flag lot. Since then, we have been working with the City of Elgin to find an alternative solution. The current deeds and configuration of the property are attached. The proposed new configuration of the property I am to own (described below) is also attached for your review and approval.

Because McVay Lane is not a dedicated public right-of-way, our lot must front FM 1704. The configuration of the Parent Tract complicates access to the landlocked portion of the property where we intend to build.

Proposal

We're submitting a draft of the lot lines we're proposing, drawn to scale. In it, you'll see that we have an 80ft x 25ft FM 1704 frontage that then leads deeper into the property, to the space we plan to build our home. The proposed subdivision adheres to the City of Elgin's code, with the exception of the flag lot prohibition.

We're asking for the commission's approval to deviate from the flag lot code, as it would create disproportionate hardship for this particular property.

- Approximately 6.4 acres of the Parent Tract is landlocked, so any subdivision of this portion of the Parent Tract will require a variance or some creative solution.
- The proposed solution makes use of this property elegantly, and development of the single home minimizes disruption to the neighboring property owners.

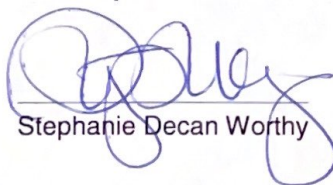
The contact information of my design professional is as follows:

Juarez Custom Homes
159 Lone Star Road, Bastrop, TX 78602
<http://juarezcustomhomes.com/>
512-303-7546
Shawn Juarez (shawnjuarez@hotmail.com)
Jonathan Juarez (jonathan@juarezcustomhomes.com)

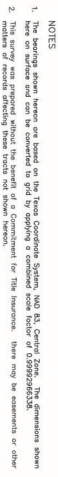
The contact information of my surveyor is as follows:

GBI Partners
<https://www.gbisurvey.com/>
512-975-5690
Alan Horton, P.E., R.P.L.S. (Ahorton@gbisurvey.com)

Sincerely,



Stephanie Decan Worthy



LINE TABLE	
L1 N62°15'18"W	50.00'
L2 S62°43'09"E	30.00'


GBI PARTNERS
LAND SURVEYING CONSULTANTS
7006 HOLM BUILDING 2, STE. A • LEANDER, TX 78641
PHONE: 361-699-4339 • WWW.GBISURVEY.COM
TOLL-FREE 1-800-945-150 • TIRE # F17234

FIELD NOTES FOR 4.00 ACRES
(Tract 2)

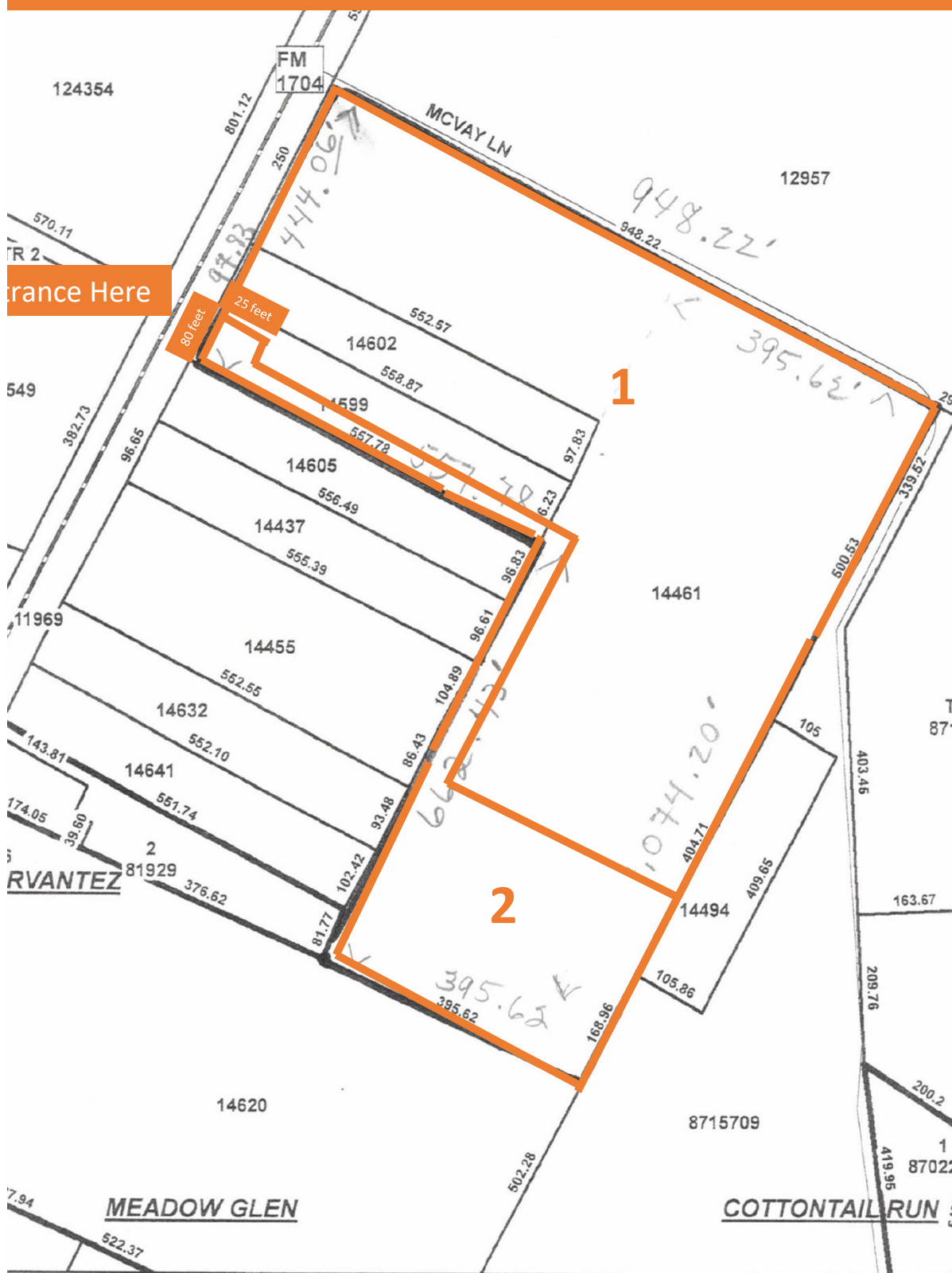
610, B.C.D.R., LOCATED IN THE
RICHARD YOUNG SURVEY, A-373
BASTROP COUNTY, TEXAS

TRACT 2-4.00 ACRES

BEING COMPRISED OF A PORTION OF A CALLED 13.57
ACRE TRACT OF LAND RECORDED IN THE NAMES OF
GORDAN & PHYLLIS MOLINA IN VOLUME 1163, PAGE 610.

Attachment 2
Proposed New Lot

ROUGH SKETCH OF PROPOSED NEW LOTS



This sketch is for informational purposes and may not be prepared for or be suitable for legal, engineering, or planning purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



Date:	Revision:



JCH

 CUSTOM HOMES

159 A Lane Star Road Bastrop, Texas 78602
 Phone: 512-303-7546 Fax: 512-303-4110

Worthy Residence
 TBD McVay Lane
 Elgin, Texas 78621

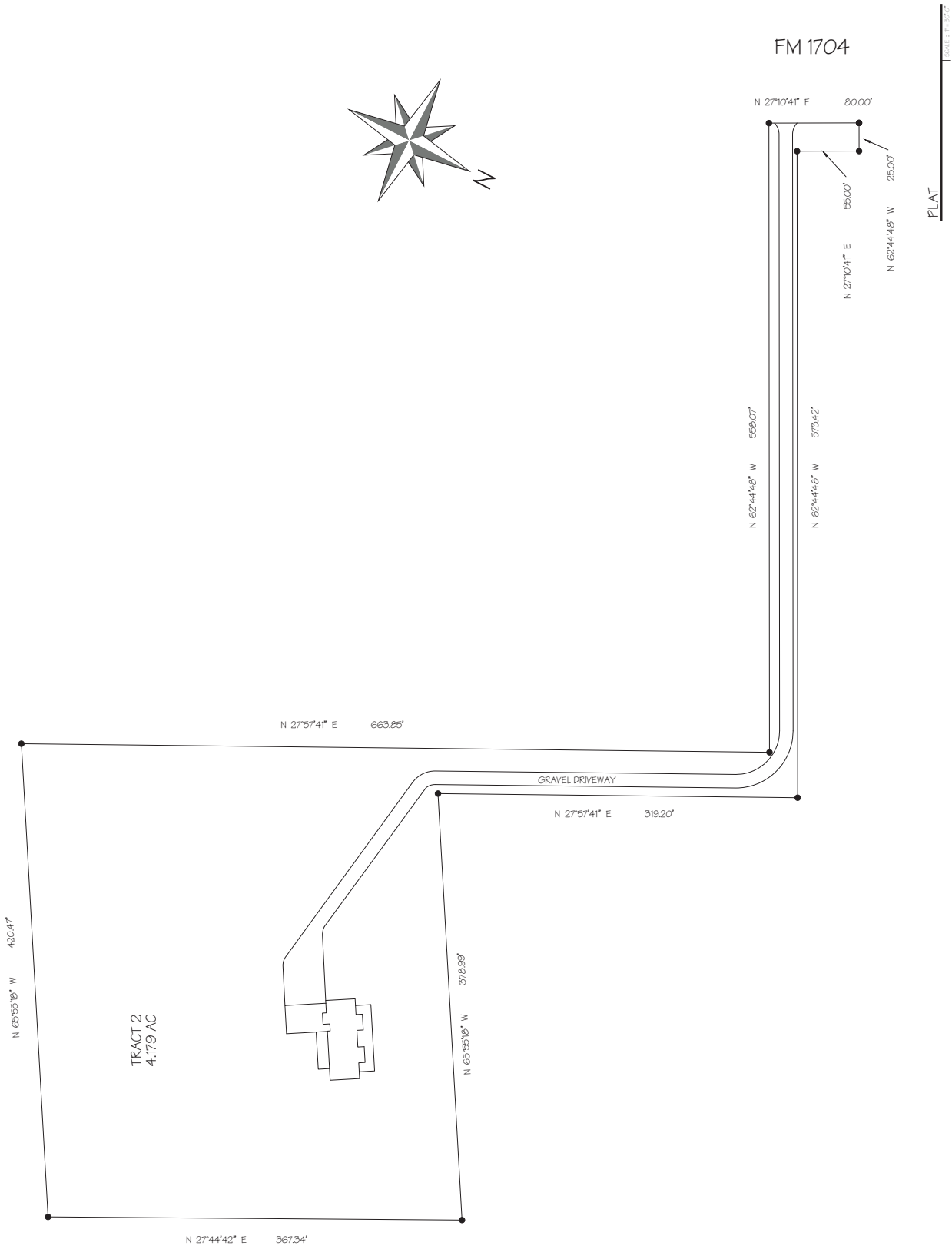
Plan Number:
 10-01

© 2014 by JCH Custom Homes
 All Rights Reserved
 The arrangements depicted hereafter
 are for informational purposes only and
 do not constitute a contract.

AREA'S	
Living	59 Ft.
Kitchen	59 Ft.
Garage	59 Ft.
Front Porch	59 Ft.
Back Porch	59 Ft.
Staircase	59 Ft.
Back Lodge	59 Ft.
Total	59 Ft.

Visit our website at www.jchcustomhomes.com

SHEET NUMBER
 02



Attachment 3
200' Notice Letter and Map



April 11, 2023

NOTICE OF A SUBDIVISION VARIANCE REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The map on the back of this page shows the lot making the request (red solid shape). This notice is to inform you of a public hearing to be held by the City Council on the item as denoted below:

Project # 202300050: A subdivision variance from Sec. 36-175 to allow for the creation of a 4.179-acre flag lot out of the Richard Young Survey, Ab. #373, Bastrop Co., TX located at 1331 FM 1704, (BCAD # 14461 & 8728395). These hearings are open to the public & comments may be expressed at the hearing. For more information contact planninganddevelopment@elgintexas.gov or 512-281-0119.

With a public hearing as below:

By the Planning & Zoning Commission on April 24, 2023, beginning at 6:30 P.M. Central Standard Time for consideration. This meeting is to be held at Elgin Public Library Annex (Civic Center) located at 404 N. Main St. Elgin, TX, 78621, U.S.A.

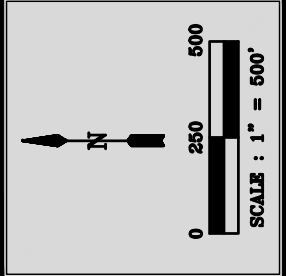
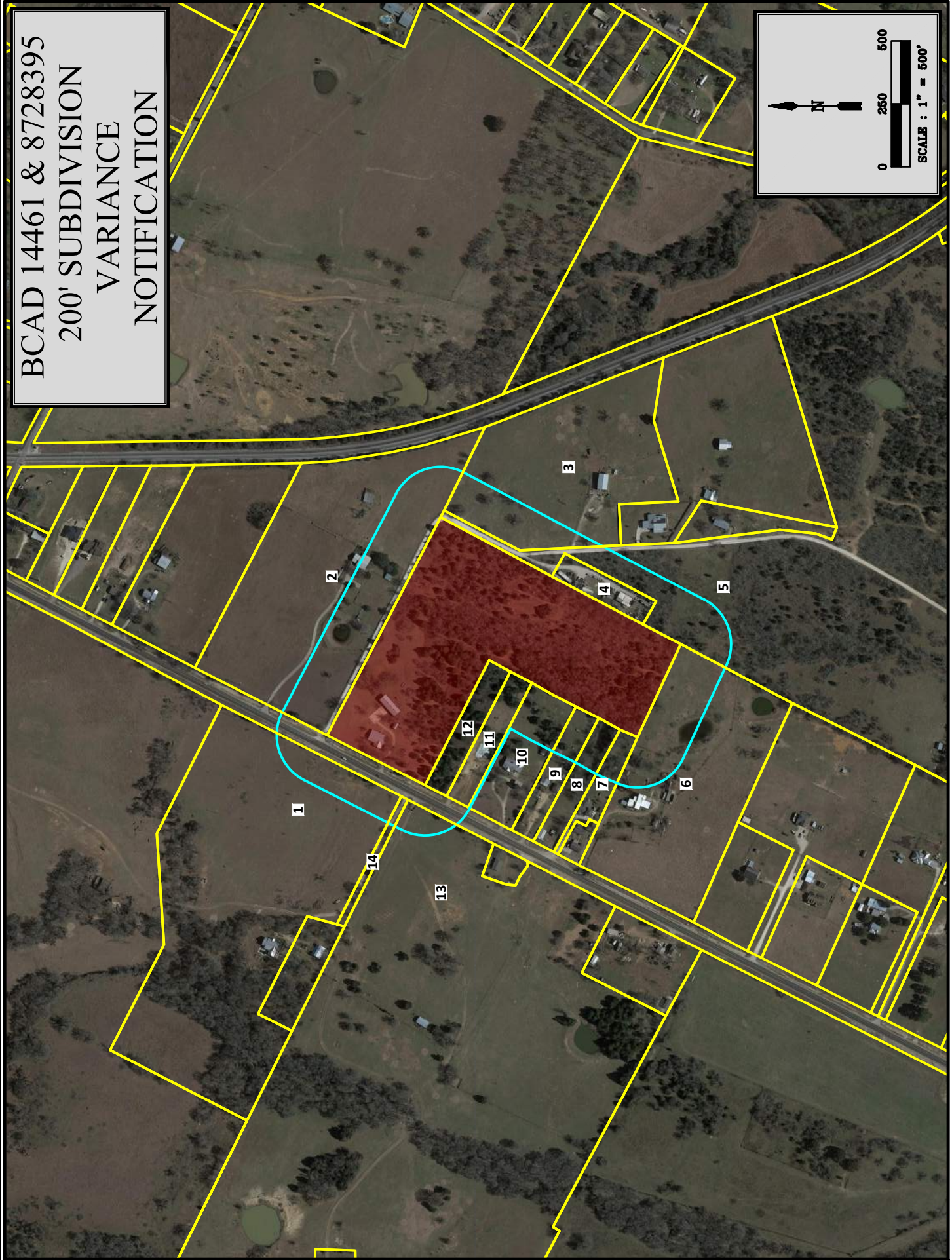
The public is welcome to attend the meeting and may give a public comment on this item. Any person may be represented by an attorney.

Any interested person may also express written comments by emailing the Development Services Department at planninganddevelopment@elgintexas.gov or by postal mail at the following:

City of Elgin
Development Services Department
P.O. Box 591
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to planninganddevelopment@elgintexas.gov or to (512) 281-0119.

BCAD 14461 & 8728395
200' SUBDIVISION
VARIANCE
NOTIFICATION





Development Service Department

STAFF REPORT

Rezoning from “R-1” Single Family Dwelling District to “C-3” Commercial Highway District

Project #: 202300055

Date: April 14, 2023

Applicant: Isauro Vargas Villafana

Representative: SAME

Hearing Dates: Planning & Zoning Commission – April 24, 2023
City Council – May 16, 2023

Location: 13708 County Line Rd. (TCAD Parcel 815585) (ABS 518 SUR 65 MARTIN H, ACR 4.096).

APPLICATION SUMMARY

Recommendation of a rezoning of 4.096 acres of land located (a change to the official zoning map). The proposal is to change the zoning from “R-1” Single Family District to “C-3” Commercial Highway District to develop a proposed auto mechanic repair shop.

DEPARTMENT COMMENTS

Presently there is no development on the parcel. The applicant has indicated they desire to construct an auto mechanic repair shop on the premises. However no conceptual plan has been provided by the applicant and they are not required to have a conceptual plan for development of the site.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Traditional Neighborhood (Residential) Development Land Use category. This category’s primary land usage is single family residential and has a secondary land use of neighborhood-scale retail and office (see attachment 2) according to the provided map and associated land use language. The proposed zoning category will allow for an auto repair facility as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There are numerous additional subtraction of uses shown in **red text** but an addition of uses with the proposed rezoning request as shown with **green text**.

“R-1” District	“C-3” District
Detached single-family dwelling.	Boat sales and service
Churches, but not including revival tents or arbors.	Farm implementation and machinery, new and used sales
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.	Metal and wood fencing, ornamental grillwork and decorative wrought iron work and play equipment sales.

Public park and playground.	Mobile home and travel trailer sales.
Library.	Monument sales
Growing of farm products.	New and used automobile sales and service
Municipal use	Prefabricated house sales.
Telephone exchanges.	Trailers for hauling, rental, and sales
Home occupations.	Motels and tourist courts
Transportation and utility easements, alleys and rights-of-way	Drive-in theater or restaurant.
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Billboards.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	All C-1 and C-2 related uses.

Below is a list of zoning standards for each zoning category, changes are highlighted in yellow between zoning categories:

	R-1 (exist. zoning)	C-3 (prop. zoning)
Height	2.5 stories or 35 feet	50 feet.
Front Setback	25 feet; garage at 25 feet	25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	10 feet
Rear Setback	10 feet	
Lot Width	75 feet	None
Lot Area	9,000 sq. ft.	None
Impervious Cover on Lot	45% interior; 50% corner	None

Based on the information within the packet, staff has issues and concerns regarding the proposal.

The Elgin Comprehensive Plan indicates the principal land use is Traditional Neighborhood (Residential) Development. The principal land use is for single family homes in which the C-3 zoning would not allow for residential use. The supporting land uses for this Land Use are neighborhood scale retail and office (see attachment 2. However, the additional Uses in the C-3 zoning category (separate from the C-1 zoning uses) are for General & Highway Commercial Development and are not in scale with neighborhood scale retail and offices. Also, development patterns along County Line Rd. are residential in nature along the east side of the roadway of which uses of a highway nature such as boat sales and service, mobile home trailer sales and service, New and use automobile sales and service, prefabricated house sales, motels and tourist courts, and billboards would not be desirable related uses (see attachment 3)

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Staff Added Comprehensive Plan Exhibits
3. Staff Added Zoning Map
4. Ordinance with Exhibit
5. 200' Notice Letter and Map

Attachment 1

Application

NON-PDD REZONING APPLICATION

Date: 03/28/2023

SITE INFORMATION

Project Address: 13708 COUNTY LINE ROAD ELGIN, TX 78621

Parcel Identification Number (if no address): _____

APPLICANT

Name: Isauro Vargas Villafana

Postal Address: 13021 Dessau Road Lot 250
Austin, Tx 78754

E-Mail Address: isaurovargas@yahoo.com; Phone Number: (512)436-6949

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

	<u>Isauro Vargas Villafana</u>	<u>03/28/2023</u>
Signature	Printed Name	Date

Project Description:

Rezone property from Residential to C-3 Zone

For use of Automechanic Repair Shop

This is a proposal; this could be changed and may be entirely different than

seen at this time. This proposal cannot be conditionally approved for the rezoning.



802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintexas.gov

Attachment 2

Staff Added Comprehensive Plan Exhibits



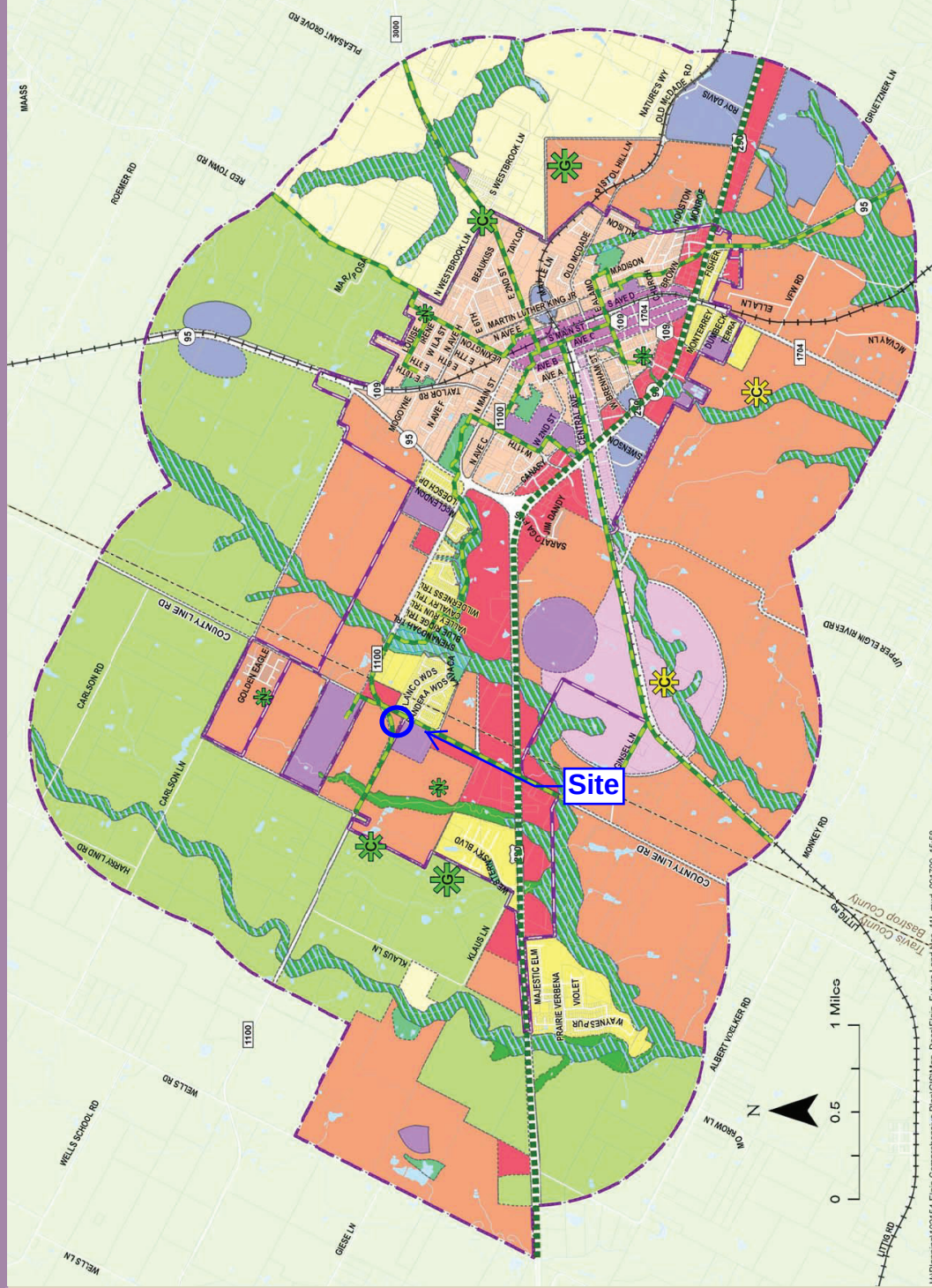
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map_Docs\Elgin_Future Land Use_11L.mxd 09/17/09 15:58
Source: Wilbur Smith Associates, Inc., 2009.

Traditional Neighborhood Development

General Description: Traditional Neighborhood Development (TND) is intended to bring the character and form of Elgin's older neighborhoods (the Central Elgin Neighborhood category) to newly developing areas of the community. Key characteristics include a grid pattern of streets with pedestrian and bicycle amenities, homes that have front porches rather than front garages, a compatible mix of housing types and land uses, and high quality landscaping and building materials.

Transect Zone: General Urban (T4)

Primary Land Use: Single Family Residential

Supporting Land Uses: Attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities. Accessory dwellings or "granny flats" are encouraged with appropriate regulations regarding lot coverage, height, and parking.

Residential Densities: Approximately 5 units per acre.

Form and Character: TND areas should be built according to a traditional grid or modified grid street pattern without the use of cul-de-sacs to promote connectivity and walkability. Homes should address the street directly with garages placed to the side or preferably the rear of the home with access from an alley or lane. Front porches should be incorporated into most homes to promote community and neighborly interaction. Buildings are typically two to three stories tall with shallow to medium setbacks that allow landscaping, while also maintaining a close connection to the street and sidewalk. Lot and home sizes vary to offer a wider range of housing choice and affordability than is typically provided in conventional subdivisions. High quality building materials and landscaping should be used to enhance the overall character of development.

Parks and Open Space: Neighborhood parks should be interspersed regularly to ensure all residents have access to park space. Smaller pocket parks, playgrounds, and greens may also be provided. Sidewalks and bike trails should provide connections to parks and playgrounds within or outside of the neighborhood. Floodplains and existing vegetated areas should be preserved and incorporated into neighborhoods as open space amenities and natural buffers from surrounding development. However, floodplains should not be used to meet the active recreation needs of the community because construction of park facilities is limited in these areas.



Attachment 3
Staff Added Zoning Map

Zoning Map



4/6/2023, 10:50:04 AM

Bastrop Parcels February 2023

Travis Parcels March 2022

Zoning

- Bastrop Parcels February 2023
- Travis Parcels March 2022
- Zoning
- C-1
- C-2
- C-3
- PDD
- R-1
- R-3
- R-4

Attachment 4
Ordinance with Exhibit

ORDINANCE NO. 2023-05-16-??

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY DWELLING DISTRICT TO “C-3” HIGHWAY COMMERCIAL DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCEL 815585, LOCATED AT 13708 COUNTY LINE RD. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from R-1 Single Family Dwelling District to C-3 Highway Commercial District, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on April 27, 2023, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map NOT be amended so that the zoning classification of the property described in Exhibit "A" is C-3 Highway Commercial District, and

WHEREAS, on May 16, 2023, after proper notification, the City Council held a public hearing on the requested zoning, and

WHEREAS, the City Council determines that the zoning provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from R-1 Single Family Dwelling District to C-3 Commercial Highway District.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first reading this the 16th day of May, 2023.

THERESA Y MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

185 McAllister Road
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@austin.rr.com

April 4, 2022

LEGAL DESCRIPTION: BEING A 4.096 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 AND THE WILLIAM HINES SURVEY, ABSTRACT 345 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 4.102 ACRE TRACT OF LAND CONVEYED TO JOSE SALAZAR AND MARIA SALAZAR BY DEED RECORDED IN DOCUMENT #2011187602 OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS; SAID 4.096 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN APRIL, 2022:

BEGINNING at a 3/4" iron pipe found in the westerly line of County Line Road for the southeasterly corner hereof and the northeasterly corner of that certain 2.001 acre tract of land conveyed to Filadelfia Church by deed recorded in Document #2017178751 of said official records;

THENCE N 63°00'44" W a distance of 550.33 feet to a 1/2" iron rod found in the east line of that certain 15.483 acre tract of land conveyed to the Elgin ISD by deed recorded in Document #2004014488 of said official records for the southwesterly corner hereof and the northwesterly corner of said Filadelfia Church 2.001 acre tract;

THENCE N 27°18'50" E a distance of 118.59 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the curving southerly right-of-way line of FM 1100 for the northwesterly corner hereof and the northeasterly corner of said Elgin ISD 15.483 acre tract;

THENCE a distance of 91.18 feet along the arc of said curving line to the left having a radius of 1186.34 feet and a chord bearing N 72°32'34" E, a chord length of 776.60 feet to a 60D nail set in County Line Road for the northeasterly corner hereof;

THENCE S 27°24'23" W a distance of 112.41 feet along County Line Road to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northeast corner of that certain 0.60 acre tract of land conveyed to AQUA WSC by deed recorded in Volume 3824, Page 414 of said official records;

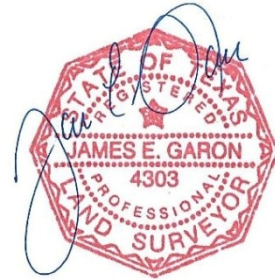
THENCE with said AQUA WSC 0.60 acre tract the following three (3) calls:

1. N 62°37'19" W a distance of 49.98 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northwest corner;
2. S 27°26'53" W a distance of 50.02 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southwest corner;
3. S 62°37'34" E a distance of 50.03 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the west line of County Line Road for the southeast corner of said 0.60 acre tract;

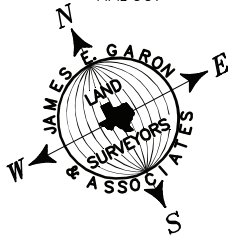
THENCE S 27°24'02" W a distance of 499.97 feet along County Line Road to the **POINT OF BEGINNING**, containing 4.096 acres of land, more or less, and as shown on map of survey prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor
co\Travis\sur\Henry Martin a518\29222 LEGAL



BEARINGS SHOWN ARE GRID NORTH BASED
ON GPS OBSERVATIONS FOR TEXAS STATE
PLANE COORDINATE SYSTEM "CENTRAL ZONE"
NAD83.



SCALE: 1" = 100'

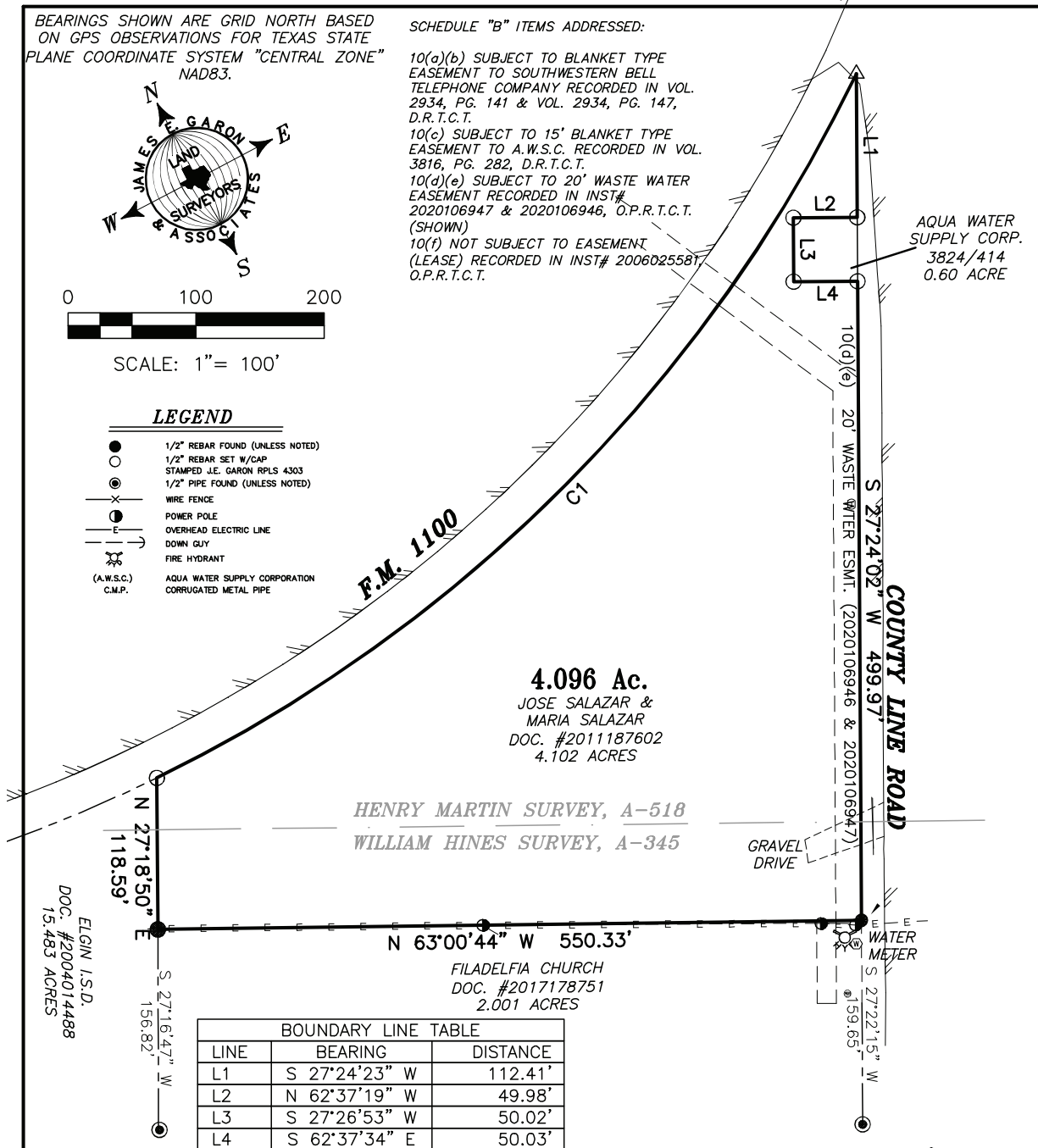
LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP
- ⊙ STAMPED J.E. GARON RPLS 4303
- ⊙ 1/2" PIPE FOUND (UNLESS NOTED)
- X — WIRE FENCE
- ⊙ POWER POLE
- — — OVERHEAD ELECTRIC LINE
- GUY — DOWN GUY
- ⊙ FIRE HYDRANT
- ⊙ (A.W.S.C.) AQUA WATER SUPPLY CORPORATION
- ⊙ C.M.P. CORRUGATED METAL PIPE

SCHEDULE "B" ITEMS ADDRESSED:

- 10(a)(b) SUBJECT TO BLANKET TYPE EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY RECORDED IN VOL. 2934, PG. 141 & VOL. 2934, PG. 147, D.R.T.C.T.
- 10(c) SUBJECT TO 15' BLANKET TYPE EASEMENT TO A.W.S.C. RECORDED IN VOL. 3816, PG. 282, D.R.T.C.T.
- 10(d)(e) SUBJECT TO 20' WASTE WATER EASEMENT RECORDED IN INST# 2020106947 & 2020106946, O.P.R.T.C.T. (SHOWN)
- 10(f) NOT SUBJECT TO EASEMENT (LEASE) RECORDED IN INST# 2006025581, O.P.R.T.C.T.

AQUA WATER
SUPPLY CORP.
3824/414
0.60 ACRE



4.096 Ac.
JOSE SALAZAR &
MARIA SALAZAR
DOC. #2011187602
4.102 ACRES

HENRY MARTIN SURVEY, A-518
WILLIAM HINES SURVEY, A-345

ELGIN I.S.D.
DOC. #2004014488
15.483 ACRES

FILADELPHIA CHURCH
DOC. #2017178751
2.001 ACRES

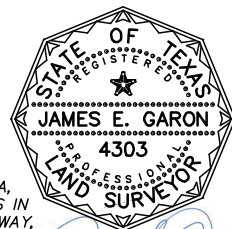
BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 27°24'23" W	112.41'
L2	N 62°37'19" W	49.98'
L3	S 27°26'53" W	50.02'
L4	S 62°37'34" E	50.03'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	CHORD
C1	791.19'	1185.91'	38°13'31"	N 72°32'34" E	776.60'

TO THE OWNERS, LIEN HOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X" AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48453C0510H, EFFECTIVE SEPTEMBER, 26, 2008.



APRIL 1, 2022



JAMES E. GARON & ASSOC.

LAND SURVEYORS & CIVIL ENGINEERS
Firm Reg. #10058400 & F-20386
185 McAllister Road
Bastrop, Texas 78602
(512) 303-4185
jgaron@austin.rr.com
www.jamesegaronsurvey.com

REFERENCE: ISAURO VARGAS VILLAFANNA

G.F. NO.: 2208664-RQL

ADDRESS: 13807 COUNTY LINE ROAD, ELGIN, TEXAS.

LEGAL DESCRIPTION: 4.096 ACRES IN THE HENRY MARTIN SURVEY, ABSTRACT 518 & WILLIAM HINES SURVEY, ABSTRACT 345, TRAVIS COUNTY, TEXAS.

FIELD BOOK: B-681/21

FILE: S:\Counties\Travis\Surveys\Henry Martin Sur A-518\29222.dwg

Attachment 5
200' Notice Letter and Map



April 11, 2023

NOTICE OF A REZONING REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The map on the back of this page shows the lot making the request (red solid shape) and your lot within the notice area (blue line). This notice is to inform you of a public hearing to be held by the Planning & Zoning Commission and the City Council on the item as denoted below:

Project #202300055: An ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2012 and making this amendment a part of said official zoning map to wit: To rezone land from "R-1" Single-Family Dwelling District to "C-3" Highway Commercial District on Travis Co. Appraisal District (TCAD) Parcel 815585 (BEING 4.096 ACRES OF LAND, OUT OF THE HENRY MARTIN SURVEY 65, ABSTRACT NO. 518 IN TRAVIS CO., TX) being more described in Exhibit "A"; and providing for a savings clause and repealing conflicting ordinances and resolutions.

With public hearings as below:

By the Planning & Zoning Commission for a recommendation on April 24, 2023 and the City Council for a consideration on May 16, 2023, both meetings beginning at 6:30 P.M. Central Standard Time. These meetings are to be held at Elgin Public Library Annex (Civic Center) located at 404 N. Main St. Elgin, TX, 78621, U.S.A.

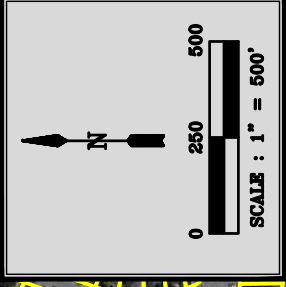
The public is welcome to attend the meeting and may give a public comment on this item. Any person may be represented by an attorney.

Any interested person may also express written comments by emailing the Development Services Department at planninganddevelopment@elgintexas.gov or by postal mail at the following:

City of Elgin
Development Services Department
P.O. Box 591
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to planninganddevelopment@elgintexas.gov or to (512) 281-0119.

TCAD 815585
200' REZONING
NOTIFICATION





Development Services Department

STAFF REPORT

An Ordinance amending Ch. 46 Zoning, Article I In General, Article IV Zoning District Regulations, Article V Supplemental District Regulations; and providing for a savings clause and repealing conflicting ordinances and resolutions.

Date: March 28, 2023

Hearing Dates: Commission Recommendation – April 24, 2023
Council Consideration – May 16, 2023

CODE CHANGE SUMMARY

These zoning code changes are being heard by the Commission for a recommendation and Council for consideration per the above dates. These Code changes are being completed at the request of the City Council to add regulations regarding the allowance of accessory dwelling units (ADU's).

CHANGE/DISCUSSION SUMMARY

From the March workshop, the Commission reviewed the proposed Staff changes to the Zoning Code. From that meeting the following has been modified per the discussion:

1. Under Section 46-510, the minimum square footage for an accessory dwelling unit was modified from 600 sq. ft. to 370 sq. ft. and has been reworded to clarify the language regarding the size of the ADU's (see yellow highlight on Ordinance).

ORDINANCE NO. 2023-05-16-??

AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE I IN GENERAL, ARTICLE IV ZONING DISTRICT REGULATIONS, & ARTICLE V SUPPLEMENTAL DISTRICT REGULATIONS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to update certain regulations by adding accessory dwelling unit regulations to the zoning code; and

WHEREAS, City staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, the Planning & Zoning Commission at their April 24, 2022, meeting recommended approval of the proposed changes; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:

I.

That Chapter 46 Zoning, Article I In General, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding, amending, and deleting definitions to Section 46-1 - Definitions et. seq., which shall read as follows:

Accessory dwelling unit (ADU) means a detached dwelling unit built on a lot in addition to the main building. Accessory dwelling units are subordinate in size, location, and use to the main building.

Dwelling means any building or portion thereof, which is designed or used as living quarters for one or more families, but not including trailer homes. ~~All dwellings shall comply with the requirements in masonry construction.~~ See *Trailer home*.

Dwelling, accessory See *Accessory dwelling unit*.

Dwelling, two-family, means a ~~detached dwelling~~ building designed to be occupied by two independent dwellings whereby families live~~ing~~-independently of each other.

~~*Garage apartment* means a dwelling unit for one family erected above a private garage or a multifamily dwelling unit, with not more than three stories. The building has private outdoor space, either on grade, or a private balcony.~~

Gross floor area means the total area in square feet of all floors of a building, measured from the exterior face of exterior walls or from the centerline of dividing walls separating two buildings.

Main building See *Building, main*

II.

That Chapter 46 Zoning, Article I In General, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding a permitted use to Section 46-231 – Uses Permitted et. seq., which shall read as follows:

(15) Accessory dwelling unit.

III.

That Chapter 46 Zoning, Article IV Zoning District Regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-233 – Area regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.

(5) *Lot area.*

- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 9,000 square feet.
 - b. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet
 - c. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

IV.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by deleting a permitted use to Section 46-263 – Uses Permitted et. seq., which shall read as follows:

- ~~(2) Garage apartments.~~
(3) Duplex.

V.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-265 – Area Regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.

(5) *Lot area.*

- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 7,500 square feet.
 - b. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
 - c. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

VI.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-303 – Area Regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.
- (5) *Lot area.*
- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 6,000 square feet.
 - b. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
 - c. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 10,000 square feet
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

VII.

That Chapter 46 Zoning, Article V Supplemental District Regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-510 – Impervious Driveway Required; Minimum Square Footage of Dwellings et. seq., which shall read as follows:

(d) Accessory dwelling units shall be one half (1/2) of the gross floor area of the main building not to exceed 900 sq. ft. and shall be a minimum of 370 sq. ft.

VIII.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding accessory building regulations to Section 46-540 – Accessory Building Restrictions et. seq., which shall read as follows:

Sec. 46-540. Accessory building restrictions & accessory dwelling unit restrictions.

- (a) No accessory building and/or accessory dwelling unit shall be constructed upon a lot until the construction of the main building has been actually commenced, ~~and~~
- (b) An accessory dwelling unit shall not be rented out for a period of less than thirty (30) consecutive calendar days in a year.
- (c) An accessory dwelling unit shall not be sold separately from the property.
- (d) An accessory dwelling unit is subject to the applicable density standards in its applicable zoning category.
- (e) An accessory dwelling unit cannot be located past the front elevation of the main building.
- (f) ~~n~~No accessory building shall be used unless the main building on the lot is also being used.

IX.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding clarification to Dwelling, single family or two-family & adding standards for accessory dwelling unit to Section 46-635 – Amount of Off-Street Parking and Loading Requirements et. seq., which shall read as follows:

- (a) Off-street parking and loading facilities shall be provided in all zoning districts, except within the Downtown Historic District, in accordance with the following schedule:
 - (1) Dwelling, single-family or two-family: Two parking spaces for each separate dwelling unit within a garage and two separate parking spaces within a driveway for each dwelling unit; parking may only be in tandem for a single-family dwelling unit. This does not include an accessory dwelling unit.
 - (2) Accessory dwelling unit: Two parking spaces for each dwelling unit; parking may be in tandem.
 - (3) Dwelling, multiple family: 1.5 spaces per one bedroom unit; 2 spaces per two bedroom unit; 2.5 spaces per 3+ bedroom unit; guest parking at a ratio of 5% of the required spaces. At least 25% of all overall parking spaces shall be covered parking. All parking spaces shall be so arranged as to permit vehicles to be parked and removed without moving one car to facilitate the movement of the other. All parking areas shall be paved according to the city's standard specifications.
 - (34) Boardinghouse, rooming house, tourist home, bed and breakfast or hotel: 1 parking space per room + 1 parking space per 200 sq. ft. of commercial gross floor area or + 4 parking spaces for a use that doesn't have a commercial gross floor area.
 - (45) Hospitals: One space for each four patient beds, exclusive of bassinets, plus adequate area for the parking of emergency vehicles.
 - (56) Medical or dental clinics or offices: 1 parking space per 200 sq. ft. of gross floor area.
 - (67) Sanatoriums, convalescent or nursing homes: 1 parking space per one bedroom unit + 4 additional parking spaces.
 - (78) Community center, theater, auditorium, church sanctuary: One parking space for each four seats, based on maximum seating capacity.
 - (89) Convention hall, lodge, club, library, museum, place of amusement or recreations: One parking space for each 50 square feet of floor area used for assembly or recreation in the building.
 - (910) Office building: One parking space for each 300 square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building service.

- (1~~01~~) Restaurants, cafes, dinners, clubs, bars and other establishments which provide tables and/or bar seating: 1 parking space per 100 sq.ft. of gross floor area (includes outdoor seating, outdoor smoking areas, and waiting areas).
- (1~~12~~) Commercial establishments not otherwise classified: One parking space for each 200 square feet of floor space used for retail trade in the building and including all areas used by the public.
- (1~~23~~) Industrial establishments: 1 parking space per 600 sq. ft. of gross floor area for indoor facility; and 1 parking space per additional 1,000 sq. ft. gross floor area for outdoor facility; and 1 parking space per 2,500 sq. ft. indoor storage area.
- (1~~34~~) Public elementary school and middle school (junior high): One space per 300 square feet of classrooms.
- (1~~45~~) Private school, primary: One space per 300 square feet of classrooms.
- (1~~56~~) Private school, secondary: One space per 200 square feet of classrooms.
- (1~~67~~) Public high school: One space per 200 square feet of classrooms.
- (1~~78~~) Post-secondary institution: One space for each two residents for dormitories or other residences; one space for each 500 square feet of gymnasium and classrooms; one space for each 300 square feet of administrative and office space.

X.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding accessory dwelling unit regulations to Section 46-692 – Location of dwellings and buildings et. seq., which shall read as follows:

- (a) Only one main building for single-family or two-family use, with permitted accessory buildings, may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley.
- (b) Only one (1) accessory dwelling unit may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley.
- (c) Where a lot or tract of land is used for multifamily, commercial, or industrial purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking and density requirements applicable to the uses and district, and when all such main buildings face upon a street or officially approved place, other than an alley.

XI.

- A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.
- C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the Planning & Zoning Commission meeting at which this Ordinance was recommended was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.
- D. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter

hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on this **16th** day of **May**, 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary