



**ELGIN BOARD OF ADJUSTMENT AGENDA
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
February 8, 2024
6:30 PM**

I. CALL TO ORDER

II. PUBLIC COMMENT

The "PUBLIC COMMENT" item posted on the agenda is reserved for members of the public who would like to address the Board of Adjustments (the Board) regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the Board during the meeting shall do so under the "PUBLIC COMMENT" agenda item. Speakers shall be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts, or information for the Board, to the Board Secretary prior to commencement of the Board of Adjustments meeting. **As of May 1, 2022, all such public comments will be done IN PERSON. You may email public comments and they will be distributed to each of the Board Members but not read out loud.**

Speaker comments are limited to three (3) minutes. No formal action can be taken by the Board on items not posted on the agenda. Items requiring a PUBLIC HEARING will allow a member of the public an opportunity to speak during the Public Hearing and does not require a "PUBLIC COMMENT FORM".

Speakers must address their comments to the Chairperson or Presiding Officer rather than to an individual Board Member or Staff Member. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from any personal attacks or derogatory comments directed at any Board Member, Staff Member, other individual, or group.

III. CONSENT AGENDA

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the Board of Adjustments (the Board) and will be enacted with one motion, one second, and one vote. Any member of the Board may pull any item from the Consent Agenda in order that the Board discuss and act upon it individually as a part of the Regular Agenda.

1. December 18, 2023 Minutes

IV. NEW BUSINESS

1. **Project #202400005: a variance from Section 46-417 in order to remove the requirement for a ten (10) foot rear setback in the north-east corner of the lot where an eight (8) foot wide by fifteen (15) foot long concrete water feature has been constructed in the “C-3” Highway Commercial District located at 329 West Highway 290 (Smith, J.S. Lot 53C (FR), ACRES 0.141 located in Bastrop Co.).**
 - A. Staff Presentation
 - B. Applicant Presentation
 - C. Open Public Hearing
 - D. Close Public Hearing
 - E. Discussion
 - F. Consideration

2. **Project #202400004: a variance from Section 46-534 (b) in order to keep the 4”X4” wooden fence posts at 605 Arthur Street (Cleveland Subdivision, Lot 2, Acres 0.1660) located in Bastrop County.**
 - A. Staff Presentation
 - B. Applicant Presentation
 - C. Open Public Hearing
 - D. Close Public Hearing
 - E. Discussion
 - F. Consideration

V. ANNOUNCEMENTS

VI. ADJOURNMENT

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance.

The members of the boards, commissions and/or committees may participate in discussions on the same items listed the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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) 229-3222. Please provide forty-eight hours' notice when feasible.

I, Beau Perry, City Engineer for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before February 2nd 2024, in accordance with Chapter 551 of the Texas Government Code.



Beau Perry, Interim Development Services Director

**MINUTES
CITY OF ELGIN BOARD OF ADJUSTMENTS
SPECIAL MEETING
MONDAY, DECEMBER 18, 2023**

- I. CALL TO ORDER-ROLL CALL:** The Chair called the meeting to order at 6:00 P.M. at the Library Annex (Civic Center) located at 404 N. Main St., Elgin, TX, U.S.A.

BOARD PRESENT: Chair Regan Dumbeck, Darren Mogonye, S H McShan, Suzannah DesRoches (Sr. Alternate), David Lanford (Jr. Alternate), Stephen Finley arrived at 6:04 P.M.

BOARD ABSENT: Stephen Kylberg.

STAFF PRESENT: Beau Perry, Interim Development Services Director; Melissa Lipiec, Secretary.

II. OATH OF OFFICE

- 1. Darren Mogonye and Stephen Kylberg are the last Board Members who need to take the Oath of Office.** The Chairman announced that this item would be skipped due to the fact that Darren Mogonye had already been administered the Oath of Office prior to the meeting and Stephen Kylberg was not present.

III. PUBLIC COMMENT

No members of the public were present to speak on this item.

IV. CONSENT AGENDA

- 1. October 12, 2023 Minutes.**

Suzannah DesRoches noted that her last name was miss-spelled and moved that the minutes be approved with the correction made. S. H. McShan seconded the motion. The motion passed with the following members voting for: Darren Mogonye, Regan Dumbeck, Suzannah Des Roches (moved up as Senior Alternate prior to Stephen Finley's arrival) and S.H. McShan. There were no votes against the motion. David Lanfor abstained from voting as his vote was not required as Jr. alternate member.

V. NEW BUSINESS

- 1. Project #: 202300253:** A request for variance to Section 32-166 – Determination of sign height allowing the nine (9) foot high Entry Monument Columns to be measured from the grade level of the monument, while being placed within thirty (30) feet of the southwest corner of FM 1100 and Corner Brake Lane and within thirty (30) feet of the north side of Suttles Drive near the intersection of Endless Narrow Lane; a variance to Section 32-193 to increase the maximum allowed sign size from fifty (50) square feet to ninety-five (95) square feet and increase the allowed sign height from seven feet (7') to an approximate height of eleven point fifty (11.50) feet from grade level: and an additional variance to Section 32-193 to increase the maximum allowed sign height for the proposed Entry Monument Columns to be increased from seven (7) feet to none (9) feet in height measured from the top of the foundation.
- A. Staff Presentation –** Beau Perry informed the Commission that sign variances are usually included as part of Planned Development District documents or Development Agreements which are approved by Council. In this case signs were not included in the Briarwood Development and Consent Agreement approved by Council in June of 2022 therefore, since their proposed signs do not meet the City code, they are required to seek

V. NEW BUSINESS (Cont.)

a variance from the Board of Adjustments. Beau Perry also provided a brief description of the development, which is an in-city Municipal Utility District.

- B. Applicant Presentation – The applicant, Kyle Bruno of Bruno Land Design, LLC addressed the Board stating the Briarwood project is approximately 773 units and went over his presentation. Travis Grady
- C. Open Public Hearing – The public hearing was opened at 6:28 P.M. There were no members of the public present to offer comments.
- D. Close Public Hearing – The public hearing was closed at 6:28 P.M.
- E. Discussion –The commission discussed the increases allowed by code compared to what the applicant was requesting, sign locations and planned County Line Road improvements.
- F. Consideration – Darren Mogonye moved that the Commission grant a variance as follows:
 - 1. Primary Entry Monument at Briar Brush Lane and County Line Road:
 - a. Maximum height of nine point eight feet (9.8’) measured from grade level.
 - b. Maximum sign size of seventy (70) square feet.
 - 2. Entry monument column at Suttles Drive near Endless Narrow Lane:
 - a. Maximum height of nine feet (9’) measured from grade level.
 - b. Setback of ten feet (10’)
 - 3. Entry monument column at FM 1100 and Corner Brake Lane:
 - a. Maximum height of nine feet (9’) measured from grade level.
 - b. Setback of eighteen point one (18’.1”) feet.

Stephen Finley seconded the motion. The motion passed unanimously with a vote of four (4) for and zero (0) against. The two alternate members were not required to vote as there was a quorum of regular members.

VI. ANNOUNCEMENTS

None.

VII. ADJOURNMENT

The meeting was adjourned at 6:34 P.M.

Regan Dumbeck, Chair

ATTEST: _____
Melissa Lipiec, Secretary

On a motion by _____, seconded by _____
the foregoing instrument was passed and approved on this _____ day of _____, 202__.



Development Service Department

STAFF REPORT

Application for Zoning Variance

Project #: 202400005

Date: January 30, 2024
Applicant: Manuel Luna on behalf of Jose Raul Lopez
Representative: Manuel Luna
Hearing Date: Board of Adjustment – February 8, 2024
Location: 329 W US 290

CASE SUMMARY

Consideration (action) by the Board of Adjustment of a Zoning Variance from Section 46-417 to reduce the minimum rear setback of ten (10) feet to zero (0) feet in the north-east corner of the lot where an eight (8) foot wide by fifteen (15) foot long concrete water feature has been constructed at the above referenced location.

DEPARTMENT COMMENTS

New construction of a water feature was observed by the Code Enforcement Department on November 30, 2023. Upon investigation, it was discovered that a permit had not been sought for the construction and the water feature was encroaching on the ten (10) foot rear setback required by Section 46-417 of the Code of Ordinances. *On the rear yard of a lot adjoining a dwelling district there shall be a rear yard of not less than ten feet.* Manuel Luna was informed of the rear setback encroachment a variance would be required to be sought in order to keep the water feature.

As staff is unable to grant variances, it is up to Board of Adjustments as whether to grant a variance allowing the water feature to remain or to order its removal.

ATTACHMENTS

Additional information is provided through the attached exhibits.

1. Application
2. Owner's Authorization
3. Narrative
4. Site plan
5. Photos of water feature
6. Public Hearing Notice and Map

ZONING VARIANCE APPLICATION

Date: December 28, 2023

SITE INFORMATION

Project Address: 333 US 290 Elgin TX

Parcel Identification Number (if no address):

APPLICANT

Name: Manuel Luna

Postal Address: 321 US 290 Elgin TX

E-Mail Address: manuel.luna288.ml.ml@gmail.com; Phone Number: 512 629 5936

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.

Signature: [Handwritten Signature] Printed Name: MANUEL LUNA Date: 01-04-24

Project Description:

Fountain installation at 333 US 290 we made a 8 ft by 15 ft fountain for aesthetic purposes. We have approval from neighbors and they said they agree to it and dont negatively impact their interests



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



(512) 281-0119



www.elgintexas.gov

OWNER'S AUTHORIZATION LETTER

I/we hereby certify that I/we am/are the owner(s) of the above-described property. I/we am/are respectfully requesting processing and approval of permit(s) and/or project(s) reviews. I/we hereby authorize the Applicant listed on this letter to act on my/our behalf during the processing, review, presentation of this request and any inspections associated with this request. They shall be the principal contact with the City during the processing, review, presentation of this request and any inspections associated with this request

MANUEL LUNA
Name of Applicant or Company (Print)

01 04 2024
Date

[Signature]
1st Owners Signature

12-28-23
Date

1st Owners Printed Name

Date

2nd Owners Signature

Date

2nd Owners Printed Name

Date

3rd Owners Signature

Date

3rd Owners Printed Name

Date

Additional owners please provide their signatures, date, printed name, and date on separate letter. Failure to provide additional property owner(s) and/or produce incorrectly may result in delay.

Be aware the person(s) who represent a corporation, limited liability company (LLC), or similar type of corporation regarding property ownership must provide documentation along with this letter indicating they have authority to sign for said corporation. Failure to provide may result in delay.

Narrative for fountain zoning variance

**1. Non-Contradiction to Public Interest:

The installation of the 8ft by 15ft fountain, constructed with high-quality concrete, aligns with the aesthetic and environmental values of the Elgin community. It enhances the visual appeal of the neighborhood without disrupting the local environment or community living standards. The fountain's design and operation have been carefully considered to ensure minimal noise and no safety hazards, thereby aligning with public interest in maintaining a peaceful and safe neighborhood.

**2. Special Conditions Leading to Unnecessary Hardship:

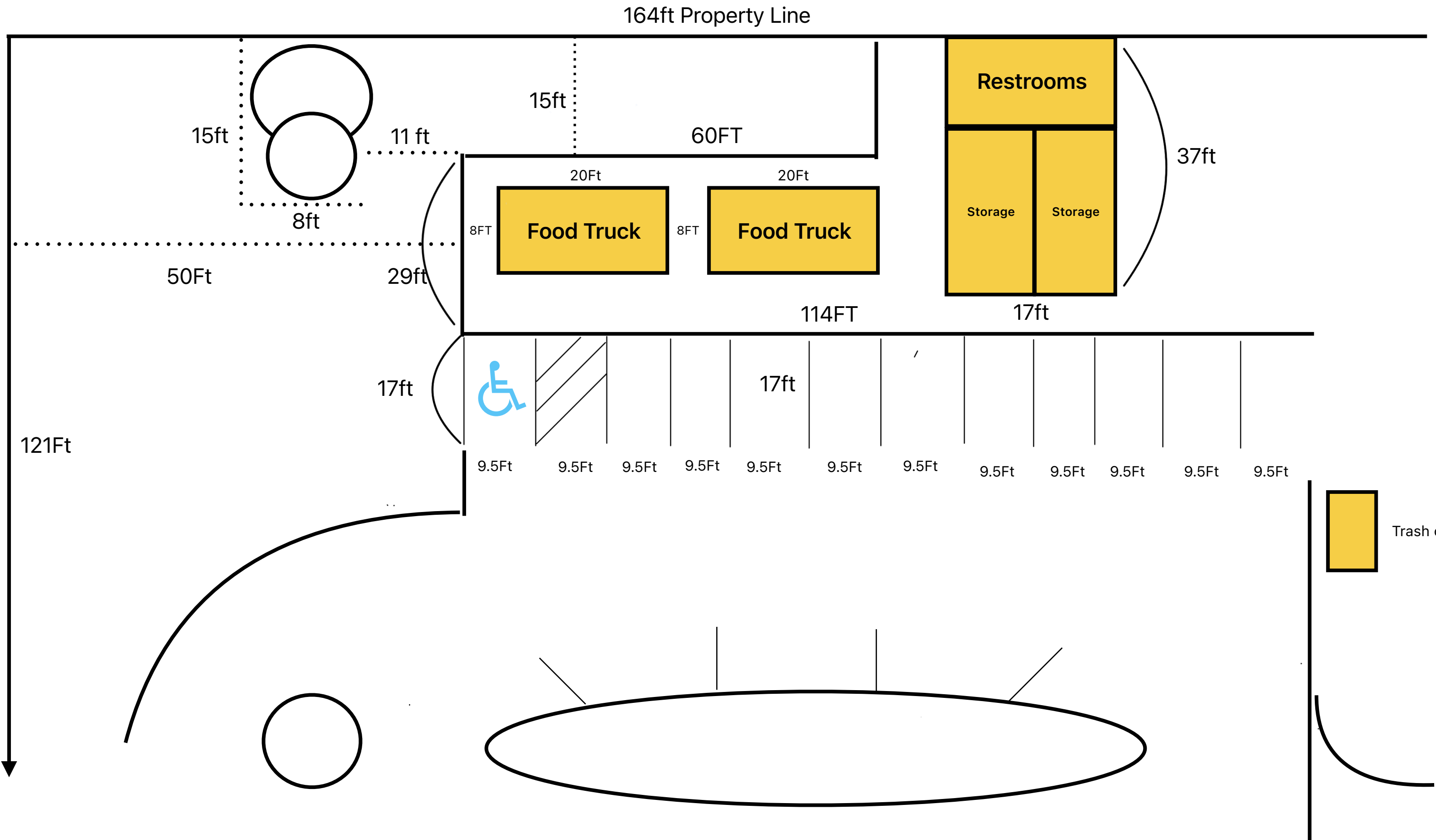
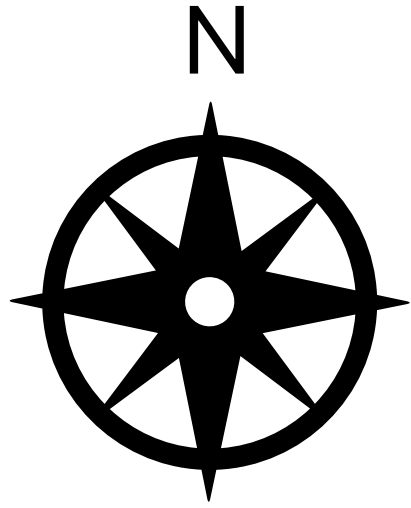
The unique layout and topography of the property present special conditions. The area where the fountain is installed is unsuitable for traditional landscaping or building due to the space it has. Without the fountain, this space would remain underutilized, detracting from the overall aesthetic of my property and, by extension, the neighborhood. The strict enforcement of zoning codes in this instance leads to unnecessary hardship by limiting the use of my property and inhibiting the enhancement of local aesthetic values.

3. Observance of Zoning Ordinance Spirit and Substantial Justice:

My request for a variance is made with full respect for the spirit of the zoning ordinance. The fountain does not encroach upon public space, and maintains the integrity of the neighborhood's layout. By granting this variance, substantial justice would be served as it allows for the reasonable use of my property, enhances local aesthetics, and does not infringe upon the rights and enjoyment of other residents.

4. Alignment with Public Interest and Zoning Ordinance Spirit:

This variance request is in no way contrary to public interest or the spirit of the zoning ordinance. The fountain contributes positively to the community by enhancing environmental beauty and providing a serene atmosphere. It represents a harmonious balance between personal property enhancement and community well-being. The design and placement of the fountain have been carefully considered to ensure it complements the neighborhood's character and adheres to the underlying intentions of the zoning laws, which aim to foster a harmonious, safe, and attractive community environment.











January 16, 2024

NOTICE OF A ZONING VARIANCE REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The attached map shows the lot making the request (red shaded shape) and your lot within the notice area (blue circle). This notice is to inform you of a public hearing to be held by Board of Adjustment as denoted below:

Project #202400005: a variance from Section 46-417 in order to remove the requirement for a ten (10) foot rear setback in the north east corner of the lot where an eight (8) foot wide by fifteen (15) foot long concrete water feature has been constructed in the “C-3” Highway Commercial District located at 329 West Highway 290 (Smith, J.S. Lot 53C (FR), ACRES 0.141 located in Bastrop Co.). located at 410 Madison St. (Smith, J.S. Lot 10B, ACRES 0.16 as located in Bastrop Co.).

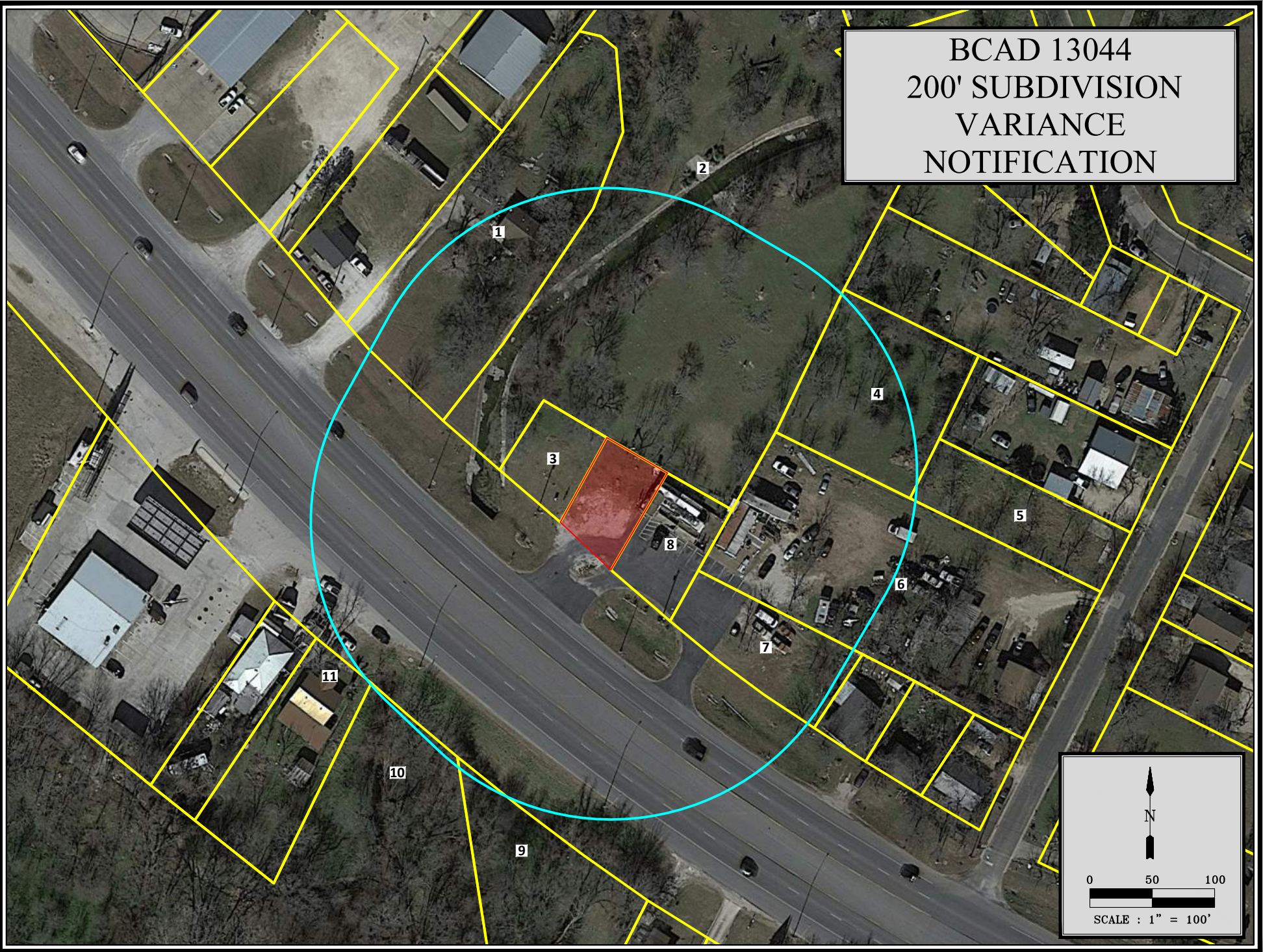
Notice is given of a public hearing to be held by the Board of Adjustment on February 8, 2024, beginning at 6:30 P.M. Central Standard Time for a consideration. This meeting is to be held at Elgin Public Library Annex (Civic Center) at 404 N. Main St. Elgin, TX, 78621, U.S.A. The public is welcome to attend and may give a public comment on this item. Any person may be represented by another person, neighbor, or 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 or may be requested from the Development Services Department, City Hall, 802 N. Avenue C, Elgin, TX 78621 U.S.A. from 8:30 A.M – 4:00 P.M. Central Standard Time, Monday – Friday.

BCAD 13044
200' SUBDIVISION
VARIANCE
NOTIFICATION





Development Service Department

STAFF REPORT

Application for Zoning Variance

Project #: 202400004

Date: January 30, 2024
Applicant: Aldair Sanchez Alvarado
Hearing Date: Board of Adjustment – February 8, 2024
Location: 605 Arthur Street

CASE SUMMARY

Consideration (action) by the Board of Adjustment of a Zoning Variance from Section 46-534 to allow 4”X4” wooden fence posts for the six-foot-tall privacy fence at the above referenced location.

DEPARTMENT COMMENTS

The Code Enforcement Department observed fence construction at 605 Arthur Street on December 1, 2023. They followed the standard operating procedure as detailed in Attachment #3. Section 46-534 of the Code of Ordinances states: *All wooden privacy fences shall have metal post of sufficient gauge and diameter, embedded in concrete to support the weight and wind load of the fence. Wooden privacy fence posts will not be allowed for construction after July 31, 2011.* As referenced in the narrative provided by Mr. Alvarado (Attachment #2), our department can confirm that Mr. Alvarado did call our office to inquire whether a permit was required for fencing or fence repair. Mr. Alvarado was advised that our office did not issue permits for fencing and that replacing a few damaged fence pickets would be allowed. He was also informed of the metal post requirement. A follow-up email was sent to him containing links to the fence requirements and fence illustrations (Attachment #.4).

Ultimately, Mr. Alvarado replaced all fence pickets as stated in his narrative but kept the existing 4”X4” wooden posts. The issue is should Mr. Alvarado have replaced all of the wooden 4”X4” posts with metal posts at the time his scope of work went beyond replacing a few pickets. As staff is unable to grant variances, it is up to Board of Adjustments as whether to grant a variance allowing the use of the wooden posts or to require Mr. Alvarado to replace them with metal posts. The Board may grant a variance allowing Mr. Alvarado to keep the wooden fence posts, grant a variance with conditions, or deny the variance request.

ATTACHMENTS

Additional information is provided through the attached exhibits.

1. Application
2. Narrative
3. Code Enforcement Statement
4. November 6, 2023 email
5. Notice of Violation
6. Photos of the fence
7. Public Hearing Notice and Map

ZONING VARIANCE APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: _____

Postal Address: _____

E-Mail Address: _____; Phone Number: _____

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.

Signature

Printed Name

Date

Project Description:



Attachment #2

To whom it may concern,

I am writing to you today to explain my case. I purchased the house on 605 Arthur St, Elgin Tx 78621 in early November. We are doing cosmetic renovations on the house. Some of these renovations include painting the house interior and exterior. When I purchased the home the previous owner basically abandoned the home. They were in foreclosure process so when I purchased the home they left a lot of stuff behind. Major part of the work was getting rid of this trash. I also donated a lot of the appliances or anything that was useful to the neighbors.

Another thing that we did was change out the fence pickets because several of the pickets on the fence were in bad shape. However we did not replace the 2x4s or the fence posts. Before we began the project I contacted the City of Elgin to check for restrictions on the fence or if I needed a permit. The City said no permit was needed and the only restriction they mentioned was if I replaced any fence post that the newly installed post must be a metal post and it could not be a wood post. This information was given to me by Nelva from City of Elgin Development services on November 6, 2023.

I initially began only changing out the pickets that were in bad shape from the fence. I initially did this because it was the most cost effective solution for me. However after I replaced the defective pickets the fence still looked ugly. It looked ugly because there was a mix of new pickets and some that were old and slightly defective. I decided to invest more money and change out all the pickets. I spent more money on material and labor to make this improvement on the home. However I knew that in the long run it could benefit me by increasing the value of the home and it would also benefit the City of Elgin because this would make the house look nice and that would mean there is one more nice home in the City of Elgin. I did not replace the 2x4s or the fence post because these were still in very good shape. I also did not want to incur more expenses by having to replace something that is still fully functional.

After 4 weeks of working on the house Mr Junior Puente stopped by the house and told me that we needed to have metal posts because we had a new fence. However technically we did not have a new fence we are reusing a lot of the pieces that were already there. I also told Mr Puente about my conversation with Nelva in November and he agreed that there was a little bit of miscommunication. Mr Puente said Nelva was new to the City of Elgin Development and that is why I was misinformed. I expressed to Mr Puente that it would have been better for everyone if someone from Development Services would have stopped by earlier rather than waiting after 4 weeks when the fence modifications were completed. I also expressed to Mr Puente that if I knew I had to replace everything I would have kept the fence how it was originally.

I tried to do something good for the benefit of the house and of the community even if it meant spending more money. Now I am in a position where it will be more expensive to replace all the wood posts with metal posts. The guys who I hired to replace the fence pickets have already left the job site. They will charge me more for having to come out another time to make this modification. I will also spend money on buying metal posts and all the materials needed to set up the posts. It would have been cheaper for me to change everything out including pickets,

2x4s and posts, from the beginning if I would have been given the right information. Then now having them come back out to make this modification. I would of also

Code Enforcement Statement

Upon patrolling the city, we came across 605 Arthur Street, where we noticed a 6-foot fence past the building line and an old privacy fence with new planks. When we see any new construction being done, we stop by and investigate the work. We noticed that some of the old 4x4 wooded posts were being replaced with new 4x4 wooded posts. They should have been replaced with metal posts, and also that the 6-foot privacy fence went past the front building line of the property. (According to the City of Elgin Code of Ordinances, Chapter 46 (Zoning), Sec. 46-534, (a), (1) No solid fence or enclosure wall shall exceed a height of six feet, and no such six-foot fence or enclosure shall extend beyond the front of a dwelling exclusive of porches.) All wooden privacy fences shall have a metal post of sufficient gauge and diameter embedded in concrete to support the weight and wind load of the fences. Wooden privacy fence posts will not be allowed for construction after July 31, 2011.

With the two violations in view, we took pictures and determined that the work should be stopped, so we placed a stop work order. So, no work can be done unless it is to correct the violation. The owner was explained the ordinance and the options on how to correct the violations. The owner did not agree with the ordinance. As part of our standards, we came back to the office and opened a case on the property, so a fence ordinance letter was generated with pictures and sent to the owner on file with Bastrop Central Appraisal District (Attachment #5). One letter is sent via regular mail, and another is sent via certified mail. In the letter, it states the violations and explains the ordinance and how to correct them. It also explains the time frame given. Once the letter has been sent, we drive by the property to confirm that no work is being done or that the violations have been corrected. If nobody has contacted our offices after the 10th day that the letter has been sent out, we will process it into court for non-compliance.

Attachment #4

From: [Nelva Perez](#)
To: alvar5198@gmail.com
Subject: Fence Requirements
Date: Monday, November 6, 2023 3:42:57 PM

Hello,

Following link is for fence requirements.

https://library.municode.com/tx/elgin/codes/code_of_ordinances?nodeId=PTIICOOR_CH46ZO_ARTVSUDIRE_DIV2OPSP_S46-534FEENWA

Link to the diagram showing corner lot.

https://library.municode.com/tx/elgin/codes/code_of_ordinances?nodeId=PTIICOOR_CH46ZO_ARTVSUDIRE_DIV2OPSP_S46-543FEIL

No permit is required for fencing. Please make sure you do not go pass your property line.

Thank you,
Nelva Perez



U.S. Postal Service
CERTIFIED MAIL RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

ELGIN POST OFFICE
 ELGIN, TEXAS
 DEC 01 2023

9589 0710 5270 0480 3425 08

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy)

Return Receipt (electronic)

Certified Mail Restricted Delivery

Adult Signature Required

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To *Maness Dale Roy*

Street and Apt. No., or PO Box No. *605 Arthur St*

City, State, ZIP+4[®] *Elgin TX 78621*

PS Form 3846, January 2023 PSN 7530-02-000-9017 See Reverse for Instructions

12/01/2023

MANESS, DALE ROY
605 ARTHUR ST
Elgin, Tx, 78621

RE: **Fence Ordinance**
CLEVELAND SUBDIVISION, LOT 2, ACRES 0.1660
605 ARTHUR ST
Elgin, Tx, 78621

Dear Property Owner / Lessee:

According to City of Elgin Code of Ordinances Chapter 46 (Zoning) sec. 46-534, (a), (1) No solid fence or enclosure wall shall exceed a height of six feet and no such six-foot fence or enclosure shall extend beyond the front of a dwelling exclusive of porches.

- All wooden privacy fences shall have metal post of sufficient gauge and diameter, embedded in concrete to support the weight and wind load of the fences. Wooden privacy fence posts will not be allowed for construction after July 31, 2011.
- An ornamental fence may not exceed four feet in height but shall have a ratio of solid material to open space not in excess of one-to-four and shall be allowed to extend to the front property line.

The city of Elgin requires ONE NOTICE of violation per twelve-month period. Such notice given to such person setting forth the noncompliance shall be in writing by mail or posting on the property or by personally delivering the notice.

1. The Fence section in front of the building line needs to be brought down to 4 feet and also the remainder of the fence must be brought into compliance by attaching a metal post to every wooden post.
2. See attached photos:

You have TEN (10) calendar days from the date this notice is served to correct this violation. If you do not remedy the situation within the time limit, the City will take the necessary measures to correct the situation. All expenses incurred by the City will be billed to the property owner. Any further notice will be in the form of a citation to Municipal Court. The citation carries a maximum fine of \$500.00 each day the violation exists.

If you no longer own, manage, or lease this property, please notify us with written proof of the new parties involved. If you have never owned or been an agent of this property, please call our office and notify us. Your prompt attention to this matter will be greatly appreciated.

Sincerely,


Olegario Puente Jr.
Code Enforcement Official
512-229-3261
junior.puente@elgintexas.gov

P.O. Box 591

802 North Ave C

Elgin, Texas 78621

Phone (512) 281-0119

Property Details

Account		
Property ID:	90615	Geographic ID: R90615
Type:	Real	Zoning:
Property Use:		
Location		
Situs Address:	605 ARTHUR ST ELGIN, TX 78621	
Map ID:	01	Mapsco:
Legal Description:	CLEVELAND SUBDIVISION, LOT 2, ACRES 0.1660	
Abstract/Subdivision:	S5562 - Cleveland Subdivision	
Neighborhood:	NBHD0501	
Owner		
Owner ID:	767269	
Name:	MANESS, DALE ROY	
Agent:		
Mailing Address:	605 ARTHUR ST ELGIN, TX 78621-1732	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$161,415 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$123,722 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$285,137 (=)

605 Arthur Street Fence Photos



April 2023 prior to purchase by Mr. Alvarado

You can see that the portion of the fence that was past the front building line did not meet the current code of four (4) foot tall, therefore it was considered legal non-conforming.



December 6, 2023

Mr. Alvarado replaced the fence pickets at the front and kept the height the same as what was previously there.



View of front east side.



Both the rails and the pickets were replaced in this section of the fence (front east side).



Gate at front on the east side.



Mr. Alvarado placed a metal post in an area where there had been a gate in the far corner next to his neighbor to the east.



Back Fence

All pickets were replaced along the back fence.



Continuation of back fence. The western side can also be seen.



January 17, 2024

NOTICE OF A ZONING VARIANCE REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The attached map shows the lots making the request (red shaded shape) and your lot within the notice area (blue circle). This notice is to inform you of a public hearing to be held by Board of Adjustment as denoted below:

Project #202400004: a variance from Section 46-534 (b) in order to keep the 4”X4” wooden fence posts at 605 Arthur Street (Cleveland Subdivision, Lot 2, Acres 0.1660) located in Bastrop County.

Notice is given of a public hearing to be held by the Board of Adjustment on February 8, 2024 beginning at 6:30 P.M. Central Standard Time for a consideration. This meeting is to be held at Elgin Public Library Annex (Civic Center) at 404 N. Main St. Elgin, TX, 78621, U.S.A. The public is welcome to attend and may give a public comment on this item. Any person may be represented by another person, neighbor, or 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 or may be requested from the Development Services Department, City Hall, 802 N Avenue C, Elgin, TX 78621 U.S.A. from 8:30 A.M – 4:00 P.M. Central Standard Time, Monday – Friday.

BCAD 90615
200' SUBDIVISION
VARIANCE
NOTIFICATION

