



**ELGIN BOARD OF ADJUSTMENT AGENDA  
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS  
404 NORTH MAIN STREET  
January 9, 2025  
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 Adjustment regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the Board of Adjustment 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 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 Commissioner, 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 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 12, 2024 Minutes**

**IV. NEW BUSINESS**

1. **Project #202400085: A zoning variance from Section 46-265 (1) in order to decrease the minimum depth of the front yard from 25 feet to approximately 15 feet to allow for the persistence of an already-constructed car port and a variance from Section 46-265 (6) in order to increase the percentage of allotted impervious coverage which can be covered by accessory buildings from 10% to 24% to allow for a total of 2,200 square feet of already-constructed accessory buildings in the “R-2” – Single-Family and Duplex Dwelling District at 608 Old McDade Rd (Parcel number 10901, A20 CHRISTIAN, THOMAS, ACRES 0.4710, as located in Bastrop Co.).**
  - A. Staff Presentation
  - B. Applicant Presentation
  - C. Open Public Hearing
  - D. Close Public Hearing
  - E. Discussion
  - F. Consideration
  
2. **Project #202400090: A zoning variance from Section 46-637 (1) - "Off-street parking lots in residential districts" in order to allow for the construction of a six-foot tall black vinyl coated chain link fence in lieu of an opaque ornamental fence, wall, or dense evergreen hedge owned by the Elgin High School at 14000 County Line Road on a parcel of land known by the Travis County Central Appraisal District as Parcel No. 358741.**
  - 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 January 6, 2025, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in blue ink, appearing to read "Beau Perry". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

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Beau Perry, Development Services Director

**MINUTES  
CITY OF ELGIN BOARD OF ADJUSTMENT  
REGULAR MEETING  
THURSDAY, DECEMBER 12, 2024**

- 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.

**BOARD PRESENT:** Chair Regan Dumbeck, Vice-Chair Darren Mogonye, Stephen Kylberg, Stephen Finley, Suzannah Des Roches (Senior Alternate), David Lanford (Junior Alternate), and S. H. McShan.

**BOARD ABSENT:** None

**STAFF PRESENT:** Melissa Lipiec, Planing Technician; William McIlvain, Administrative Assistant; Alyssa Loveday of WGA, Assistant Project Manager.

**STAFF ABSENT:** Beau Perry, Development Services Director

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

**III. CONSENT AGENDAS**

1. October 10, 2024 Minutes.

Darren Mogonye moved that the Board approve the consent agenda. Stephen Finley seconded the motion. The motion passed unanimously with a vote of seven (7) for and zero (0) against.

**IV. NEW BUSINESS**

1. Project #202400077: A variance from Section 46-265 (1) in order to reduce the minimum depth of the front yard from 25 feet to approximately 3 feet over the existing driveway and from Section 46-265 (7) in order to reduce the five-foot separation requirement from 5 feet to 6 inches to allow for the persistence of an already-constructed 17' wide by 20' long car port in the "R-2" – Single-Family and Duplex Dwelling District at 304 China Cove (Parcel number 62294, HILLSIDE SUB SEC 2, BLOCK B, LOT 3, as located in Bastrop Co.).

A. Staff Presentation – Melissa Lipiec presented the project and outlined the timeline in which the applicant had been told that a permit would be required, that the permit had been denied due to violation of setback code and that a variance would be required, and that the carport had been erected before the variance had been applied for. She also drew attention to the site plan and photos of the space, describing which part of the property was right-of-way and that the car port does not extend as far into the road as it would appear. She also brought attention to the violation of the code requiring five-foot separation between buildings, and that this variance application covers both infractions.

B. Applicant Presentation – The Applicant Tracey Baker explained that the contractors had erected the carport without her permission. Chair Regan Dumbeck paused the presentation to clarify the situation, and the applicant asserted that the contractors had assured her that they would submit for the proper permits, but did not follow the City's process and now were not returning the applicant's calls.

C. Open Public Hearing – The public hearing was opened at 6:40 P.M. There were no members of the public present to offer comments.

D. Close Public Hearing – The public hearing was closed at 6:40 P.M.

E. Discussion – David Lanford voiced that he had no issue with the space between buildings but was concerned about how far out into the setback the carport encroached. Melissa Lipiec reiterated that due to the arrangement of the cul-de-sac the extension of the carport is not as egregious as the site plans make it seem. Stephen Kylberg remarked that due to the cul-de-sac the issue of eclipsed line of sight is not as pressing as it would be in the middle of a normal street. Chair Regan Dumbeck expressed a desire to place stipulations on the variance so as to allow the carport to exist as-is, but

**IV. NEW BUSINESS (Cont.)**

not be further modified or enclosed. Vice-Chair Darren Mogonye asked why the code requiring five-foot separation between buildings existed at all. Melissa Lipiec and Suzannah Des Roches explained that the primary concern is for accessory buildings such as storage sheds which could pose a fire hazard that could spread to the main residence if placed too close. Vice-Chair Darren Mogonye was satisfied with the explanation but noted that the situation with this carport does not seem to require the same degree of caution, which Suzannah Des Roches agreed with.

- F. Consideration – Stephen Kylberg moved that the Board approve both variance requests, with a stipulation disallowing any additional modification of the structure. Stephen Finley seconded the motion. Suzannah Des Roches and David Lanford were not required to vote for the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

**V. ANNOUNCEMENTS**

- 1. Melissa Lipiec presented the Board with a summary of the meetings through 2024, highlighting the high frequency of variance requests due to setback requirements. She also informed the Board about expected business of the January meeting, including a similar variance request for setbacks and impervious coverage and a request for a variance of fencing material for Elgin High School.
- 2. David Lanford took a moment to say farewell to the Board as he is moving in the new year and this is his final Board of Adjustment meeting. The Board thanked him for his contributions and wished him well.

**VI. ADJOURNMENT**

The meeting was adjourned at 6:58 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 \_\_\_\_\_, 2024.



# Development Services Department

## STAFF REPORT

### Zoning Variance

**Project Number: 202400085**

**Date:** December 31, 2024  
**Applicant:** Jorge Hurtado  
**Representative:** Same  
**Hearing Dates:** Board of Adjustments – January 9, 2025  
**Location:** BCAD Parcel 10901, aka 608 Old McDade Road

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#### APPLICATION SUMMARY

Consideration of a variance to [Chapter 46-265. – Area regulations.](#) (1) which requires a front yard setback of 25 feet and (6) which mandates that no more than 10% of the 45% of lot area allotted to impervious coverage be occupied by non-dwelling accessory buildings.

#### DEPARTMENT COMMENTS

Code Compliance Officers responded to a report of an unpermitted structure at this location. Upon making a site visit to investigate, they observed a newly constructed 500 square foot carport in the southwest corner of the property as well as a 1,700 square foot covered patio area. Photos were taken of the structures and a Notice of Violation (attachment #1) was issued to Mr. Hurtado on July 31, 2024. The notice informed Mr. Hurtado that a permit was required for the structures and directed him to apply for a permit within 14 days of receiving the notice.

Mr. Hurtado first attempted to apply for a permit on August 6, 2024, but that application was rejected because it was incomplete since it did not contain the required documents (a site plan and building plans). Mr. Hurtado submitted a second application on September 30, 2024, which included a survey of his property dated September 19, 2024. A zoning review was then performed, and it was determined that the carport was within the 25' front setback as established by [R-2 zoning](#). A Zoning Review letter (attachment #2) was sent to Mr. Hurtado on October 9, 2024, informing him of the encroachment and instructing him to either move the carport out of the setback or request a variance.

Mr. Hurtado submitted a Zoning Variance application on November 6, 2024. While reviewing the application for the variance allowing the encroachment on the setback staff noticed that the sum of the new carport and accessory buildings comprised 2,421 square feet of impervious cover. [Per Sec. 46-265. Area regulations.](#) (6) Accessory buildings shall not cover more than ten percent of the impervious cover requirements. The lot size is 20,516.76 square feet and 45% or 9,232.54 may be covered with impervious cover but accessory buildings would be restricted to 923.2 square feet in size. Mr. Hurtado currently has 2,421 square feet in accessory buildings; this amounts to 24% of his impervious cover maximum. Staff informed Mr. Hurtado that he would need to request a second variance to exceed the accessory building impervious cover limit. Mr. Hurtado submitted the second variance request on December 2, 2024.

It is important to note that if this variance is granted, Mr. Hurtado will be unable to increase the number of accessory buildings nor enlarge any of the accessory buildings without seeking another variance. The 24% increase covers only what is currently on his property.

[Sec. 46-636](#) requires parking spaces to be paved so as part of his carport permit, Mr. Hurtado will be required to install either concrete or asphalt from the driveway entrance to and under the new carport in order to comply with city code. Mr. Hurtado currently has 3,971 square feet or 19% of his property covered by impervious cover so this requirement will not cause him to exceed the overall impervious cover requirements on the property.

Per City policy, a notice was published in the December 18<sup>th</sup> edition of the Elgin Courier and a total of eleven (11) notices were mailed to property owners within two hundred feet (200') of the property in addition, a sign announcing the meeting was placed on the property. The Development Services Department has received no communication from citizens regarding this matter.

The Board may deny one or both of the variances, approve one or both of the variances, or approve one or both of the variances with conditions.

#### **ATTACHMENTS**

1. Notice of Violation
2. Zoning Review letter
3. Application for Setback Variance
4. Survey
5. Application for Impervious Cover Variance
6. Vicinity Map
7. Notice to 200' property owners
8. Photos



### Notice of Violation

07/31/2024

HURTADO, JORGE A & ERIKA ALVARADO  
608 OLD MCDADE RD  
ELGIN, TX 78621

Re: Work being completed without a permit.  
A20 CHRISTIAN, THOMAS, ACRES 0.4710  
608 MCDADE RD  
ELGIN, TX 78621

Dear Property Owner:

On 08/01/2024 pictures were taken which show work being done without a permit. Under Section 46-164 of the City of Elgin Code of Ordinances it is unlawful for anyone to commence the construction, enlargement, or structural alteration of any building or use or occupy the same without first applying for and securing a building permit, or to use or occupy the same without first securing a certificate of occupancy.

To remedy the situation a building permit must be turned into the Development Services Dept. within fourteen (14) calendar days of the date of this letter. Failure to comply within the timeframe may result in a maximum \$2,000 fine assessed for this violation, with each day constituting a separate violation and/or the violation being pursued in City Court to seek compliance.

Respectfully,

Orlando Rodriguez - Lic #7305  
Code Compliance Officer  
512-281-0119  
512-229-3261

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from the 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below.</p> <p>BY: _____</p>
<p>1. Article Addressed to:</p> <p>HURTADO, JORGE A &amp; ERIKA ALVARADO 608 OLD MCDADE RD ELGIN, TX 78621</p> <p>9590 9402 8377 3156 0806 46</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0480 3401 29</p>	<p>Domestic Return Receipt</p>





## City of Elgin Development Services

Date: Wednesday, October 9, 2024

jorge hurtado  
hurtadopainting  
608 old McDade rd  
Elgin TX 78621  
jorgehurtado29@yahoo.com

Project Number 2024-861  
Location: 608 old McDade rd, Elgin, TX 78621

To Whom It May Concern:

Staff has completed its review of plans for the Carport project. Staff commentary follows below.

### **Zoning Review**

The following comments have been provided by Charlie Navejas. Should you have any questions or require additional information regarding any of these comments, please contact Charlie Navejas by telephone at or by email at [charlie.navejas@elgintexas.gov](mailto:charlie.navejas@elgintexas.gov).

Submittal cannot be reviewed at this time.

The carport is encroaching on front setbacks. Sec.46-265 Area regulations - Front yard. The minimum depth of the front yard shall be 25 feet.

1. Bring the carport into compliance by removing it from within the front setback.
2. Apply for a variance.

When resubmitting to the City, please make sure to copy and paste the comments from the document on a separate sheet of paper or Microsoft Word doc, this includes any other comment sheets from non-City letterhead as well. Please provide the responses to the comments in red and any documentation necessary to provide closure to the comment. Both the red response document and the documentation should be submitted together as one (1) submittal to the City. Please answer all red responses and have all documentation to satisfy Staff comments before resubmittal. Submit all information in one (1) re-submittal to satisfy open comment. Do not submit a partial resubmittal that addresses only a portion of the open comments. This will cause further delay and expense through the permitting process.

Should you have questions regarding specific comments, please contact the staff member referenced under the section in which the comment occurs. Should you have questions or require additional information regarding the plan review process itself, please feel free to contact the Development Services Department at 512-281-0119 or [planninganddevelopment@ci.elgin.tx.us](mailto:planninganddevelopment@ci.elgin.tx.us).

Respectfully,

10/9/2024 11:18:26 AM

Carport

2024-861

Page 2

Charlie Navejas

# ZONING VARIANCE APPLICATION

Date: \_\_\_\_\_

## SITE INFORMATION

Project Address: \_\_\_\_\_

Parcel Identification Number (if no address): \_\_\_\_\_

## APPLICANT

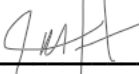
Name: \_\_\_\_\_

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

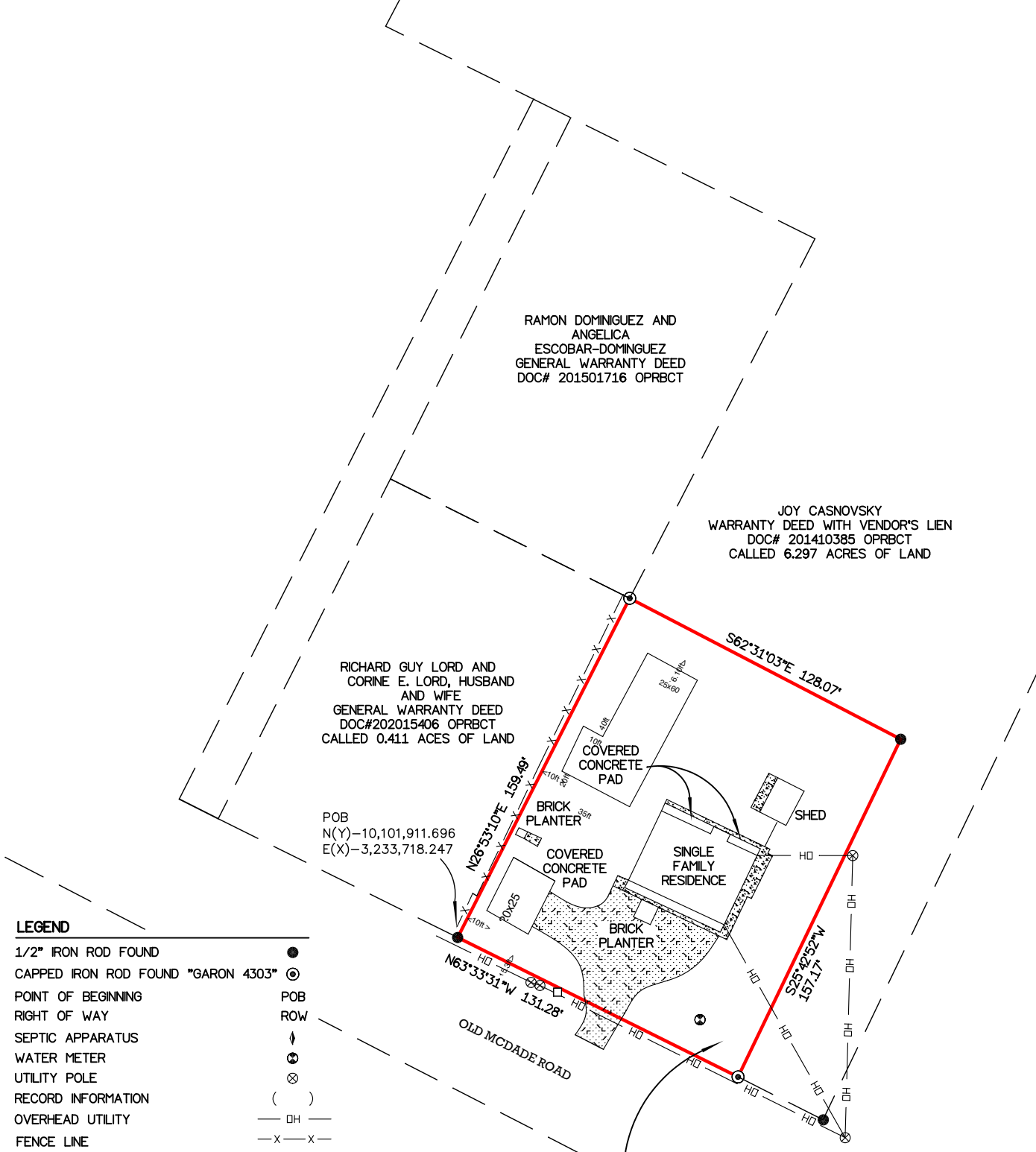
Date

Project Description:

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TSPS STANDARD LAND SURVEY of 0.471 acres of land in the Thomas Christian Survey, Abstract Number 20, Bastrop County, Texas and being all that called 0.471 acres of land described to Jorge A. Hurtado and Erika Alvarado, a married couple, in that certain Warranty Deed with Vendor's Lien, as recorded in Volume 2207, Page 537 Document Number 201301490, Official Public Records Bastrop County, Texas.



**LEGEND**

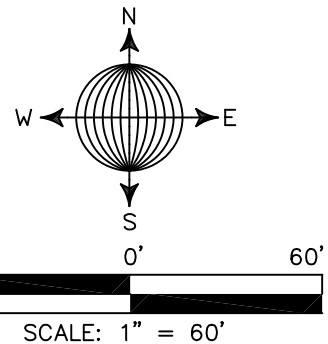
1/2" IRON ROD FOUND	●
CAPPED IRON ROD FOUND "GARON 4303"	⊙
POINT OF BEGINNING	POB
RIGHT OF WAY	ROW
SEPTIC APPARATUS	⬇
WATER METER	⊕
UTILITY POLE	⊗
RECORD INFORMATION	( )
OVERHEAD UTILITY	— OH —
FENCE LINE	— X — X —
OFFICIAL PUBLIC RECORDS BASTROP COUNTY TX	OPRBCT
POINT OF BEGINNING	POB
GRAVEL DRIVEWAY	
CONCRETE	
GAS METER	□

**NOTES:**

1. NO RESEARCH WAS DONE BY THE UNDERSIGNED FOR ANY EASEMENTS, BUILDING LINES AND/OR CONDITIONS OF RECORDS WHICH MAY AFFECT THIS TRACT. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT.
2. BEARING BASIS: GRID NORTH, LAMBERT CONFORMAL CONIC PROJECTION, COORDINATE BASIS: GRID IN U.S. SURVEY FEET A PART OF STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83. GRID DISTANCES AND AREA SHOWN HEREON.

**SURVEYORS CERTIFICATION:**

TO THE OWNER, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND TO THE BEST OF MY KNOWLEDGE IS CORRECT AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY SHOWN HEREON. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION 3, STANDARD LAND SURVEY.



ADDRESS: 608 OLD MCDADE ROAD  
ELGIN, TEXAS 78621

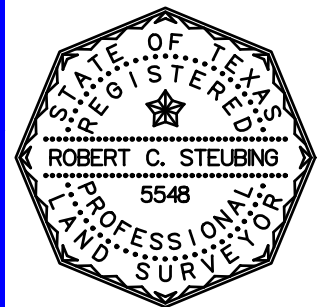
**STEUBING LLC**  
**FIRM # 10194596**

1802 STATE HIGHWAY 95  
BASTROP, TEXAS 78602  
PH# (512) 567-9256

DRAWING NAME: WA4247-2024-HURTADO.DWG

*Robert C. Steubing* 09/19/2024

ROBERT C. STEUBING DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO 5548



# ZONING VARIANCE APPLICATION

Date: \_\_\_\_\_

## SITE INFORMATION

Project Address: \_\_\_\_\_

Parcel Identification Number (if no address): \_\_\_\_\_

## APPLICANT

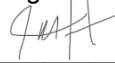
Name: \_\_\_\_\_

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:

\_\_\_\_\_  
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\_\_\_\_\_



# Vicinity Map





December 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 rectangle) and your lot within the notice area (blue shaded circle). This notice is to inform you of a public hearing to be held by Board of Adjustment as denoted below:

Project #202400085: A zoning variance from Section 46-265 (1) in order to decrease the minimum depth of the front yard from 25 feet to approximately 15 feet to allow for the persistence of an already-constructed car port and a variance from Section 46-265 (6) in order to increase the percentage of allotted impervious coverage which can be covered by accessory buildings from 10% to 24% to allow for a total of 2,200 square feet of already-constructed accessory buildings in the “R-2” – Single-Family and Duplex Dwelling District at 608 Old McDade Rd (Parcel number 10901, A20 CHRISTIAN, THOMAS, ACRES 0.4710, as located in Bastrop Co.)

Notice is given of a public hearing to be held by the Board of Adjustment on **January 9, 2025**, beginning at **6:30 P.M.** Central Standard Time for 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](mailto: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](mailto:planninganddevelopment@elgintexas.gov) or to (512) 281-0119 or may be requested from the Development Services Department, Fleming Center, 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 10901  
200' ZONING VARIANCE  
NOTIFICATION

Red Shading: Parcel 10901  
Requesting Variance

Blue Shading: Notified Properties  
Within 200'

Photos submitted by the Applicant



Photo of the Virgen De Guadalupe Altar



Photo of the carport in question

Photos submitted by the Applicant



Photo showing the proximity of the carport to the altar



Photo showing the driveway connection to the road

Photos submitted by the Applicant



Photo showing the current driveway surface (mix of grass and gravel)

Photos submitted by the Applicant



Another view of the driveway surface



# Development Services Department

## STAFF REPORT

### Zoning Variance

**Project Number: 202400090**

**Date:** December 30, 2024  
**Applicant:** Elgin ISD (Elgin High School)  
**Representative:** Rainey Lann  
**Hearing Dates:** Board of Adjustment – January 9, 2025  
**Location:** TCAD Parcel 358741, located at 14000 County Line Road

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#### **APPLICATION SUMMARY**

Consideration of a Zoning Variance from Section 46-637 (1) - *Off-street parking lots in residential districts*. The Elgin Independent School District will be installing a new fence adjacent to the parking lot and at the border of the property line adjacent with the neighboring R-3 Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District. For aesthetic and functionality reasons the school wishes to construct the fencing out of a non-scalable tight-mesh vinyl-coated chain link fence instead of an opaque ornamental fence, wall, or dense evergreen hedge as described by Section 46-637 (1), while meeting all other requirements of Section 46-230 for R-1 Districts to provide an orderly and attractive residential area.

#### **DEPARTMENT COMMENTS**

The initial application was for a variance to Section 46-542 - *Commercial and industrial uses in, or adjacent to residential districts* which states that “In all cases when a side or rear yard of a commercial or industrial use is adjacent to a residential use a wall of not less than six-foot shall be constructed of brick, stone, masonry or other cementitious material along that property line,” and notices posted about this meeting referenced both sections of the code. It later came to light that the school had already received permission for a similar vinyl-coated chain link fence that runs from the northwest edge of the property along the border adjacent to the neighboring R-3 district and up to the edge of the parking lot as part of their site plan approved on April 7, 2023, and so there is no variance to Section 46-542 required today.

Per City procedures, a notice was published in the December 18<sup>th</sup> edition of the Elgin Courier and a total of fifty-eight (58) notices were mailed to property owners within two hundred feet (200’) of the property, in addition, a sign announcing the meeting was placed on the property.

#### **ATTACHMENTS**

1. Application with narrative
2. Diagram showing location of the proposed fence
3. Notice sent to 200’ property owners
4. Excerpt from Site Plan depicting initial proposed masonry wall
5. Excerpt from Site Plan depicting placement of similar chain link fencing

# 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:

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**RE: ELGIN HIGH SCHOOL ADDITIONS & CTE EXPANSION PROJECT  
ELGIN INDEPENDENT SCHOOL DISTRICT**

**SUBJECT: VARIANCE REQUEST**

**Mr. Perry,**

This Letter of Intent is in support of Elgin Independent School District's request for variance at the subject property in relation to Sec. 46-542 of the City of Elgin Code of Ordinances.

*Sec. 46-542.- Commercial and industrial uses in, or adjacent to residential districts.  
In all cases when a side or rear yard of a commercial or industrial use is adjacent to a residential use a wall of not less than six-foot shall be constructed of brick, stone, masonry or other cementitious material along that property line.*

Specifically, EISD proposes that the campus be allowed to substitute a six-foot tall black vinyl coated chain link fence in lieu of constructing a fence of brick, stone, masonry or other cementitious material. See plans submitted with this variance for location of fence.

We ask the Board of Adjustment to consider the following when reviewing this variance request:

- The Elgin High School Campus predates the construction of the adjacent residential development. The improvements under this project do not materially change the previous functions of the school property that are immediately adjacent and visible to the neighboring property.
- The use of the vinyl coated chain link fence would not adversely affect the use of adjacent or other properties in the area. The visibility from neighboring properties to the school campus has not been an issue as evidenced by the recent substantial residential development on the immediately adjacent properties.
- Campus security and student visibility would be enhanced by having a barrier that is not opaque.
- The school district proposes to use a non-scalable chain link material. This material has a tighter mesh than standard chain link. This tighter mesh improves the fence's rigidity and appearance.
- As the use of vinyl coated chain link fencing at public schools is prevalent and generally accepted by the public, EISD proposes that its use, in conjunction with the landscape screening requirements designed to meet the City of Elgin Code of Ordinances, meets the intent of the Sec. 46-230 for R-1 Districts to provide an orderly and attractive residential area.

We would like to express our sincere appreciation for the consideration of this variance. If you have any questions concerning the issue or our recommendation, please do not hesitate to contact us.

Respectfully,  
PBK Architects, Inc.

**Courtney Kincade**

Senior Associate // [courtney.kincade@pbk.com](mailto:courtney.kincade@pbk.com)



DETENTION  
POND

PROPOSED VARIANCE: 6' H BLACK  
VINYL COATED CHAIN LINK FENCE



DETENTION POND

PROPOSED VARIANCE: 6' H BLACK VINYL COATED CHAIN LINK FENCE

EXHIBIT A2: REFER TO C-026, C-037, C-037A

**ELGIN HIGH SCHOOL**  
 ADDITIONS AND CTE EXPANSION  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621



**ELGIN HS ADDITIONS & CTE EXPANSION**  
**ELGIN ISD**  
 14000 COUNTY LINE RD  
 ELGIN, TEXAS 78621

**ISSUE FOR PROPOSAL**



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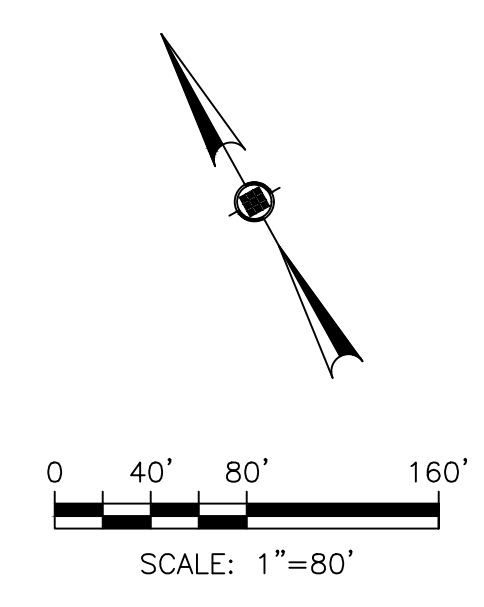
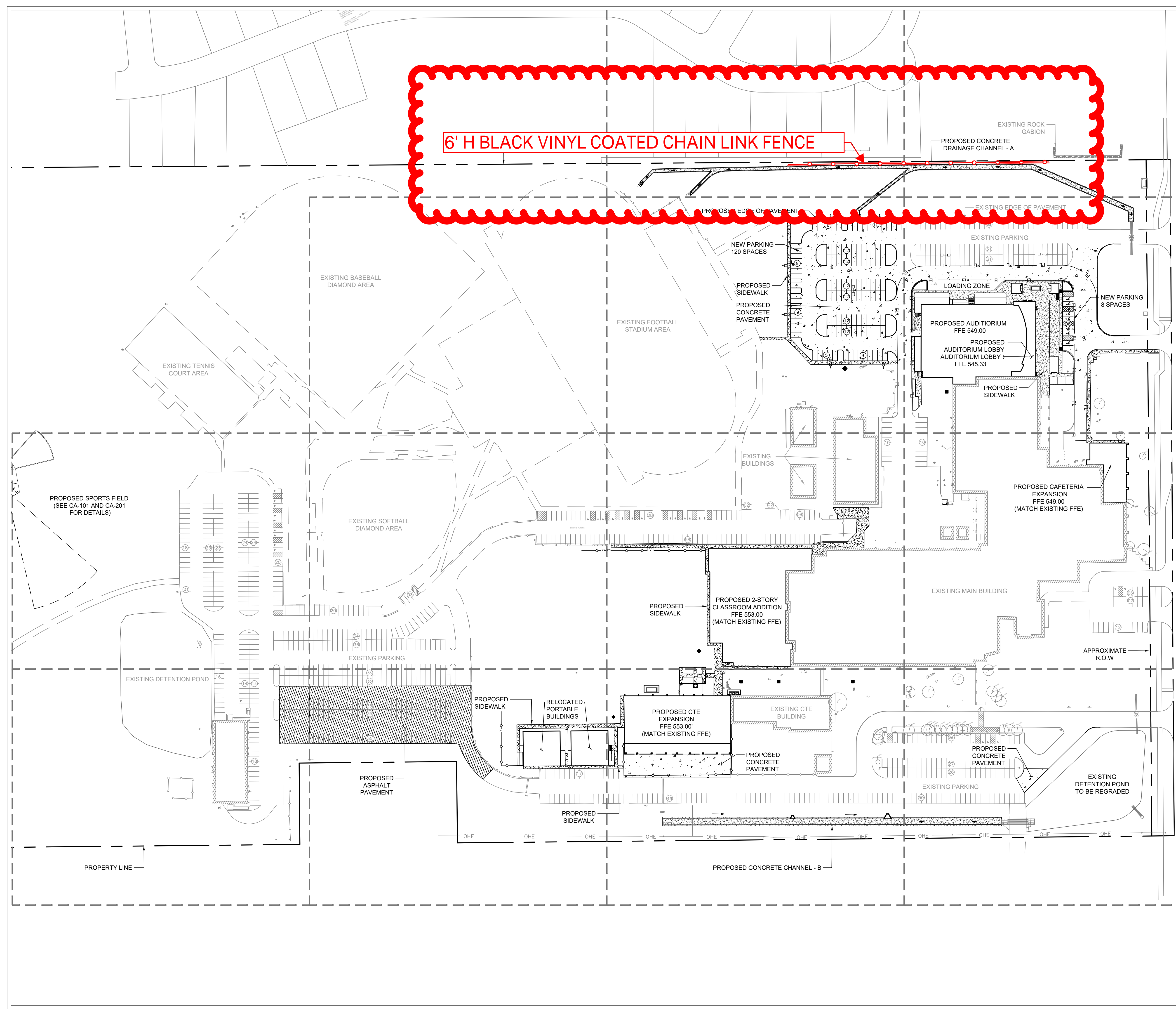
KEY PLAN  
 NORTH PLAN TRUE



Project No.: 47300.002  
 Issued: 03/29/2023  
 Drawn By:  
 Checked By:  
 Sheet Title: OVERALL SITE PLAN  
 Sheet Number: C-026

REVISIONS		
No.	Description	Date

**OVERALL SITE PLAN**



**LEGEND**

FL	FL	PROPOSED FIRE LANE
---	---	APPROXIMATE EXISTING SITE (NOT SURVEYED) PROPERTY LINE
---	---	PROPOSED GUTTER
---	---	PROPOSED CURB
○	○	WHEEL STOP
○	○	PROPOSED LIGHT POLE
○	○	EXISTING PARKING SPOTS
○	○	PROPOSED PARKING SPOTS
---	---	PROPOSED SIDEWALK
---	---	PROPOSED CONCRETE
---	---	PROPOSED ASPHALT

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**PARKING TABLE**

PARKING TYPE	COUNT	CLASSROOM SPACE
EXISTING	868	EXISTING MAIN BUILDING = 59,200 SF EXISTING CTE BUILDING = 8,800 SF EXISTING PORTABLE BUILDINGS = 5,800 SF EXISTING PHOENIX HIGH SCHOOL BUILDING = 7,435 SF TOTAL EXISTING = 81,330 SF
POST-CONSTRUCTION STANDARD ACCESSIBLE	989	PROPOSED MAIN BUILDING = 36,260 SF PROPOSED CTE BUILDING = 11,180 SF TOTAL PROPOSED = 47,440 SF TOTAL CLASSROOM AREA = 128,770 SF
TOTAL PARKING	1027 POST-CONSTRUCTION	644 REQUIRED

\*PARKING SPACE PER 200 SF OF CLASSROOM PER CITY OF ELGIN CODE OF ORDINANCES SEC. 46.48(A)(1)(A))

**IMPERVIOUS COVER TABLE**

LAND TYPE	ACRES	%
TOTAL SITE AREA	92.48	
TOTAL IC	27.84	30.11%
TOTAL ALLOWED IMPERVIOUS COVER = 45%		



**Know what's below. Call before you dig.**

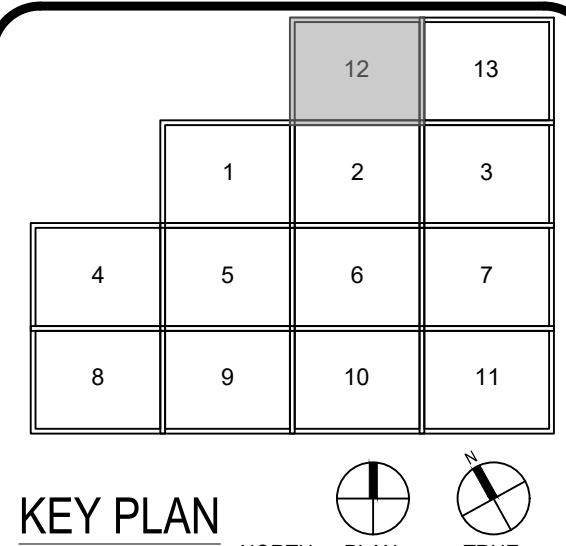
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 ORIGINAL SITE PLAN, March 29, 2023, 11:27 AM, dr624

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 ORIGINAL SITE PLAN, March 29, 2023, 11:27 AM, dr624

ARCHITECT	PBK Architects, Inc. AUSTIN 6300 Bridge Point Parkway, Suite 2-115 Austin, TX 78730 512-343-0676 P TX Firm BR 1608
CIVIL	HALFF ASSOCIATES, INC. 1502777-4600
LANDSCAPE	EDGELAND 1 713-946-3300
STRUCTURAL	DUNAWAY 1 512-265-6202
MEP	LEAF ENGINEERS 1 713-640-3300
TECHNOLOGY AND SECURITY	COWI CONSULTING GROUP, LP 1 512-269-7510
BUILDING ENVELOPE	ARKNO INDUSTRIES, INC. 1 682-685-1700
FOOD SERVICE	COSPER & ASSOCIATES, INC. 1 512-443-3200
ACoustical	BAI 1 512-475-3469
THEATRE	SCHULER SHOOK 1 214-238-9123

**ELGIN HS ADDITIONS & CTE EXPANSION**  
**ELGIN ISD**  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621



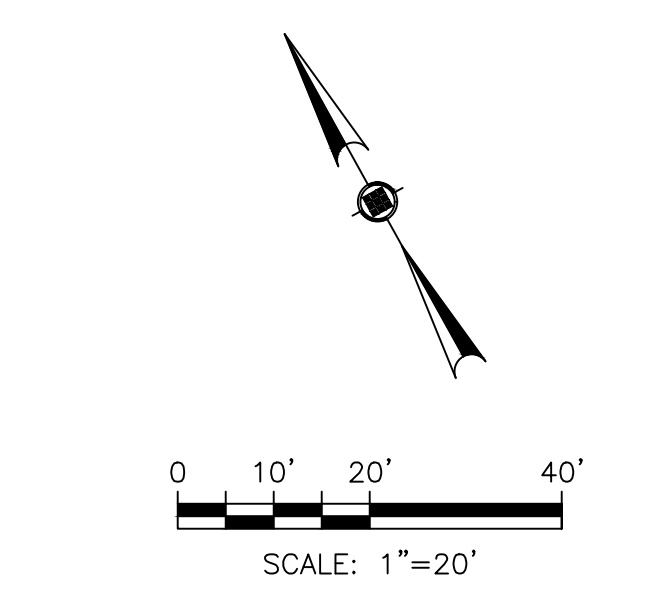
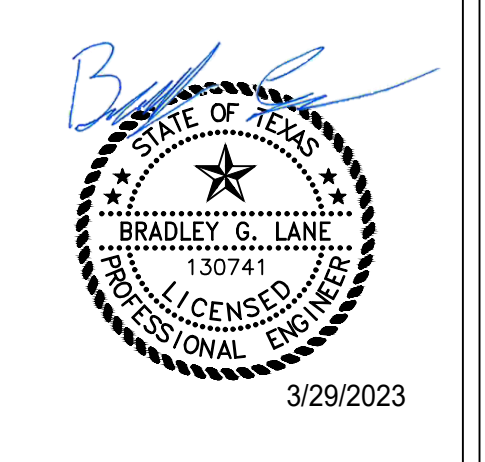
Project No.:	47300 002
Issued:	03/29/2023
Drawn By:	
Checked By:	
Sheet Title:	SITE PLAN AREA 12
Sheet Number:	C-037

SITE PLAN AREA 12

**ELGIN HIGH SCHOOL**  
 ADDITIONS AND CTE EXPANSION  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621



Revision No.	Date	Description

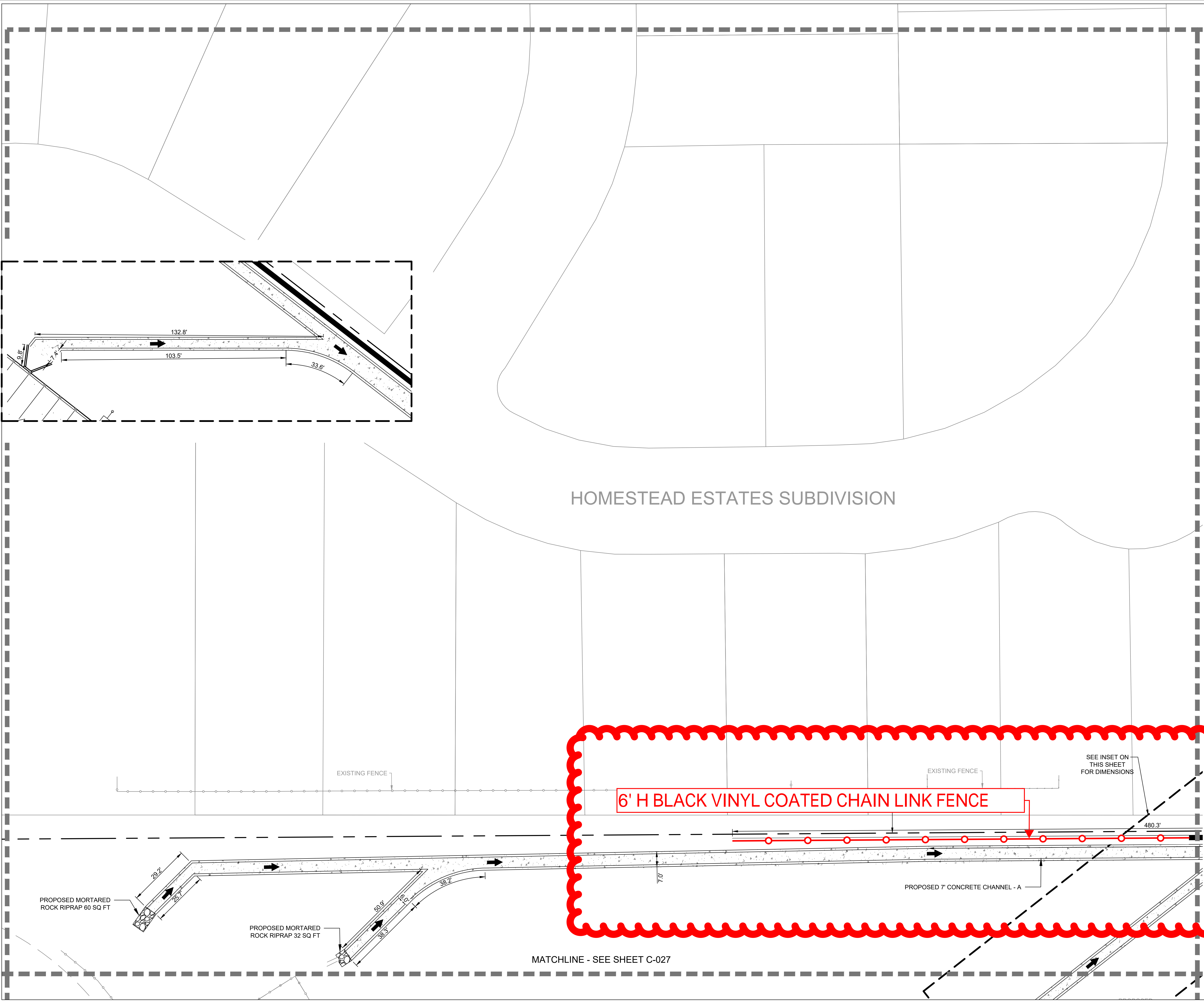


**LEGEND**

FL	FL	PROPOSED FIRE LANE
- - - - -	- - - - -	APPROXIMATE EXISTING SITE (NOT SURVEYED)
- - - - -	- - - - -	PROPERTY LINE
- - - - -	- - - - -	PROPOSED GUTTER
- - - - -	- - - - -	PROPOSED CURB
○		WHEEL STOP
□		PROPOSED LIGHT POLE
⊗		EXISTING PARKING SPOTS
⊗		PROPOSED PARKING SPOTS
- - - - -	- - - - -	PROPOSED SIDEWALK
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**ELGIN HS ADDITIONS & CTE EXPANSION**  
**ELGIN ISD**  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621

**ISSUE FOR PROPOSAL**

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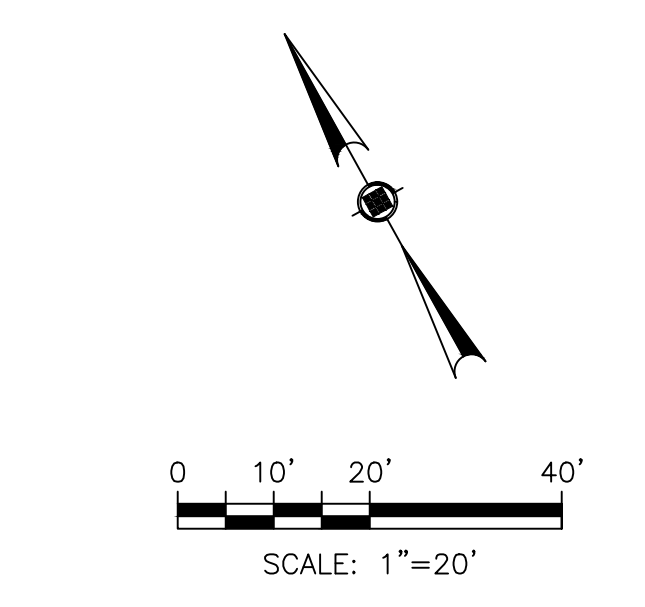
KEY PLAN  
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Project No.:	47300 002
Issued:	03/29/2023
Drawn By:	
Checked By:	
Sheet Title:	SITE PLAN AREA 13
Sheet Number:	C-037-A

**ISSUE FOR PROPOSAL**

SITE PLAN AREA  
13



**LEGEND**

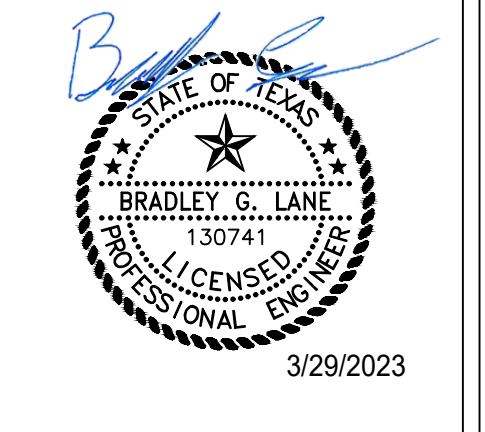
FL	FL	PROPOSED FIRE LANE
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---	---	PROPERTY LINE
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---	---	PROPOSED CURB
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**ELGIN HIGH SCHOOL**  
 ADDITIONS AND CTE EXPANSION  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621

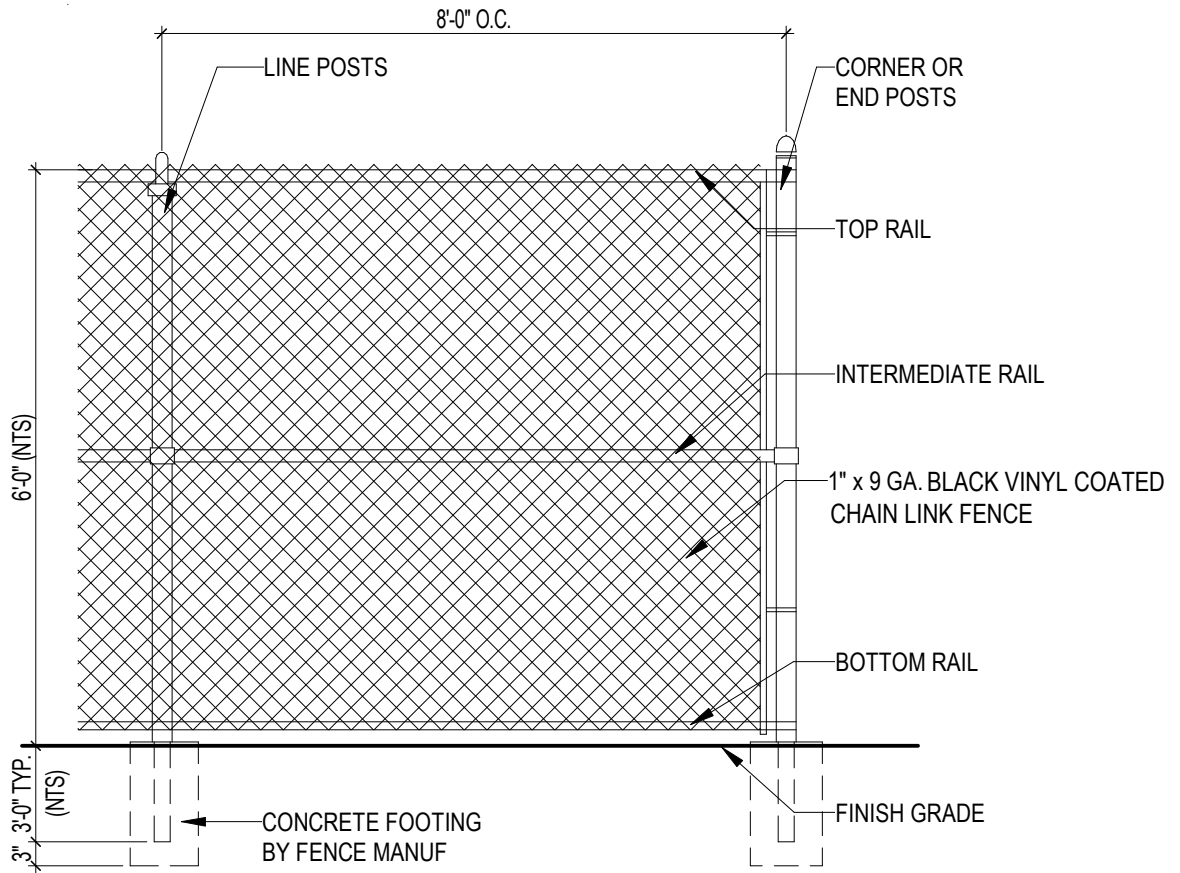


Revision No.	Date	Description



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 SHEET PLAN AREA 13, March 29, 2023, 1:37 PM, gcr743



<b>21</b>	<b>CHAINLINK FENCE</b> 1/2" = 1'-0"
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December 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 rectangle) and your lot within the notice area (blue outline). This notice is to inform you of a public hearing to be held by Board of Adjustment as denoted below:

Project #202400090: A zoning variance from Section 46-542 - "Commercial and industrial uses in, or adjacent to residential districts" and from Section 46-637 (1) – “Off-street parking lots in residential districts” in order to allow for the construction of a six-foot tall black vinyl coated chain link fence in lieu of an opaque brick, stone, masonry, or other cementitious material fence adjacent to the parking lot and along the north line of the property owned by the Elgin High School at 14000 County Line Road on a parcel of land known by the Travis County Central Appraisal District as Parcel No. 358741, adjacent to and south of the Homestead Subdivision.

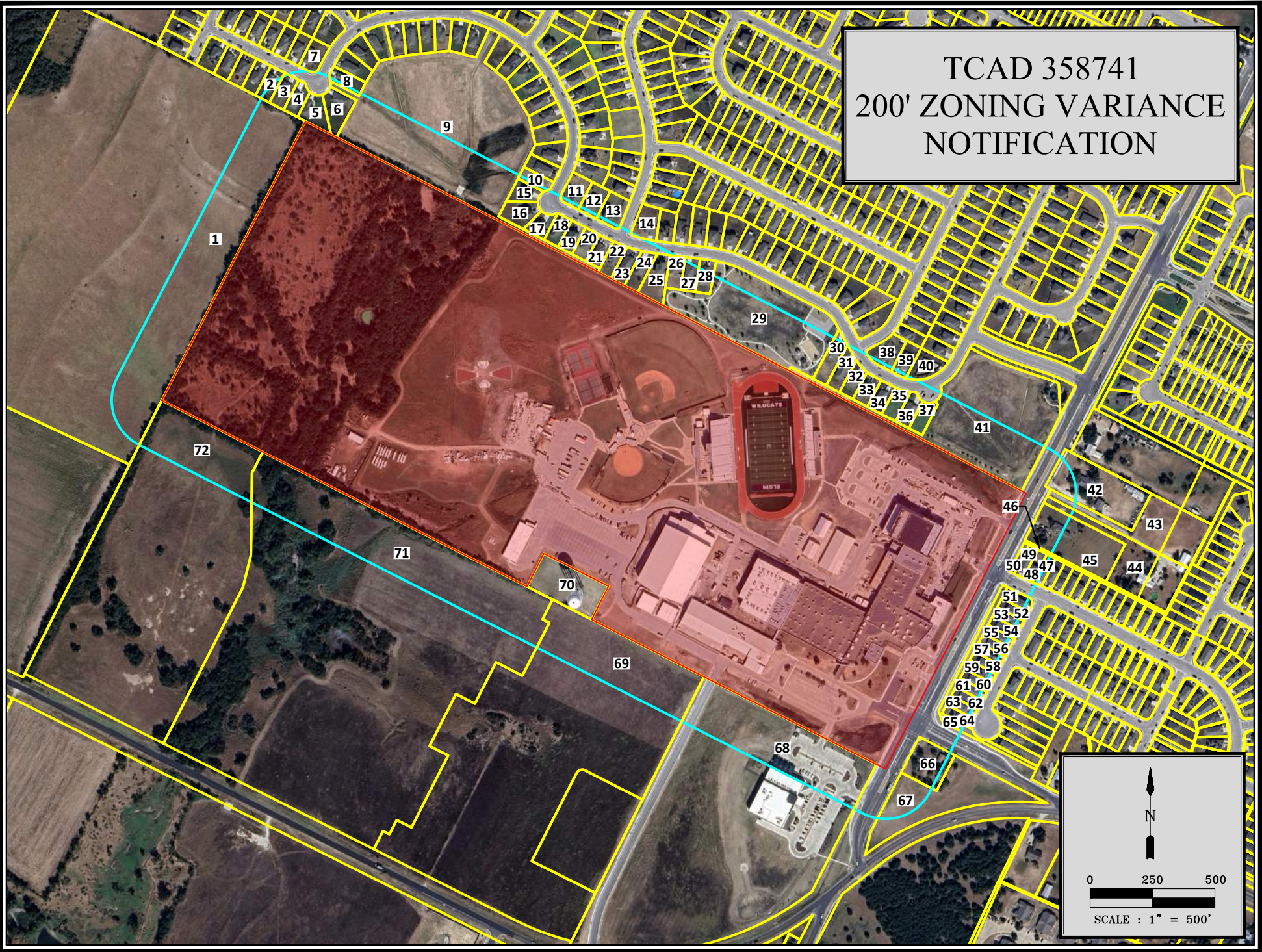
Notice is given of a public hearing to be held by the Board of Adjustment on **January 9, 2025**, beginning at **6:30 P.M.** Central Standard Time for consideration. This meeting is to be held at Elgin Public Library Annex (Civic Center) at 404 N. Main St. Elgin, TX, 78621, U.S.A. The public is welcome 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](mailto:planninganddevelopment@elgintexas.gov) or by postal mail at the following:

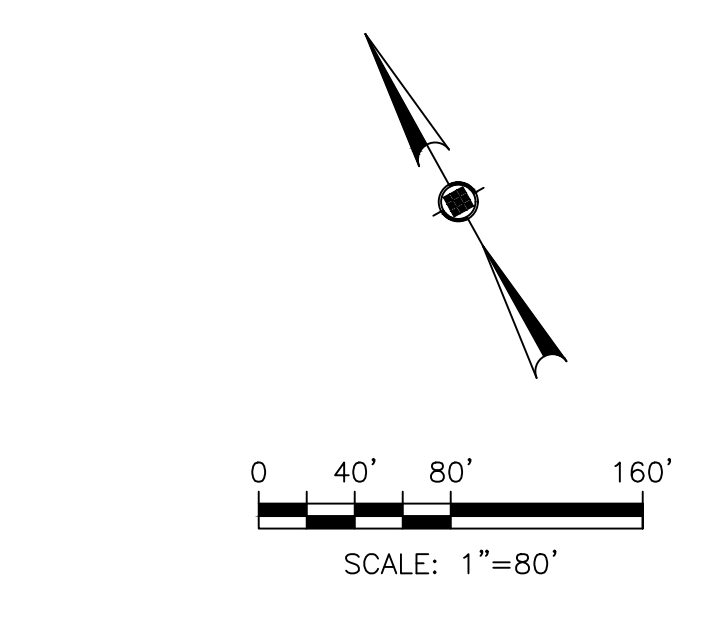
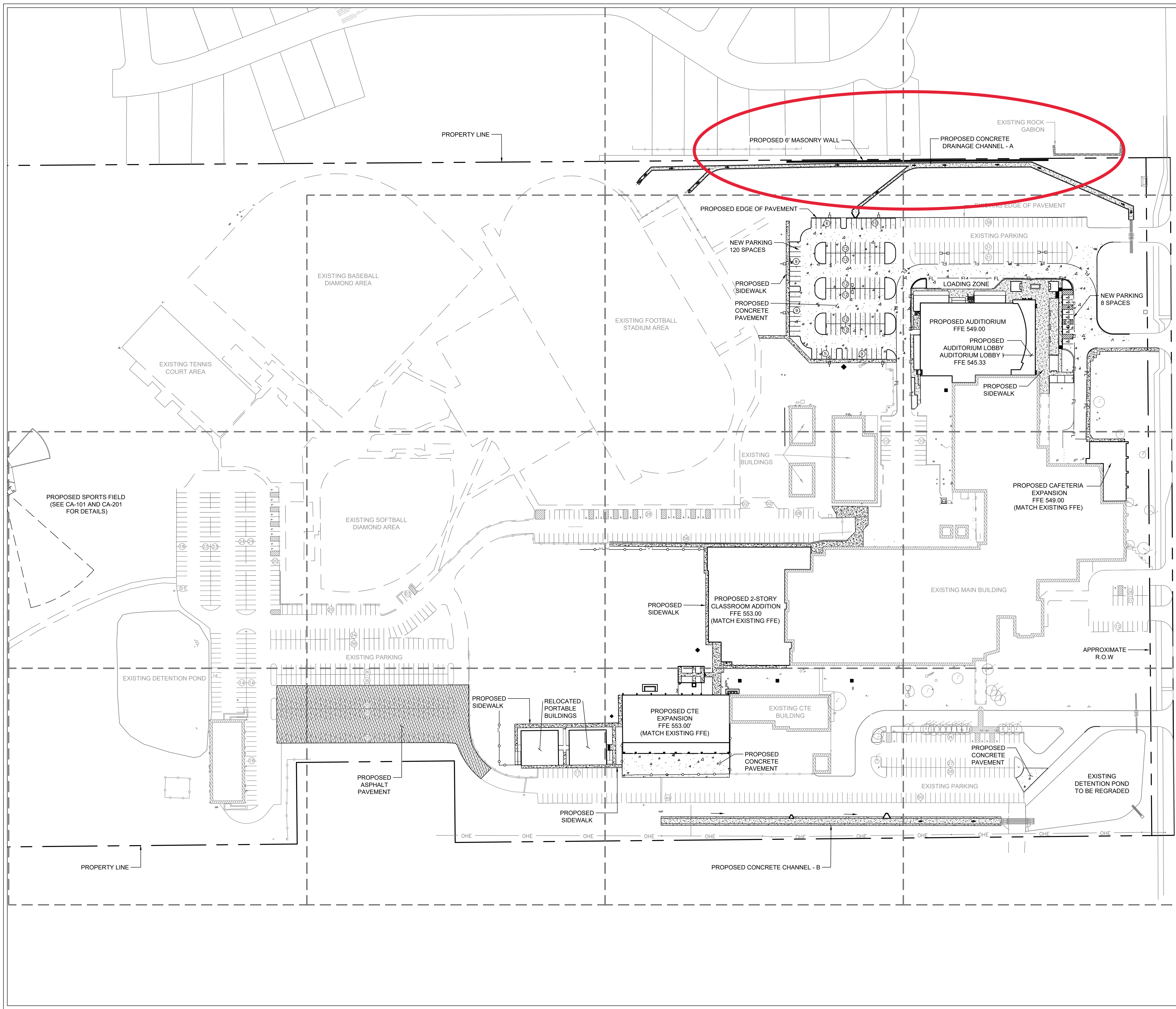
City of Elgin  
Development Services Department  
P.O. Box 591  
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to [planninganddevelopment@elgintexas.gov](mailto:planninganddevelopment@elgintexas.gov) or to (512) 281-0119 or may be requested from the Development Services Department, Fleming Center, 802 N. Avenue C, Elgin, TX 78621 U.S.A. from 8:30 A.M – 4:00 P.M. Central Standard Time, Monday – Friday.

TCAD 358741  
200' ZONING VARIANCE  
NOTIFICATION



**ELGIN HIGH SCHOOL**  
 ADDITIONS AND CTE EXPANSION  
 14000 COUNTY LINE ROAD  
 ELGIN, TEXAS 78621



**LEGEND**

- FL FL PROPOSED FIRE LANE
- APPROXIMATE EXISTING SITE (NOT SURVEYED)
- - - PROPERTY LINE
- - - PROPOSED GUTTER
- - - PROPOSED CURB
- WHEEL STOP
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**PARKING TABLE**

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POST-CONSTRUCTION STANDARD ACCESSIBLE	869 38	PROPOSED MAIN BUILDING = 36,260 SF PROPOSED CTE BUILDING = 11,180 SF TOTAL PROPOSED = 47,440 SF TOTAL CLASSROOM AREA = 128,770 SF
<b>TOTAL PARKING</b>	1027 POST-CONSTRUCTION	644 REQUIRED

1 PARKING SPACE PER 200 SF OF CLASSROOM PER CITY OF ELGIN CODE OF ORDINANCES SEC. 46.06(A)(4)(A))

**IMPERVIOUS COVER TABLE**

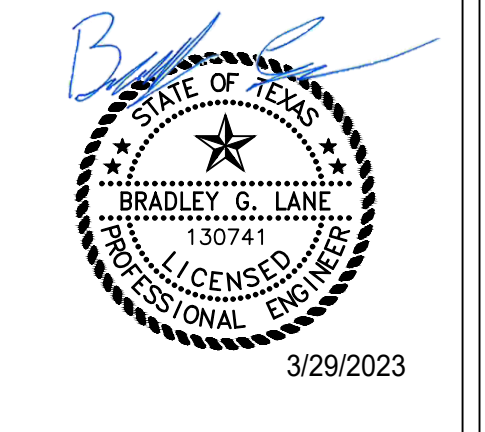
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**811**  
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Revision Table

Revision No.	Date	Description



Project No.: 47300.002  
 Issued: 03/29/2023  
 Drawn By:  
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 Sheet Title: OVERALL SITE PLAN  
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**ELGIN HS ADDITIONS & CTE EXPANSION**  
**ELGIN ISD**  
 14000 COUNTY LINE RD  
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**ISSUE FOR PROPOSAL**



**KEY PLAN**

12	13
1	2 3
4	5 6 7
8	9 10 11

NORTH PLAN TRUE

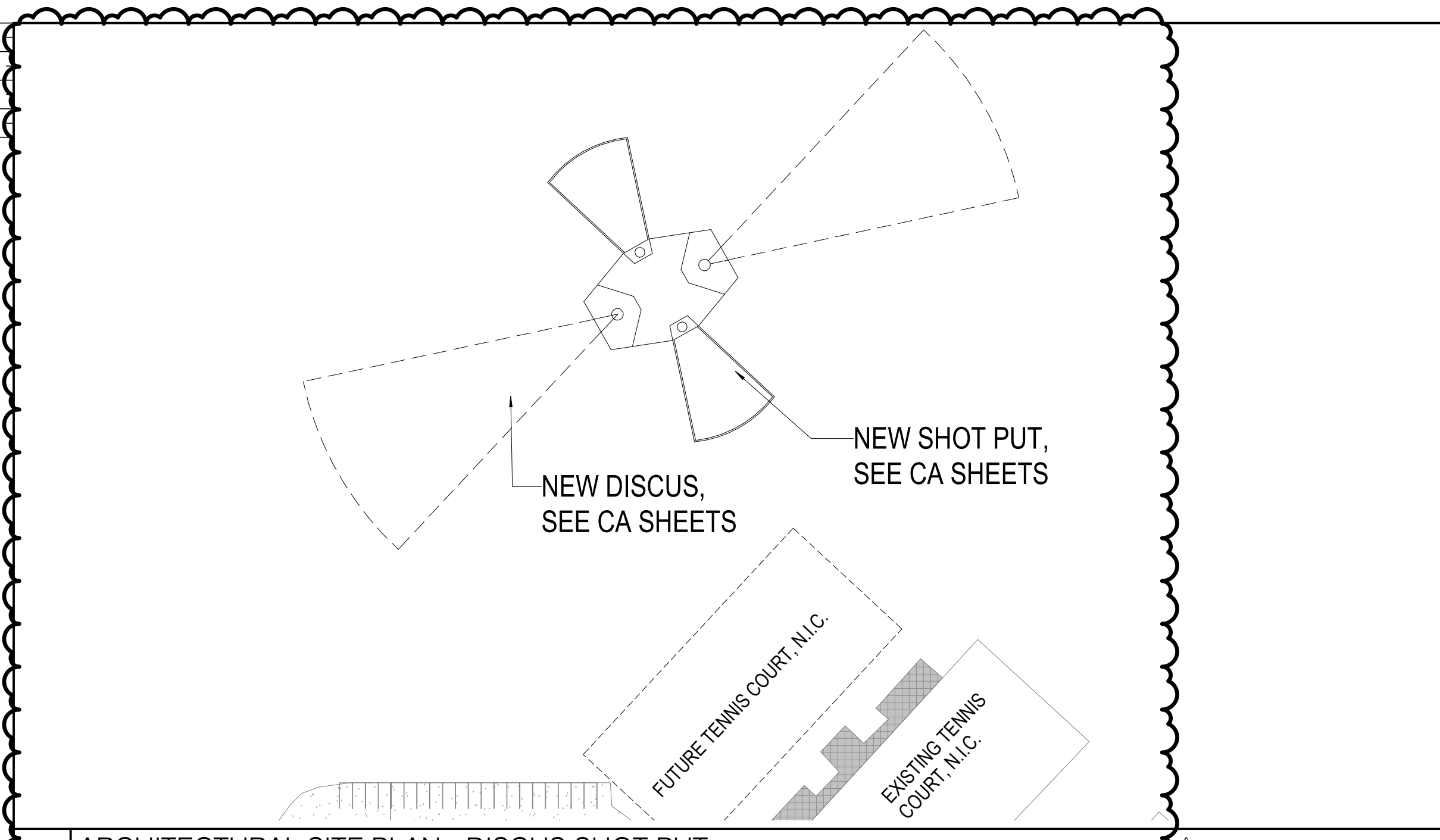


Client: ELGIN ISD  
 Date: 03/29/2023  
 Project Number: 21423

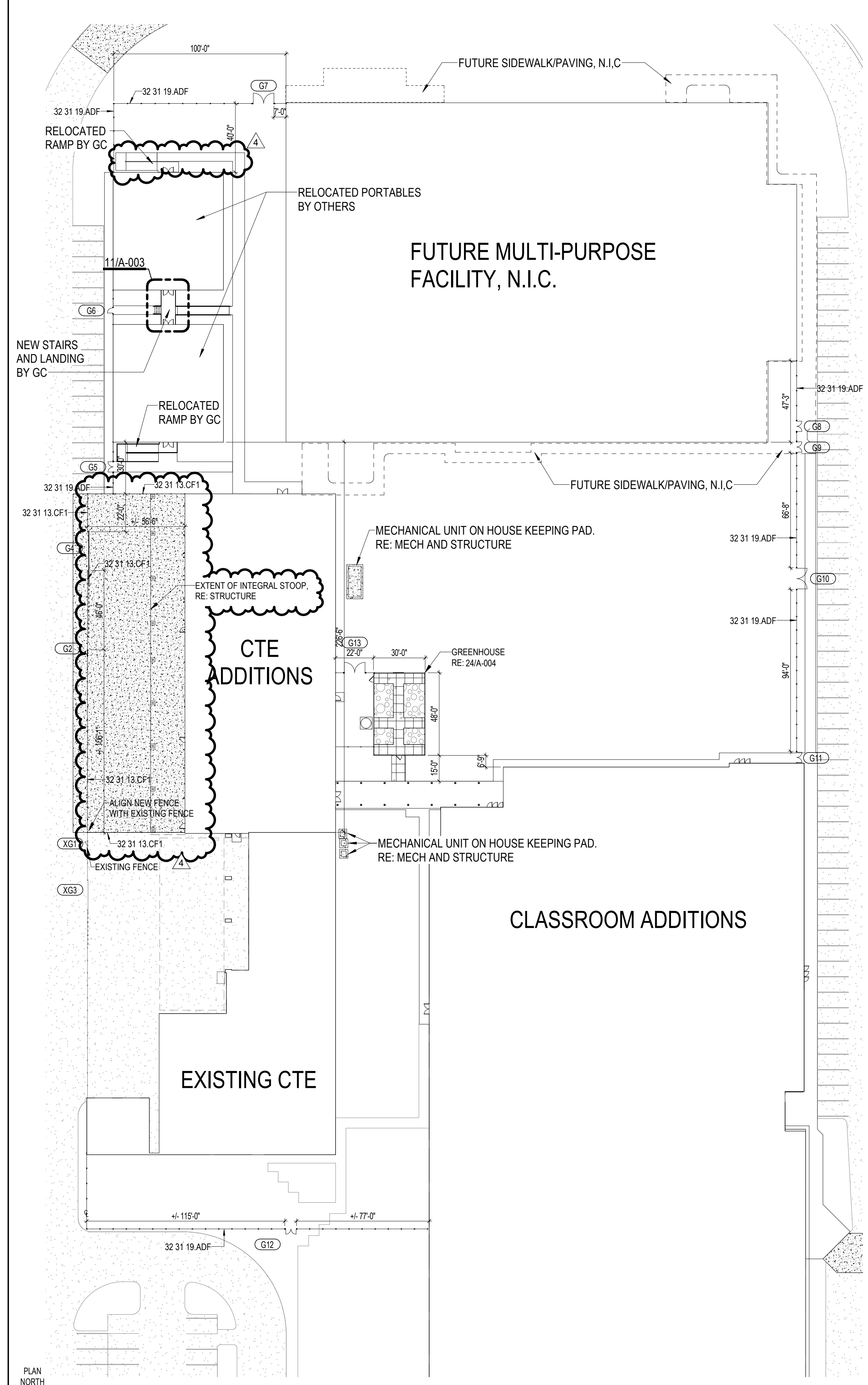
**REVISIONS**

No.	Description	Date

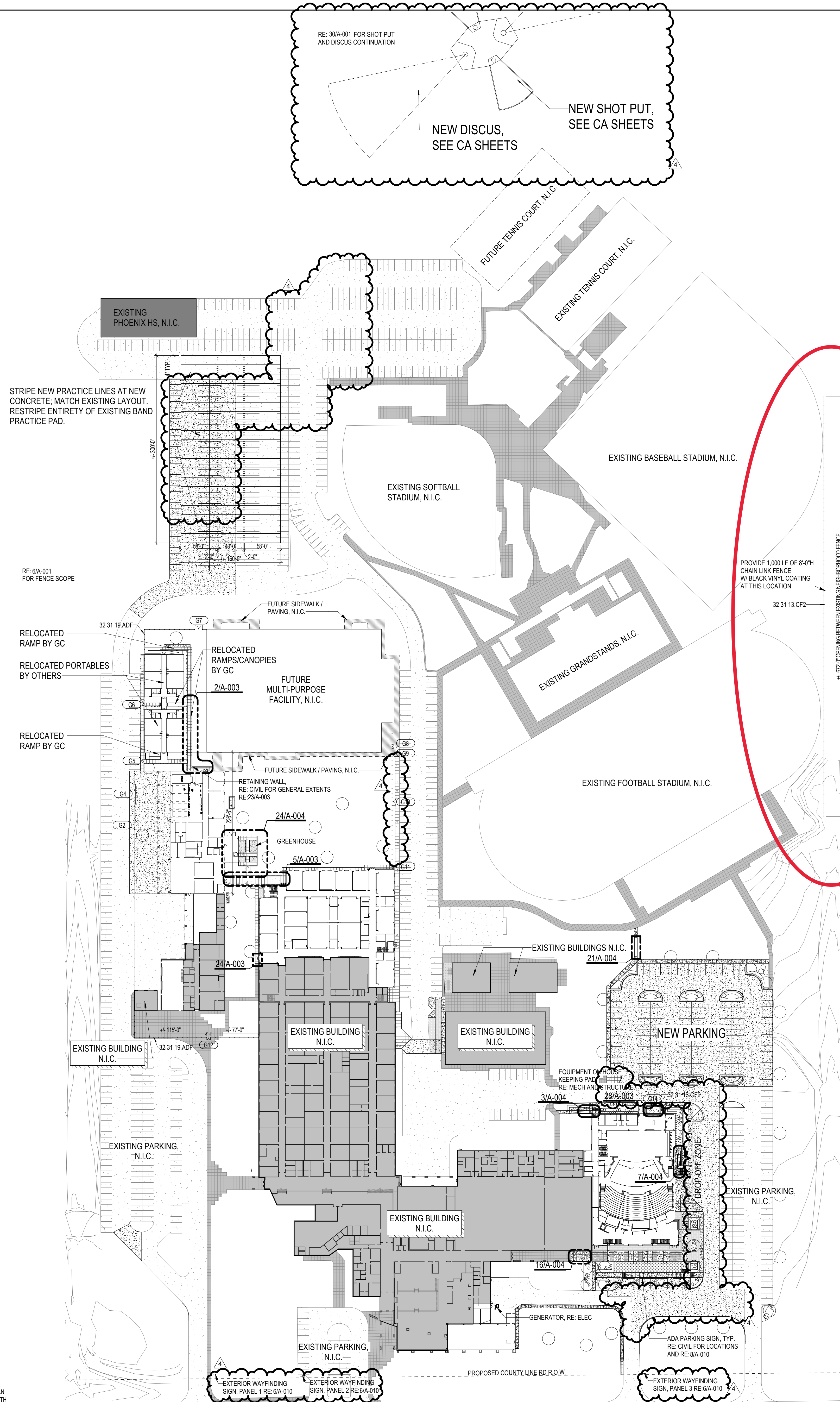
**OVERALL SITE PLAN**



30 ARCHITECTURAL SITE PLAN - DISCUS SHOT PUT  
 1" = 80'-0"



6 FENCE SCOPE CTE ENLARGED  
 1" = 40'-0"



4 ARCHITECTURAL SITE PLAN - COMPOSITE  
 1" = 80'-0"

GENERAL ARCH SITE PLAN NOTES

- REFER TO CIVIL DOCUMENTS
- COORD. ALL SPOT ELEVATIONS AND DIMENSIONS WITH CIVIL, LANDSCAPE, AND/OR STRUCTURAL DOCUMENTS
- PROVIDE AND INSTALL POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS OF 1% MINIMUM, 2% MAXIMUM AT ALL EXTERIOR PAVED PEDESTRIAN AREAS, INCLUDING BUT NOT LIMITED TO, SIDEWALKS, PATIOS, STAIRS, PAVING, U.N.O.
- PROVIDE AND INSTALL POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS OF 5% FOR A HORIZ. DISTANCE OF 10 FEET AT ALL EXTERIOR NON-PAVED AREAS U.N.O.
- REFER TO CIVIL DOCUMENTS FOR CONCRETE SIDEWALK EXPANSION JOINTS AND CONCRETE SIDEWALK CONTROL JOINTS
- VERIFY AND CONFIRM ALL JOINT LAYOUTS AT ALL CONCRETE SIDEWALKS WITH ARCH. PRIOR TO POURING OF CONCRETE
- PROVIDE AND INSTALL CONCRETE SIDEWALK EXPANSION JOINTS AT AREAS NOT SPECIFICALLY INDICATED AT 50 FEET ON-CENTER MAX. U.N.O.
- PROVIDE AND INSTALL CONCRETE SIDEWALK CONTROL JOINTS AT AREAS NOT SPECIFICALLY INDICATED AT DISTANCES EQUIVALENT TO SIDEWALK WIDTH BUT NOT TO EXCEED 10 FEET ON-CENTER MAX.
- VERIFY ALL SITE SIGNAGE LOCATIONS WITH ARCH. PRIOR TO INSTALLATION OF SITE SIGNAGE

EXTERIOR GATE SCHEDULE

MARK	ELEV.	PAIR	GATE	WIDTH	HEIGHT	HARDWARE	COMMENTS
G2	15A-010	SGL	3'-0"	8'-0"	PC & CYLINDER		
G3	18A-010	20'-0"	8'-0"	PAD LOCK			
G5	24A-010	PR	3'-0"	6'-0"	PC & CYLINDER		
G6	30A-010	SGL	3'-0"	6'-0"	PC & CYLINDER		
G7	24A-010	PR	3'-0"	6'-0"	PAD LOCK		
G8	16A-010	PR	3'-0"	6'-0"	PC & CYLINDER		
G9	17A-010	PR	3'-0"	6'-0"	PC & CYLINDER		
G10	24A-010	PR	6'-0"	6'-0"	PAD LOCK		
G11	24A-010	PR	3'-0"	6'-0"	PC & CYLINDER		
G12	24A-010	PR	3'-0"	6'-0"	PC & CYLINDER		
G13	24A-010	PR	6'-0"	6'-0"	PAD LOCK		
G14	24A-010	SGL	3'-0"	6'-0"	PAD LOCK		

KEYNOTE LEGEND

NUMBER	DESCRIPTION
32 31 13.CF1	CHAIN-LINK FENCE SYSTEM W/ SLATS, RE: 16A-010
32 31 13.CF2	CHAIN-LINK FENCE SYSTEM, RE: 21A-010
32 31 19.ADF	ALUMINUM DECORATIVE FENCE, RE: 22A-010

SITE PLAN LEGEND

- EXISTING BUILDING
- EXISTING PAVEMENT
- NEW PAVEMENT; REFER TO CIVIL AND LANDSCAPE FOR ADDITIONAL SCOPE
- EXISTING SIDEWALK
- NEW SIDEWALK; REFER TO CIVIL AND LANDSCAPE FOR ADDITIONAL SCOPE
- TREE; REFER TO LANDSCAPE
- SHRUB; REFER TO LANDSCAPE
- REFER TO LANDSCAPE FOR ADDITIONAL MATERIALS

ARCHITECT PRK Architects, Inc.  
 6300 Bridge Point Parkway, Suite 2-115  
 Austin, TX 78730  
 512-343-0676 P  
 TX Firm BR 1608

CIVIL  
 HALF ASSOCIATES, INC.  
 1517-77-4662

LANDSCAPE  
 EDGELAND  
 113-948-3263

STRUCTURAL  
 DUNAWAY  
 1512-265-6262

MECH  
 LEAF ENGINEERS  
 713-940-3300

TECHNOLOGY AND SECURITY  
 CONWIS CONSULTING GROUP, LP  
 1512-260-7515

BUILDING ENVELOPE  
 ARMO INDUSTRIES, INC.  
 156-860-1715

FOOD SERVICE  
 COSPER & ASSOCIATES, INC.  
 1512-643-3200

ACoustICAL  
 BAI  
 1512-475-3666

MECHANICAL  
 SCHULER SHOOK  
 1512-218-9122

ELGIN HS ADDITIONS & CTE EXPANSION  
 ELGIN ISD  
 14000 COUNTY LINE RD.  
 ELGIN, TEXAS 78621

ADDENDUM 2

KEY PLAN  
 NORTH: PLAN TRUE

CLIENT  
 ELGIN ISD  
 DATE  
 01/13/2023  
 PROJECT NUMBER  
 21423

No.	Description	Date
4	ADDENDUM 2	01/13/2023

ADDENDUM 2

ARCHITECTURAL SITE PLAN  
 A-001