ELGIN BOARD OF ADJUSTMENT AGENDA
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
November 13, 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 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 of Adjustment 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 Chairman 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 Adjustment 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.
Approval of October 9, 2025, Minutes.

IV. NEW BUSINESS

1. **Project #202500088: A zoning variance from Sec. 46-301 and Sec. 23-7 to allow for the placement of a manufactured home in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 122 Jackson St (Bastrop County parcel number 14875, BROOKS, BLOCK 2, LOT 5).**
   - **A. Staff Presentation**
   - **B. Applicant Presentation**
   - **C. Open Public Hearing**
   - **D. Close Public Hearing**
   - **E. Discussion**
   - **F. Consideration**

2. **Project #202500087: A zoning variance from Section 46-303 (2) to reduce the required side setbacks from 5 feet to 0 feet in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 313 Q. S. Goins Ln (Bastrop County parcel number 12599, A20 CHRISTIAN, THOMAS ACS 1.0000).**
   - **A. Staff Presentation**
   - **B. Applicant Presentation**
   - **C. Open Public Hearing**
   - **D. Close Public Hearing**
   - **E. Discussion**
   - **F. Consideration**

3. **Project #202500079: A zoning variance from Section 46-303 (4) in order to reduce the requirement for a lot width of 50 feet at the building line to 48 feet, and a zoning variance from Section 46-303 (5) to reduce the minimum lot area from 6,000 square feet to 5,232 square feet in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 520 W 2nd St (Bastrop County parcel number 14790, Elgin City, BLOCK DIV 14, Lot 38 FR).**
   - **A. Staff Presentation**
   - **B. Applicant Presentation**
   - **C. Open Public Hearing**
   - **D. Close Public Hearing**
   - **E. Discussion**
   - **F. Consideration**

4. **Direction to Staff regarding amendments to Chapter 46 - Zoning, Article II., Division 3. - Board of Adjustment regarding number of regular members.**

5. **Direction to Staff regarding change in future regular meeting day.**

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 November 6, 2025, in accordance with Chapter 551 of the Texas Government Code.

_____

Beau Perry, Development Services Director

MINUTES
CITY OF ELGIN BOARD OF ADJUSTMENT
REGULAR MEETING
THURSDAY, OCTOBER 09, 2025

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 Finley, Stephen Kylberg, Suzannah DesRoches

BOARD ABSENT: None

STAFF PRESENT: Beau Perry, Development Services Director; Melissa Lipiec, Planning Technician; William McIlvain, Administrative Assistant; Peyton Standifer, City Secretary.

STAFF ABSENT: Alyssa Loveday of WGA, Assistant Project Manager

II. OATH OF OFFICE

1. Prospective Senior Alternate Board member Christina Cotton was called to stand before the present Board. Melissa Lipiec led her through an oath of office in which she pledged to uphold the principles of the City of Elgin and the laws of the City of Elgin, State of Texas, and United States of America. Christina Cotton then took her seat among the Board.

III. PRESENTATION

1. City Secretary Peyton Standifer stepped forward to deliver a presentation about Henry Martyn Robert's Rules of Order for parliamentary procedure, designed to facilitate fair discussion and equal opportunity for participation. She outlined the basics of the principles, such as the requirement for a quorum to conduct business and that all decisions go through the process of making a formal motion to be seconded and voted upon. In the case of disagreement about the terms of a motion a member may amend the motion after it is seconded. The amendment is then seconded and voted upon, which may alter the original motion which is now voted upon.

   The Board discussed these Rules of Order, asking for clarification about the process of amending a motion, how much of the original motion can be removed, whether a motion can be rescinded by the person making it, and the conditions of allowing a motion to go un-seconded. The Board also discussed that their usual approach is to have a thorough discussion and reach consensus before the motion is made to begin with. City Secretary Peyton Standifer remarked that the described process is not typical when using the Rules of Order but also communicated that the Rules of Order are intended as guidelines and any parliamentary body has the right to amend or ignore the Rules of Order as appropriate for their group and procedure.

IV. PUBLIC COMMENT: No member of the public was present to speak on this item.

V. CONSENT AGENDA

1. June 12, 2025 Minutes.

   Vice-Chair Darren Mogonye moved that the Board approve the consent agenda. Suzannah DesRoches seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

VI. NEW BUSINESS

1. Election of Chair and Vice-Chair for October 2025 to September 2026.

   Melissa Lipiec announced that with the start of the new term the Board is due to elect the Chair and Vice-Chair. Suzannah DesRoches asked if a change in leadership is required, and Melissa Lipiec responded that it is not. The Board discussed that they were content with Chair Regan Dumbeck

VI. NEW BUSINESS (Cont.)

remaining as Chair and Vice-Chair Darren Mogonye remaining as Vice-Chair. Stephen Finley made the motion to keep Regan Dumbeck as Chair and Darren Mogonye as Vice-Chair. Stephen Kylberg seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

Director Beau Perry asked if the Board would like a space for open discussion. Chair Regan Dumbeck opened the floor to Vice-Chair Darren Mogonye, who expressed his opinion that the Senior and Junior Alternate positions on the Board should be retired and that any Board member attending a meeting should have the right to vote as a full member. Director Perry outlined the process by which a formal recommendation of such could be made to the City Council, and that a seventh member would need to be inducted to do so. The Board discussed and agreed that it would be beneficial for the community of the Board to do so. City Secretary Peyton Standifer informed the Board that they could not make a formal motion at this time as it is not an agenda item, but will be made as an agenda item for the November meeting.

The Board also discussed a proposal to change the fixed date of the meeting from the second Thursday of the month. The Board discussed some days that would cause conflict and leaned toward proposing a second Tuesday of the month, but no conclusive determination was made at this time.

VII. ANNOUNCEMENTS

1. Melissa Lipiec announced that former Board member Shifton McShan would be commemorated at the October 21st City Council meeting, and encouraged the Board to attend. She also remarked that Ronnie Creppon of the Planning and Zoning Commission would be recognized at that same meeting.

2. Melissa Lipiec reminded the Board of the upcoming Hogeye Festival on the fourth Saturday of October, October 25th.

VIII. ADJOURNMENT

The meeting was adjourned at 7:10 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 _____, 2025.

Development Services Department

STAFF REPORT

Zoning Variance

Project Number: 202500088

Date:	November 4, 2025
Applicant:	Amanda Moore
Representative:	Same
Hearing Dates:	Board of Adjustments – November 13, 2025
Location:	BCAD Parcel 14875, Brooks, Block 2, Lot 5, a.k.a. 122 Jackson St.

APPLICATION SUMMARY

Consideration of a variance to Sec. 46-301. – Uses permitted. and Sec. 23-9. – limiting placement of HUD-Code manufactured homes in the City of Elgin to allow for the placement of a 1,475 square foot Marvel 4, 4-bedroom, 2-bath HUD-code manufactured home at 122 Jacson Street in the R-3 Single Family, Duplex, and Zero Lot Line Two Family Dwelling District.

DEPARTMENT COMMENTS

The Development Services Department was contacted by a representative from Clayton Homes on October 6, 2025, regarding placing a new HUD-code manufactured home at 122 Jacson Street. Staff informed the caller that Sec. 23-9 of current city code prohibits the installation of HUD manufactured houses for use or occupancy as a residential dwelling on **single lots** in the City of Elgin, Texas. The only area inside the city limits where a HUD-code manufactured home can be legally installed and used as a residential dwelling is in a HUD-Code manufactured home park and not on single lots. This is in compliance with State Law, Texas Occupation Code § 1201.008 (b) requires municipalities to permit the installation of a HUD-code manufactured home for use as a dwelling in *any area deemed appropriate by the municipality, including subdivision, planned unit development, single lot, and rental community or park.* At this time, a HUD-code manufactured home park is the only area deemed acceptable. City code requires HUD-Code manufactured home parks to be a minimum of five acres in area, require a specific use permit and can only be in the R-3 zoning district. The Clayton Homes representative then asked about the variance process and the property owner chose to request a variance to City codes.

The lot in question is zoned R-3 which would allow one site-built single-family home or one modular home or one duplex or one zero lot line two-family dwelling. The lot has not had a dwelling on it in many years. The lot has been used as an extension of 129 Van Buren (which is also owned by the applicant) and had a detached garage and "circular" driveway (see staff added photos) between this lot and 129 Van Buren. The detached garage has recently been removed. The applicant wishes to place a new HUD-code manufactured home on the lot which is a violation of the two above-mentioned codes.

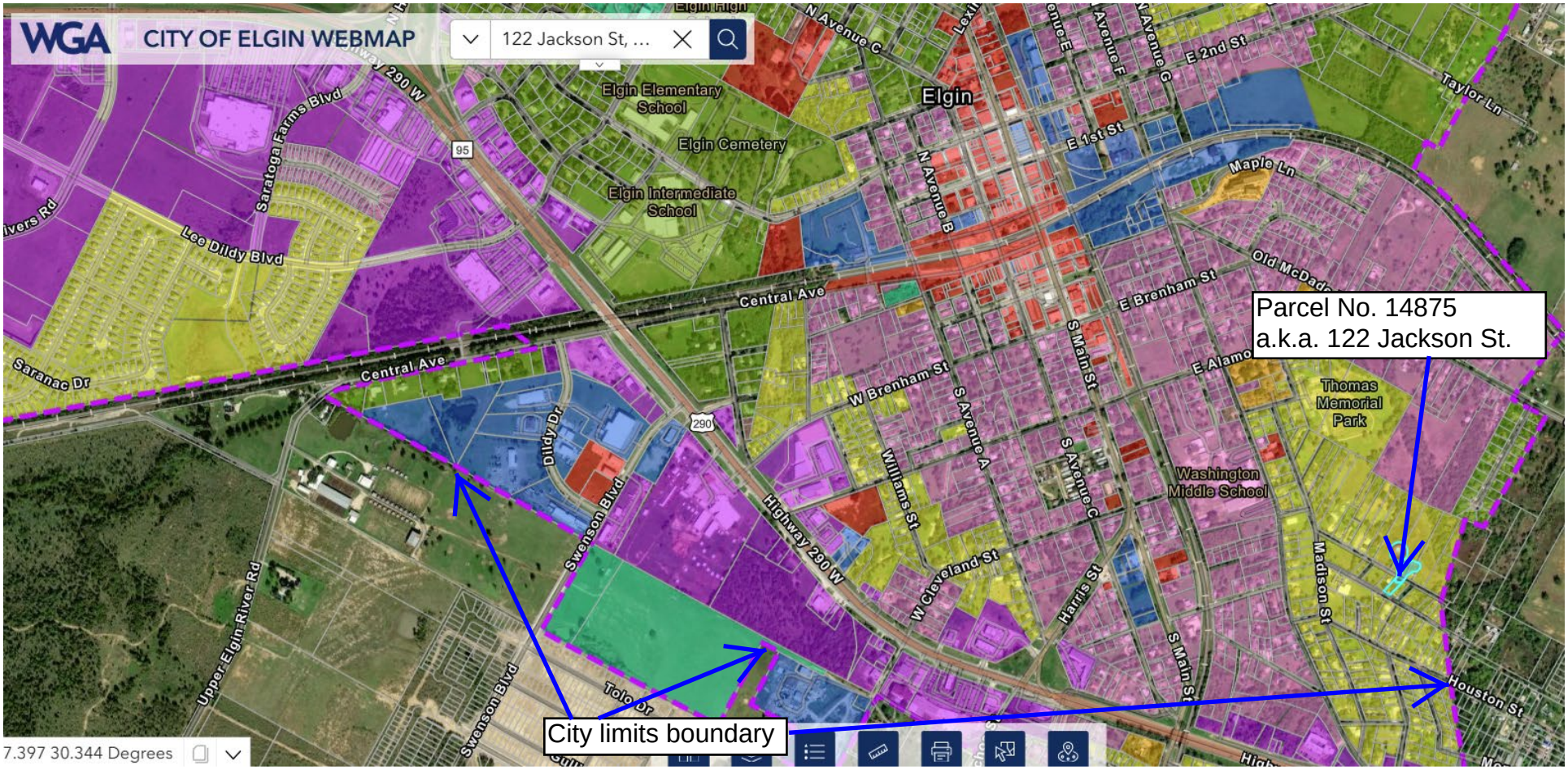
DETERMINATION

In regard to the consideration (action), the Board has the option to approve, approve with conditions, deny, or continue the item upon concurrence of the applicant. Per Sec. 46-89, **approval would require the concurring vote of four members of the Board.** Upon denial, the application expires. Appeals to any BOA decision shall be made to a court of record within ten days after the filing of the decision of the Board.

ATTACHMENTS

1. Vicinity Map
2. Application
3. Site plan
4. Staff added BCAD aerial map
5. Staff added photos
6. Notice to 200' property owners

Vicinity Map



Yellow shading indicates R-3 Zoning District

Elgin TEXAS

ZONING VARIANCE APPLICATION

Date: 10-09-2025

SITE INFORMATION

Project Address: 122 Jackson Street, Elgin TX 78621

Parcel Identification Number (if no address): 14875

APPLICANT

Name: Amanda Moore

Postal Address: 122 Jackson Street, Elgin TX 78621

E-Mail Address: Mooredesha@yahoo.com **Phone Number:** 512-797-8825

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
Amanda Moore	Amanda Moore	10-09-2025

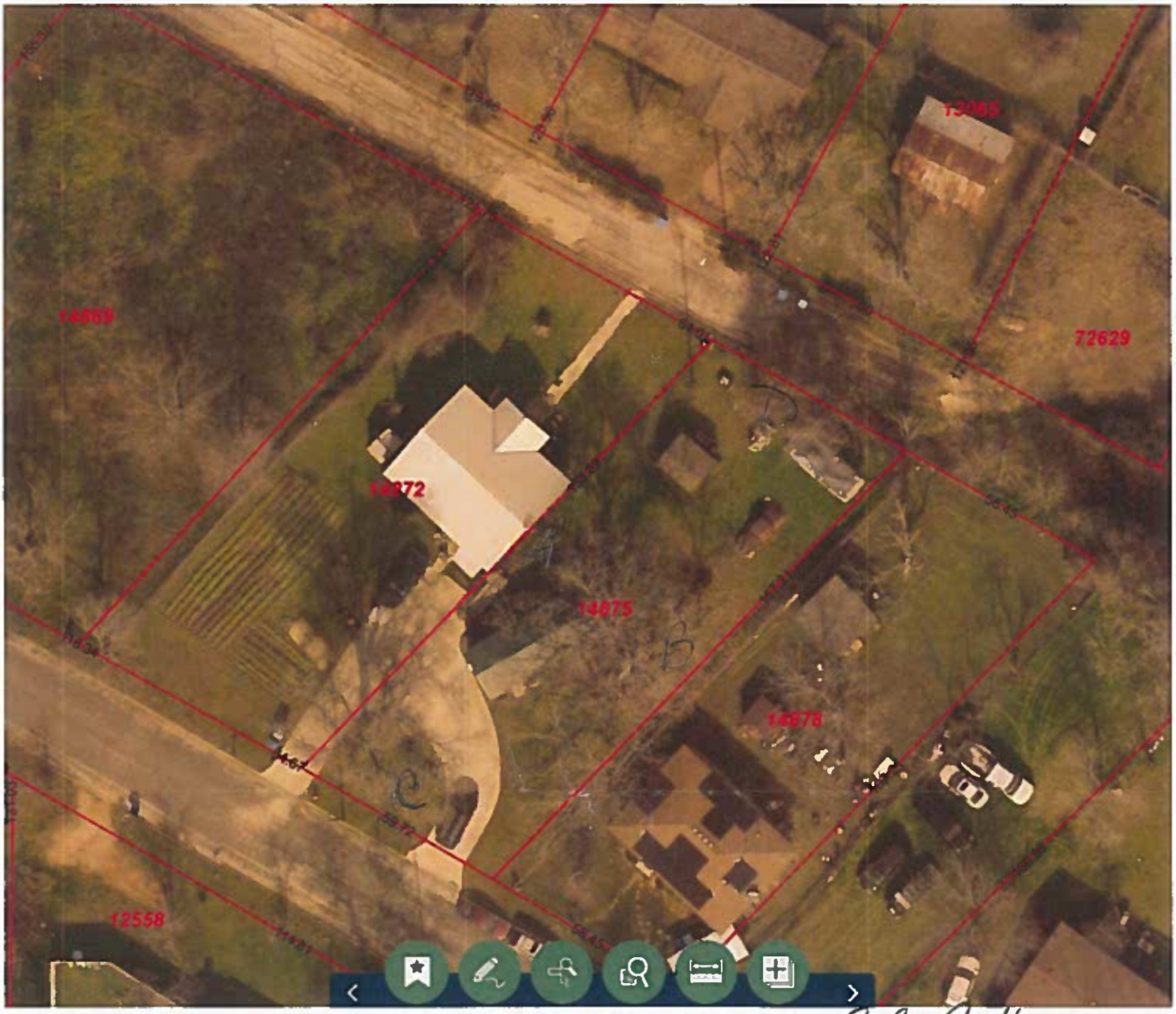
Project Description:

1475 sq Marvel 4-4 bed 2 baths will be placed on lot. Brooks, Block 2 Lot 5.

A off House 16'
B off Fence 15'
C off Jackson 90
D off Van Buren

There was a on lot I moved Aug 10, 2025. Shown in picture

802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621
(512) 281-0119
www.elgintexas.gov



2 BR Mortgage moved house.

Property is zoned R-3

12 off road

Front setback 15'
side 5'
rear 10'

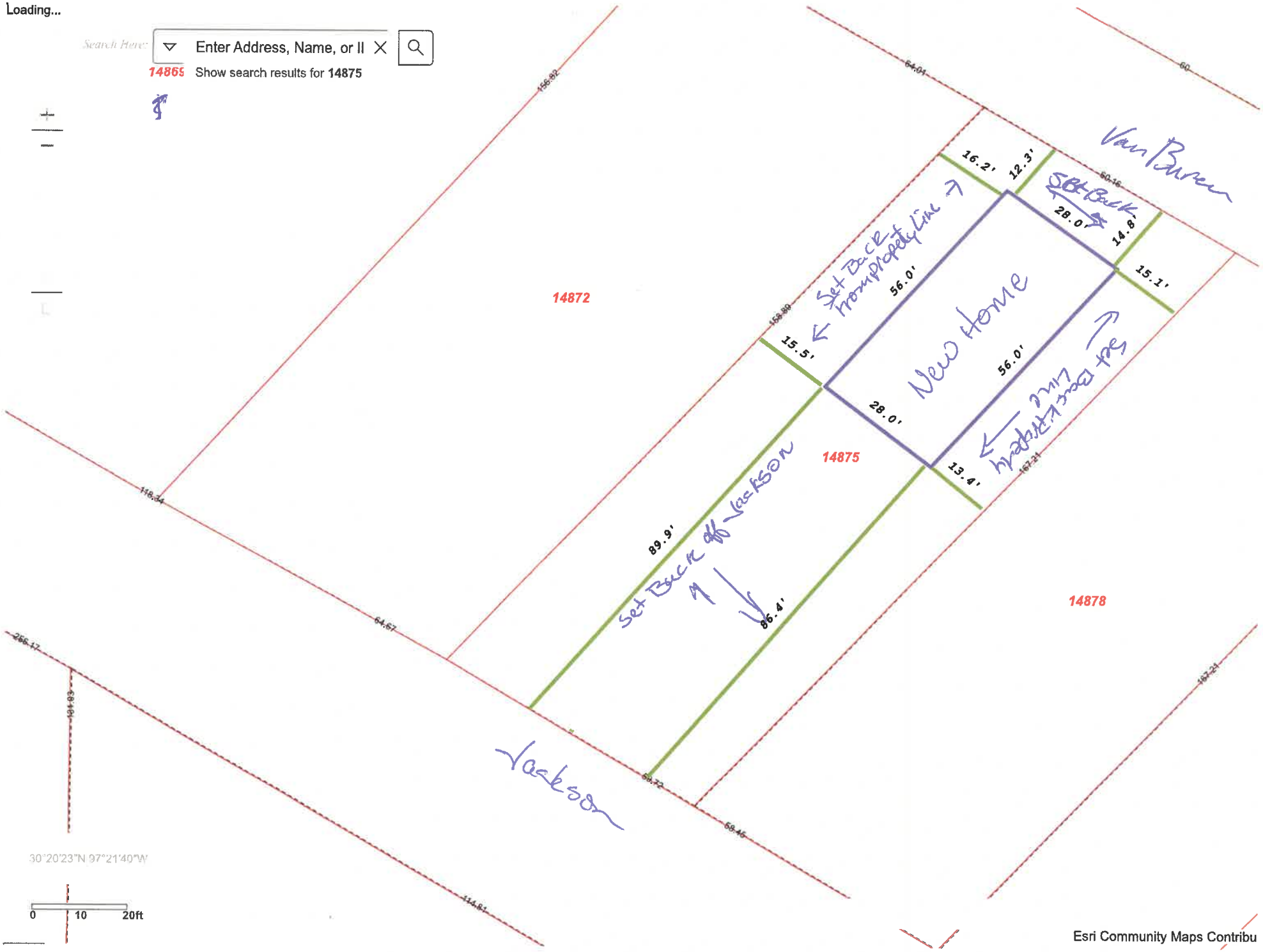
A off House 16' D off van Buren 22'
B off Fence 15'
C off Jackson 90'

Zoning Change Variance ✓

Loading...

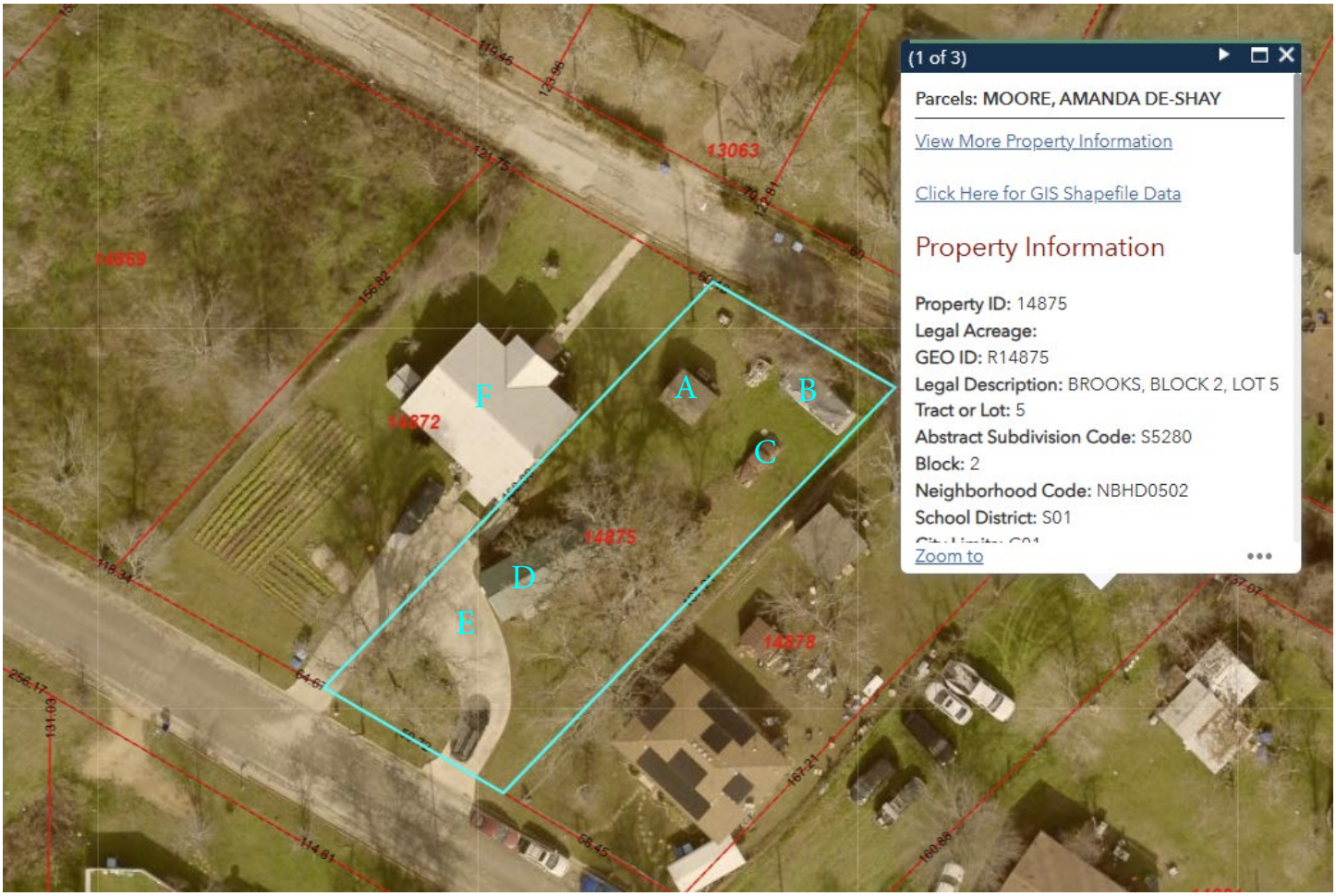
Search Here: Enter Address, Name, or II

14865 Show search results for 14875



Esri Community Maps Contribu

122 Jackson St



Table

A. Storage Shed - approximately 140 sf
B. Recreational Vehicle
C. Antique Vehicle
D. Detached Garage - removed earlier this year
E. "Circular Driveway" serving both lots
F. 129 Van Buren

122 Jackson St Staff added photos

Photo from the street in front of 122 Jackson Street showing the existing driveway which connects to 129 Van Buren. The RV can also be seen in this photo.

Photo from street in front of 129 Van Buren showing storage building that may need to be moved.

Photo from the street in front of 129 Van Buren showing Recreational Vehicle (all the way to the left).

October 28, 2025

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 this lot making the request (red solid 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:

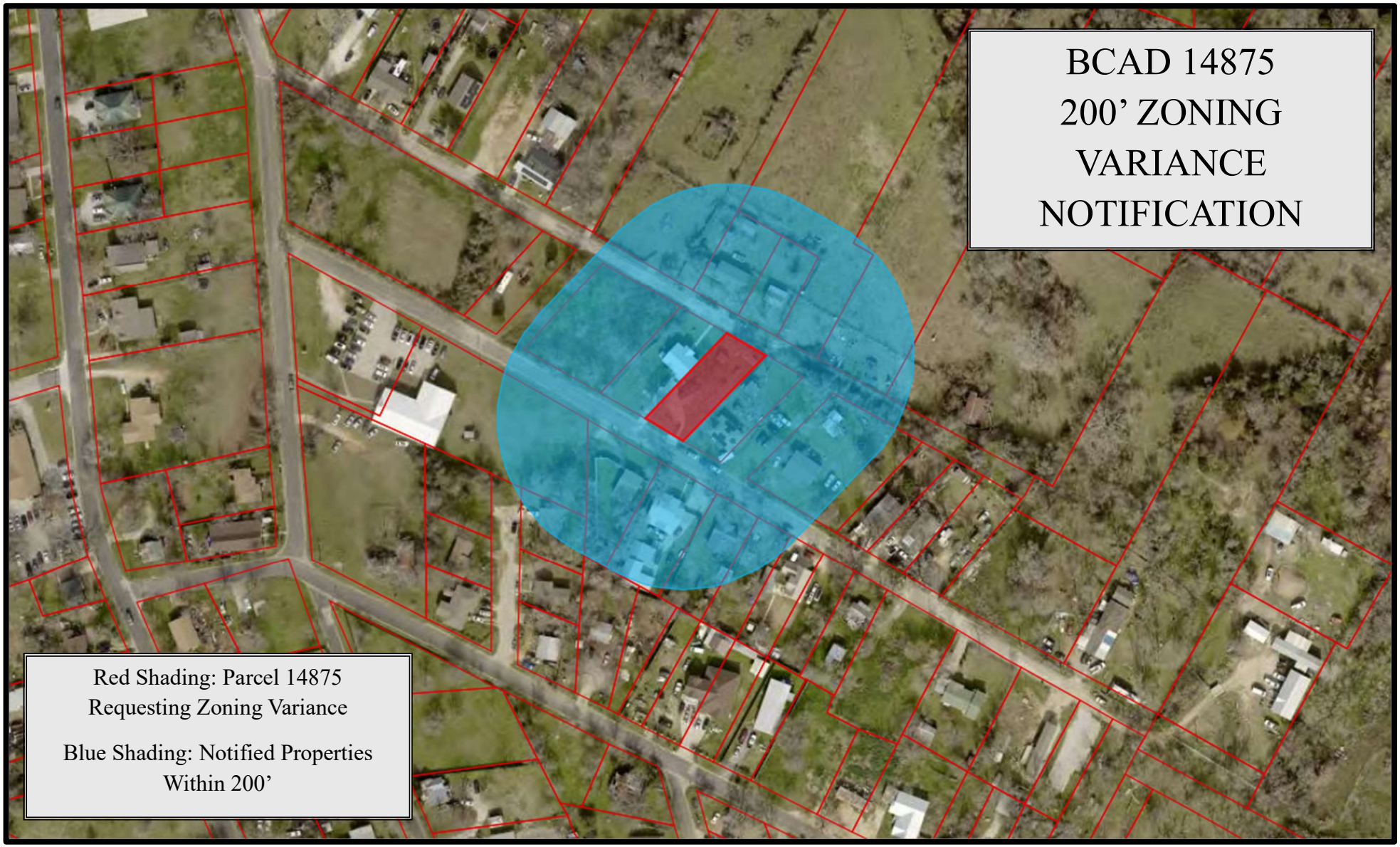
> Project #202500088: A zoning variance from Sec. 46-301 and Sec. 23-7 to allow for the placement of a manufactured home in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 122 Jackson St (Bastrop County parcel number 14875, BROOKS, BLOCK 2, LOT 5).

Notice is given of a public hearing to be held by the Board of Adjustment on **Thursday, November 13, 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 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, 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 14875
200’ ZONING
VARIANCE
NOTIFICATION
Red Shading: Parcel 14875
Requesting Zoning Variance
Blue Shading: Notified Properties
Within 200’

Development Services Department

STAFF REPORT

Zoning Variance

Project Number: 202500087

Date:	October 27, 2025
Applicant:	Dorothy McCarther
Representative:	Priscilla Mendoza – PK Development Solutions
Hearing Dates:	Board of Adjustments – November 13, 2025
Location:	BCAD Parcel 12599, a.k.a. 313 Q. S. Goins Lane

APPLICATION SUMMARY
Consideration of a variance to Sec. 46-303. Area Regulations. (2) a. to reduce the side setback requirement from five (5) feet to zero (0) feet in the R-3 Single Family, Duplex, and Zero Lot Line Two Family Dwelling District.

DEPARTMENT COMMENTS
Priscilla Mendoza has applied for a building permit on behalf of Mrs. McCarther to replace the recently relocated 28'X40' HUD-code manufactured home with a 26'-8" X 56' HUD-code manufactured home. The previous manufactured home had been legally permitted to be placed on the lot via Building Permit #2330 dated September 13, 1999. Durning the zoning review of that project, it was discovered that the placement of the new HUD-code manufactured home would encroach on the side setback and the applicant chose to pursue a variance.

The cover of the existing wood building and the required off-street parking spaces is impacting placement of the new home and is the reason for the variance request (see Attachment #5). Mrs. McCarther plans to place the new HUD-code manufactured home lengthwise across the lot (as shown on her site plan) which is 62.19' wide. Mrs. McCarther plans to maintain the 5' setback on the west side (between 315 Q.S. Goins) leaving 1.19' for setback on the east side (between the vacant lot and 313 Q.S. Goins (62.19'-56' = 6.19 – 5' = 1.19'). The vacant lot is owned by Mrs. McCarther's daughter, and they have provided a statement (see attachment #6) regarding future development of that property to compensate for the variance granted on 313 Q.S. Goings.

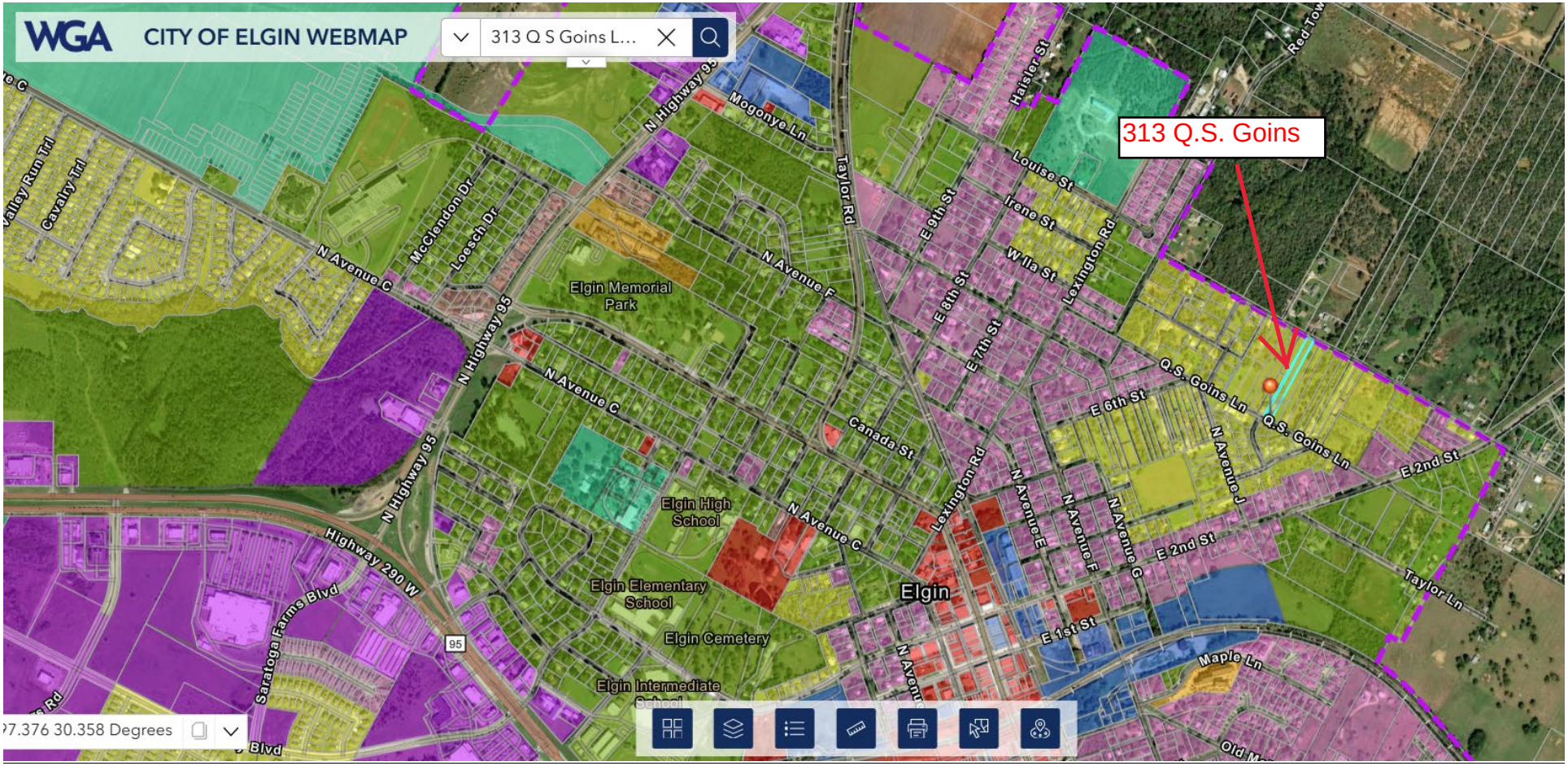
As required on all zoning variances, a total of 18 letters were mailed to property owners within 200' of this parcel. (see attachment #7)

DETERMINATION
In regard to the consideration (action), the Board has the option to approve, approve with conditions, deny, or continue the item upon concurrence of the applicant. Per Sec. 46-89, **approval would require the concurring vote of four members of the Board.** Upon denial, the application expires. Appeals to any BOA decision shall be made to a court of record within ten days after the filing of the decision of the Board.

ATTACHMENTS

1. Vicinity Map
2. Application, Owner Authorization, Variance request narrative
3. Survey
4. Zoomed in screen shots of site plan and survey
5. Staff added aerial of BCAD map
6. Letter from McCarther and Nicholson
7. Notice to 200' property owners

Vicinity Map



Elgin TEXAS
perfectly situated...

ZONING VARIANCE APPLICATION

Date: 10/1/2025

SITE INFORMATION

Project Address: 313 Q.S. Goins Elgin, TX 78621

Parcel Identification Number (if no address): R12599

APPLICANT

Name: Priscilla Mendoza - PK Development Solutions

Postal Address: 169 Macassin Cyn
Cedar Creek, TX 78612

E-Mail Address: priscilla@pkdevsolutions.com **Phone Number:** (512) 963-0142

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
	Priscilla Mendoza	10/1/2025

Project Description:

Zoning Variance request - zero lot line to reduce 5' setbacks on sides only.
R-3 zone (single family dwelling)
Two family dwelling District per SEC. 46-303

OWNER'S AUTHORIZATION LETTER

Project Site Address: 313 R.S. Goins Ln.

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

Priscilla Mendoza PK Development Solutions — 10-02-25

Name of Applicant or Company/Contractor (Print) — Date

Dorothy McCarthy — 4-11-2025

1st Property Owners Signature — Date

1st Property Owners Printed Name — Date

2nd Property Owners Signature — Date

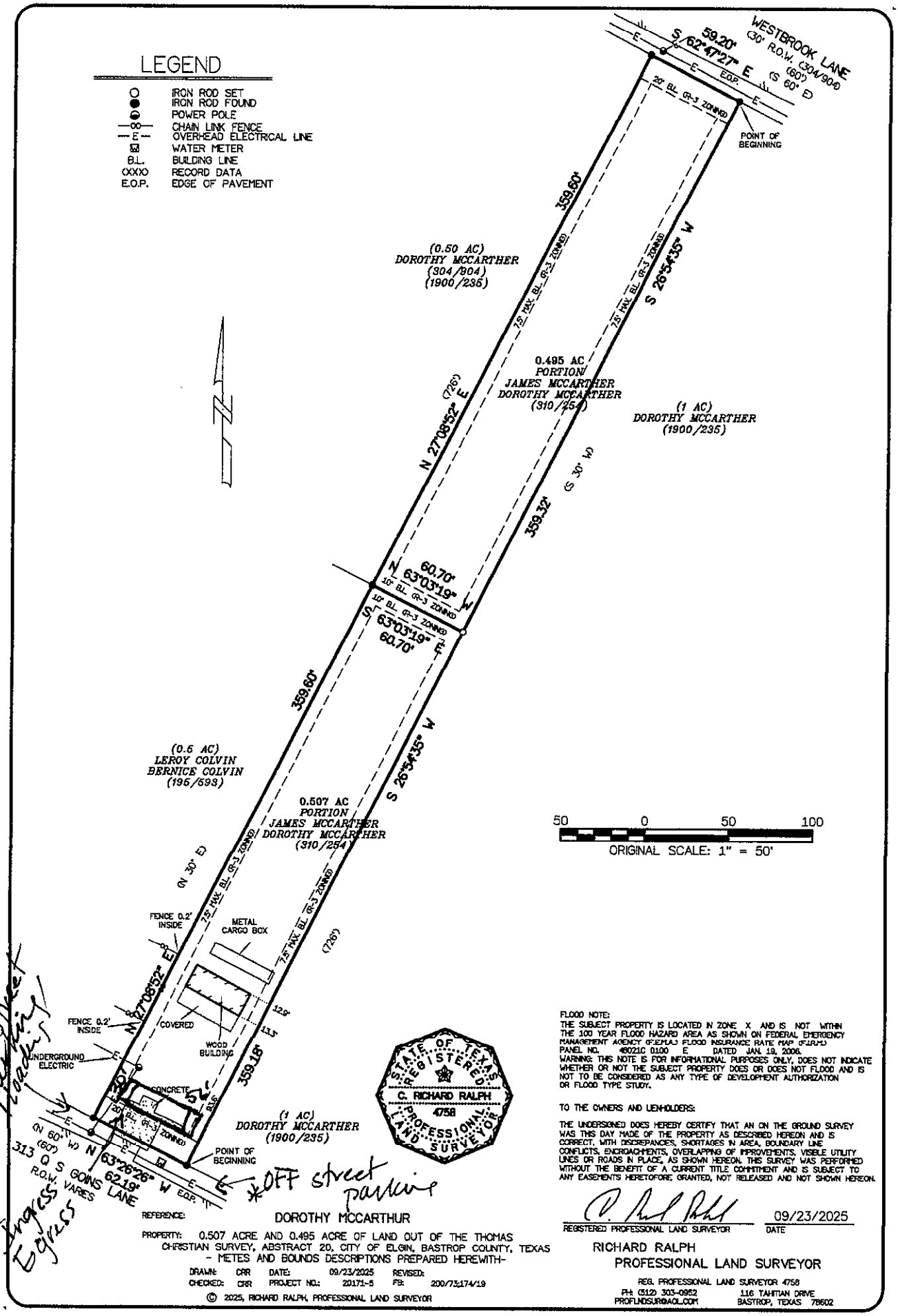
2nd Property Owners Printed Name — Date

3rd Property Owners Signature — Date

3rd Property 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.

[illegible]



FLOOD NOTE:
THE SUBJECT PROPERTY IS LOCATED IN ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 48021C 0100 E DATED JAN. 19, 2006.
WARNING: THIS NOTE IS FOR INFORMATIONAL PURPOSES ONLY, DOES NOT INDICATE WHETHER OR NOT THE SUBJECT PROPERTY DOES OR DOES NOT FLOOD AND IS NOT TO BE CONSIDERED AS ANY TYPE OF DEVELOPMENT AUTHORIZATION OR FLOOD TYPE STUDY.

TO THE OWNERS AND LIENHOLDERS:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON THE GROUND SURVEY WAS THIS DAY MADE OF THE PROPERTY AS DESCRIBED HEREON AND IS CORRECT, WITH DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AS SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO ANY EASEMENTS HERETOFORE GRANTED, NOT RELEASED AND NOT SHOWN HEREON.

REGISTERED PROFESSIONAL LAND SURVEYOR — DATE: 09/23/2025

REFERENCE: DOROTHY MCCARTHUR

PROPERTY: 0.507 ACRE AND 0.495 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20, CITY OF ELGIN, BASTROP COUNTY, TEXAS
- METES AND BOUNDS DESCRIPTIONS PREPARED HEREWITH-

DRAWN: CRR DATE: 09/23/2025 REVISED:
CHECKED: CRR PROJECT NO.: 20171-5 FB: 200/73;174/19

RICHARD RALPH
PROFESSIONAL LAND SURVEYOR
REG. PROFESSIONAL LAND SURVEYOR 4758
PH (512) 303-0952 116 TAHITIAN DRIVE
PROFLNDSUR@AOL.COM BASTROP, TEXAS 78602

METES AND BOUNDS DESCRIPTION

0.507 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20 IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED TO JAMES MCCARTHER AND DOROTHY MCCARTHER PER VOLUME 310, PAGE 254, DEED RECORDS OF BASTROP COUNTY AND MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS OF SURVEY DURING SEPTEMBER, 2025:

BEGINNING at an iron rod found for the southeast corner hereof, the common south corner of said McCarther tract and that tract conveyed as 1 acre to Dorothy McCarther per Volume 1900, Page 235, Official Public Records of Bastrop County and a point on the north line of Q S Goins Lane (r.o.w. varies);

THENCE N 63°26'26" W, 62.19 feet (horizontal control (bearing basis) for this survey per Grid North, Texas Central Coordinate Zone, NAD8) along the north line of said Q S Goins Lane to an iron rod found for the southwest corner hereof and common south corner of said McCarther tract and that tract conveyed as 0.5 acre to Leroy Colvin and Bernice Colvin per Volume 195, Page 593 of said Deed Records;

THENCE N 27°08'52" E, 359.60 feet to an iron rod found for the northwest corner hereof, northeast corner of said 0.5 acre, the southeast corner of that tract conveyed as 0.50 acre to Dorothy McCarther per Volume 304, Page 904 of said Deed Records and said Volume 1900, Page 235 and the southwest corner of a 0.495 acre tract out of said McCarther tract surveyed this day;

THENCE S 63°03'19" E, 60.70 feet over and across said McCarther tract to an iron rod set for the northeast corner hereof, southeast corner of said 0.495 acre and a point on the common line of said McCarther tract and said 1 acre;

THENCE S 26°54'35" W, 359.18 feet along the common line of said McCarther tract and said 1 acre to the POINT OF BEGINNING, containing 0.507 acre of land, more or less and shown on the Survey Plat prepared to accompany herewith

Surveyed by:

C. Richard Ralph, Professional Land Surveyor
Registered Professional Land Surveyor No. 4758
Project No. 20171-5A – 200/73;174/19

STATE OF TEXAS
REGISTERED
C. RICHARD RALPH
4758
PROFESSIONAL
LAND SURVEYOR

September 23, 2025

METES AND BOUNDS DESCRIPTION

0.495 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20 IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED TO JAMES MCCARTHER AND DOROTHY MCCARTHER PER VOLUME 310, PAGE 254, DEED RECORDS OF BASTROP COUNTY AND MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS OF SURVEY DURING SEPTEMBER, 2025:

BEGINNING at an iron rod found for the northeast corner hereof, the common north corner of said McCarther tract and that tract conveyed as 1 acre to Dorothy McCarther per Volume 1900, Page 235 and a point on the south right-of-way line of Westbrook Lane (30' r.o.w. per Volume 304, Page 904 of said Deed Records);

THENCE S 26°54'35" W, 359.32 feet (horizontal control (bearing basis) for this survey per Grid North, Texas Central Coordinate Zone, NAD83) along the common line of said McCarther tract and said 1 acre to an iron rod set for the southeast corner hereof and the northeast corner of a 0.507 acre tract out of said McCarther tract surveyed this day;

THENCE N 63°03'19" W, 60.70 feet over and across said McCarther tract to an iron rod found for the southwest corner hereof, northwest corner of said 0.507 acre, northeast corner of that tract conveyed as 0.5 acre to Leroy Colvin and Bernice Colvin per Volume 195, Page 593 of said Deed Records and the southeast corner of that tract conveyed as 0.50 acre to Dorothy McCarther per said Volume 304, page 904 and said Volume 1900, Page 235;

THENCE N 27°08'52" E, 359.60 feet to an iron rod found for the northwest corner hereof, common north corner of said McCarther tract and said 0.50 acre and a point on the south line of said Westbrook Lane;

THENCE S 62°47'27" E, 59.20 feet along the south line of said Westbrook Lane to the POINT OF BEGINNING, containing 0.495 acre of land, more or less and shown on the Survey Plat prepared to accompany herewith

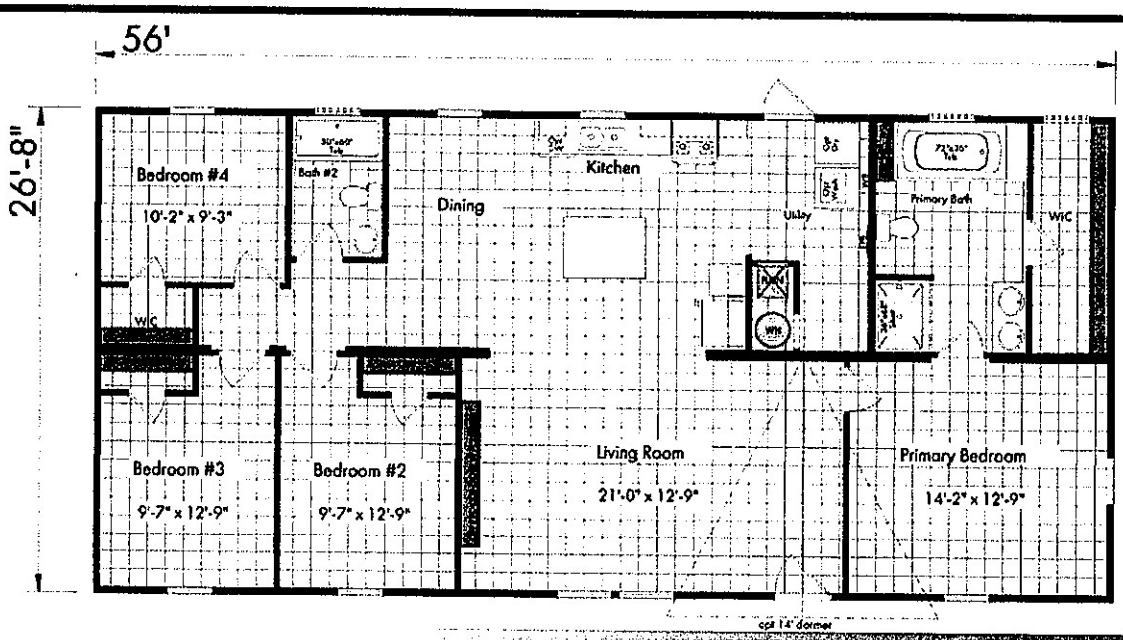
Surveyed by:

C. Richard Ralph, Professional Land Surveyor
Registered Professional Land Surveyor No. 4758
Project No. 20171-5B – 200/73;174/19

STATE OF TEXAS REGISTERED C. RICHARD RALPH 4758 PROFESSIONAL LAND SURVEYOR

September 23, 2025

RAM



| 1493 Sq ft | 28 x 60

ELISHA TENORIO
Finance Manager
elisha@villagehomesaustin.com
(512) 334-4329

Village Homes

17325 Camino Real (Hwy 21)
Mustang Ridge, TX 78616

10 Miles South of Airport
(Corner of Hwy 183 & Toll 130 / Hwy 21)

PK Development Solutions, LLC
189 Moccasin Cyn
Cedar Creek, Texas 78612

Oct 1, 2025

RE: Zoning Variance request
313 Q.S. Goins Elgin, TX 78621
R12599

Dear City of Elgin-Planning and Development:

Project Description:

We are requesting a zoning variance for Project 2025-912, the McCarther residence.

The variance is for a zero lot line, which will reduce the existing 7.5-foot setbacks on both sides of the property facing the front of 313 Q.S. Goins to zero. This adjustment is necessary to accommodate a new 56-foot in length mobile home without encroaching on the current side setback lines. The most recent survey indicates the front of the property measures 62.19 feet from the beginning point shown on the survey.

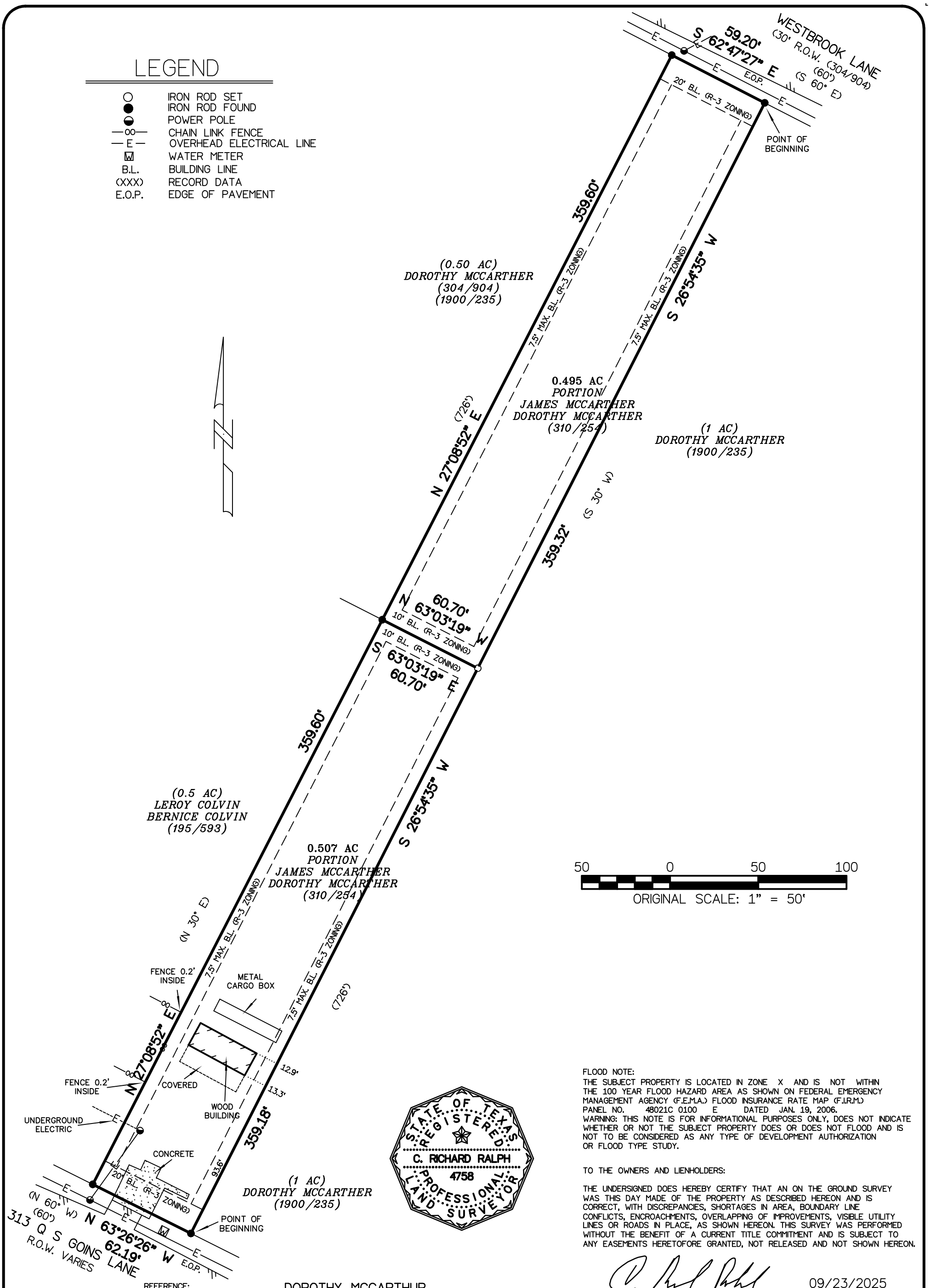
This is an unnecessary hardship for the McCarther family if the variance is not approved for their property. This property is currently zoned R-3 for single-family residential use and will not affect the City Zoning ordinance, public or neighbors in any way. Approval of this zoning variance will allow the McCarther family to place their new mobile home on the property without any encroachment issues while following City rules and regulations.

Please let us know if you have any questions. We appreciate your time and consideration.

Priscilla Mendoza
PK Development Solutions

LEGEND

○	IRON ROD SET
●	IRON ROD FOUND
◒	POWER POLE
—oo—	CHAIN LINK FENCE
— E —	OVERHEAD ELECTRICAL LINE
W	WATER METER
B.L.	BUILDING LINE
(XXX)	RECORD DATA
E.O.P.	EDGE OF PAVEMENT



STATE OF TEXAS
REGISTERED
C. RICHARD RALPH
4758
PROFESSIONAL LAND SURVEYOR

FLOOD NOTE:
THE SUBJECT PROPERTY IS LOCATED IN ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP (F.I.R.M.) PANEL NO. 48021C 0100 E DATED JAN. 19, 2006.
WARNING: THIS NOTE IS FOR INFORMATIONAL PURPOSES ONLY, DOES NOT INDICATE WHETHER OR NOT THE SUBJECT PROPERTY DOES OR DOES NOT FLOOD AND IS NOT TO BE CONSIDERED AS ANY TYPE OF DEVELOPMENT AUTHORIZATION OR FLOOD TYPE STUDY.

TO THE OWNERS AND LIENHOLDERS:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON THE GROUND SURVEY WAS THIS DAY MADE OF THE PROPERTY AS DESCRIBED HEREON AND IS CORRECT, WITH DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AS SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO ANY EASEMENTS HERETOFORE GRANTED, NOT RELEASED AND NOT SHOWN HEREON.

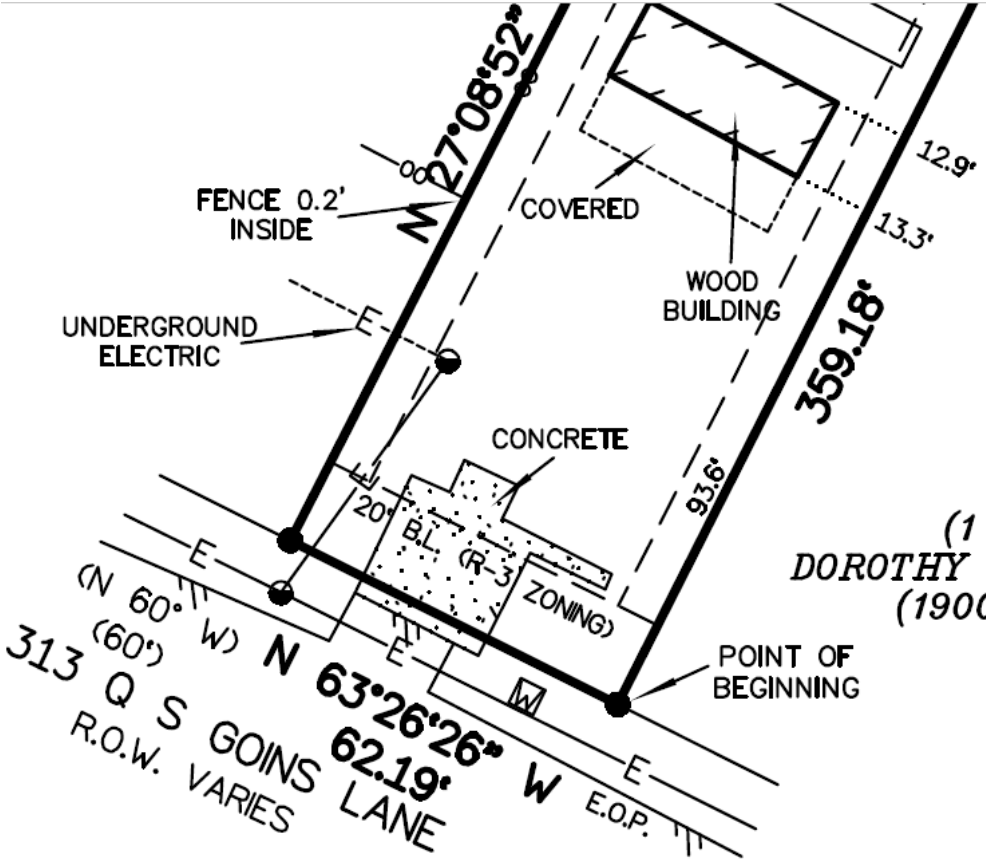
REGISTERED PROFESSIONAL LAND SURVEYOR — DATE: 09/23/2025

REFERENCE: DOROTHY MCCARTHUR

PROPERTY: 0.507 ACRE AND 0.495 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20, CITY OF ELGIN, BASTROP COUNTY, TEXAS
– METES AND BOUNDS DESCRIPTIONS PREPARED HEREWITH–

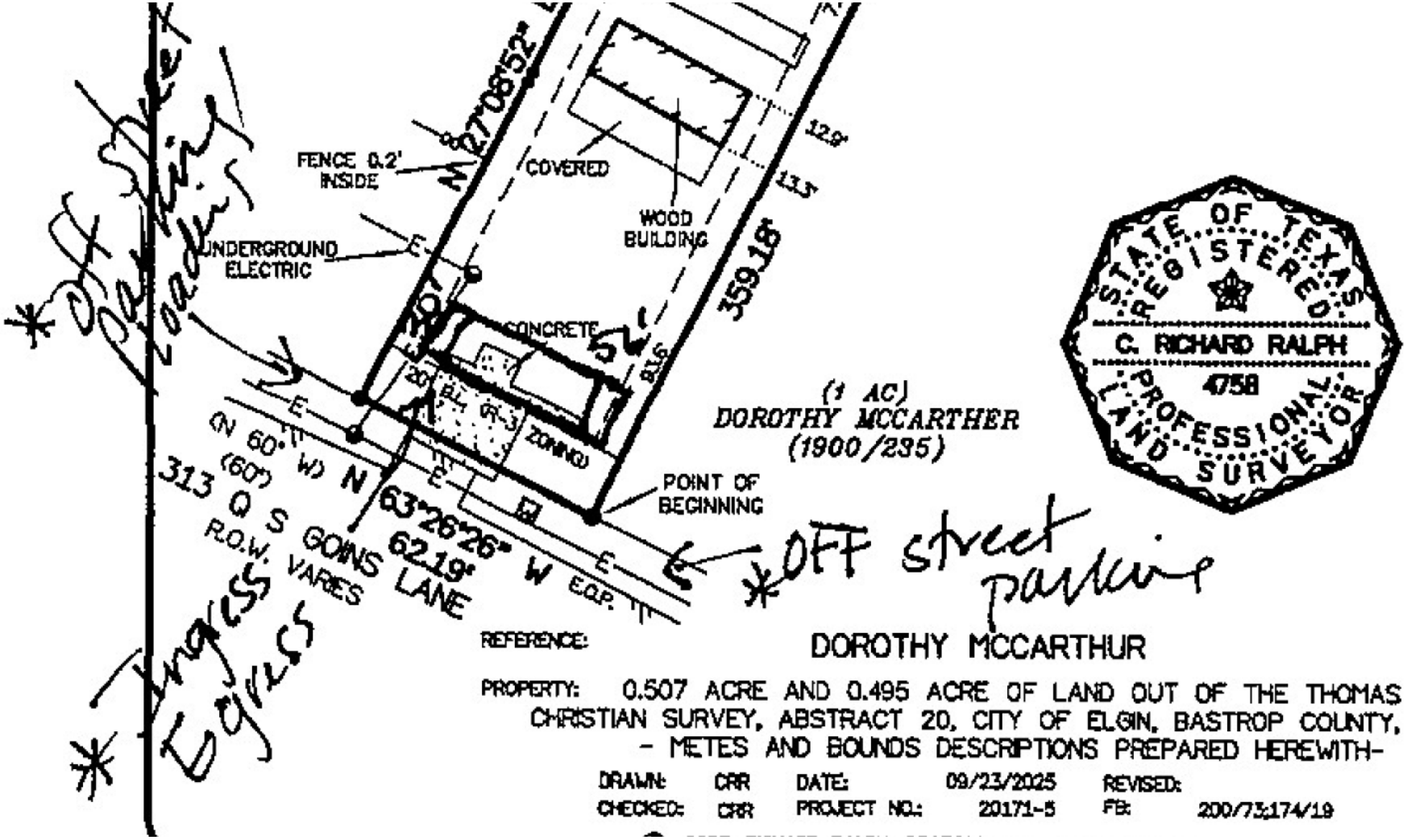
DRAWN: CRR DATE: 09/23/2025 REVISED:
CHECKED: CRR PROJECT NO.: 20171-5 FB: 200/73;174/19

RICHARD RALPH
PROFESSIONAL LAND SURVEYOR
REG. PROFESSIONAL LAND SURVEYOR 4758
PH: (512) 303-0952 116 TAHITIAN DRIVE
PROFLNDSUR@AOL.COM BASTROP, TEXAS 78602



REFERENCE: DOROTHY MCCARTHUR

PROPERTY: 0.507 ACRE AND 0.495 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20, CITY OF ELGIN, BASTROP COUNTY, TEXAS
- METES AND BOUNDS DESCRIPTIONS PREPARED HEREWITH-


*Off Street Parking/ Loading
FENCE 0.2' INSIDE
N 27°08'52" E
COVERED
WOOD BUILDING
12.9'
13.5'
359.18'
UNDERGROUND ELECTRIC
CONCRETE
54'
BLDG.
20' B.L.
R-3 ZONING
(1 AC)
DOROTHY MCCARTHER
(1900/235)
POINT OF BEGINNING
(N 60° W)
(60')
313 Q S
R.O.W. VARIES
GOINS LANE
N 63°26'26" W
62.19'
E.O.P.
*OFF street parking
*Ingress Egress
REFERENCE:
DOROTHY MCCARTHUR
PROPERTY: 0.507 ACRE AND 0.495 ACRE OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT 20, CITY OF ELGIN, BASTROP COUNTY, TEXAS
- METES AND BOUNDS DESCRIPTIONS PREPARED HEREWITH-
DRAWN: CRR DATE: 09/23/2025 REVISED:
CHECKED: CRR PROJECT NO.: 20171-5 FB: 200/73;174/19
STATE OF TEXAS
REGISTERED
C. RICHARD RALPH
4758
PROFESSIONAL
LAND SURVEYOR

Project #202500087 – 313 Q. S. Goins

October 28, 2025

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 this lot making the request (red solid 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:

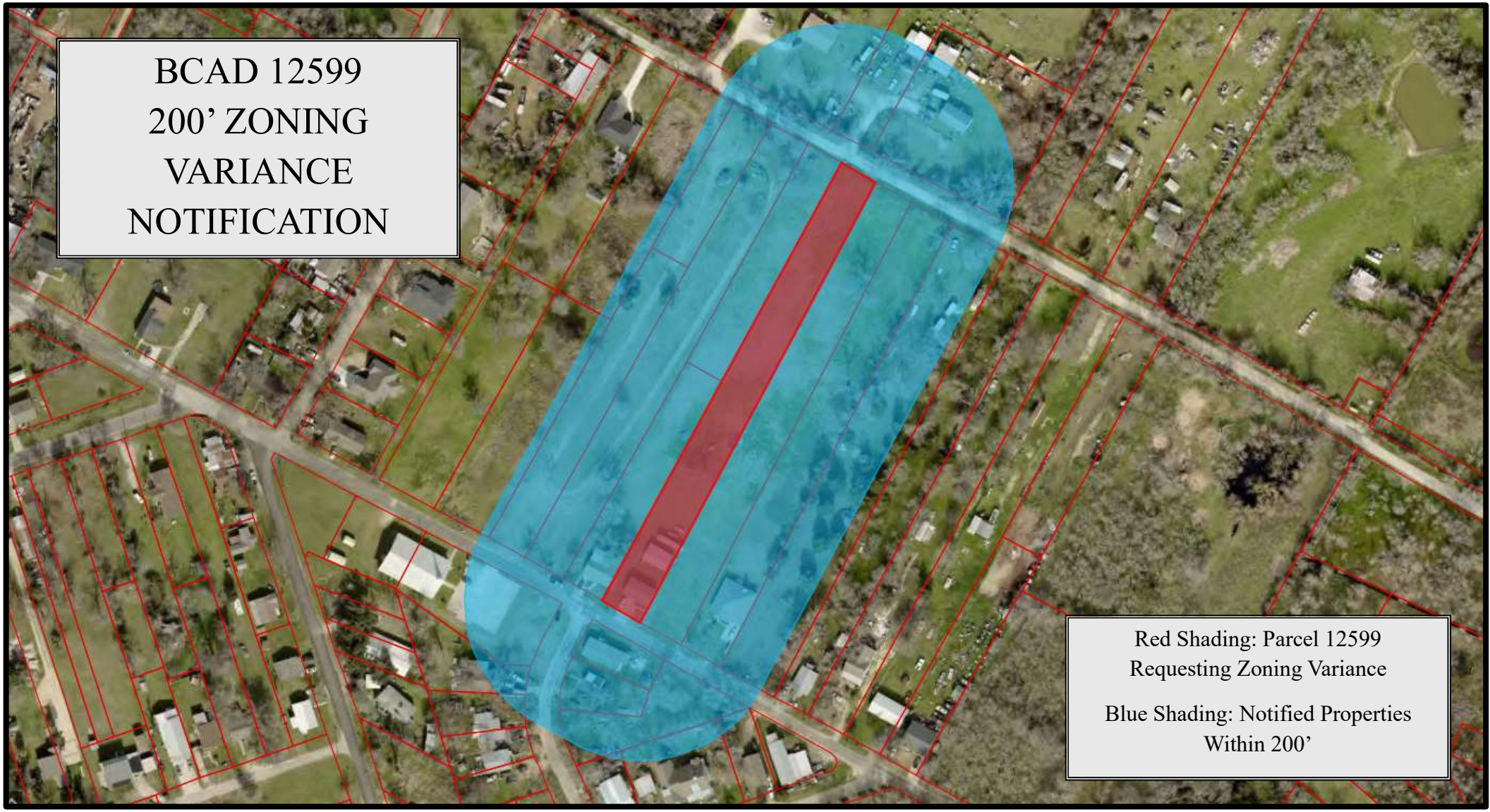
> Project #202500087: A zoning variance from Section 46-303 (2) to reduce the required side setbacks from 5 feet to 0 feet in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 313 Q. S. Goins Ln (Bastrop County parcel number 12599, A20 CHRISTIAN, THOMAS ACS 1.0000).

Notice is given of a public hearing to be held by the Board of Adjustment on **Thursday, November 13, 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 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, 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 12599
200’ ZONING
VARIANCE
NOTIFICATION
Red Shading: Parcel 12599
Requesting Zoning Variance
Blue Shading: Notified Properties
Within 200’

Development Services Department

STAFF REPORT

Zoning Variance

Project Number: 202500079

Date:	October 30, 2025
Applicant:	Joel Garcia
Hearing Dates:	Board of Adjustment – November 13, 2025
Location:	BCAD Parcel 14790, located at 520 W. 2nd St.

APPLICATION SUMMARY
Consideration of two separate zoning variances: A variance from Section 46-303 (4) to reduce to minimum width of the lot from 50' to 48' at the front building line, and a variance from Section 46-303 (5) to reduce the minimum lot area of R-3 development from 6,000 square feet to 5,232 square feet.

DEPARTMENT COMMENTS
In March of 2025 the applicant applied for a building permit for new construction on this property. In April of 2025 he was informed that the legal description of the lot (Elgin City, Block 14, Lot 38 FR) indicates that it was informally divided and that the lot would need to be formally platted via Amending Plat before the building permit could be issued.

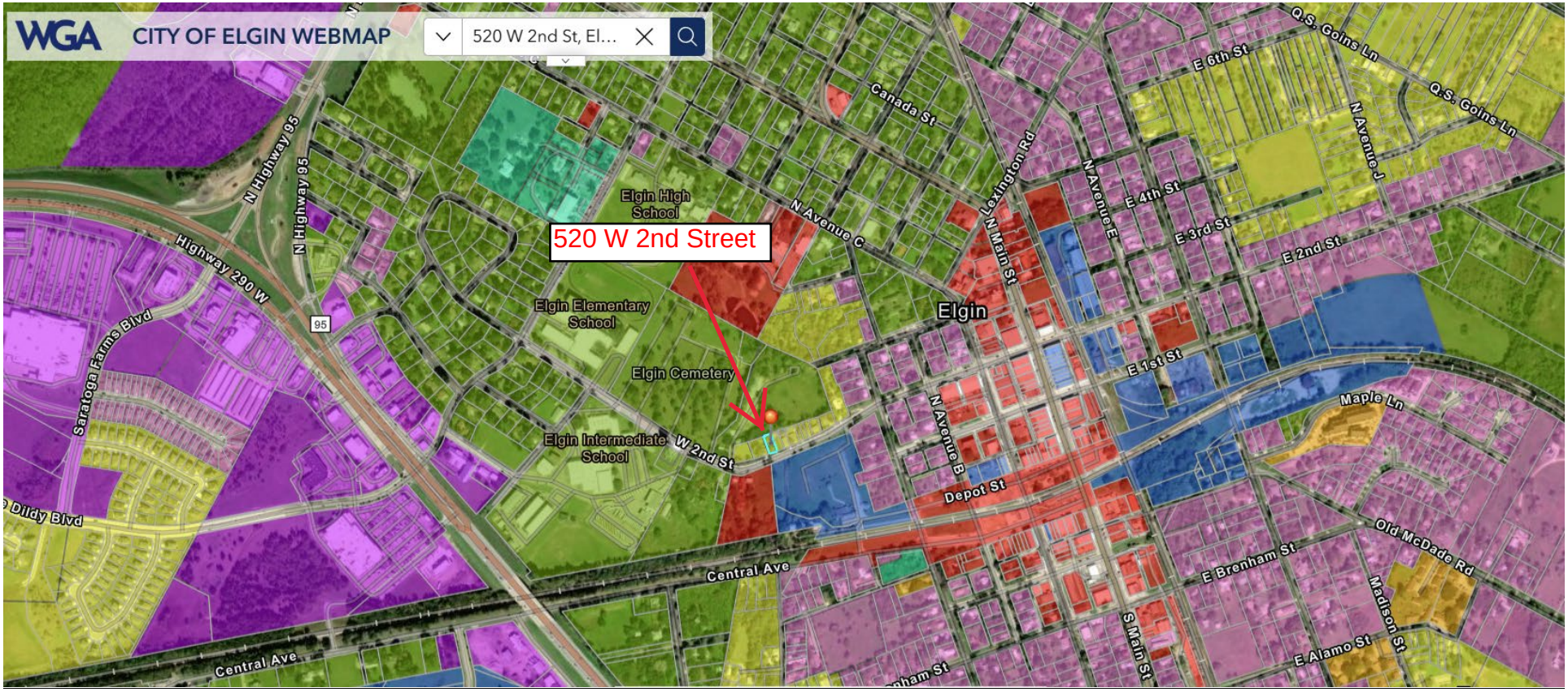
The property is zoned R-3: Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District, which has a lot area requirement of 6,000 s.f. (this lot is 5,232 s.f.) and a lot width requirement of 50 feet at the front building line (this lot is 48 feet wide). Variances for the lot width and lot area would need to be granted before that short form plat could be approved.

The Amending Plat application has not yet been submitted.

Determination
In regard to the consideration (action), the Board has the option to approve, approve with conditions, deny, or continue the item upon concurrence of the applicant. Per Sec. 46-89, **approval would require the concurring vote of four members of the Board.** Upon denial, the application expires. Appeals to any BOA decision shall be made to a court of record within ten days after the filing of the decision of the Board.

ATTACHMENTS
1. Vicinity Map
2. Application
3. Letter of Request
4. Owner's Authorization
5. Survey
6. Proposed Site Plan
7. Staff added photos
8. Notice to 200' Property Owners

Vicinity Map



ZONING VARIANCE APPLICATION

Date: August 20 2025

SITE INFORMATION

Project Address: 520 W 2nd St Elgin TX 78621

Parcel Identification Number (if no address): _____

APPLICANT

Name: JOEL LOPEZ GARCIA

Postal Address: 1920 MISTY RIDGE DR. LEANDER TX 78641

E-Mail Address: joel991122@hotmail.com; **Phone Number:** 512 621 0951

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
	Joel Lopez Garcia	August 20 2025

Project Description:

We Build Small House 1 Floor—-· 3 Beds 2 Baths

REQUEST: Get the Variant to the following Sections

For Lot Width (Sec. 46-303. – Area Regulations. (4) states that there shall be a minimu

For Lot area (Sec. 46-303. – Area Regulations. (5) states that the lot area shall be not l

LETTER OF INTENT

VARIANCE

Location: **520 W 2nd St Elgin TX 78621**

SEPTEMBER / 17 / 2025

REQUEST: Get the Variant to the following Sections

For Lot Width (Sec. 46-303. – Area Regulations. (4) states that there shall be a minimum lot width of 50 feet at the building line)

For Lot area (Sec. 46-303. – Area Regulations. (5) states that the lot area shall be not less than 6,000 square feet)

Conditions

According to the lot dimensions shown in the SURVEY attached as Exhibit A, the rectangular dimensions of the lot are 109' x 48' proportional feet, giving us a total area of 5,232 sq/ft.

The lot is currently zoned (**R-3 SINGLE-FAMILY, DUPLEX, & ZERO LOT LINE TWO FAMILY DISTRICT**) with a minimum floor area of 6,000 sq/ft.

In my architectural proposal in Exhibit B, this area is sufficient to develop a two-story single-family home. Therefore, we would be requesting ratification of the assigned zoning for this lot in order to carry out the construction. We believe that we are not affecting public or private interests in any way, since we are not altering the lot size or the surrounding areas.

Furthermore, we are confident that we will not disrupt the urban environment, as the architecture will be similar to that of the neighborhood and we will not have access issues to the vehicle entrance. We will also create a friendly and attractive design for the neighborhood. (See Exhibit B)

We are not requesting a zoning change or a different use from the one already approved (single-family dwelling). We are only seeking legal approval from the City of Elgin.

No Substantial Detriment

The variance we are requesting will allow for the development of a project on the same land area. Therefore, the fact that it is a residential home will not directly or indirectly harm the people or the community, nor will it harm the safety of that same community. The very fact of building a home in a traditional manner, with traditional materials and construction procedures, does not endanger other properties around it. Furthermore, it contributes to the substantial development of the city, contributing to its development and contributing to greater tax revenue for the city.

Applicant's Actions

As the applicant for this variant and the designer of the future housing project, I have the full authorization and knowledge of the owner of this lot to proceed with the application. Furthermore, I have analyzed with them the possibilities of designing the house under the current conditions, and we have concluded that the area for construction is sufficient. Therefore, they have asked me to apply for this variant and, if accepted, continue with the development of the project to obtain the necessary building permits.

My sole interest is to obtain the variant so I can design and build the owner's house.

I have designed many houses on many lots with limited space, but this lot has minimal area for building a home. Therefore, I recommend accepting these lot dimensions for construction, so I can develop the house.

Comprehensive Plan

In our case, we are only requesting a variance to ratify the existing zoning; we are not requesting zoning modifications or any other type of construction, nor a change of use. Therefore, we are not seeking to modify the City of Elgin's original Development Plan.

Spirt

We believe the spirit of requesting a variance to ratify the zoning is valid, necessary, and above all, fair. Since the owner purchased this land legally, as evidenced by the documentation in the Warranty Deed, with the firm intention of building his home, he has been paying his taxes on time since acquiring the property. He believes the entire time his land is ready for construction, evidently with the corresponding building permits, always adhering to the law.

So, if my client declares that his intention is to build a home on land designated for residential purposes, we consider it fair to treat him in this way, since we have demonstrated that we will not disrupt any public or private interests, but will also contribute to the development of the community.

I appreciate your understanding and prompt solution to this request.

Thank you so much.

Joel Lopez-G
Applicant
512 621 0951
Joel991122@hotmail.com

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

Joel Lopez — March 28 2025

Name of Applicant or Company (Print) — Date

Juan Santiago — March 28 2025

1st Owners Signature — Date

Juan Santiago — March. 28 2025

1st Owners Printed Name — Date

Juan Santiago

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.

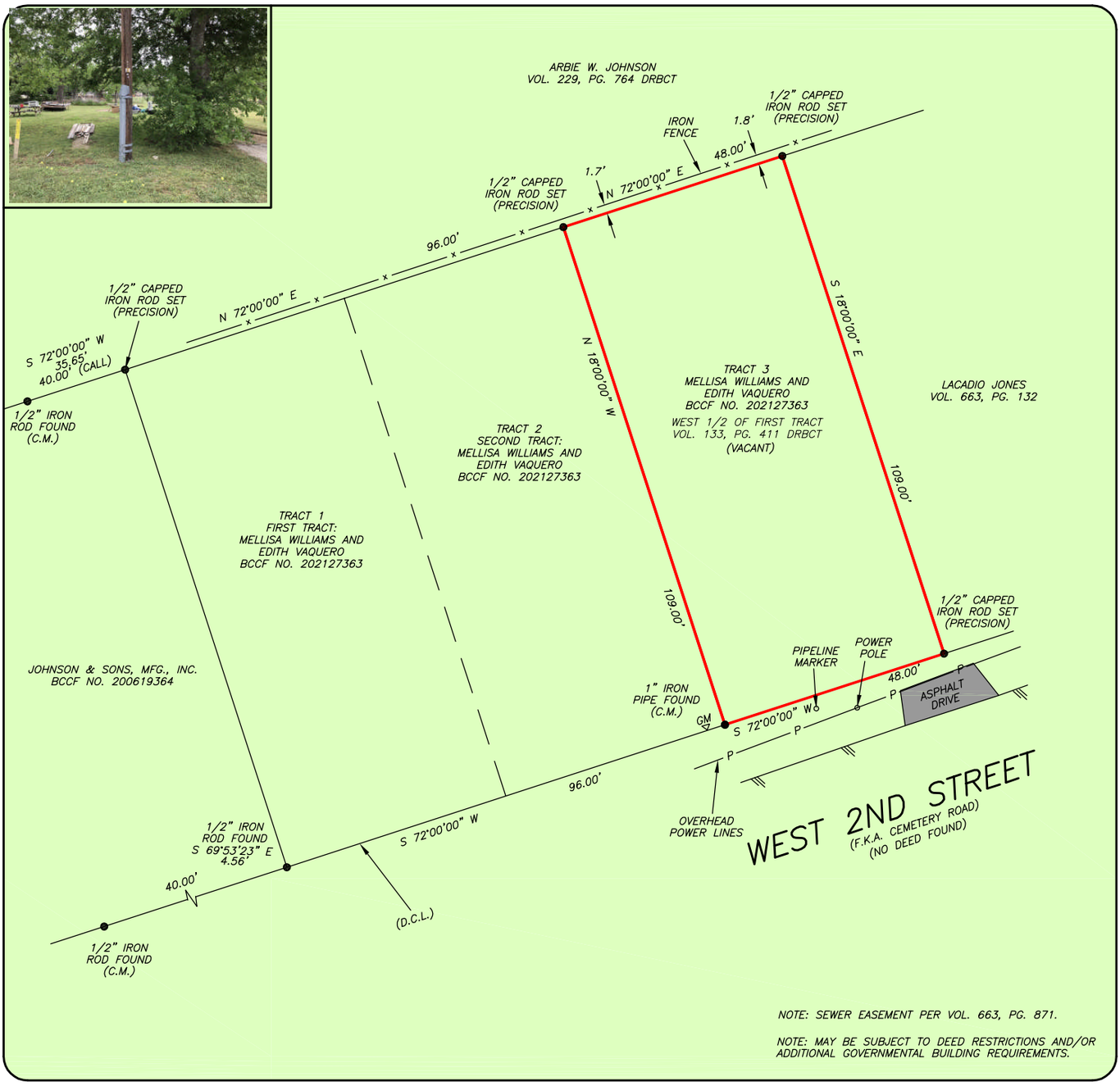
Be aware the person(s) who represent a corporation, limited liability company (LLC), or similar type of corporation regarding property ownership must provide documentation along with this letter indicating they have authority to sign for said corporation. Failure to provide may result in delay.

GF NO. TX22-119662 JET CLOSING TITLE
ADDRESS: 520 WEST 2ND STREET
ELGIN, TEXAS 78621
BORROWER: SOPHISTICATED PROPERTIES LLC

0.1201 ACRE
A PORTION OF LOT 38
DIVISION XIV, TOWN OF ELGIN

BASTROP COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
IN VOLUME Y, PAGE 301, DEED RECORDS,
BASTROP COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS DESCRIPTION)

SCALE: 1" = 30'



NOTE: SEWER EASEMENT PER VOL. 663, PG. 871.

NOTE: MAY BE SUBJECT TO DEED RESTRICTIONS AND/OR ADDITIONAL GOVERNMENTAL BUILDING REQUIREMENTS.

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FIRM PANEL NO. 48201C 0075 E
MAP REVISION: 01/19/2006
ZONE X
BASED ONLY ON VISUAL EXAMINATION OF MAPS. INACCURACIES OF FEMA MAPS PREVENT EXACT DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION WAS BEYOND THE SCOPE OF THIS SURVEY

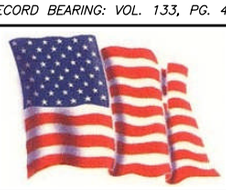
D.C.L. = DIRECTIONAL CONTROL LINE
RECORD BEARING: VOL. 133, PG. 411, H.C.M.R.

DRAWN BY: RE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY AND ABSTRACTING PROVIDED IN THE ABOVE REFERENCED TITLE COMMITMENT WAS RELIED UPON IN PREPARATION OF THIS SURVEY.

JAMES E. MOSELEY
PROFESSIONAL LAND SURVEYOR
NO. 5912
JOB NO. SA2022-01375
MAY 2, 2022

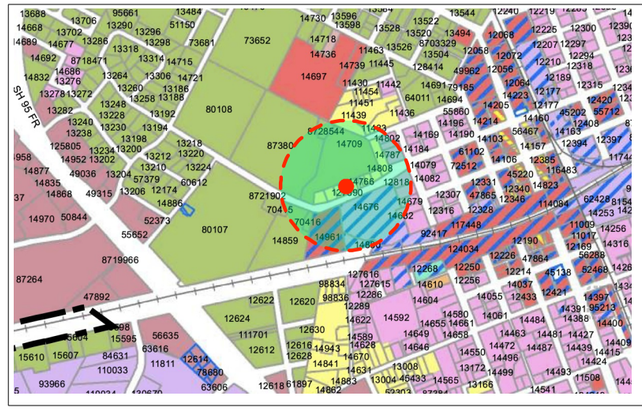
STATE OF TEXAS
REGISTERED
JAMES MOSELEY
5912
PROFESSIONAL LAND SURVEYOR



JetClosing
A TITLE COMPANY
LIZ ANDREWS
866-538-1000

PRECISION surveyors
1-800-LANDSURVEY
www.precisionsurveyors.com
281-496-1586 FAX 281-496-1867 950 THREADNEEDLE STREET SUITE 150 HOUSTON, TEXAS 77079
210-829-4941 FAX 210-829-1555 1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
FIRM NO. 10063700

Elgin TEXAS
perfectly situated...



LEGEND

- PARCEL
- CITY LIMITS
- CITY ETJ

ZONING

- R-1 SINGLE-FAMILY DWELLING DISTRICT
- R-2 SINGLE-FAMILY AND DUPLEX DWELLING DISTRICT
- R-3 SINGLE-FAMILY, DUPLEX, & ZERO LOT LINE TWO FAMILY DISTRICT
- R-4 MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- PDD PLANNED DEVELOPMENT DISTRICT
- C-1 NEIGHBORHOOD SHOPPING DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- C-3 HIGHWAY COMMERCIAL DISTRICT
- C-3/I GENERAL INDUSTRIAL & HIGHWAY COMMERCIAL DISTRICT
- I GENERAL INDUSTRIAL DISTRICT
- S-P SPECIFIC USE
- ZONE 1 ALLOW 50% COMMERCIAL IN FRONT & 50% RESIDENTIAL IN REAR
- ZONE 2 ALLOWS MORE THAN 50% RESIDENTIAL

Sec. 46-300. - General description.

The R-3 Single-Family, Duplex, and Townhouse Dwelling District is slightly less restrictive than the R-2 district. The principal use of land is for single-family and two-family dwellings and related recreational, religious and educational facilities area. These provide an orderly and attractive residential area. These residential areas are intended to be defined and protected from the encroachment of uses which are not appropriate to residential environment and include internal stability, attractiveness, light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

(Code 1990, ch. 11, § 2C3(A)(a); Ord. No. 2023-03-07-06, 3-7-2023)

Sec. 46-301. - Uses permitted.

The following uses are permitted in the R-3 Single-Family, Two-Family and Industrialized District:

(1) Any use permitted in an R-2 Single-Family and Duplex Dwelling District.

(2) Zero lot line two-family dwelling.

(Code 1990, ch. 11, § 2C3(A)(b); Ord. No. 2020-02-04-06, § I, 2-4-2020; Ord. No. 2023-03-07-06, 3-7-2023)

Sec. 46-302. - Height regulations.

The following are the height regulations in R-3 Single-Family Dwelling District: No building shall exceed two and one-half stories or 35 feet in height.

(Code 1990, ch. 11, § 2C3(A)(c); Ord. No. 2023-03-07-06, 3-7-2023)

Sec. 46-303. - Area regulations.

The following are the area regulations in R-3 Single-Family Dwelling District:

(1) *Front yard.* The minimum depth of the front yard shall be 15 feet. If 25 percent or more of the lots on one side of the street between two intersecting streets are improved with buildings, all of which have observed an average setback line of greater than 15 feet, and no building varies more than six feet from this average setback line, then no building shall be erected closer to the street line, than the minimum setback so established by the existing buildings; but this regulation shall not require a front yard of greater depth than 25 feet. When a yard has double frontage the front yard requirements shall be complied with on both streets.

(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.

(4) *Lot width.* For dwellings there shall be a minimum lot width of 50 feet at the building line, and such lot shall abut on a street for a distance of not less than 25 feet.

(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.

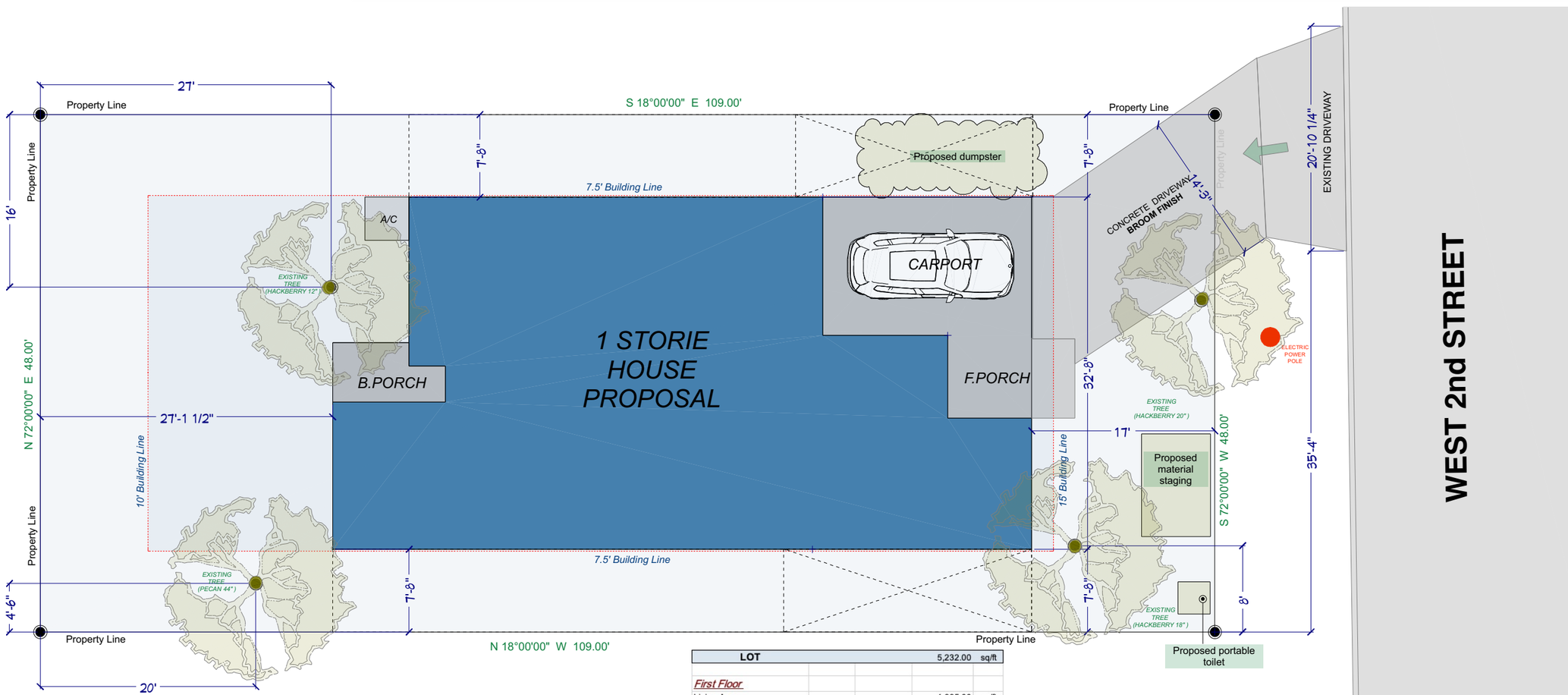
b. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.

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 ten percent is not applicable to accessory dwelling units.

(7) *Separation between all buildings.* There shall be a 5-foot separation between all buildings on a lot.

(8) *Driveways and sidewalks.* An improved impervious driveway shall be constructed for each dwelling unit, and each driveway shall include enough area for two parking spaces. Sidewalks shall be constructed as specified in section 36-140. In addition, a fee in lieu of sidewalks may be required as specified in section 36-143.



LOT	5,232.00	sq/ft
First Floor		
Living Area	1,665.00	sq/ft
Back Porch	50.00	sq/ft
Front Porch	60.00	sq/ft
Carport	248.00	sq/ft
TOTAL HOME LIVING AREA	**1,665.00**	sq/ft
TOTAL Porch's	358.00	sq/ft
TOTAL BUILD AREA	**2,023.00**	sq/ft
CONCRETE DRIVEWAY	270.00	sq/ft
SIDEWALK	30.00	sq/ft
A/C SLAB	12.00	sq/ft
TOTAL impervious Coverage	2,335.00	sq/ft
IMPERVIOUS COVERAGE	44.63%	

"These plans meet all requirements for the 2021 IRC & 2020 NEC, and the City of Elgin and Building Ordinances"

MEMBER
AIBD
AMERICAN INSTITUTE of BUILDING DESIGN
N·C·B·D·C
NATIONAL COUNCIL OF BUILDING DESIGNER CERTIFICATION
Joel Lopez
CERTIFICATION NO. 44-827
CERTIFIED PROFESSIONAL BUILDING DESIGNER
Joel Lopez-Garcia
512 621 0951

520 West 2nd Street
ELGIN, TEXAS. 78621
BASTROP COUNTY, TEXAS.

SITE PLAN

DECEMBER 2024

Owner:
JUAN SANTIAGO

SCALE SEE VIEW
Applicable on Arch B Paper
3/32" = 1' 0"

SHEET #
3

520 W 2nd Street Staff Photos

Photo showing existing driveway curb cut.

Photo showing Drainage Structure proximity to driveway.

The proposed home will be set back 7’-8” from the west property line and 7’-8” from the east property line.

October 28, 2025

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 this lot making the request (red solid 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 #202500079: A zoning variance from Section 46-303 (4) in order to reduce the requirement for a lot width of 50 feet at the building line to 48 feet, and a zoning variance from Section 46-303 (5) to reduce the minimum lot area from 6,000 square feet to 5,232 square feet in the "R-3" Single-Family, Duplex, and Zero Lot Line Two Family Dwelling District located at 520 W 2nd St (Bastrop County parcel number 14790, Elgin City, BLOCK DIV 14, Lot 38 FR).

Notice is given of a public hearing to be held by the Board of Adjustment on **Thursday, November 13, 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 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, 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 14790
200’ ZONING
VARIANCE
NOTIFICATION
Red Shading: Parcel 14790
Requesting Zoning Variance
Blue Shading: Notified Properties
Within 200’

Development Services Department

STAFF REPORT

Direction to Staff regarding amendments to Chapter 46 (Board of Adjustment Membership)

Date: November 4, 2025

Meeting Date: November 13, 2025

ITEM SUMMARY

The Board has recently expressed the desire to move from a five-member board with two alternates to a seven-member board with no alternates. Per Sec. 211.008 (b) of the Texas Local Government Code (State Law), a board of adjustment must consist of **at least** five members. State law also allows the appointment of alternate members.

DEPARTMENT COMMENTS

The reason for alternate members may be because per Sec. 211.008 (d) *Each case before the board of adjustment must be heard by at least 75 percent of the members.* Meaning that 4 of the 5 regular members must be present at each meeting and the concurring vote of 75 percent of the members is required for approval of any case (so 3-1 if only 4 members are present). If membership is changed to 7 regular members, 6 members would be required to be present at each meeting, and the concurring vote of 5 members would be required for approval of any case.

It would be preferred that both alternate seats be filled before a petition is made to City Council to amend the Board of Adjustment Ordinance to seven regular members. Staff has reached out to citizens and hopes to have the Junior Alternat seat filled soon.

ATTACHMENTS

1. Texas Local Government Code Section 211.008
2. Chapter 46, Article II. Division 3 – Board of Adjustment

Texas Local Government Code

Sec. 211.008. BOARD OF ADJUSTMENT. (a) The governing body of a municipality may provide for the appointment of a board of adjustment. In the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

(b) A board of adjustment must consist of at least five members to be appointed for terms of two years. The governing body must provide the procedure for appointment. The governing body may authorize each member of the governing body, including the mayor, to appoint one member to the board. The appointing authority may remove a board member for cause, as found by the appointing authority, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.

(c) The governing body, by charter or ordinance, may provide for the appointment of alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

(d) Each case before the board of adjustment must be heard by at least 75 percent of the members.

(e) The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter and with the approval of the governing body. Meetings of the board are held at the call of the presiding officer and at other times as determined by the board. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.

(f) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(g) The governing body of a Type A general-law municipality by ordinance may grant the members of the governing body the authority to act as a board of adjustment under this chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 126, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 724, Sec. 1, eff. Aug. 28, 1995; Acts 1997, 75th Leg., ch. 363, Sec. 1, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 820 (H.B. 2497), Sec. 1, eff. September 1, 2019.

Sec. 211.009. AUTHORITY OF BOARD. (a) The board of adjustment may:

(1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;

(2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;

(3) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and

(4) hear and decide other matters authorized by an ordinance adopted under this subchapter.

(b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

(b-1) In exercising its authority under Subsection (a)(3), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;

(2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;

(3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;

(4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(5) the municipality considers the structure to be a nonconforming structure.

(c) The concurring vote of 75 percent of the members of the board is necessary to:

(1) reverse an order, requirement, decision, or determination of an administrative official;

(2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or

(3) authorize a variation from the terms of a zoning ordinance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 126, Sec. 2, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 724, Sec. 2, eff. Aug. 28, 1995.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 318 (H.B. 1475), Sec. 1, eff. September 1, 2021.

Sec. 211.010. APPEAL TO BOARD. (a) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project:

(1) a person aggrieved by the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(a-1) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific application, address, or project:

(1) a person who:

(A) filed the application that is the subject of the decision;

(B) is the owner or representative of the owner of the property that is the subject of the decision; or

(C) is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed not later than the 20th day after the date the decision is made. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.

(e) A member of the governing body of the municipality who serves on the board of adjustment under Section 211.008(g) may not bring an appeal under this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 363, Sec. 2, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 820 (H.B. 2497), Sec. 2, eff. September 1, 2019.

DIVISION 3. - BOARD OF ADJUSTMENT

Sec. 46-85. - Membership, appointments, general powers, etc.

(a) There is hereby created a board of adjustment consisting of five regular members, one senior alternate member, and one junior alternate member. Each to be appointed by a majority of the city council for a term of two years and removable for cause by the city council. Vacancies shall be filled by the appointment by the city council of a suitable person to serve out the unexpired term of any member whose place on the board has become vacant for any cause. The board of adjustment shall name one member as chairperson and one member vice-chairperson.

(b) The board is hereby vested with power and authority, in appropriate cases and subject to appropriate conditions and safeguards to make such exceptions to the terms of this chapter in harmony with its general purpose and intent and in accordance with general or special rules therein continued for the purpose of rendering full justice and equity to the general public. The board may adopt rules to govern its proceedings; provided, however, that such rules are not inconsistent with this chapter. Meetings of the board shall be held at the call of the chairperson, who may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(c) In situations where there is a lack of quorum for a board meeting, the senior alternate member and then the junior alternate member is automatically elevated to regular member(s), in that order, only to satisfy quorum requirements.

(d) Regular members can vote on any item. However, the alternate members shall only have the authority to cast a vote on an item when they are automatically elevated in accordance with subsection (c).

(Code 1990, ch. 11, § 2(I)(1); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2019-10-15-18, § I, 10-15-2019)

Sec. 46-86. - Appeals to the board of adjustment to stay all proceedings; exception.

Appeals to the board of adjustment can be taken by any person aggrieved or by any officer, department, board or department of the municipality affected by any decision of the administrative office. Such appeals shall be taken within 15 days' time after the decision has been rendered by the administrative office, by filing with the officer from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the record upon which the action appeals were taken. An action appealed from shall stay all proceedings upon the action appealed, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him, that by reason of facts, stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record or application on notice to the officer from whom the appeal is taken and on due cause shown.

(Code 1990, ch. 11, § 2(I)(2); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Sec. 46-87. - Specific powers and zoning variance criteria.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter.

(2) To hear and decide special exceptions to the terms of this chapter upon which the board is required to pass under this chapter.

(3) To authorize, upon appeal in special cases, such variances from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, the literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.

(4) The following types of findings are insufficient findings and do not constitute sufficient grounds for granting of a variance:

a. The property cannot be used for its highest and best use.

b. There is a financial or economic hardship.

c. There is a self-created hardship by the property owner or agent.

d. The development objectives of the property owner are or shall be diminished by not allowing the proposed development.

(Code 1990, ch. 11, § 2(I)(3); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2023-03-07-06, 3-7-2023)

Sec. 46-88. - Board may reverse any order.

In exercising its powers, the board may, in conformity with the provision of V.T.C.A., Local Government Code §§ 211.008—211.011, revise or reform, wholly or partly, or may modify the order, requirements, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken.

(Code 1990, ch. 11, § 2(I)(4); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Sec. 46-89. - Votes necessary to reverse decision of administrative official.

The concurring vote of four members of the board shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this chapter or to affect any variance in this chapter.

(Code 1990, ch. 11, § 2(I)(5); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Sec. 46-90. - Appeals from action of the board of adjustment.

Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment or any taxpayer or any officer, department, or board of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten days after the filing of the decision in the office of the board and not thereafter.

(Code 1990, ch. 11, § 2(I)(6); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Sec. 46-91. - Filing fee.

Any appeal to the board of adjustment from an adverse ruling by the administrative official shall be accompanied by the amount of which is on file in the city secretary's office, plus the cost of postage in cash to be paid by the person making the appeal to cover the cost of such appeal.

(Code 1990, ch. 11, § 2(I)(7); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Secs. 46-92—46-110. - Reserved.

Development Services Department

STAFF REPORT

Direction to Staff regarding regular meeting day

Date: November 4, 2025

Meeting Date: November 13, 2025

ITEM SUMMARY

The Board has recently expressed the desire to move the standing meeting day from the second Thursday of the month since it coincides with Sip, Shop and Stroll. Tuesdays were suggested and Mondays, Wednesdays and Fridays were rejected.

DEPARTMENT COMMENTS

Staff has investigated the possibility of moving the meeting to a Tuesday but that day is reserved for City Council meetings. The third Thursday of the month is available on the room calendar for the following dates:

12/18/25
01/15/26
02/19/26
03/19/26
04/16/26
05/21/26
06/18/26
07/16/26
08/20/26
09/17/26
10/15/26
11/19/26
12/17/26