

**MINUTES
CITY OF ELGIN BOARD OF ADJUSTMENT
REGULAR MEETING
THURSDAY, NOVEMBER 13, 2025**

- I. CALL TO ORDER-ROLL CALL:** The Chair called the meeting to order at 6:31 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: Senior Alternate Christina Cotton

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

STAFF ABSENT: Beau Perry, Development Services Director

- II. PUBLIC COMMENT:** No members of the public present stood to speak on this item

III. CONSENT AGENDA

1. October 9, 2025 Minutes.

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

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 – Melissa Lipiec introduced the project as the applicant intending to place a manufactured home on an empty lot, and explained that City code disallows manufactured homes except in designated manufactured home parks. The applicant is requesting a variance to that code.
- B. Applicant Presentation – The applicant Amanda Moore stood to speak on her previous use of the land and adjacent property, and the need to have a manufactured home due to economic hardship. She also remarked that there were other manufactured homes on nearby properties. The Board asked if those homes had required variances, and Melissa Lipiec explained that the homes in question were not manufactured homes but visually similar modular homes, which are built to a different construction standard and allowed in any residential zoning district.
- C. Open Public Hearing – The public hearing was opened at 6:42 P.M. No member of the public stood to speak on the project.
- D. Close Public Hearing – The public hearing was closed at 6:42 P.M.
- E. Discussion – The Board requested further clarification on the difference between modular and manufactured homes, which Melissa Lipiec reiterated. She also explained the code surrounding "lawful nonconforming" properties and that a manufactured home existing on the property before 1998 when the ordinance was passed would be allowed to persist, but because the lot in question did not have a mobile or manufactured home at that time and is not currently in use all modern ordinances must be adhered to.

IV. NEW BUSINESS (Cont.)

- E. Discussion (Cont.) – Chair Regan Dumbeck clarified that the only variance requested is for the placement of the manufactured home, and that if the applicant was proposing a modular home they would not need to come before the Board, which Melissa Lipiec confirmed. Chair Regan Dumbeck suggested to the applicant Amanda Moore that she examine the specifics of her proposed structure and confirm that it is a manufactured and not modular home that she is proposing, in case the issue could resolve itself. The Board discussed letting the applicant return in a few months after confirming her need for the variance, but determined that the action item required a definitive motion.
- F. Consideration – Vice-Chair Darren Mogonye made a motion that the Board deny the requested variance. Stephen Kylberg seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.
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 – Melissa Lipiec introduced the project as a replacement of a manufactured home before the lapse of six months, to retain the lawful nonconforming use of the property. The replacement home is 56 feet wide to sit on a lot of 62.19 feet in width, and an electric pole prevents encroachment into the western setback, so the building would have to encroach entirely on the east. If the variance is granted the neighbor to the east would have to compensate for the zero-foot setback and adjust future building positions so as not to violate building code separation requirements.
- B. Applicant Presentation – The applicant Dorothy McCarther stood to explain the configuration of the house and that her family had owned the property since 1941. She also explained that her daughter owns the neighboring property to the east and is willing to be mindful of the future construction requirements, and has written a letter swearing to inform future owners of the property of the same.
- C. Open Public Hearing – The public hearing was opened at 7:04 P.M.
- LaBarbera Robertson stood to ask for clarification on the 200’ notice letters that were sent out and the effect on her property to the north.
- Ruby Simms spoke to the length of the property and pointed out that any variance granted to the property fronting Q. S. Goins would also apply to the back of the property on Westbrook Lane. She also wanted confirmation that this was not a duplex being installed, which it is not.
- Lovern Grant stood also to confirm that the property was not a duplex.
- Florence Grant stood to ask about the nature of the grandfather clause allowing for the manufactured home and the implication on taxes. The Board explained that if the previous use of the land was residence in a manufactured home then that home could be replaced within six months of removal, but was not able to speak on behalf of the appraisal district and property valuation.
- D. Close Public Hearing – The public hearing was closed at 7:16 P.M.

IV. NEW BUSINESS (Cont.)

- E. Discussion – The Board requested clarification from the applicant Dorothy McCarther about the current configuration of the lot, the dimensions of the new manufactured home, and the positioning that would necessitate the variance. Dorothy McCarther explained that the position of the existing concrete slab and the existing storage shed precluded turning the new home to fit in the length of the property, in addition to her preference for its configuration and accessibility.

The Board discussed the necessity of having the neighboring property compensate for the variance in its own setbacks, the means by which that requirement would be recorded for future development, and that the letter written by the applicant and her daughter is an assurance but not a legal document.

- F. Consideration – Suzannah DesRoches made a motion that the Board approve a variance for the footprint of the proposed manufactured home to encroach into the east side setback to a distance of zero feet from the east lot line, with the provision that no structure could be built within ten feet of that manufactured home either on this or the neighboring property. Stephen Kylberg seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

The Board broke for recess at 7:46 PM.

The Board returned at 7:50 PM.

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 – Melissa Lipiec introduced the project as the applicant having applied for a building permit to develop the lot. The applicant was told he would need to plat the lot, and would require a variance as the dimensions of the lot are below the minimum required by the zoning district.
- B. Applicant Presentation – The applicant Juan Santiago stood to explain his situation and intention to build a single-family home with the property.
- C. Open Public Hearing – The public hearing was opened at 7:54 P.M.
- Sherman Ray from the neighboring property stood to speak about the narrow lot and asked about the applicant’s plans for construction. Juan Santiago showed that the plans for construction do not encroach into the setback, which satisfied Sherman Ray.
- Geno Chavarria stood to oppose a duplex construction on the property. The Board clarified that the applicant is not proposing a duplex at this time.
- D. Close Public Hearing – The public hearing was closed at 7:57 P.M.
- E. Discussion – Chair Regan Dumbeck raised an issue regarding the proposed driveway extending into another property, but Melissa Lipiec informed him that the applicant had already adjusted plans to resolve that issue. The Board discussed briefly how the property had ended up divided like this.
- F. Consideration – Stephen Kylberg made a motion that the Board approve the variances requested as presented. Vice-Chair Darren Mogonye seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

IV. NEW BUSINESS (Cont.)

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

The Board renewed their discussion about the status of the Senior and Junior Alternate Board members, and whether the Board wanted to make a formal motion to request that City Council promote all Alternates to full Board member status with a seven-member Board. Melissa Lipiec informed the Board of state legislature that defines a quorum as 75% of the Board, and that an increase from five to seven members would change the required minimum for a quorum from four to six. The Board discussed the practicality of requiring all but one person to attend each meeting and the logistics around emergencies, and decided that for the time being they were content to keep the Alternate positions as established.

Melissa Lipiec also noted that Jessica Bega is scheduled to be appointed to the Board of Adjustment as a Junior Alternate at the November 17th City Council meeting. The Board agreed that they would like to hear the perspectives of Christina Cotton and Jessica Bega before making a concrete decision.

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

The Board had previously discussed an intention to change the scheduled meeting day from the second Thursday of the month, as that day conflicts with Sip Shop & Stroll in downtown Elgin. At the previous meeting the Board was interested in the second Tuesday of the month, but Melissa Lipiec explained that City Council generally reserves all Tuesdays in case of special meetings. Melissa Lipiec proposed the third Thursday of the month, which the Board was amenable to.

Vice-Chair Darren Mogonye made a motion that the scheduled meeting date be changed to the third Thursday of each month, as needed. Stephen Finley seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against.

V. ANNOUNCEMENTS

1. Melissa Lipiec announced that the Board of Adjustment is invited to the City Christmas party on December 12th, and directed their attention to the flyer in front of each member for RSVPs.
2. The Board briefly discussed the environment surrounding the public comments, remarking that many of the comments at this meeting were requests for information and not suited for the format of the meeting. Vice-Chair Darren Mogonye advocated for a sterner delineation between comments and open discussion. Chair Regan Dumbeck acknowledged that sentiment but expressed a belief that in a smaller community like Elgin it is important that the public feels heard and listened to by administrative boards.

VI. ADJOURNMENT

The meeting was adjourned at 8:30 P.M.



Regan Dumbeck, Chair

ATTEST: Melissa Lipiec
Melissa Lipiec, Secretary

On a motion by CHRISTINA COTTON, seconded by STEPHEN FINLEY the foregoing instrument was passed and approved on this 16 day of APRIL, 2025.