

AGENDA

CITY OF TAYLOR, TEXAS PLANNING AND ZONING COMMISSION MEETING

City Hall Council Chambers
400 Porter Street, Taylor, TX 76574
March 10, 2020, 6:00 P.M.

CALL TO ORDER AND DECLARE A QUORUM

CITIZENS COMMUNICATION

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it individually as part of the Regular agenda.)

1. Review and approve minutes from the meeting on February 11, 2020.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. Receive report on City Council appointment of members and elect officers

SUBDIVISION VARIANCES

3. **PZ-2019-1205** – Public hearing for a request for variances to City of Taylor Subdivision Ordinance for a parcel consisting of approximately 52.13 acres, addressed as 22201 US 79, part of and out of Hardy Pace Survey, Abstract No. 493, Extraterritorial Jurisdiction of Taylor, Williamson County, Texas.
4. **PZ-2019-1205** – Consider a request for variances to City of Taylor Subdivision Ordinance for a parcel consisting of approximately 52.13 acres, addressed as 22201 US 79, part of and out of Hardy Pace Survey, Abstract No. 493, Extraterritorial Jurisdiction of Taylor, Williamson County, Texas.

ZONING

5. Consideration and possible direction to staff regarding amending the zoning ordinance to allow for a Specific Use Permit option for home occupations.

DISCUSSIONS ITEMS

6. Update regarding Council actions related to Planning and Zoning items.

ADJOURN

Next Meeting Date: April 14, 2020

The Board may vote and/or act upon each of the items listed in this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of this meeting was posted in the Taylor City Hall Lobby continuously for 72 continuous hours before **March 6, 2020**. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted By: Carrie Orts
Carrie Orts, Administrative Assistant

Date: 3-6-2020

**MINUTES
CITY OF TAYLOR, TEXAS
400 Porter Street, Taylor Texas 76574
PLANNING AND ZONING COMMISSION MEETING
February 11, 2020, 6:00 p.m.
City Council Chamber**

PRESENT

Don McAlister
Michael Aplin
Mike Eaton
Donna Frazier
Rick Selin
Annette Maruska
Leland Stevens
Faith Gardner

ABSENT

Kellie Billings-Ray

OTHERS PRESENT

Tom Yantis, Director, Development Services
Carrie Orts, Admin. Assistant, Development Services
Shelly Shelton, Senior Planner, Development Services

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:00 p.m.

CITIZEN COMMUNICATION

None

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Commission or Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it as part of the Regular agenda.)

Review and approve minutes from the meeting on January 14, 2020.

Motion made by Mr. Stevens to approve minutes from January 14, 2020 as amended. Second by Mr. Eaton. All voted Aye.

PZ-2019-1168 – Consider approving Castlewood Subdivision Preliminary Plat, consisting of approximately 58.30 acres, located across from Taylor High School and addressed as 530 FM 973; part of and out of the George M. Reese Survey, Abstract No. 533, Taylor, Williamson County, Texas.

Ms. Shelton made presentation including recommendation for approval. Mr. Tim Haynie was present to answer questions. Mrs. Frazier made motion to approve Castlewood Subdivision Preliminary Plat. Second by Mr. Stevens. All voted aye.

Discuss and consider directing staff to draft and amendment to the Zoning Ordinance related to the standards for Home Occupations.

Mr. Yantis discussed an amendment to the Zoning Ordinance related to the standards for Home Occupations with the Commission. Resident, Joann Scott was present to voice concerns over having businesses in residential areas. The Commission decided it would like Staff to work on an amendment and bring it back to present at the next P&Z meeting in March.

Update regarding Council actions related to Planning and Zoning items.

Mr. Yantis stated that there were no updates regarding Council actions related to Planning and Zoning items at this time.

Adjourn

The meeting was adjourned at 6:27 p.m.

Carrie Orts
Administrative Assistant, Development Services

Don McAlister
Planning & Zoning Commission Chairman

City of Taylor
22201 SH 79
Subdivision Variances
Staff Report

Requested Action: The applicant is requesting variances to the Subdivision Ordinance regarding the maximum block length, the minimum right-of-way width and connectivity for future continuation of streets into undeveloped areas.

Applicant: Southwest Engineers, Inc., Matthew Dringenberg, P.E.

Subject Property: Is approximately 52.13 acres, addressed as 22201 US 79, part of and out of Hardy Pace Survey, Abstract No. 493, Extraterritorial Jurisdiction of Taylor, Williamson County, Texas.

Parcel Information

Current Zoning: Outside the city limits (no zoning)

Current Use: Agricultural land

Adjacent Parcel Information

Direction	Land Use
North	Agricultural land
South	Residential and commercial land uses
East	Agricultural land
West	Agricultural land

Purpose:

The applicant is proposing variances to the Subdivision Ordinance for the future development of one-acre home sites. At this time, no public sewer is available. Noack Water Supply will provide water service. One-acre is the minimum size for lots proposing on-site septic and a public water supply.

Background:

Previously, the preliminary plat for Taylor Estates was submitted by the applicant. It was reviewed by Staff. As the preliminary plat did not meet the minimum requirements of the Subdivision Ordinance, Staff recommended that the Planning and Zoning Commission disapprove it as submitted. Additionally, the applicant made Staff aware of his client's desire to make application for several variances to the Subdivision Ordinance; however, no request had been made at the time of the submittal of the preliminary plat application.

The Applicant has now made a request for three variances from the Subdivision Ordinance and Engineering Manual. He is requesting the following variances:

1. a variance from the requirement to provide connectivity to adjacent parcels that are not yet developed,
2. the maximum block length of 1,200 feet, and
3. the minimum right-of-way width for roads/streets.

The Planning and Zoning Commission may authorize a variance from these regulations when, in its opinion, undue hardship on the part of the subdivider will result from requiring strict compliance.

As City Staff we are charged with using the Comprehensive Plan along with regulations that support and promote the Comprehensive Plan as a guide when reviewing proposed development. A key component of the Comprehensive Plan is Chapter 6, Transportation, which includes Thoroughfare Requirements and Standards. There are typical criteria for certain characteristics of street and land development, incorporated as a part of a City's thoroughfare development standards, Zoning Ordinance and Subdivision Regulations in the city and in the Extraterritorial Jurisdiction. Below are standards from the Comprehensive Plan from which the applicant is requesting variances:

The pavement width and rights-of-way width for thoroughfares and other public streets should conform to minimum City standards unless the Planning Commission grants a waiver.

Existing streets in adjacent areas should be continued and, when an adjacent area is undeveloped, the street layout should provide for future projection and continuation of streets into the undeveloped area. In particular, the arrangement of streets in a new subdivision must make provision for continuation of rights-of-way for the principal existing streets in adjoining areas or where new streets will be necessary for future public requirements on adjacent properties, which have not yet been subdivided. Where adjacent land is undeveloped, stub streets should include a temporary turnaround to accommodate fire and other emergency vehicles.

Extension and connectivity of infrastructure is required for future development. In Article II of the Subdivision Ordinance, the Residential Design and Improvement Standards requires the construction of streets for interior circulation and connection to existing streets outside the proposed subdivision. Additionally, temporary cul-de-sacs and street buffers are required for streets that are to be extended to adjacent undeveloped properties.

The applicant is requesting a variance from the requirement to extend streets to adjacent, undeveloped property.

As mentioned above, one of the tools adopted by the City to regulate and manage growth, in the City limits and in the extraterritorial jurisdiction, is the Subdivision Ordinance. Below are the purposes of the Subdivision Ordinance:

to ensure and promote a place in which all citizens may live, work, play, learn, and grow in a safe and productive living environment in a community built for family living; to conserve the value of property and encourage the most appropriate use of land throughout the City and to do so in accordance with the Comprehensive Plan. These purposes are met by:

1. providing the means of implementing the policies and provisions of the Comprehensive Plan;
2. guiding the growth of the City, concentrating more intense development in areas with high development capability and limiting development in areas of low capability; and
3. guiding through the establishment of performance standards, the type, distribution, and intensity of development.

The provisions of this Ordinance, including the "City of Taylor Engineering Manual & Details" and all appendices, shall apply to the development of all land within the City of Taylor, Texas, unless specifically provided otherwise in this Ordinance.

1.5 - Minimum Standards and Conflicting Provisions

The provisions of this Ordinance, including the "City of Taylor Engineering Manual & Details" and all appendices are the minimum standards necessary to accomplish its stated purposes.

In the Subdivision Ordinance, Chapter 2 addresses Subdivision Improvements. The intent of this part of the ordinance is to control the subdivision of land in order to provide for orderly development and to secure adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage and other facilities. Article II spells out the requirements for residential design and improvements such as lots, streets, easements, etc. The requirements for Blocks are in Section 2.7., for local streets the minimum length of a block is 300 feet and the maximum length of a block is permitted to be 1,200 feet.

The applicant is requesting a variance from the maximum block length.

Chapter 6 of the Engineering Manual establishes requirement for the right-of way widths for different classifications of streets. The standards shown in Table 5.2.: Master Thoroughfare Plan – Right-of-Way and Pavement Standards reflect the depictions and verbiage in Chapter 6, Transportation, in the Comprehensive Plan. In general, the right-of-way width required for a local street is 50 feet; however, if a developer or subdivider is proposing streets that do not meet the maximum block length of 1,200 feet then additional right-of way is required. Due to the increased block length proposed by the applicant, 60 feet of right-of-way is required.

The applicant is requesting a variance from the right-of-way width requirement of 60 feet for blocks that exceed 1,200 feet in length. The applicant is proposing a right-of-way width of 50 feet.

As the applicant is requesting variances for the development of over 52.00 acres of vacant undeveloped land it is not clear why the variances are necessary. Typically, variances are associated with previously developed land and occasionally vacant land that is surrounded by already developed land or natural features leaving few options to purchase more land to meet the minimum lot frontage requirement, for example. In this case, the tract of land does not appear to be constrained by unusual conditions or natural features on the property surrounding it. This tract is on the fringe of the Extraterritorial Jurisdiction with little development around it.

Staff Recommendation

As Staff we use the City's adopted ordinances and policies to make recommendations to the Planning and Zoning Commission. As stated above, the Planning and Zoning Commission may grant subdivision variances. To grant a variance the Planning and Zoning Commission must find that meeting the ordinance would create a hardship. There is no hardship in this case. Requiring a developer to meet the ordinance is not a hardship in itself. Overall the land is rectangular in shape which is the general shape of lots and tracts; they tend to be rectangular or somewhat square shaped. The land is not challenging topographically as it is mostly flat. The land is not mostly covered in wetlands deeming a great deal of it undevelopable; the entire tract can be developed. If the challenge is carving out enough lots to make the project feasible for the developer that is a financial hardship.

Due to the fact that there does not appear to be a hardship in this case, Staff recommends disapproval of the request for variances to the Subdivision Ordinance.

Planning and Zoning Commission Recommendation

The Subdivision Ordinance provides specific requirements for the Commission to consider prior to granting a variance. Those requirements are as follows:

Subdivision Ordinance Section 3.6 - Variances

The Planning and Zoning Commission may authorize a variance from these regulations when, in its opinion, undue hardship on the part of the subdivider will result from requiring strict compliance. In granting or imposing a variance, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary to the public interest. In making the findings herein required, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and welfare in the vicinity. No variance shall be granted or imposed unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land or the City of orderly development; and

2. That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
3. That the granting or imposition of the variance will not be detrimental to the public health, safety and welfare; and
4. That the granting or imposition of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance. Such findings of the Planning and Zoning Commission together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship. All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedence for subsequent variances.

No variance shall be granted or imposed unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land or the City of orderly development; and

As the subject property tract is over 50 acres of undeveloped, vacant land there are no special circumstances. As stated previously, the shape and topography are the same as most pieces of property in this area. All of the tract is developable.

The applicant mentioned the access to the subject property; however, this was resolved using the existing code. The lack of access was addressed with a provision in the Fire Code. The tipping point for more than one access point is 30 homes. When the proposed homes are going to have fire protection (sprinkler systems), the standard for access is relaxed.

In the Engineering Manual, an opportunity to increase the maximum block length is already addressed. In order to have a greater block length the code states that the proposed right-of-way must be 60 feet rather than 50 feet so relief or a variation from the requirement of a maximum 1,200-foot is already in the ordinance. The developer is provided the opportunity to create block longer than 1,200 feet as long as the right-of-way is wider.

The ordinance also provides an alternative to the standard curb and gutter street construction associated with urban and suburban development. For development that is supposed to be more rural the Engineering Manual permits the incorporation of swales. In the excerpt below it is clear that alternatives are already being provided in the Engineering Manual:

8.14 ROADSIDE SWALES AND DRIVEWAY CULVERTS

1. Roadside Swales. Roadside swales may be used along all roadways to convey drainage in accordance with the above channel criteria with the exception of the following specific roadside swale criteria.

a. Design Capacity. Swales shall be designed to carry a 100-year frequency storm and the back water effects of the most restrictive culvert to be placed in the swale.

b. Depth: Shall at all times maintain a minimum depth of thirty inches (30").

c. Easements. The entire swale should be contained within the ROW of the road. If the swale cannot be contained additional ROW may be required. A second option would be to provide a minimum sixteen foot (16') drainage easement and the following note on the plat:

Note: Drainage easements adjacent to roadways shall not be fenced and must be left so that access can be obtained for maintenance purposes.

2. Driveway Culverts

a. Applicability. All driveways and driveway culverts are the responsibility of the individual lot owner or developer. It is the developer's responsibility to ensure that all lot owners are aware of this requirement.

b. Material. All culverts shall be made of reinforced concrete, and shall be constructed of Class-III or better.

c. Minimum Size: The minimum allowable culvert size for driveway crossings shall be eighteen inches (18") in diameter.

d. Gradient. Culverts shall have a minimum bottom slope of 0.5%.

e. Length. Culverts shall not be greater than fifty feet (50').

f. Minimum Cover. A minimum of six inches (6") of cover shall be placed above all new culverts below the lowest bank of the ditch.

g. Multiple Culverts. Where multiple culverts occur in swales, the ditch bottom must be widened to have a bottom width that is six inches (6") greater on each side than the distance from the outside walls of the outer two culverts. Each culvert shall also be separated by six inches (6") of compacted fill material.

h. All driveway culverts must be installed prior to issuance of building permits or construction activities on the individual lot.

3. Crossing Culverts

a. Crossing culverts shall be placed to relieve drainage at all low-points and drainage crossings and shall meet the requirements of Section 8.11, Culverts.

- b. All culverts and related structures that are a part of the road construction shall be in place prior to final acceptance of the improvements for the subdivision.

The applicant has not proposed a cross-section that meets the above ordinance requirements. As the Engineering Manual permits the swales to be placed in drainage easements on private property rather than the right-of-way the request does not follow logic because the easements already reduce the amount of right-of-way needed. An attempt to meet the ordinance that provides relief must be made prior to requesting a variance. If the City required the drainage swales to be in the right-of-way around 70 feet of right-of-way would be required. When the depth of the swale must be 30 inches and the maximum slope is four to one (4*1), the 30 inches of depth requires that the entire swale be 20 feet wide. If the developer provides 60 feet of right-of-way with 20-foot drainage easements on each side of the road to accommodate the drainage swales then then the developer would be dedicating less right-of-way.

In addition to the code providing multiple ways to develop in a safe, orderly manner already, variances from the ordinance are not typically for greenfield development. Variances are for hardships to unique circumstances due to existing conditions created by nature or previous development.

2. That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

The subject property can be developed as the owner wishes without any type of variances.

3. That the granting or imposition of the variance will not be detrimental to the public health, safety and welfare; and

The ordinances from which the applicant wishes to vary have options that still promote the health, safety and welfare of the residents of Taylor; however, the applicant does not want to apply the elasticity to the standards that is an option. The options are choices that can promote the rural feel that is being proposed. Rural development requires more land to accommodate the relaxed standards so that drainage is effective, septic can be incorporated, blocks may be longer than in the inner city. Staff contends that the ordinances already provide the developer with the opportunity to develop a rural subdivision and promote the health, safety and welfare so variance is needed.

4. That the granting or imposition of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance. Such findings of the Planning and Zoning Commission together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured. Pecuniary hardship to the subdivider,

standing alone, shall not be deemed to constitute undue hardship. All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedence for subsequent variances.

As stated previously, the applicant does not have an undue hardship. The subject property is vacant and undeveloped without any unique characteristic such as wetlands or other natural features, so, per the Subdivision Ordinance, no variance can be granted. The purpose of the subdivision variance is not to vary the ordinance within the entire subdivision that is being proposed. Subdivision variances are for one lot or maybe even 5 lots, or the frontage for one block that have a unique characteristic that makes it nearly impossible to meet every aspect of the code. Overall, variances should be a last resort.

The general purpose and intent of the ordinance is furthered when the ordinance is met. Meeting the Comprehensive Plan and Subdivision Ordinance requirements ensures that current and future growth are managed and have the least impact on neighbors. As noted in the report there are options in the ordinance that are for this type of development. Essentially, there is already some elasticity in the code and the developer does not want to use the provided option(s).

The financial feasibility of the project cannot be considered an undue hardship for variance requests.

The newspaper ad for the public hearing was published on February 23, 2020 and the notices were sent to the surrounding property owners on February 28, 2020.

Attachments:



PZ-2019-1205

**TAYLOR
ESTATES
SUBDIVISION**

22201 US HWY 79

**APPROXIMATELY
52.13 ACRES**

Legend

- Streets
- ETJ Boundary 1 Mile
- City of Taylor
- Subject Property



0 5001,000
US Feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



PZ-2019-1205

**TAYLOR
ESTATES
SUBDIVISION**

22201 US HWY 79

**APPROXIMATELY
52.13 ACRES**

Legend

-  Streets
-  Subject Property
-  Subject Property 200 ft Buffer
-  Williamson County Parcels

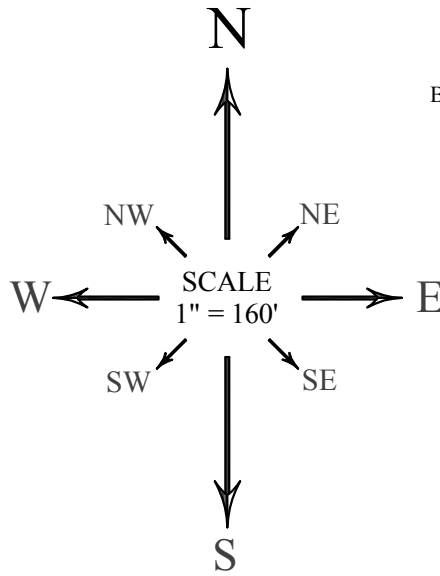
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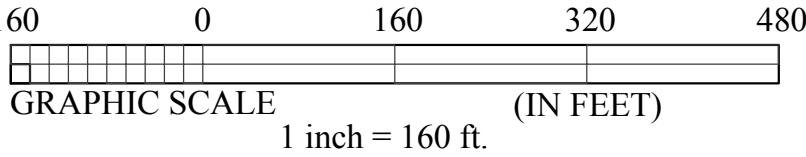
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Feet

TAYLOR ESTATES SUBDIVISION PRELIMINARY PLAT

BEING 52.13 ACRES INCLUDING RIGHT-OF-WAY AND CONSISTING OF 43 LOTS AND TWO (2) BLOCKS, PART OF AND OUT OF HARDY PACE SURVEY, ABSTRACT NO. 493, TAYLOR EXTRATERRITORIAL JURISDICTION, WILLIAMSON COUNTY, TEXAS



BEARING BASIS:
BEARINGS ARE GRID NORTH BASED ON THE TEXAS COORDINATE SYSTEM CENTRAL
TEXAS ZONE (4203) NAD83 HARN HORIZONTAL CONTROL.



LARRY RAY ZEPLIN &
YVONNE ZEPLIN ZIMMER
199.58 ACRES
(VOL. 1890, PG. 247)

T W FORD LP
62.32 ACRES
(DOC# 2017010899)

KENNETH RAY HESELMAYER
50.00 ACRES
(VOL. 1416, PG. 42)

DAVID SCOTT HESELMAYER
59.107 ACRES
(DOC# 2010076121)

LEEN HOLDING
COMPANY
HWY 79 LLC
40.880 ACRES
(DOC# 2018054012)

APPROX. CENTERLINE OF
TEXAS POWER & LIGHT CO.
ELECTRIC ESMT
(VOL. 239, PG. 71)

JACKY JONES
0.810 ACRES
(DOC# 2016019042)

JUAN ARCE &
EZEQUIEL ARCE
REMAINDER OF
3.137 ACRES
(DOC# 2019012796)

LOT INFORMATION			
LOT #	BLOCK	ACREAGE	SQ. FOOTAGE
1	A	1.93 AC	84218.63 S.F.
2	A	1.23 AC	53756.18 S.F.
3	A	1.17 AC	51081.93 S.F.
4	A	1.03 AC	44979.15 S.F.
5	A	1.01 AC	44111.07 S.F.
6	A	1.00 AC	43692.73 S.F.
7	A	1.00 AC	43562.71 S.F.
8	A	1.00 AC	43603.57 S.F.
9	A	1.00 AC	43634.58 S.F.
10	A	1.00 AC	43657.18 S.F.
11	A	1.00 AC	43670.77 S.F.
12	A	1.28 AC	55776.11 S.F.
13	A	1.00 AC	43568.14 S.F.
14	A	1.00 AC	43756.15 S.F.
15	A	1.11 AC	48420.26 S.F.
16	A	1.25 AC	54449.76 S.F.
17	A	1.00 AC	43662.59 S.F.
18	A	1.00 AC	43569.35 S.F.
19	A	1.01 AC	43875.54 S.F.
20	A	1.00 AC	43539.71 S.F.
21	A	1.29 AC	56266.75 S.F.
22	A	1.00 AC	43775.08 S.F.
23	A	1.00 AC	43559.73 S.F.
24	A	1.00 AC	43569.59 S.F.
25	A	1.00 AC	43566.94 S.F.
26	A	1.00 AC	43558.03 S.F.
27	A	1.00 AC	43742.77 S.F.
TOTALS:		29.35 AC	1,278,318.34 S.F.

LOT INFORMATION			
LOT #	BLOCK	ACREAGE	SQ. FOOTAGE
1	B	1.05 AC	45606.66 S.F.
2	B	1.02 AC	44467.50 S.F.
3	B	1.02 AC	44467.50 S.F.
4	B	1.02 AC	44467.50 S.F.
5	B	1.02 AC	44467.50 S.F.
6	B	1.02 AC	44467.50 S.F.
7	B	1.02 AC	44467.50 S.F.
8	B	1.05 AC	45784.21 S.F.
9	B	1.04 AC	45375.00 S.F.
10	B	1.04 AC	45375.00 S.F.
11	B	1.04 AC	45375.00 S.F.
12	B	1.04 AC	45375.00 S.F.
13	B	1.04 AC	45375.00 S.F.
14	B	1.04 AC	45375.00 S.F.
15	B	1.04 AC	45375.00 S.F.
16	B	1.07 AC	46576.71 S.F.
TOTALS:		16.61 AC	723,599.29 S.F.

LOTS	ACREAGE	SQ. FOOTAGE
BLK A	29.35 AC	1,278,318.34 S.F.
BLK B	16.61 AC	723,599.29 S.F.
TOTALS:		45.96 AC 2,001,917.63 S.F.

OWNER: 22201 HWY 79, LLC
2207 W. PARMER LANE
AUSTIN, TX 78727
ACREAGE: 52.13 ACRES (2,270,828 SQ. FT.)
SURVEY: HARDY PACE SURVEY, ABSTRACT NO. 493
NO. OF BLOCKS: 2
NO. OF LOTS: 43
RESIDENTIAL - 42
DETENTION - 1
DATE PREPARED: JUNE 1, 2019
SUBMITTAL DATE: JUNE, 2019
P&Z REVIEW DATE: JUNE, 2019

PLAT PREPARERS:
SURVEYOR: ALLSTAR LAND SURVEYING
9020 ANDERSON MILL RD
AUSTIN, TX 78729 512-249-8149
REF# A0503619

ENGINEER: SOUTHWEST ENGINEERS, INC.
205 CIMARRON PARK LOOP, STE. B
BUDA, TX 78610 512-312-4336

LEGEND

- 1/2" ROD FOUND
- CALCULATED POINT
- 1/2" ROD SET
- MAG NAIL FOUND
- BL BUILDING LINES
- PUE PUBLIC UTILITY ESMT
- DE DRAINAGE ESMT
- BLOCK LABEL
- P.O.B. POINT OF BEGINNING
- SIDEWALK

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 76°06'58" W	60.59'
L2	S 76°06'58" W	130.05'
L3	S 76°07'23" W	64.93'
L4	N 68°07'34" E	38.06'
L5	N 43°01'29" E	17.21'
L6	N 68°07'34" E	37.10'
L7	S 21°52'26" E	12.54'

STREET SUMMARY TABLE		
NAME	LENGTH	R.O.W. WIDTH
MINHAS BLVD	684 L.F.	60'
REFRESH LN	807 L.F.	50'
REDUX LN	1512 L.F.	50'
RETRO LN	545 L.F.	50'
RETURN LN	1496 L.F.	50'
TOTAL	5044 L.F.	

CURVE TABLE					
CURVE	ARC	RADIUS	BEARING	DISTANCE	BEARING
C1	7.85'	5.00'	S 66°53'00" E	7.07'	89°58'53"
C2	97.97'	200.33'	N 54°06'56" E	97.00'	28°01'15"
C3	127.17'	260.33'	N 54°06'39" E	126.01'	28°01'15"
C4	28.70'	15.00'	S 85°05'01" E	24.52'	109°37'20"
C5	44.71'	305.00'	S 26°04'24" E	44.67'	08°23'55"
C6	145.40'	369.00'	N 57°19'06" E	144.46'	22°34'35"
C7	65.91'	355.00'	S 27°11'35" E	65.82'	10°38'18"
C8	23.29'	15.00'	S 11°58'26" W	21.02'	88°58'21"
C9	48.87'	240.00'	S 62°17'35" W	48.78'	11°39'57"
C10	23.56'	15.00'	S 66°52'26" E	21.21'	90°00'00"
C11	13.55'	15.00'	S 44°14'27" W	13.10'	51°46'13"
C12	92.03'	50.00'	S 69°05'15" W	79.58'	105°27'49"
C13	77.08'	50.00'	N 14°01'02" W	69.67'	88°19'36"
C14	169.11'	50.00'	N 66°44'57" W	99.28'	193°47'26"
C15	13.62'	15.00'	N 04°08'10" E	13.16'	52°01'12"
C16	23.56'	15.00'	N 23°07'34" E	21.21'	90°00'00"
C17	13.62'	15.00'	N 47°53'02" W	13.16'	52°01'12"
C18	53.94'	50.00'	N 42°59'24" E	51.36'	61°48'29"
C19	57.09'	50.00'	N 20°37'36" E	54.04'	65°25'32"
C20	58.30'	50.00'	N 86°44'34" E	55.05'	66°48'24"
C21	169.33'	50.00'	N 23°07'34" E	99.25'	194°02'25"
C22	13.62'	15.00'	S 85°51'50" E	13.16'	52°01'12"
C23	31.42'	20.00'	S 66°52'26" E	28.28'	90°00'00"
C24	13.62'	15.00'	S 42°06'58" E	13.16'	52°01'12"
C25	70.97'	50.00'	N 56°46'03" E	65.16'	81°19'23"
C26	45.67'	50.00'	S 56°24'12" E	44.10'	52°20'07"
C27	52.69'	50.00'	S 00°02'41" E	50.29'	60°22'55"
C28	169.33'	50.00'	N 66°52'26" W	99.25'	194°02'25"
C29	13.62'	15.00'	S 04°08'10" W	13.16'	52°01'12"
C30	-	-	-	-	-
C31	-	-	-	-	-
C32	-	-	-	-	-

HIGHWAY NO. 79
(R.O.W. VARIES)

VICINITY MAP

NOT TO SCALE



TAYLOR ESTATES SUBDIVISION PRELIMINARY PLAT
BEING 52.13 ACRES INCLUDING RIGHT-OF-WAY AND CONSISTING OF 43 LOTS AND TWO (2) BLOCKS, PART OF AND OUT OF
HARDY PACE SURVEY, ABSTRACT NO. 493, TAYLOR EXTRATERRITORIAL JURISDICTION, WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

I, STEVEN HYDE, MANAGING MEMBER OF THE CERTAIN 52.13 ACRE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2018022250 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND DO HEREBY SUBDIVIDE SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO WILLIAMSON COUNTY THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF TAYLOR MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS:

TAYLOR ESTATES SUBDIVISION
TO CERTIFY WHICH, WITNESS BY MY HAND THIS DAY OF , 20 .

22201 HWY 79, LLC
STEVEN HYDE, MANAGING MEMBER
2207 W. PARMER LANE
AUSTIN, TX 78727

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED STEVEN HYDE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF , 20 .

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON:

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

I, BILL BRADSHAW, LIEN HOLDER OF THE CERTAIN 52.13 ACRE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2018022250 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND DO HEREBY CONSENT TO THE SUBDIVISION OF SAID TRACT AS SHOWN HEREON, AND DO FURTHER HEREBY JOIN, APPROVE, AND CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO WILLIAMSON COUNTY THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF TAYLOR MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS:

TAYLOR ESTATES SUBDIVISION
TO CERTIFY WHICH, WITNESS BY MY HAND THIS DAY OF , 20 .

BILL BRADSHAW, TRUSTEE
901 S. MOPAC, BLDG. III, STE. 100
AUSTIN, TX 78746

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED BILL BRADSHAW, TRUSTEE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF , 20 .

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON:

I, MATTHEW A. DRINGENBERG, P.E., REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SUBDIVISION IS NOT ENCLOSED BY A ZONE A FLOOD AREA, AS DENOTED HEREIN, AND AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY PANEL NUMBER 48491C0575, EFFECTIVE DATE SEPTEMBER, 2008, AND THAT EACH LOT CONFORMS TO THE CITY OF TAYLOR REGULATIONS. THE FULLY DEVELOPED, CONCENTRATED STORMWATER RUNOFF RESULTING FROM THE ONE HUNDRED (100) YEAR FREQUENCY STORM IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN AND/OR PUBLIC RIGHTS-OF-WAY DEDICATED BY THIS PLAT.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT COUNTY, TEXAS DAY OF , 20 .

MATTHEW A. DRINGENBERG, P.E.
SOUTHWEST ENGINEERS, INC.
TEXAS BOARD OF PROFESSIONAL ENGINEERING NO. F-1909
205 CIMARRON PARK LOOP, SUITE A
BUDA, TEXAS, 78610
REGISTERED PROFESSIONAL ENGINEER
NO. 114250 STATE OF TEXAS

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

I, EDWARD RUMSEY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TAYLOR, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT COUNTY, TEXAS, THIS DAY OF , 20 .

EDWARD RUMSEY
ALLSTAR LAND SURVEYING
9020 ANDERSON MILL RD.
AUSTIN, TX 78729
REGISTERED PROFESSIONAL SURVEYOR
NO. 5729 STATE OF TEXAS

- NOTES:
- UTILITY PROVIDERS - WATER: NOACK WATER SUPPLY; WASTEWATER/SEPTIC: OSSF; ELECTRIC: ONCOR
 - ALL STRUCTURES AND/OR OBSTRUCTIONS ARE PROHIBITED IN DRAINAGE EASEMENTS OR ELECTRIC BUILDING BUFFERS.
 - THERE ARE NOT AREAS WITHIN THE BOUNDARIES OF THIS SUBDIVISION IN THE 100-YEAR FLOODPLAIN AS DEFINED BY FIRM MAP NUMBER 48491C0575E, EFFECTIVE DATE OF 09/26/2008.
 - A 15-FT PUBLIC UTILITY EASEMENT (PUE) SHALL BE DEDICATED ALONG THE STREET FRONTAGES OF ALL LOTS EXCEPT LOT 1, BLOCK 1 SHALL HAVE A 10-FT PUBLIC UTILITY EASEMENT (PUE) ALONG THE STREET FRONTAGE. THE PUE SHALL ALSO SERVE AS A DRAINAGE EASEMENT.
 - ALL BUILDING FRONT SETBACKS SHALL BE A MINIMUM OF 25.0'.
 - PARKLAND DEDICATION REQUIREMENTS ARE MET BY PAYMENT OF FEES IN LIEU PER RESIDENTIAL LOT, PAYABLE AT THE TIME OF FINAL PLAT RECORDATION.
 - MINIMUM FIRE FLOW OF 1000 GALLONS PER MINUTES FOR NOT LESS THAN (2) HOURS SHALL BE PROVIDED.
 - ALL DRAINAGE EASEMENTS AND DETENTION ARE PRIVATELY OWNED AND WILL NOT BE MAINTAINED BY THE CITY OF TAYLOR.
 - ALL DWELLING UNITS WILL BE EQUIPPED WITH AN APPROVED AUTOMATIC FIRE SUPPRESSION SYSTEM PER SECTION D107.1 OF THE 2009 INTERNATIONAL FIRE CODE.
 - BEARINGS ARE GRID NORTH BASED ON THE TEXAS COORDINATE SYSTEM CENTRAL TEXAS ZONE (4203) NAD83 HARN HORIZONTAL CONTROL.

BASED ON THE ABOVE REPRESENTATIONS OF THE ENGINEER OR SURVEYOR WHOSE SEAL IS AFFIXED HERETO, AND AFTER A REVIEW OF THE SURVEY AS REPRESENTED BY THE SAID ENGINEER OR SURVEYOR, I FIND THAT THIS BLUE LINE (SURVEY) COMPLIES WITH THE REQUIREMENTS OF THE EDWARDS AQUIFER REGULATIONS FOR WILLIAMSON COUNTY AND WILLIAMSON COUNTY ON-SITE SEWERAGE FACILITY REGULATIONS. THIS CERTIFICATION IS MADE SOLEY UPON SUCH REPRESENTATIONS AND SHOULD NOT BE RELIED UPON FOR VERIFICATIONS OF THE FACTS ALLEGED. THE WILLIAMSON COUNTY ENGINEER'S OFFICE AND WILLIAMSON COUNTY DISCLAIM ANY RESPONSIBILITY TO ANY MEMBER OF THE PUBLIC FOR INDEPENDENT VERIFICATION OF THE REPRESENTATIONS, FACTUAL OR OTHERWISE, CONTAINED IN THIS BLUE LINE (SURVEY) AND THE DOCUMENTS ASSOCIATED WITH IT.

J. TERRON EVERTSON, PE, DR, CFM
COUNTY ENGINEER
DATE

A PRELIMINARY PLAT FOR A SUBDIVISION TO BE KNOWN AS TAYLOR ESTATES SUBDIVISION HAS BEEN APPROVED ACCORDING TO THE MINUTES OF THE MEETING OF THE TAYLOR PLANNING AND ZONING COMMISSION ON THE DAY OF , 20 , A.D.

DON McALISTER, CHAIRMAN
DATE
SECRETARY
DATE

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

THAT I, NANCY RISTER, CLERK OF COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THIS THE DAY OF , 20 , A.D., AT O'CLOCK M. AND DULY RECORDED THIS THE DAY OF , 20 , A.D., AT O'CLOCK M. IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY IN DOCUMENT NO. .

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS THE DATE LAST ABOVE WRITTEN.

NANCY RISTER, CLERK, COUNTY COURT
WILLIAMSON COUNTY, TEXAS

BY:
DEPUTY

BEING 52.13 ACRES (2,270,828 SQUARE FEET) OF LAND OUT OF THE HARDY PACE SURVEY, ABSTRACT NO. 493, IN WILLIAMSON COUNTY, TEXAS, BEING THE SAME "22201 HWY 79 LLC" 52.136 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2018022250, AND BEING MORE PARTICULARLY DESCRIBED IN THE STEVEN L. ARMUS 52.294 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2006000435. BOTH OF THE OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS; SAID 52.13 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the north right-of-way line of Highway No. 79 (right-of-way varies), for the southeast corner of a 1.638 acre tract conveyed to Tomecek Electric Motor Repair, Inc. in a Foreclosure Sale Deed recorded in Document No. 2010028735, Official Public Records of Williams County, Texas, and for an angle corner in the south line hereof;

- THENCE with the east line and north line of said 1.638 acre Tomecek tract, and a portion of the north line of that certain 3.137 acre tract conveyed to Juan Arce and Ezequiel Arce in a General Warranty Deed recorded in Document No. 2019012796, Official Public Records of Williams County, Texas, for a portion of the south line hereof, the following five (5) courses:
- North 12°51'46" West, a distance of 256.47 feet to a 1/2" iron rod found for an angle corner hereof;
 - South 76°07'23" West, a distance of 198.21 feet to a 1/2" iron rod found for an angle corner hereof;
 - South 76°07'09" West, passing at a distance of 79.05 feet a calculated point for the common north corner of said 1.638 acre Tomecek tract and said 3.137 acre Arce tract, continuing for a total distance of 411.61 feet to a calculated point for an angle corner hereof;
 - South 76°58'23" West, a distance of 45.35 feet to a 1/2" iron rod found for an angle corner hereof;
 - South 75°47'38" West, a distance of 308.44 feet to a 1/2" iron rod found in the west line of that certain 40.880 acre tract conveyed to Leen Holding Company Hwy 79 LLC in a Special Warranty Deed with Vendor's Lien in Document No. 2018054012, Official Public Records of Williams County, Texas, for the northwest corner of said 3.137 acre Arce tract, and for the southwest corner hereof;

THENCE with the east line of said 40.880 Leen tract, and the east line of that certain 62.32 acre tract conveyed to T W Ford, LP in a Special Warranty Deed in Document No. 2017010899, Official Public Records of Williams County, Texas, for the west line hereof, North 21°13'30" West, a distance of 1962.26 feet to a 1/2" iron rod found in the south line of that certain 199.58 acre tract conveyed to Larry Zeplin and Yvonne Zeplin Zimmer in a Deed of Gift in Volume 1890, Page 247, Official Records of Williamson County, Texas, for the northeast corner of said 62.32 acre Ford tract, and for the northwest corner hereof;

THENCE with a portion of the south line of said 199.58 acre Zeplin tract, the south line of that certain 50.00 acre tract conveyed to Kenneth Ray Heselmeyer in a Warranty Deed in Volume 1416, Page 42, Official Records of Williamson County, Texas, and a portion of the south line of that certain 59.107 acre tract conveyed to David Scott Heselmeyer in a Independent Executor's Deed in Document No. 2010076121, Official Public Records of Williamson County, Texas, for the north line hereof, North 67°59'31" East, a distance of 1080.00 feet to a 1/2" iron rod found for the northwest corner of that certain 19.03 acre remainder tract conveyed to Jack Stolle in a Deed of Trust in Volume 1598, Page 362, Official Records of Williamson County, Texas, and for the northeast corner hereof;

THENCE with the west line of said 19.03 acre Stolle remainder tract, for the east line hereof, South 21°53'33" East, a distance of 2377.41 feet to a Mag nail found in the north right-of-way line of said Highway No. 79, for the southwest corner of said 19.03 acre Stolle remainder tract, and for the southeast corner hereof;

THENCE with the north right-of-way line of said Highway No. 79, for a portion of the south line hereof, South 76°06'58" West, a distance of 190.64 feet to the POINT OF BEGINNING, containing an area of 2,270,828 square feet or 52.13 acres.

TAYLOR ESTATES SUBDIVISION – VARIANCE #1 REQUEST

Maximum Block Length for Residential (Appendix C - Subdivision Regulations, Section 2.7)

Subdivision Code Requirement - Maximum block length for residential: One thousand two hundred (1,200) feet and the minimum block length for residential is three hundred (300) feet, except upon approval by the City Planning and Zoning Commission.

Description and Narrative – This variance request is for an exception to the maximum block length for residential subdivisions, which is 1,200 feet per the City of Taylor’s Subdivision Regulations (Section 2.7).

This section specifically states that the City Planning and Zoning Commission can allow exceptions to the maximum and/or minimum block lengths for a proposed subdivision. There are two (2) streets (Redux Lane and Return Lane) included in the proposed subdivision that exceed 1,200 feet and are proposed with a block length of 1,462 feet. Please refer to the Preliminary Plat for the Proposed Subdivision layout and streets related to this variance request.

The proposed development is a Ranch Estates style subdivision with large lots (~1 acre), which is not a common type of subdivision currently provided within the City of Taylor community. Most neighboring townships have specific code exceptions for Ranch Estate projects. Additionally, the lots proposed within this subdivision have lot widths of approximately 180 feet. Throughout the City of Taylor’s code of ordinances, except for Section 2.7 of the Subdivision Regulations there is no discussion of the 1,200 feet maximum requirement. However, there is a brief discussion within the City of Taylor’s Engineering Manual under Section V (Design Criteria) for the design criteria on Right-of-Way Widths, provided as a footnote (#1) to Local Streets. This section states the following:

(1) A local street having a total length in excess of one thousand two hundred (1,200) feet or serving more than thirty (30) dwelling units may be required to provide a right-of-way width of not less than (60) feet.

The typical residential lot width per the City of Taylor’s zoning ordinance is 60 feet (Appendix B – Zoning Ordinance, Chapter 4.1, Table 4.1). With a block length of 1,200 feet, this would yield a density of 40 residential lots per block (20 residential lots on each side of the street). For this subdivision, we are proposing a total of 16 residential lots per block (8 residential lots on each side of the block), which is less than half of the typical density. Although, the block lengths for Redux Lane and Return Lane are proposed to be slightly greater than 1,200 feet, the residential lot density (and the corresponding houses/driveways/traffic) will be less than half of a typical residential development. Furthermore, Williamson County Subdivision Regulations (Appendix B2 for Road Alignments) has a maximum street length of 1,500 feet for residential blocks, which is greater than the block length of 1,462 feet being proposed with this Subdivision.

Plat Variance Question 1 (From which regulation(s) do you seek a variance(s)?) – Appendix C, Subdivision Regulations, Section 2.7 – Blocks - Maximum block length for residential

Plat Variance Question 2 (Will the proposed variance adversely affect adjacent or nearby properties?) – No, the properties located adjacent to the proposed Subdivision are mostly undeveloped and will not be adversely affected by this requested variance. The two (2) streets included in the variance request are internal and do not have any frontage along the adjacent/nearby properties.

Plat Variance Question 3 (Are there special conditions or circumstances to this proposed development which are peculiar to the location, structure or service which are not applicable to others?) – Due to the unique shape of the property, the street frontage along Hwy 79 is only approximately 190 feet, and narrows down to approximately 150 feet before expanding to a much larger open area. This portion of the property is also the main low point for the property. With the limited frontage and necessary drainage infrastructures, this becomes a special condition to the proposed subdivision. Additionally, the property is located such that the City of Taylor's Exterritorial Jurisdiction (ETJ) boundary line splits the property near the middle and the remainder of the property is located solely within Williamson County's jurisdiction. According to an Interlocal Agreement between the City of Taylor and Williamson County, the City of Taylor assumes exclusive jurisdiction to regulate all Subdivision Plats.

Upon reviewing the maximum block lengths allowed by other neighboring cities & counties, the maximum length varies between 1,200 feet-1,500 feet. Below are the maximum block lengths for some of the neighboring entities:

City of Austin – Maximum Block Length of 1,200 feet

City of Georgetown – Maximum Block Length of 1,320 feet

Williamson County – Maximum Street Length of 1,500 feet

Based on the constraints listed above (limited frontage, property shape, etc.) and the requirement to provide adequate drainage & street infrastructure, the proposed subdivision layout is limited. The enforcement of the 1,200 feet maximum block length would only limit the development even further, making the property much more difficult to develop.

Plat Variance Question 4 (That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and if the requested modification(s) to the current regulation(s) were allowed, would the subdivision variance provide a means of implementing the Comprehensive Plan and fulfill the spirit and intent of the code?) – By approving this variance request, the proposed subdivision becomes a feasible development that can continue to move forward. We believe that approving this variance will not violate the intent of the Subdivision code. Please refer to specific discussions of the maximum block length of 1,200 feet in the Description and Narrative Section above.

TAYLOR ESTATES SUBDIVISION – VARIANCE #2 REQUEST

Right-of-Way (ROW) Widths (Appendix C - Subdivision Regulations, Section 2.8.2 and the City of Taylor Engineering Manual, Section V)

Subdivision Code Requirement - All street and road rights-of-way within new subdivisions shall be subject to the minimum right-of-way and street widths as determined by the City Engineer and the City of Taylor Engineering Manual & Details.

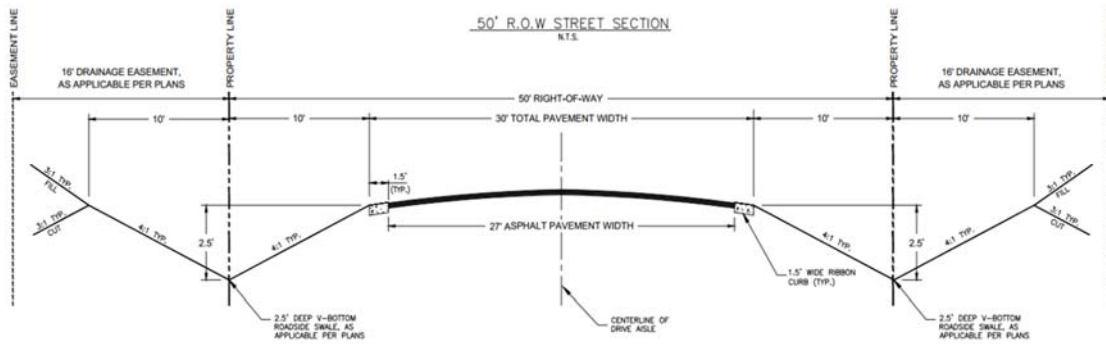
Engineering Manual Requirement – A local street having a total length in excess of one thousand two hundred (1,200) feet or serving more than thirty (30) dwelling units may be required to provide a right-of-way width of not less than sixty (60) feet.

Description and Narrative – This variance request is to grant the nominal 50 foot right-of-way (ROW) for the residential subdivision streets. The City of Taylor Engineering Manual & Details (as allowed by Section 2.8.2 of the Subdivision Regulations) grants the City Engineer discretion to require a 60 foot ROW which the City Engineer has indicated he will exercise.

Per the table provided in Section V (Design Criteria) of the City of Taylor Engineering Manual, the minimum ROW width for Local Streets is equal to 50 feet, but has a footnote that states the following:

“(1) A local street having a total length in excess of one thousand two hundred (1,200) feet or serving more than thirty (30) dwelling units may be required to provide a right-of-way width of not less than (60) feet.”

There are two (2) streets (Redux Lane and Return Lane) included in the proposed subdivision that exceed the 1,200 feet and are currently proposed with ROW widths of 50 feet. Please refer to the Preliminary Plat for the Proposed Subdivision layout and streets related to this variance request. With a ROW width of 50 feet, the street cross section is proposed to consist of 30 feet of pavement including ribbon curbs with an additional 10 feet on each side. In addition, drainage easements (as allowed by the City of Taylor Engineering Manual) will be provided adjacent to the ROW to allow for adequate room to incorporate the infrastructure (road side swales) and for long term maintenance of such infrastructure. The City of Taylor Engineering Manual requires swales to be 30” deep with 4:1 side slopes, which requires road side swales to be a minimum of 20’ wide. Therefore, based on these requirements and preliminary design calculations, a 60 foot wide ROW would not be able to contain the road side swales and would still require a drainage easement to be utilized. Below is an exhibit showing a typical proposed cross section:



Throughout the City of Taylor’s code of ordinances, there are not many Sections (except for 2.8.2 and the footnote in Section V) that discuss the minimum ROW widths requirement and its intent. Furthermore, the footnote from Section V of the City of Engineering Manual states that a ROW width of 60 feet may be required and does not specifically require 60 feet of ROW. Requiring a 60 foot ROW does not appear to achieve any noteworthy purpose.

The typical residential lot width per the City of Taylor’s zoning ordinance is 60 feet (Appendix B – Zoning Ordinance, Chapter 4.1, Table 4.1). With a block length of 1,200 feet, this would yield a density of 40 residential lots per block (20 residential lots on each side of the street). For this subdivision, we are proposing a total of 16 residential lots per block (8 residential lots on each side of the block), which is less than half of the typical density. Although, the block lengths for Redux Lane and Return Lane are proposed to be slightly greater than 1,200 feet, the residential lot density (and the corresponding houses/driveways/traffic) will be less than half of a typical residential development. In terms of traffic and safety issues, a 30 foot wide street with a 50 foot ROW is no different than a 30 foot wide street with a 60 foot ROW.

Plat Variance Question 1 (From which regulation(s) do you seek a variance(s)?) – Appendix C, Subdivision Regulations, Section 2.8.2 for Right-of-Way (ROW) Widths

Plat Variance Question 2 (Will the proposed variance adversely affect adjacent or nearby properties?) - No, the properties located adjacent to the proposed Subdivision are mostly undeveloped and will not be adversely affected by this requested variance. The two (2) streets included in the variance request are internal and do not have any frontage along the adjacent/nearby properties.

Plat Variance Question 3 (Are there special conditions or circumstances to this proposed development which are peculiar to the location, structure or service which are not applicable to others?) - Due to the unique shape of the property, the street frontage along Hwy 79 is only approximately 190 feet, and narrows down to approximately 150 feet before expanding to a much larger open area. This portion of the property is also the main low point for the property. With the limited frontage and necessary drainage infrastructures, this becomes a special condition to the proposed subdivision. Additional, the property is located such that the City of Taylor’s Extraterritorial Jurisdiction (ETJ) boundary line splits the property near the middle and the remainder of the property is located solely within Williamson County’s jurisdiction. According to an Interlocal Agreement between the City of Taylor and Williamson County, the City of Taylor assumes exclusive jurisdiction to regulate all Subdivision Plats.

Based on the constraints listed above (limited frontage, property shape, etc.) and the requirement to provide adequate drainage & street infrastructure, the proposed subdivision layout is limited. The enforcement of the 60 foot ROW width would only limit the development even further, making the property much more difficult to develop.

Plat Variance Question 4 (That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and if the requested modification(s) to the current regulation(s) were allowed, would the subdivision variance provide a means of implementing the Comprehensive Plan and fulfill the spirit and intent of the code?) – By approving this variance request, the proposed subdivision becomes a feasible development that can continue to move forward. We believe that by approving this variance that the intent of the code will still be met. Please refer to specific discussions of the ROW widths in the Description and Narrative Section above.

TAYLOR ESTATES SUBDIVISION – VARIANCE #3 REQUEST

Street Connectivity (2004 Comprehensive Plan, Chapter 6 - Transportation, Page 6-13)

Comprehensive Plan Requirement - Existing streets in adjacent areas should be continued and, when an adjacent area is undeveloped, the street layout should provide for future projection and continuation of streets into the undeveloped area. In particular, the arrangement of streets in a new subdivision must make provision for continuation of rights-of-way for the principal existing streets in adjoining areas or where new streets will be necessary for future public requirements on adjacent properties, which have not yet been subdivided. Where adjacent land is undeveloped, stub streets should include a temporary turnaround to accommodate fire and other emergency vehicles.

Description and Narrative – This variance request is to grant the proposed subdivision to be developed as a more exclusive Subdivision, a Ranch-style Subdivision. The City of Taylor’s 2004 Comprehensive Plan (Chapter 6 – Transportation, Page 6-13) provides requirements for Connectivity for new subdivisions. Page 6-13 states the following:

“Existing streets in adjacent areas should be continued and, when an adjacent area is undeveloped, the street layout should provide for future projection and continuation of streets into the undeveloped area. In particular, the arrangement of streets in a new subdivision must make provision for continuation of rights-of-way for the principal existing streets in adjoining areas or where new streets will be necessary for future public requirements on adjacent properties, which have not yet been subdivided. Where adjacent land is undeveloped, stub streets should include a temporary turnaround to accommodate fire and other emergency vehicles.”

The proposed Taylor Estates Subdivision is located in the outskirts of the City of Taylor as the approximate middle of the property is split between the City of Taylor’s Extraterritorial Jurisdiction (ETJ) and Williamson County. The subdivision is currently proposed to have an interior loop street system and does not propose any stubbed-out streets to the adjacent lots, except for Refresh lane near the southeastern end of the property. Due to the lack of an available wastewater system, larger lots (1-acre) are proposed in order to provide on-site sewage facilities (septic). Therefore, the proposed development is a Ranch Estates style subdivision with large lots (~1 acre), which is not a common type of subdivision currently provided within the City of Taylor community. Please refer to the Preliminary Plat for the Proposed Subdivision layout and streets related to this variance request.

The typical residential lot width per the City of Taylor’s zoning ordinance is 60 feet (Appendix B – Zoning Ordinance, Chapter 4.1, Table 4.1), which is typical for standard small lot subdivisions. Most neighboring townships have specific regulations for Ranch Estate style subdivisions, but the City of Taylor does not. It is not common for subdivisions with larger lots (~1-acre) to provide connectivity/stub-outs to adjacent properties as these types of subdivisions tend to be more exclusive. Throughout the City of Taylor’s code of ordinances, there are not many Sections (except for Page 6-13 of the 2004 Comprehensive Plan) that discuss connectivity and its intent. We believe that this discussion on Page 6-13 is stated as such since the typical City of Taylor subdivision consist of small lots, where it is common to provide stub-outs to undeveloped adjacent properties.

Plat Variance Question 1 (From which regulation(s) do you seek a variance(s)?) – 2004 Comprehensive Plan, Chapter 6 - Transportation, Page 6-13

Plat Variance Question 2 (Will the proposed variance adversely affect adjacent or nearby properties?) - No, the properties located adjacent to the proposed Subdivision are mostly undeveloped and will not be adversely affected by this requested variance. Additionally, all of the properties located to the East and most of those to the North are fully located within Williamson County's jurisdiction and will not be required to connect to any stubbed-out streets. Properties that are located to the South are mostly developed and do not currently provide connectivity/stub-outs. A significant portion of the property to the West (property owned by Brad Leen) is also developed and does not provide connectivity/stub-outs.

Plat Variance Question 3 (Are there special conditions or circumstances to this proposed development which are peculiar to the location, structure or service which are not applicable to others?) - Due to the unique shape of the property, the street frontage along Hwy 79 is only approximately 190 feet, and narrows down to approximately 150 feet before expanding to a much larger open area. This portion of the property is also the main low point for the property. With the limited frontage and necessary drainage infrastructures, this becomes a special condition to the proposed subdivision. Additionally, the property is located such that the City of Taylor's Extraterritorial Jurisdiction (ETJ) boundary line splits the property near the middle and the remainder of the property is located solely within Williamson County's jurisdiction. According to an Interlocal Agreement between the City of Taylor and Williamson County, the City of Taylor assumes exclusive jurisdiction to regulate all Subdivision Plats.

Based on the constraints listed above (limited frontage, property shape, etc.) and the requirement to provide adequate drainage & street infrastructure, the proposed subdivision layout is limited. The enforcement of street connectivity would only limit the development even further, making the property much more difficult to develop. Given the unique shape and small size of the property, the desire to make this Subdivision a high-end 1-acre lots Ranch Estates Subdivision; there must be some delineation from the adjacent properties to create and preserve the character of this type of development.

Plat Variance Question 4 (That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and if the requested modification(s) to the current regulation(s) were allowed, would the subdivision variance provide a means of implementing the Comprehensive Plan and fulfill the spirit and intent of the code?) – By approving this variance request, the proposed subdivision becomes a feasible development that can continue to move forward. We believe that by approving this variance that the intent of the code will still be met. Additionally, if the City ETJ Boundary Line had been just a few hundred feet towards the west, then connectivity would not be a requirement. So, based on the small property size, being located on the edge of the ETJ, and having little opportunities (as discussed above) to connect to adjacent properties; then, it does not make sense to require connectivity for this development. Please refer to specific discussions of street connectivity in the Description and Narrative Section above.

Proposed
Motion for
Approval:

In accordance with Section 3 of the Subdivision Ordinance, I move to approve PZ-2020-1205, a request for variances to the Subdivision Ordinance and Engineering Manual including the requirement to provide connectivity to adjacent parcels that are not yet developed, the maximum block length of 1,200 feet and the minimum right-of-way width for roads/streets, at 22201 US 79, based on the findings below and that in our opinion and as a matter of fact, such variances will not adversely affect the current and future uses of adjacent and neighboring properties.

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land or the City of orderly development; and
2. That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
3. That the granting or imposition of the variance will not be detrimental to the public health, safety and welfare; and
4. That the granting or imposition of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance. Such findings of the Planning and Zoning Commission together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship. All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedence for subsequent variances.

Proposed
Motion for
Denial

In accordance with Section 3 of the Subdivision Ordinance, I move to deny PZ-2020-1205, a request for variances to the Subdivision Ordinance and Engineering Manual including the requirement to provide connectivity to adjacent parcels that are not yet developed, the maximum block length of 1,200 feet and the minimum right-of-way width for roads/streets, at 22201 US 79, based on the findings below and that in our opinion and as a matter of fact, such variances would adversely affect the current and future uses of adjacent and neighboring properties.

City of Taylor
Discussion of Possible Amendments to the Home Occupations Standards of the Zoning Ordinance

Staff Report

Requested Action: Direction to staff regarding draft amendment to the zoning ordinance regarding the option for a Specific Use Permit for home occupations.

Applicant: City of Taylor

Purpose:

The commission heard zoning case PZ-2019-1190 at its January 14, 2020 meeting. The zoning case was the result of a code enforcement case related to an unauthorized home occupation of a medical clinic operated at 1003 TH Johnson Drive. In order to bring the medical clinic land use into compliance with the City's zoning ordinance the applicant requested a rezoning to the B-1 Local Business zoning district. The Commission recommended to City Council denial of the requested rezoning. However, during the Commission's discussion of the case, there were some members who expressed an interest in reviewing and possibly revising the City's standards for home occupations.

The City Council considered PZ-2019-1190 at their meeting on January 23, 2020 and accepted the Commission's recommendation of denial. Some members of the City Council were also interested in reviewing the City's standards for home occupations and the Council directed staff to work with the Commission to determine what, if any, changes should be made to the home occupations standards.

At the February 11, 2020 meeting, staff presented the Commission with the option to consider allowing home occupations that do not meet all of the conditions of the zoning ordinance to apply for a Specific Use Permit. The Commission requested that staff present a draft of the proposed SUP provision at the March 10, 2020 meeting.

Background:

The Zoning Ordinance currently defines a Home Occupation as follows:

Home Occupation - A use in a residential or agricultural zone which does not detract from the residential character of the neighborhood. Except in the case of some preschool care and certain special uses, a home occupation shall mean any use conducted entirely within a building, which use is clearly accessory to the use of the building for dwelling purposes. Any home occupation which utilizes an accessory structure shall be a special use. No home occupation shall include any activity which disrupts the normal residential character of the neighborhood in which the home occupation is located. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone. Home occupation shall not be interpreted to include commercial stables and kennels.

Chapter 3 of the Zoning Ordinance establishes standards related to home occupations as follows:

3.5.1 Home Occupations

The following standards are intended to permit residents to engage in home occupations that are compatible with residential uses and to ensure that home occupations do not adversely affect the integrity of residential areas. A home occupation shall be considered an accessory use, subject to the following conditions:

1. No persons shall be engaged in a home occupation other than persons occupying the subject dwelling unit as their permanent residence;
2. The home occupation shall be conducted entirely within the principal residential dwelling or within a permitted accessory structure;
3. There shall be no signs or other exterior visible evidence of a home occupation;
4. There shall be no visible storage of equipment, materials or vehicles that have more than two axles; and
5. All home occupations shall comply with the performance standards of Chapter 5.

Staff Recommendation:

Staff recommends adding a provision to Section 3.5.1 of the Zoning Ordinance that would allow home occupations that do not meet one or more of the conditions to apply for a Specific Use Permit (SUP). This would provide an avenue for an applicant to seek approval for a home occupation that does not meet all of the conditions of Chapter 3 and would also provide notice of the request to neighbors within 200 feet. In addition, the Commission would have the ability to recommend specific performance criteria for the home occupation as a part of the approval of the SUP and the permit could be issued with an expiration date and/or a requirement to renew.

Staff is seeking direction from the Commission on the attached draft language and whether to begin the formal process of amending the zoning ordinance which will require notice and public hearings before the Commission and City Council.

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- 2.The home occupation shall be conducted entirely within the principal residential dwelling or within a permitted accessory structure;
- 3.There shall be no signs or other exterior visible evidence of a home occupation;
- 4.There shall be no visible storage of equipment, materials or vehicles that have more than two axles;~~and~~
- 5.All home occupations shall comply with the performance standards of Chapter 5; ~~and~~.
6. Home occupations that do not meet conditions 1 through 4 above may apply for a Specific Use Permit. In considering whether to approve a Specific Use Permit for a home occupation the Commission may recommend and the City Council may impose standards to ensure the home occupation does not adversely affect the integrity of the residential neighborhood in which it is proposed and shall consider the following:
 - a. Are the hours of operation of the home occupation compatible with a residential neighborhood;
 - b. Is there sufficient off-street parking to accommodate the parking requirements of the home occupation;
 - c. Will the property at which the home occupation is conducted retain the characteristics of a residential property; and
 - d. Will the home occupation generate any nuisances incompatible with a residential neighborhood.