

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENT

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

December 1, 2020, 6:00 P.M.

In order to assist in maintaining the health of Planning and Zoning Commissioners, staff and the public, this meeting will be conducted via *video conference*.

You may view this meeting live through the City's web site at:

<http://www.taylortx.gov/660/Taylor-Videos>

For Citizens Communication and to speak during the public hearings, please contact the Development Services office at 512-745-6874 prior to 5:30 p.m. on Tuesday, December 01, 2020 in order to receive video conferencing instructions.

The agenda packet is available on the City's web site at:

<http://www.taylortx.gov/18/Agendas-and-Minutes>

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 for the June 4, 2019 meeting.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. **PZ-2020-1264 – Conduct Public Hearing** on a request for a variance to the City of Taylor Zoning Ordinance relating to setbacks for dumpster enclosures: formerly West End School, addressed as 1301 W. 4th Street, Taylor, Williamson County, Texas.
3. **PZ-2020-1264 – Take Action** on a request for a variance to the City of Taylor Zoning Ordinance relating to setbacks for dumpster enclosures: formerly West End School, addressed as 1301 W. 4th Street, Taylor, Williamson County, Texas.

ADJOURN

Next Meeting Date: Tuesday, January 5, 2021

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 meeting was posted in the **Taylor City Hall Lobby before 6:00 P.M. on November 27, 2020** and remained posted for at least 72 continuous hours before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted By:

Carrie Orts

Date: 11.23.2020

Carrie Orts, Administrative Assistant Development Services

**MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, June 4, 2019
6:00 P.M.**

PRESENT:

Suzanne Bice
Nancy Talley
Craig Eulenfeld
David Paul
Michael Prillaman

ABSENT:

OTHERS PRESENT:

Tom Yantis, Director Development Services
Carrie Orts, Assistant to Development Services

CALL TO ORDER AND DECLARE A QUORUM

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

CITIZENS COMMUNICATION

None

Review and approve Minutes from November 6, 2018

Mrs. Bice made a motion to approve the minutes as written. Second by Mr. Eulenfeld. All voted Aye.

PZ-2019-1131 - Conduct Hearing on request for an appeal to reverse an order, requirement, decision or determination made by an administrative official. The subject property is located at 801 E. Martin Luther King Junior Blvd., more particularly described by Williamson Central Appraisal District Parcel R321512; Lot 16, Block 82, Addition to the City of Taylor, Taylor, Williamson County, Texas.

Hearing opened. Mr. Yantis made a presentation on the request, including staff's recommendation of disapproval of the appeal. Mr. Mahnke and Mr. Harlow. Board and Staff discussion. Hearing closed.

PZ-2019-1131 – Take Action on request for an appeal to reverse an order, requirement, decision or determination made by an administrative official. The subject property is located at 801 E. Martin Luther King Junior Blvd., more particularly described by Williamson Central Appraisal District Parcel R321512; Lot 16, Block 82, Addition to the City of Taylor, Taylor, Williamson County, Texas.

Mr. Prillaman made motion to reverse the staff determination that corrugated metal siding is not permitted, because I believe that metal siding is "harmonious and architecturally integrated within the existing neighborhood" pursuant to Section 5.4.1 of the Zoning Ordinance.

In favor – 4

Opposed – 1 (Nancy Talley)

Motion carried.

Adjourn

Mr. Eulenfeld made motion to adjourn meeting. Second by Mrs. Bice. Meeting adjourned at 6:54 PM

Carrie Orts
Administrative Assistant, Development Services

Nancy Talley
Vice Chair

Staff Report
1304 W. 4th St.
Zoning Ordinance Variance

Case Number: PZ-2020-1264

Requested Action: The applicant is seeking a Variance to §3.5.3.7.b of the City of Taylor Zoning Ordinance which states “dumpsters shall be placed on the same lot as the business establishment that utilizes same, except that they shall not be placed within any required setback.”

Applicant: Delia Meave of Clayton Korte Architects on behalf of Lone Star Circle of Care

Staff Contact: McKenzi Hicks, Planning Technician

Subject Property: Approximately 1.53 acres, Block 64 (ALL), Doak Addition, Taylor, Williamson County, Texas

Parcel Information:

Current Zoning: MF-2 & P (Multi-Family and Parks)

Future Land Use Plan Designation: Public

Current Use: Former West End School (vacant)

Proposed Use: Community Center with Medical Offices

Adjacent Parcel Information:

Direction	Land Use	Zoning
North	Single-Family	MF-2
South	Vacant	B-1
East	Single-Family	MF-2
West	Single-Family	MF-2

Transportation Information:

Street	Pavement Width
W. 4 th St.	18'
W. 3 rd St.	22'
Ferguson St.	25'
Vernon St.	25'

Notifications:

Thirty (30) notifications were mailed to property owners within a 200-foot radius on November 19, 2020. Zero responses have been received in support or opposition.

Purpose:

The purpose of the application is to meet the requirements for a Site Development Plan Permit by allowing the dumpster enclosure location to be within the street side (eastern) setback. Both City Staff and the design professionals have met and mutually concluded that the setback as a location for the proposed dumpster enclosure would not violate any intent of the Zoning Ordinance.

Background:

The design professionals have noted two hardships which met the criteria for seeking a Variance. The first hardship is the current width of the existing streets, as they are narrow and difficult for waste management vehicles to navigate. By placing the dumpster enclosure inside of the setback, such a change would allow sufficient turning movements by the waste management vehicles, which would otherwise not be achieved without a Variance. The second hardship is the location of the existing buildings. By having the dumpster enclosure placed in a centralized location in the setback, the community center's ability to dispose of waste would be more efficient. Considering the age of the development and location of existing buildings along with the requirement to meet new regulations like drainage and detention, landscaping, ADA requirements, and more parking leaves limited space for the dumpster enclosure's placement.

Recommendation:

According to §7.4.3.2 of the City of Taylor Zoning Ordinance, the Zoning Board of Adjustment may "permit a Variance in the setback requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such Variance will not seriously affect any adjoining property or the general welfare." Additionally, §3.5.3.7.d of the City of Taylor Zoning Ordinance also states, "dumpsters located in alleyways or other sites of possible non-conformity may appeal to the Zoning Board of Adjustments as set out in Chapter 7."

Therefore, City Staff recommends approval of the Variance request since unnecessary hardships have been identified and the proposed changes would not seriously affect any adjoining property or the general welfare of Taylor residents.

The Zoning Board of Adjustment shall find that each of the six (6) questions have been answered and factors met:

1. What particular physical conditions or characteristics make the property unique compared to others in the same neighborhood or zoning district?

One of the physical conditions/characteristics which makes this property unique is that it is a developed site with existing buildings. Lone Star Circle of Care (LSCC)

and their design professionals are trying to meet all of the current regulations, which is difficult when the property is already developed.

2. Were the conditions or characteristics listed in Question #1 caused by the property owner or applicant?

The conditions/characteristics were not caused by the property owner or applicant as this is an infill development project.

3. If the conditions or characteristics were caused by the owner or applicant, could the use of the property be enjoyed in the current zoning district without the requested Variance?

N/A, refer to answer of Question 2.

4. What difficulty or unnecessary hardship would result (not just an inconvenience) if the Variance were not granted?

Hardships would be created if the dumpster enclosure were to remain in the existing location as the rehabilitation of the West End School requires more parking for the future use. Additionally, as stated previously, when a developed parcel of land is being rehabilitated and the design professionals are trying to meet the new requirements, it is very difficult to meet all of the new requirements and place the dumpster enclosure anywhere other than the setback. Also, it would be inappropriate to place the dumpster enclosure within the parking lot, as traffic safety concerns would arise.

5. Is the amount of Variance requested the minimum necessary to meet the needs of the applicant or property owner?

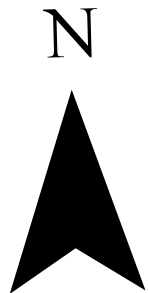
Yes, the applicant would like to move the dumpster enclosure to a better location to provide more parking.

6. What affect, if any, would the Variance have on the rights of owners or occupants of surrounding property, on the supply of light or air to adjacent property, on traffic or parking congestion in the public streets, on public safety, and on property values within the neighborhood?

Since the dumpster enclosure will remain within the property, there will be no adverse effects. However, traffic/parking congestion is expected to be relieved with the granting of the Variance since the waste management vehicle would not be taking up unnecessary space in the Right-of-Way when emptying the dumpster.

Attachments:

1. Location Map
2. Existing Site Plan by Applicant
3. Proposed Site Plan by Applicant



PZ-2020-1264

**LSCC Project
Headwaters Location
Map**

1301 W. 4th St.

Legend

- Streets
- ▭ 1301 W 4th St



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Gepland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



ZONING ADJUSTMENT REQUEST NARRATIVE

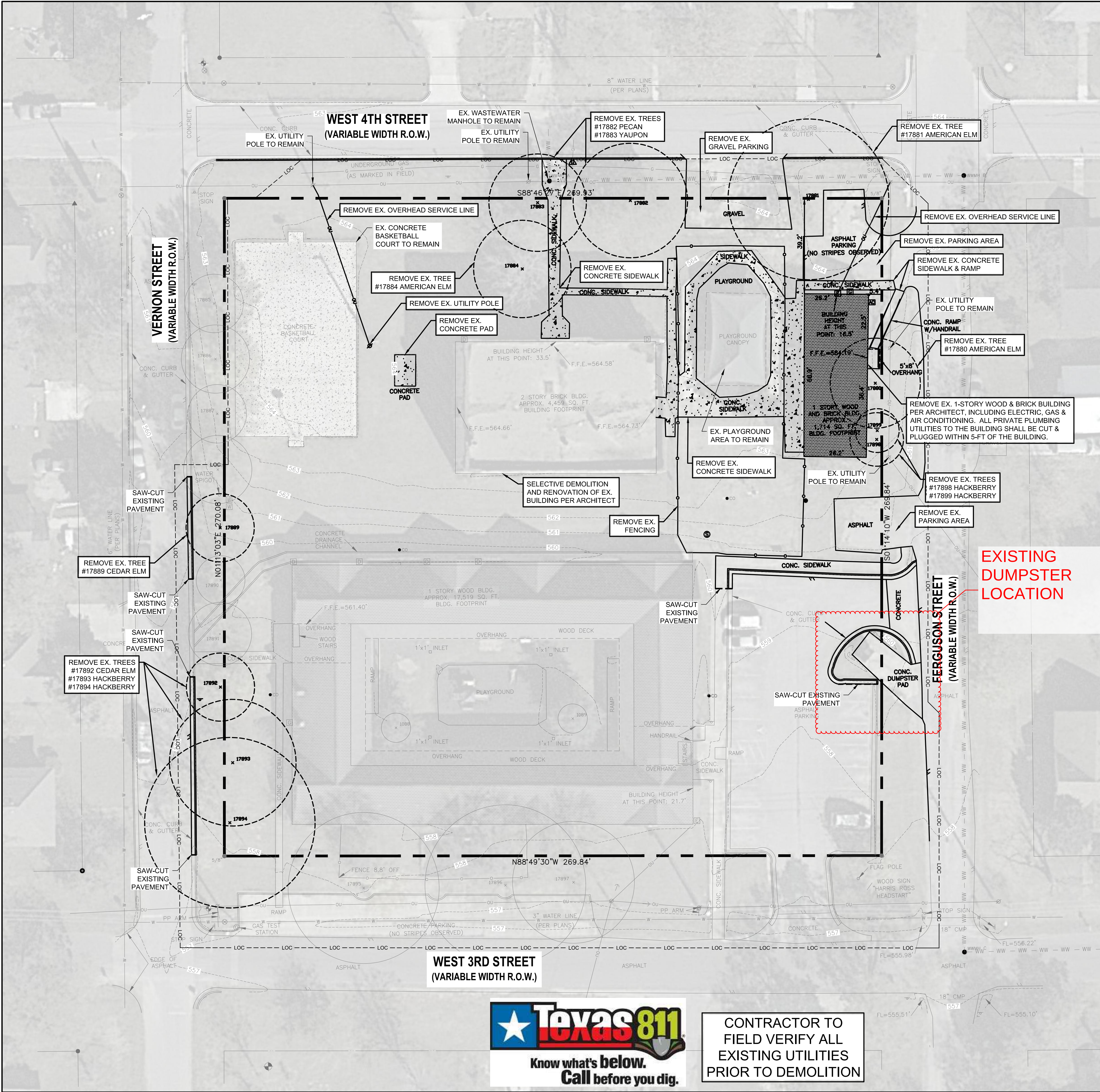
Project (#)	LSCC – Project Headwaters (19011)
Date	10/26/2020
To	City of Taylor
From	Delia Meave
Regarding	Zoning Board of Adjustment – Dumpster Enclosure Variance Request
Remarks	Supplemental information to Variance exhibit.

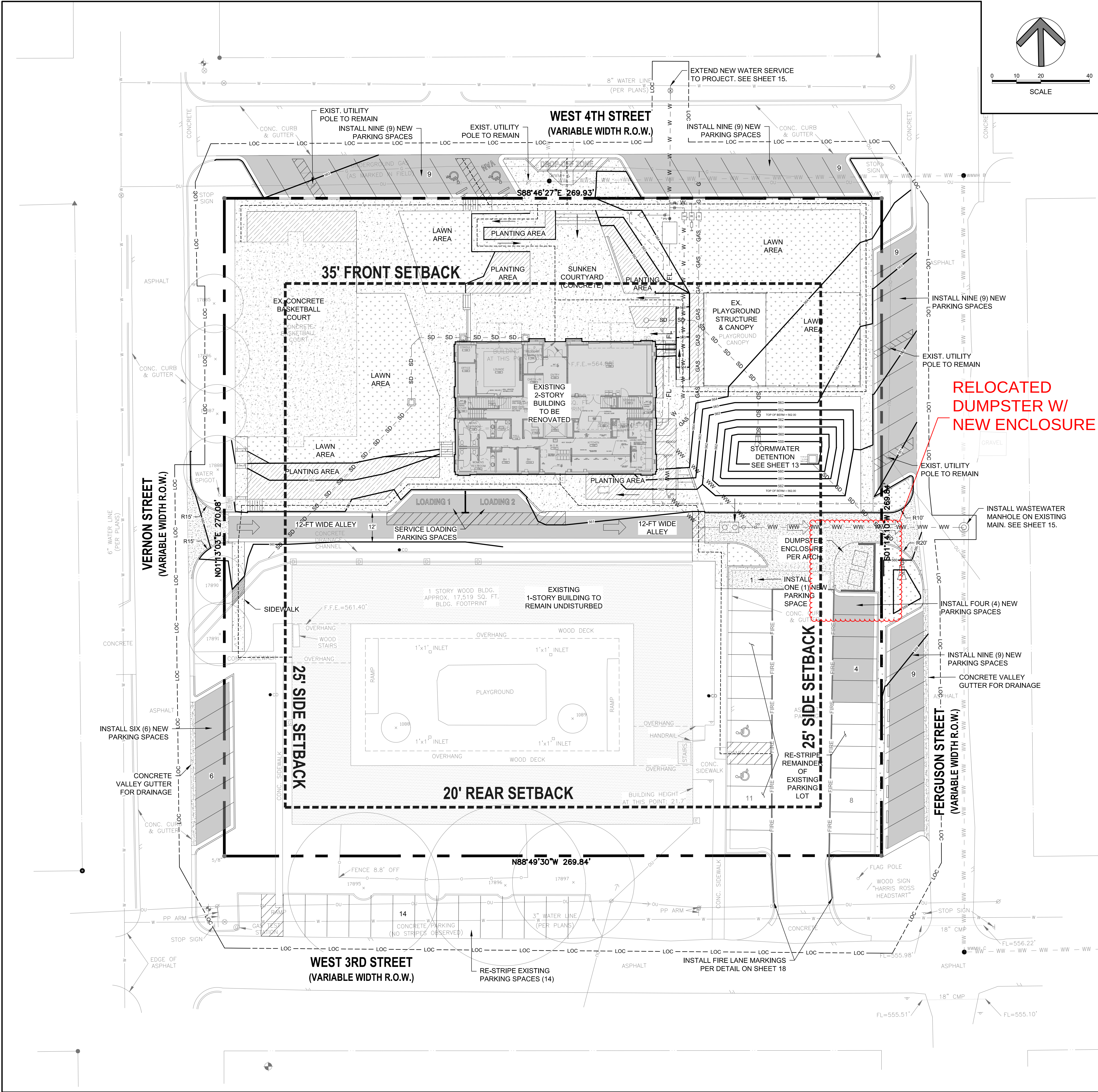
Due to existing condition hardships at Project Headwaters @ 1301 West 4th Street, Lone Star Circle of Care and Clayton Korte Architects requests a variance from Zoning Appendix B 3.5.3 Commercial Accessory Uses: #7.b *Dumpsters shall be placed on the same lot as the business establishment that utilizes same, except that they shall not be placed within any required setback.*

Hardships include:

1. The width of the existing streets. - The existing streets (Vernon Street and Ferguson Street) are very narrow. Currently Vernon Street is the wider street and the west-to-east direction of travel off of Vernon Street and into our site (through the new alley) allows for the turning movements required by the Waste Services truck. This dictates the currently proposed dumpster enclosure location, which puts it inside the east building setback. Moving the dumpster enclosure outside of the setback would require reversing the direction of travel in the alley (to east-to-west), and this would not accommodate sufficient turning movements out of the alley and onto Vernon Street (since existing trees and topography along the property's frontage on Vernon Street are in conflict).
2. Existing building locations. – Due to the existing building locations, the dumpster enclosure needs to be centrally located so that each building can dispose of waste efficiently.

END





LEGEND		
EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	ADJOINING LOT LINES
OU	SD	OVERHEAD UTILITY LINE
---	---	STORM DRAIN LINE
---	---	WASTEWATER LINE
---	---	WATER LINE
---	---	GAS LINE
---	---	GAS SERVICE
---	---	ACCESSIBLE ROUTE
---	---	LIMITS OF CONSTRUCTION

GENERAL NOTES:

1. THE INFORMATION SHOWN ON THESE DRAWINGS INDICATING SIZE, TYPE, AND LOCATION OF UNDERGROUND, SURFACE, AND AERIAL UTILITIES IS NOT GUARANTEED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT "TEXAS 811" AT LEAST 48 HOURS PRIOR TO BEGINNING ANY EXCAVATION FOR EXISTING UTILITY LOCATIONS. THE CONTRACTOR SHALL ALSO BE FULLY RESPONSIBLE FOR FIELD VERIFYING LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES, IN THE R.O.W. AND ON PRIVATE PROPERTY, AFFECTED BY CONSTRUCTION FOR THIS PROJECT IN ORDER TO AVOID DAMAGING THOSE UTILITIES, AND SHALL IMMEDIATELY ARRANGE FOR REPAIR AND RESTORATION OF CONTRACTOR-DAMAGED UTILITIES TO THE UTILITY COMPANY'S APPROVAL AT THE EXPENSE OF THE CONTRACTOR.

2. CONTRACTOR SHALL CONTACT DAYCAR ENGINEERING WITH ANY ITEMS ON THESE PLANS THAT NEED CLARIFICATION OR ANY ITEMS FOUND IN THE FIELD THAT ARE NOT CONSISTENT WITH THESE PLANS.

3. EXISTING WATER, WASTEWATER, ELECTRICAL AND TELECOMMUNICATION SERVICES SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION.

SURVEY NOTES:

1. THIS PLAN IS BASED ON A SIGNED & SEALED SURVEY BY CHAPARRAL PROFESSIONAL LAND SURVEYING, INC., DATED 02/13/2020.

2. BENCHMARK INFORMATION IS SHOWN ON THIS PLAN PER THE SURVEY BY CHAPARRAL PROFESSIONAL LAND SURVEYING, INC., DATED 02/13/2020.

TREE INDEX	
LO	LIVE OAK
AE	AMERICAN ELM
PEC	PECAN
YPN	YAUPON
CE	CEDAR
HB	HACKBERRY
ASH	GREEN ASH

1088	LO 6
1089	LO 6
17885	CE 12
17886	CE 14
17887	CE 12
17888	CE 14
17890	CE 10
17895	ASH 31
17896	ASH 33
17897	ASH 25

PARKING SUMMARY	
EXISTING PARKING	
TOTAL	34
REGULAR	32
ADA ACCESSIBLE	2
PROPOSED PARKING	
TOTAL	47
REGULAR	45
ADA ACCESSIBLE	2

OVERALL TOTAL PARKING 81

*NOTE: EXCLUDES TWO (2) SERVICE SPOTS TO BE USED BY MEALS ON WHEELS

SITE DATA TABLE	
SITE AREA	1.673 ACRES
LIMITS OF CONSTRUCTION	2.329 ACRES
DRAINAGE AREA LIMITS	2.389 ACRES
INSIDE PROPERTY LIMITS	
EXIST. IMPERVIOUS COVER	0.883 ACRES (52.8%)
PROP. IMPERVIOUS COVER	1.049 ACRES (62.7%)
INSIDE DRAINAGE AREA LIMITS	
EXIST. IMPERVIOUS COVER	1.24 ACRES (51.9%)
PROP. IMPERVIOUS COVER	1.50 ACRES (62.8%)

HATCH LEGEND	
[Hatch]	PROPOSED LAWN AREA PER LANDSCAPE ARCHITECT
[Hatch]	PROPOSED PLANTING AREA PER LANDSCAPE ARCHITECT
[Hatch]	PROPOSED ASPHALT PAVING
[Hatch]	PROPOSED CONCRETE PAVING