

AGENDA
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT MEETING
CITY HALL COUNCIL CHAMBERS
400 PORTER STREET, TAYLOR, TX, 76574
APRIL 1, 2025, 6:00 PM

For Citizens Communication and to speak during the public hearings, please contact the Development Services office at 512-365-3863 prior to 5:30 p.m. on Tuesday, April 1, 2025.

The agenda packet is on the [City of Taylor's website](#).

I. CALL TO ORDER AND DECLARE A QUORUM

II. CITIZEN COMMUNICATION

(The Zoning Board of Adjustment welcomes public comment on items not listed on the agenda. However, the Board cannot respond until the item is posted on a future agenda. All public comments are limited to 3 minutes. Registration forms are available at the sign in table)

III. CONSENT AGENDA

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

1. Review and approve minutes from the meeting on February 4, 2025


IV. REGULAR AGENDA

2. **PZ-2025-2434** – Hold a public hearing regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards for a property generally located at 1900 O L G Cemetery Road, legally described as Honey Bucket Lot 1, Block 1, Lot 1, 4.02 acre tract of land, more particularly described by Williamson Central Appraisal District Parcel R665367, Taylor, Williamson County, Texas. *Preston Gunn*
3. **PZ-2025-2434** – Take action regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards for a property generally located at 1900 O L G Cemetery Road, legally described as Honey Bucket Lot 1, Block 1, Lot 1, 4.02 acre tract of land, more particularly described by Williamson Central Appraisal District Parcel R665367, Taylor, Williamson County, Texas. *Preston Gunn*

V. ADJOURN

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 City of Taylor Hall Lobby continuously for 72 continuous hours before April 1, 2025. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted by:  Date: March 28, 2025
Victoria Winchester, Administrative Assistant

MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT MEETING

February 04, 2025, 6:00 P.M.
 City Hall Council Chambers
 400 Porter Street, Taylor, TX 76574

PRESENT	ABSENT	STAFF PRESENT
Nancy Talley	Emily Holmes	Scott Dunlop, Director of Dev. Services
Nora Roy		Courtney Peres, Planning Manager
Alex Allrich		Cole Bakely, Senior Planner
Michael Prillaman		Preston Gunn, Planner
Craig Eulenfeld		

I. CALL TO ORDER AND DECLARE A QUORUM

- *Chair, Nancy Talley, called a quorum at 6:00 P.M.*

II. CITIZENS COMMUNICATION

(The Zoning Board of Adjustment welcomes public comments on items not listed on the Agenda. However, the Board cannot respond until an item is posted on a future meeting agenda. Registration forms are available at the sign in table.)

- *Chair, Nancy Talley, asked if any citizens were present to speak. No one was present to speak during Citizen’s Communication.*

III. CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Board may act on with one single vole. 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 January 07, 2025
 - *Michael Prillaman made a motion to approve the minutes, Nora Roy seconded the motion to approve the minutes as presented. Motion passed unanimously (5-0).*

IV. REGULAR AGENDA

2. **PZ-2024-2385** Hold a public hearing regarding a request for a variance regarding a request for a variance from the Engineering Manual, Section 2, Item 2.7.1 Driveway Spacing and Design Standards, for property generally located at 318 Burkett Street, legally described as The Map of the Town of Taylor, Block 51, Lot 1A Partial Replat 2, Block 1, Lot 6A, 0.227 acres, more particularly described by Williamson Central Appraisal District Parcel R623647, Taylor, Williamson County, Texas.
 - *Nancy Talley opened the public hearing at 6:03 P.M.*
 - *Planner, Preston Gunn, gave a presentation regarding the variance and recommended disapproval of the variance request.*
 - *The applicant, Richard Delancy with Cornerstone Real Estate representing the owner of the property, provided a history of the property and the desire to develop a*

food truck court with the requested variances presented.

- *The Board, staff, and the applicant deliberated the request.*
 - *Nancy Talley closed the public hearing at 7:11 P.M.*
3. **PZ-2024-2385** Take action regarding a request for a variance from the Engineering Manual, Section 2, Item 2.7.1 Driveway Spacing and Design Standards, for property generally located at 318 Burkett Street, legally described as The Map of the Town of Taylor, Block 51, Lot 1A Partial Replat 2, Block 1, Lot 6A, 0.227 acres, more particularly described by Williamson Central Appraisal District Parcel R623647, Taylor, Williamson County, Texas.
- *Nora Roy made a motion to deny the variance for driveway spacing as requested. The motion was seconded by Alex Allrich. Mr. Allrich. Motion to deny passed unanimously (5-0).*

V. ADJOURN Meeting was adjourned at 7:13 P.M.

Approved by Chair:	
	<i>Nancy Talley, Chair</i>
Date:	
Attest by Administrative Assistant:	
	<i>Victoria Winchester, Admin. Assistant</i>
Date:	



City Council Meeting April 1, 2025 Transmittal Letter

STRATEGIC PILLAR
Economic Vitality Quality of Life

Agenda Item Number: 2.

Agenda Title: PZ-2025-2434 – Hold a public hearing regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards for a property generally located at 1900 O L G Cemetery Road, legally described as Honey Bucket Lot 1, Block 1, Lot 1, 4.02 acre tract of land, more particularly described by Williamson Central Appraisal District Parcel R665367, Taylor, Williamson County, Texas.

Council Action to be Taken: Consider and determine the variance request

Department Submitted: Development Services

Staff Contact: Preston Gunn

1. PURPOSE / DESCRIPTION

Hold a public hearing regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The request is for the business referred to as Honey Bucket (portable restrooms). The applicant has requested that a 6-foot fence be allowed in the first layer of the property. The applicant wishes to increase their screening and add security to their site. The applicant intends to surround the portion of the property not in the floodplain with a 6-foot fence. Only the portion facing OLG Cemetery Road will have the additional screening.

Staff finds that the provisions of LDC Sec. 5.8.5.4 limiting fencing/screening to 4' in the First Layer is inconsistent with Sec. 28-29(d) of the city's Vegetation Code, which requires outdoor storage areas to be screened from all public streets. The minimum height for screening shall be six feet (6'), or a height sufficient to obscure the area... and may be provided by plants, a solid screen fence or wall, or a combination thereof.

Constructing a four-foot (4') fence in compliance with Sec. 5.8.5.4 would create a non-compliant structure per Sec. 28-29(d).

3. PROS and CONS

<u>PROS</u>	<u>CONS</u>
•	•

4. RECOMMENDATION

Discuss and consider the requested variance.

5. FUNDING SOURCE

n/a

6. TIMELINE

n/a

7. OTHER OPTIONS

n/a

8. ATTACHMENTS

1. Staff Report_02_PZ-2025-2434_ 1900 OLG Cemetery Road
2. _02a_PZ-2025-2434- Letter of Intent
3. _02b_PZ-2025-2434- Improvements
4. _02c_PZ-2025-2434- Site Map
5. _02d_PZ-2025-2434- Variance Questions
6. _02e_PZ 2025-2434 Location Map
7. _02f_PZ 2025-2434 Notification Map

City of Taylor
PZ-2025-2434
Zoning Variance
Staff Report

Item Details

Subject Property:	1900 OLG Cemetery Road
Total Acreage:	Approximately 4.02 acres
Legal Description:	Approximately 4.02 acres of land generally located at 1900 OLG Cemetery Road, Honey Bucket Block 1, Lot 1, more particularly described by the Williamson Central Appraisal District Parcel R665367, Taylor Williamson County, Texas
Property Owner/Applicant:	Mark Perry
Request:	A request to vary from the Land Development Code, Sections 5.8.5.4
Case History:	This is the first hearing of this request.

Overview of Applicant’s Request & Background

The request is for the business referred to as Honey Bucket (portable restrooms). The applicant has requested that a 6-foot fence be allowed in the first layer of the property. The applicant wishes to increase their screening and add security to their site. The applicant intends to surround the portion of the property not in the floodplain with a 6-foot fence. Only the portion facing OLG Cemetery Road will have the additional screening that is depicted on the improvement detail (attachment b). This will shield any traffic on FM 112 or any developments that would front OLG Cemetery Road.



The variance seeks to provide additional screening beyond the required standard. This will ensure that the use which is often a concern for neighboring properties is better concealed and its impact minimized. The site is located on the edge of Taylor, where future land uses transition to areas designated for minimal change.

Fence heights are regulated by layer as follows: A four-foot max height in the first layer. A six-foot max height in the second layer and up to an eight-foot max height in the third layer.

Location:

The subject property is located southwest of the intersection at Farm to Market Road 122 and OLG Cemetery Road. The property is adjacent to the City of Taylor wastewater treatment plant.

Physical and Natural Features:

The subject property is a rural property with a commercial use that is relatively flat and has an average amount of foliage for the area. It is adjacent to the wastewater treatment plant and part of the property is in the floodplain.

Public Notification

As required by the Local Government Code and the City of Taylor Code of Ordinances, all property owners within a 200-foot radius of the subject property were notified of the variance request (7 notices), and a legal notice advertising the public hearing was placed in the Taylor Press on Sunday, March 21, 2025.

Staff Analysis

The subject property is within a mixed-use area where surrounding residential, mixed use, and commercial developments seek goods and services. These areas are envisioned as mixed-use (residential and commercial), walkable places. This property is adjacent to the future land use “area of minimal change.”

Staff have determined that the current configuration of the business exposes storage material which could be seen as a nuisance. While the applicant has proposed improvements to the site for screening, a 6-foot security fence would aid in shielding the public from any unsightly ongoings that a portable restroom facility conducts daily. It would also help with the prevention of trespassing and theft.

Due to the location of the site there is minimal traffic currently. It is unlikely that there will be any negative effect on the public in the short term. It would be good to take advantage of the increased screening to help mitigate any negative effect in the long term.

Therefore, staff recommend approval as a strict interpretation of the Code would prohibit the necessary screening of the storage, cleaning, and other ongoings of the business that could be detrimental to public health.



Staff recommends **Discussion and Consider Action** of Increased First Layer Fence Height,

- **5.8.5.4** “Fence heights are regulated as by layer as follows. A four-foot max height in the 1st layer. A six-foot max height in the second layer and an eight-foot max height in the third layer.

Zoning Board of Adjustment Recommendation

No variance shall be granted or imposed unless:

1. 75% of the members of the Board are present to hear the case; and
2. 75% of the Board votes in favor of the request; and
3. The Board finds that the variance meets the requirements of Texas Local Government Code Section 211.009(3) which states:

Texas Local Government Code, Section 211.009. AUTHORITY OF BOARD.

(a) The board of adjustment may:

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

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

City of Taylor LDC Section 2.2.14 – Approval Criteria

In addition to the requirements of Texas Local Government Code Sec. 211.009, the Board shall also find pursuant to Section 2.2.14 of the city’s Land Development Code, that the variance also meet ALL of the following requirements.

Hardship Determination

When determining if a hardship is present when considering a variance, the Board must find that all four (4) hardships from LDC Sec. 2.2.14 are met and one (1) of the provisions of TLGC Sec. 211.009 are met. Staff has provided rubrics below with their determinations for the Board’s consideration.

City Requirements for Determining a Hardship: Must meet all 4 of the Below Requirements		
Consistent	Inconsistent	
<u>X</u>		<p>That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of this LDC would deprive the applicant of the reasonable use of their property</p> <p><i>Staff find there are special circumstances or conditions arising from the physical surroundings, shape, or other feature affecting the ability for significant fencing, subject to the variance petition.</i></p>

		<i>While the applicant could screen the property from the adjacent roadways with vegetation it would be more effective to have a 6-foot fence to screen them from any traffic in the future.</i>
<u>X</u>		That granting the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant <i>Staff find that the request for an increase in First Layer Fence Height is not required for a substantial reason. As vegetation can meet the requirements of the code, but 6-foot fence would more effectively screen the site from the public.</i>
<u>X</u>		That granting or the variance will not be detrimental to the public health, safety and welfare <i>Staff find that granting the variance would not be detrimental to public health, safety, or welfare, or injurious to other property within the area. A taller fence would effectively screen the use, addressing concerns about its visibility and providing a better solution to reduce its impact on the surrounding area</i>
<u>X</u>		That granting or the variance will not have the effect of preventing the orderly development of other property in the area in accordance with the provisions of this LDC <i>Staff finds that the variance is the minimum amount necessary and will not effect the orderly development of other property.</i>

State Requirements for Determining a Hardship Must Meet One of the Below Requirements			
Consistent	Inconsistent	N/A	
		<u>X</u>	The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code. <i>Not applicable based on information submitted by the requestor.</i>
		<u>X</u>	Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur <i>Not applicable based on information submitted by the requestor.</i>

<u>X</u>			<p>Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement</p> <p><i>Staff finds that the provisions of LDC Sec. 5.8.5.4 limiting fencing/screening to 4' in the First Layer is inconsistent with Sec. 28-29(d) of the city's Vegetation Code that requires outdoor storage areas to be screened from all public streets. The minimum height for screening shall be six feet (6'), or a height sufficient to obscure the area... and may be provided by plants, a solid screen fence or wall, or a combination thereof.</i></p> <p><i>Constructing a four-foot (4') fence in compliance with Sec. 5.8.5.4 would create a non-compliant structure per Sec. 28-29(d).</i></p>
		<u>X</u>	<p>Compliance would result in the unreasonable encroachment on an adjacent property or easement</p> <p><i>Not applicable based on information submitted by the requestor.</i></p>
		<u>X</u>	<p>The municipality considers the structure to be a nonconforming structure</p> <p><i>Not applicable based on information submitted by the requestor.</i></p>

CITY OF TAYLOR LDC SEC. 2.2.14. APPROVAL CRITERIA.

No variance shall be granted or imposed unless the ZBA finds:

- (1) That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of this LDC would deprive the applicant of the reasonable use of their property; and
- (2) That granting the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (3) That granting or the variance will not be detrimental to the public health, safety and welfare; and
- (4) That granting or the variance will not have the effect of preventing the orderly development of other property in the area in accordance with the provisions of this LDC.

Such findings of the Zoning Board of Adjustment together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Zoning Board of Adjustment meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in compliance with State law 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.

The ZBA may consider the following as grounds to determine whether compliance with the LDC as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified by the assessor for the municipality under Section 26.01, Tax Code;
- (2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- (3) Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (5) The municipality considers the structure to be a nonconforming structure.

Attachments:

- a) Letter of Intent from Applicant
- b) Improvement Details from Applicant
- c) Site Map showing location of Improvements
- d) Excerpt from Applicant's Submitted Application – Questions 1-7
- e) Location Map
- f) Notice Map

LETTER OF INTENT REASONS FOR VARIANCE TO STANDARDS

LETTER OF INTENT: The Applicant owns and operates a commercial portable restroom/fencing operation, which has been in operation and serving the City of Taylor for more than 30-years at this site, which is adjacent to the City Waste Water Treatment facility immediately to the south. In order to provide minor improvements to the operation, including two (2) covered shelters for some of the existing operations as well as pave existing parking areas that are currently gravel, the Applicant has been in the process of working with City Staff on obtaining land development permits for many months now. When the minor improvement application efforts began the site was still zoned M1, Light Industrial. However, during the review process the site was rezoned via a large-scale City-wide update of the Comprehensive Plan and City development regulations, making the existing commercial operation a pre-existing legal non-conforming use. Given the recent zone change to P2 Rural, Staff is requiring the completion of a rezone to P2C, Rural Commercial, and provide site upgrades in order to complete the aforementioned minor development improvements to the existing operation. In order to provide screening and security for a commercial use within the 1st Layer area, the applicant is proposing to construct a sight obscuring six-foot high fence as well as landscaping trees and shrubs (see the landscaping plan) along the frontage of OLG Cemetery Road. As such, the applicant is formally seeking a variance to the 1st Layer four-foot fencing height limitation identified in LDC 5.8.5.4, which states:

“Fence heights are regulated as by layer as follows. A four foot max height in the 1st layer. A six foot max height in the second layer and an eight foot max height in the third layer.”

Approval Criteria: No variance shall be granted or imposed unless the ZBA finds:

(1) That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of the LDC would deprive the applicant of the reasonable use of their property; and

APPLICANT RESPONSE: The commercial portable restroom/fencing business has been in operation for more than 30-years at this site, which is adjacent to the City Waste Water Treatment facility immediately to the south. Based on the unique circumstances in this case, the strict application of 4-foot-maximum fence height within the 1st Layer would deprive reasonable use by inhibiting the Applicant’s ability to reasonably provide security measures (six-foot fencing) around the entire commercial project site.

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

APPLICANT RESPONSE: The commercial portable restroom/fencing business has been in operation for more than 30-years at this site, which is adjacent to the City Waste Water Treatment facility. Allowing the construction of 6-foot-high site obscuring fence within

the 1st Layer would allow for the preservation, enjoyment by allowing for the reasonable ability to provide security for the entire commercial site.

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

APPLICANT RESPONSE: The granting of the variance to construct a 6-foot-high sight obscuring fence will not be detrimental to the public health, safety and welfare. Granting the minor variance will actually benefit the public by improving area views with a superior screening design (an additional 2-feet in height) and security for the commercial site.

(4) That the granting or imposition of the variance will not have the effect of preventing the orderly development of other property in the area in accordance with the provisions of the LDC. Such findings of the ZBA together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the 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 LDC and the Comprehensive Plan so that the public health, safety, and welfare may be secured. Financial hardship to the applicant, standing alone, except as provided for below 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 precedent for subsequent variances.

APPLICANT RESPONSE: The granting of the variance will not prevent the orderly development of other property in the area in accordance with the provisions of the LDC. The granting of a 6-foot-high sight obscuring fence will be in harmony with the general purpose and intent of this LDC and the Comprehensive Plan by improving views thru superior screening and providing security for a commercial use.

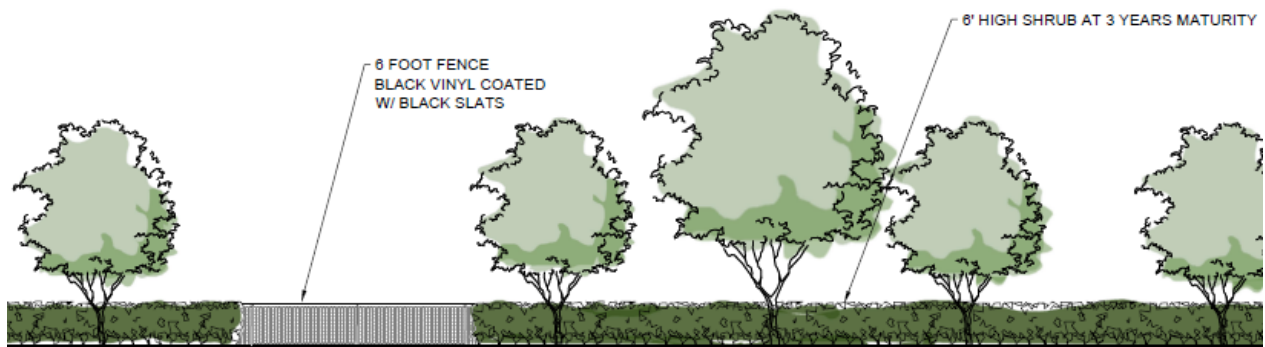
DESCRIPTION OF PROPOSED USE & VARIANCE RELATED IMPROVEMENTS

DESCRIPTION: There are no proposed use changes on the project site. The Applicant owns and operates a commercial portable restroom/fencing business that has been in operation and serving the City of Taylor for more than 30-years at this site, which is adjacent to the City Waste Water Treatment facility immediately to the south. The Applicant has been in the process of working with City Staff on obtaining land development permits for many months now. When the minor improvement application efforts began the site was still zoned M1, Light Industrial. However, during the review process the site was rezoned via a large-scale City-wide update of the Comprehensive Plan and City development regulations, making the existing commercial operation a pre-existing legal non-conforming use. Given the recent zone change to P2 Rural, Staff is requiring the completion of a rezone to P2C, Rural Commercial, and provide site upgrades in order to complete minor development improvements to the existing operation (including but not limited to 6-foot site obscuring perimeter fencing in the 1st Layer, which is the subject of the variance request).

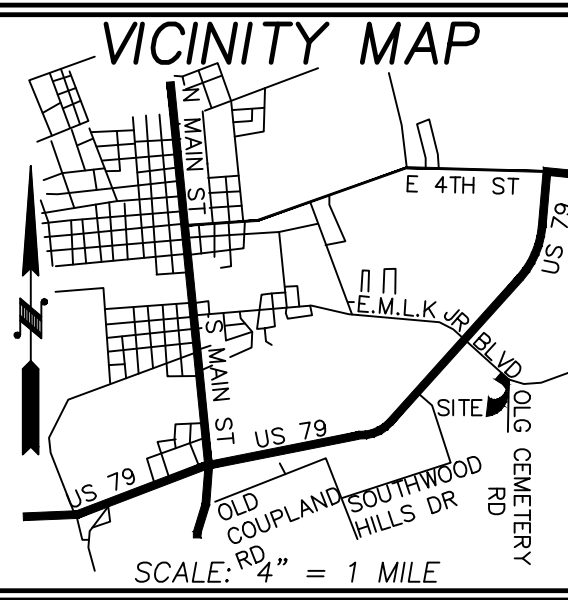
Proposed Variance related Improvements:

- The Applicant proposes to replace the existing barb-wire fencing within the 1st Layer with a six-foot-high site obscuring fence (chain-link with slats), which will provide improved screening (2 feet higher), improving area views and providing improved security for the site.

(NOTE: Although not part of the variance request, enhancement landscaping will also be planted along the street frontage in front of the proposed fencing, which will soften and naturalize the view of the fence – see landscape architect illustration below)



FRONTAGE ELEVATION - 6 FOOT HIGH FENCE



TAYLOR NWC HONEYBUCKET

R018997 - CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS

SITE PLAN

JOB NUMBER	9940
SCALE	1"=50'
DESIGNED GUM	EAM
DRAWN	N/A
CHECKED	N/A

PROPERTY DESCRIPTION

BEING 4.02 ACRES LOCATED IN THE PARTHENIA COURSEY SURVEY, ABSTRACT NUMBER 131, WILLIAMSON COUNTY, TEXAS, DESCRIBED TO MRP TEXAS, LLC IN DOCUMENT NUMBER 2019004630, AND BEING ALL OF THE REMAINDER OF A CALLED 10.00 ACRE TRACT OF LAND, DESCRIBED IN DEED TO M'LISSA D. LINDEMANN, IN DOCUMENT NUMBER 200300345 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT A CALLED 6.00 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 2006015897 OF SAID PUBLIC RECORDS; SAID 4.02 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT 1/2 INCH IRON ROD WITH "1433" CAP, FOUND FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 6.00 ACRE SAVE AND EXCEPT TRACT, AND SAME BEING IN THE SOUTHWEST RIGHT OF WAY OF FM 112, AVAILABLE WIDTH RIGHT OF WAY, NO DEED OF RECORD FOUND; THENCE, S 49°51'58" E, WITH A NORTHEAST LINE OF SAID REMAINDER TRACT AND THE TRACT DESCRIBED HEREIN FOR A DISTANCE OF 258.53 FEET TO AN IRON ROD WITH CAP, FOUND FOR THE EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING AT THE INTERSECTION OF LARRY STREET, A VARIABLE WIDTH RIGHT OF WAY, NO DEED OF RECORD FOUND; THENCE, S 19°41'45" E, WITH THE EAST LINE OF SAID REMAINDER TRACT AND THE TRACT DESCRIBED HEREIN, SAME BEING THE APPARENT WEST RIGHT OF WAY OF SAID LARRY STREET, FOR A DISTANCE OF 341.57 FEET TO A 1/2 INCH IRON ROD, FOUND FOR THE SOUTHWEST CORNER OF SAID REMAINDER TRACT AND THE TRACT DESCRIBED HEREIN, SAME BEING A NORTHEAST CORNER OF A CALLED 22.355 ACRE TRACT, DESCRIBED TO THE CITY OF TAYLOR IN VOLUME 501, PAGE 361 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; THENCE, S 67°53'52" W, WITH THE COMMON LINE OF SAID REMAINDER TRACT AND SAID 22.355 ACRE TRACT, FOR A DISTANCE OF 377.59 FEET TO A 3/4 INCH IRON ROD, FOUND FOR THE SOUTHWEST CORNER OF SAID REMAINDER TRACT AND THE TRACT DESCRIBED HEREIN, SAME BEING A SOUTHWEST CORNER OF A CALLED 56.67 ACRE TRACT, DESCRIBED TO TOM W. FORD IN DOCUMENT NUMBER 1996017724 OF SAID OFFICIAL RECORDS; THENCE, WITH THE COMMON LINES OF SAID REMAINDER TRACT AND SAID 56.67 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES: N 16°22'10" W, 279.00 FEET TO A 1/2 INCH IRON ROD WITH "RPLS 6714" CAP, SET; N 63°56'17" W, 83.40 FEET TO A 1/2 INCH IRON ROD WITH "RPLS 6714" CAP, SET; THENCE, N 30°19'01" E, WITH THE NORTH LINE OF SAID REMAINDER TRACT AND THE TRACT DESCRIBED HEREIN, SAME BEING THE SOUTH LINE OF SAID 6.00 ACRE SAVE AND EXCEPT TRACT, FOR A DISTANCE OF 377.61 FEET, BACK TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND, CONTAINING 4.02 ACRES, MORE OR LESS.

SITE DATA

PARCEL: R018997
 ACREAGE: 175,254.12 SF (4.02 ACRES)
 ZONING: P2 RURAL (ZONE CHANGE REQUESTED TO P2C RURAL COMMERCIAL)
 ADDRESS: FM 112, TAYLOR, TX 76574 (TAYLOR GIS)
 1900 OLG CEMETERY RD, TAYLOR, TX 76574 (GOOGLE MAPS)
 PROPOSED USE: PORTABLE RESTROOM DISTRIBUTION FACILITY
 FEMA FLOOD: PANEL NO. 48491C0542F DATED 12/20/2019
 FLOOD AREA: 47,652 SQ. FT.
 NO. OF LOTS: 1
 WATER: CITY OF TAYLOR
 SCHOOLS: NA
 ROADS: OLG CEMETERY ROAD
 POWER: TXU ENERGY
 FIRE DISTRICT: WILLIAMSON COUNTY FIRE
 SEWER: CITY OF TAYLOR

NOTES:

- SURVEY DATA PROVIDED HEREON IS PROVIDED BY: MC SURVEYING, L.L.C. GARRETT CAVAIUOLO, RPLS 31 SILVER ELM PLACE SPRING, TEXAS 77381 TEL: 737-202-8333
- A PORTION OF THIS PROPERTY (AS SHOWN HERE ON) IS LOCATED WITHIN FLOOD ZONE "A", AS SHOWN ON F.I.R.M. PANEL NO. 48491C0542F, WILLIAMSON COUNTY, TEXAS DATED DECEMBER 20, 2019. PER FEMA, ZONE "A" IS A SPECIAL FLOOD HAZARD AREA WITH 1% ANNUAL CHANCE OF FLOOD. ZONE "A" BASE FLOOD ELEVATION UNDETERMINED.
- A FLOOD STUDY HAS NOT BEEN PERFORMED, HOWEVER, FOR PURPOSES OF THE SUBJECT PROPOSAL THE ZONE "A" FLOOD PLAIN BOUNDARIES WERE SUPERIMPOSED FROM F.I.R.M. PANEL NO. 48491C0542F AND ARE CONSERVATIVE AS RELATES TO THIS PROPERTY. THE FLOOD PLAIN BOUNDARY IS SUBJECT TO CHANGE UPON A FLOOD STUDY BEING COMPLETED AND APPROVED BY THE APPROPRIATE JURISDICTION.
- TREE SURVEY NOTE: THE CANOPY/ROOT ZONE (RZ) SHOWN HEREON WERE DETERMINED BY USING THE FORMULA OF TREE DIAMETER (IN INCHES) X 2 CANOPY/ROOT ZONE (IN FEET). MULTI-TRUNK TREES DIAMETER WAS DETERMINED BY THE SUM OF THE PRIMARY TRUNK DIAMETER (IN INCHES) PLUS HALF THE DIAMETER (IN INCHES) OF EACH ADDITIONAL TRUNK. MULTI-TRUNK TREES ARE IDENTIFIED IN THE COLUMN LABELED "MT".

BASE FLOOD ELEVATION NOTES:

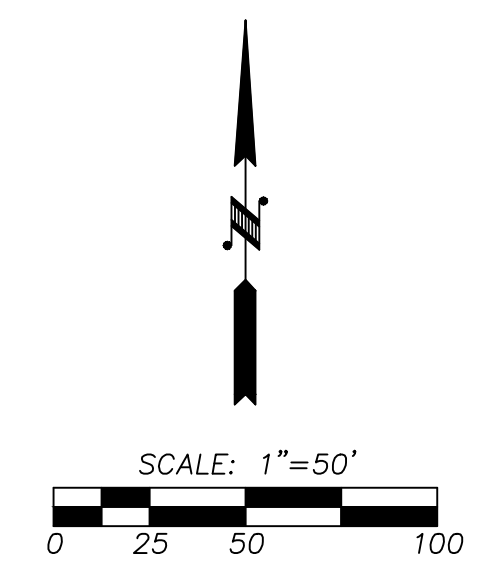
- BASE FLOOD ELEVATIONS SHOWN ON THIS MAP ARE SHOWN AS APPROXIMATE AND WERE ESTABLISHED FROM BEST AVAILABLE FEMA FIRM PANEL OVERLAY AND CITY OF TAYLOR G.I.S. 100YR FLOODPLAIN OVERLAY INFORMATION. THE FLOODPLAIN BOUNDARY IS SUBJECT TO CHANGE UPON A FLOOD STUDY BEING COMPLETED AND APPROVED BY THE APPROPRIATE JURISDICTION.
- MINIMUM FLOOR SLAB FOR CONSTRUCTION OF ANY STRUCTURES ON A LOT WITHIN THE ONE HUNDRED (100) YEAR FLOODPLAIN SHALL BE A MINIMUM OF TWO(2) FEET ABOVE THE ONE HUNDRED (100) YEAR FLOODPLAIN.

CONTRACTOR / DEVELOPER NOTE:

THE CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED MATERIAL TESTING, COMPACTION TESTING, AND APPLICABLE INSPECTIONS AS REQUIRED BY CITY OF TAYLOR AND PRIVATE ENGINEER. THE CONTRACTOR SHALL SUPPLY CERTIFYING ENGINEER WITH DOCUMENTATION SIGNED BY A PROFESSIONAL SOILS AND/OR MATERIALS ENGINEER SHOWING THAT THE ANY ACCESS AND/OR UTILITY WAS BUILT ACCORDING TO THE RECOMMENDATIONS OF THE SITE GEOTECHNICAL ENGINEER, THE BACKFILL MATERIAL MEETS MINIMUM CITY/STATE REQUIREMENTS, COMPACTION WAS ACHIEVED IN ALL TRENCHES AND ROAD SECTION, AND ALL CONSTRUCTION MATERIALS AND CONSTRUCTION METHODS SHOWN ON THESE PLANS HAVE BEEN FOLLOWED.

CALL BEFORE YOU DIG
 THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

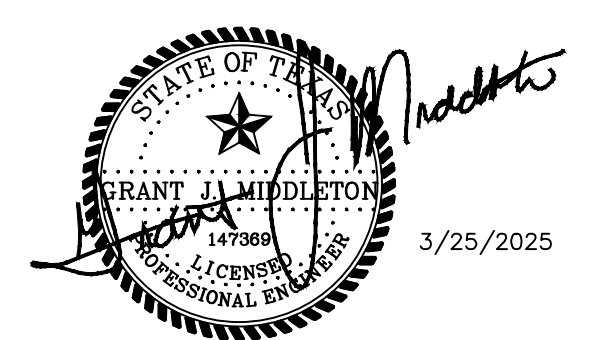
LINE	BEARING	DISTANCE
L1	S 49°51'58" E	258.53
L2	S 19°41'45" E	341.57
L3	S 67°53'52" W	377.59
L4	N 16°22'10" W	279.00
L5	N 63°56'17" W	83.40
L6	N 30°19'01" E	377.61
L7	S 19°41'45" E	241.32
L8	S 71°32'57" W	71.34
L9	N 18°27'03" W	20.00
L10	N 71°32'57" E	63.25
L11	N 26°32'12" W	30.98
L12	N 34°33'33" W	40.12
L13	N 45°35'08" W	242.45



VERTICAL DATUM
 WILLIAMSON COUNTY
 BM: X200
 MAG NAIL LOCATED APPROXIMATELY 300 FEET SOUTH FROM THE INTERSECTION OF FARM TO MARKET 112 AND OLG CEMETERY ROAD.
 ELEV: 519.61
CONTOUR INTERVAL=1'
 TOPOGRAPHY PREPARED BY MC SURVEYING, LLC

- #### LEGEND
- P/L PROPERTY LINE
 - R/W R/W LINE
 - ADJOINER
 - EASEMENT
 - PROPOSED WHEEL STOPS
 - PROPOSED HEAVY DUTY ASPHALT
 - PROPOSED LIGHT DUTY ASPHALT
 - PROPOSED GRAVEL
 - EXISTING CONTOUR
 - EXISTING EDGE OF PAVEMENT
 - EXISTING LIGHT
 - EXISTING COVERED AREA
 - EXISTING CONX TRAILER TO REMAIN
 - EXISTING TREE
 - ESTIMATED EXISTING TREE CANOPIES
 - EXISTING POWER POLE ANCHOR
 - EXISTING POWER POLE
 - EXISTING WATER METER
 - EXISTING WATER GATE VALVE
 - EXISTING WATER MAIN PER CITY OF TAYLOR, TEXAS GIS
 - EXISTING TELEPHONE RISER
 - EXISTING POWER J-BOX
 - EXISTING CABLE J-BOX
 - EXISTING FENCE
 - APPROXIMATE FEMA FLOOD ZONE PER MC SURVEY SIGNED 10-04-2021
 - APPROXIMATE CITY OF TAYLOR FLOOD PLAIN FROM CITY OF TAYLOR G.I.S. MAPPING SYSTEM
 - EXISTING GRAVEL AREA 68,874 SF
 - EXISTING CONCRETE PAD
 - EXISTING NATIVE VEGETATION AREAS
 - PROPOSED BUILDING
 - PROPOSED STORM FACILITY
 - PROPOSED 6"-HIGH CYCLONE WIRE FENCE WITH SITE OBSCURING SLATS

REVISION BLOCK			
NO.	DATE	DESCRIPTION	BY



3/25/2025

DATE: 3/3/2025
 DRAWING NO.: 9940BASE
 SHEET 1 OF 1

PROPOSED BY: NWC #5 PARTNERSHIP
 P.O. BOX 73399
 PUYALLUP, WA 98373-0399
 CONTACT: MARK PERRY
 PH: (253)484-2371
LARSON and ASSOCIATES
 surveyors, engineers & planners
 9027 PACIFIC AVENUE, SUITE 4
 TACOMA, WA 98444 (253) 474-3404
COVER SHEET

MyGovernmentOnline Portal

Zoning Variance Questions:

Description of Proposed Use *

Description of proposed use, building and site improvements, seating capacity, and number of off-street parking spaces, etc., as applicable to the proposed dimension quantity, or other feature for which the variance is requested.

APPLICANT RESPONSE: The feature for which the variance is being requested is the 4-foot height restriction in 1st Layer for a commercial use.

Zoning Variance Question 1 *

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

APPLICANT RESPONSE: The City inadvertently rezoned this site, a 30-year old commercial business, from Industrial to P2 Rural. The Applicant owns and operates a commercial portable restroom/fencing business that has been in operation and serving the City of Taylor for more than 30-years at this site, which is adjacent to the City Waste Water Treatment facility immediately to the south. The Applicant has been in the process of working with City Staff on obtaining land development permits for many months now. When the minor improvement application efforts began the site was still zoned M1, Light Industrial. However, during the review process the site was rezoned via a large-scale City-wide update of the Comprehensive Plan and City development regulations, making the existing commercial operation a pre-existing legal non-conforming use. Given the recent zone change to P2 Rural, Staff is requiring the completion of a rezone to P2C, Rural Commercial, and provide site upgrades in order to complete minor development improvements to the existing operation (including but not limited to 6-foot site obscuring perimeter fencing).

Zoning Variance Question 2 *

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

APPLICANT RESPONSE: The variance request was prompted due to an oversight in the newly adopted City code that appears to limit fence heights to 4 feet in the 1st Layer in all zone within the City. For example, the new code does not include or acknowledge the possibility of differing needs for commercial or industrial applications or considerations, etc. There are no conditions or characteristics listed in Question #1 that are a direct cause of the property owner. The City has inadvertently rezoned a 30-year-old commercial business next to the City Wastewater Facility from Industrial to P2 Rural. The applicant is being required to come into greater compliance with City design regulations in order to complete minor improvements that do not change the existing use. One of the minor improvements is fencing, which is needed for the benefit of the public and neighbors by providing security, screening and landscaping to improve area views.

Zoning Variance Question 3 *

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?

APPLICANT RESPONSE: The conditions or characteristics were not caused by the owner, but adoption of regulations that do not include or acknowledge the possibility or differing needs for commercial or industrial applications or considerations benefiting both operators and the public.

Zoning Variance Question 4 *

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

APPLICANT RESPONSE: The 30-year-old business owner would be prevented from providing reasonable security to a commercial business site. It could also have an adverse effect on neighboring properties from an aesthetic standpoint.

Zoning Variance Question 5 *

Is the amount of variance requested the minimum necessary to meet the needs of the applicant or property owner?

APPLICANT RESPONSE: Although greater fence heights are permitted within other Layers, yes, the 2-foot increase in fence height in the 1st Layer is the minimum amount of variance necessary to meet the needs of the property owner for security purposes.

Zoning Variance Question 6 *

To what extent is the request for a variance based upon a desire of the owner, occupant, or applicant for increased financial gain from the property, or to reduce an existing financial hardship?

APPLICANT RESPONSE: The request is not based on financial gain, but will cost the owner more to construct. Not permitting the owner to establish reasonable safety features could also be considered a financial hardship in the event of potential theft or vandalism. The additional 2-feet in fence height in combination with landscaping will also serve to better screen the site and benefit the public's interest with additional screening.

Zoning Variance Question 7 *

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?

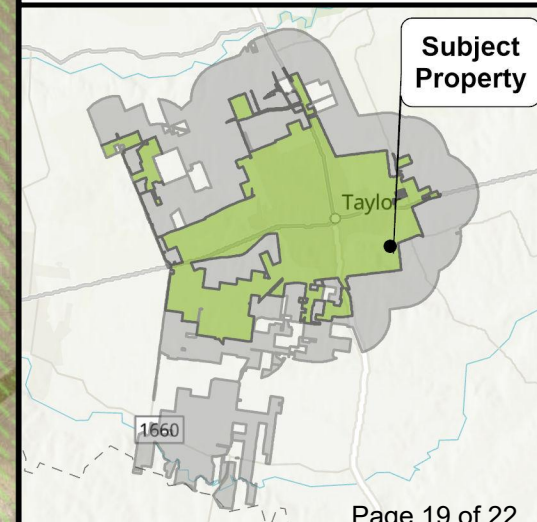
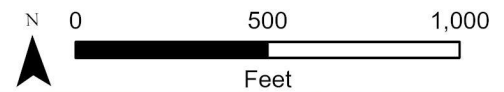
APPLICANT RESPONSE: The affect of the additional 2-feet in fence height in combination with landscaping will be as significant upgrade to better screen the site, benefiting the public's interest through improved views as well as support property values within the neighborhood.



PZ-2025-2434

1900 O L G Cemetery Road
Fence variance
Location Map
Approximately 4.1 acres

- Subject Property
- City Limits
- ETJ Boundary
- Parcels

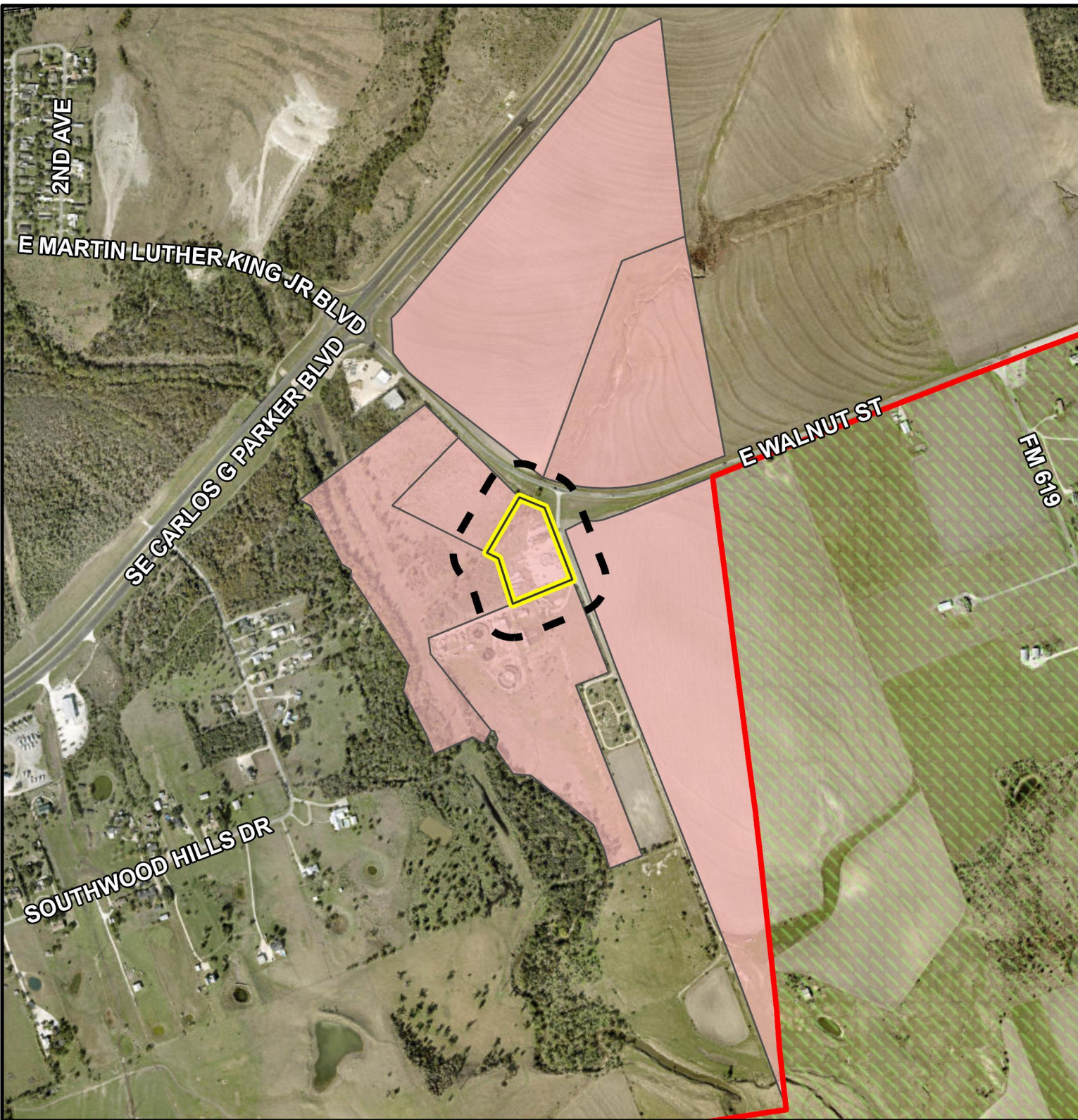
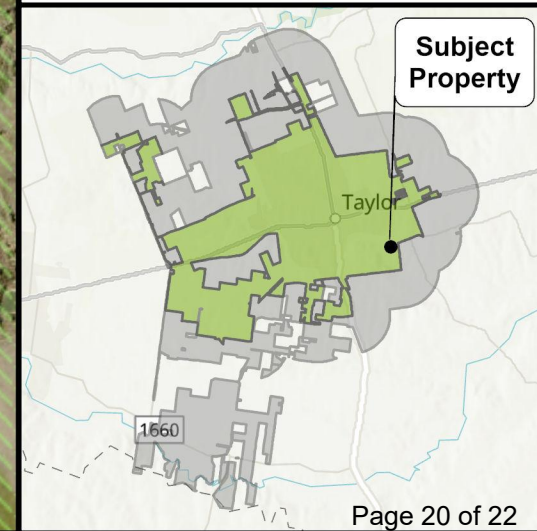
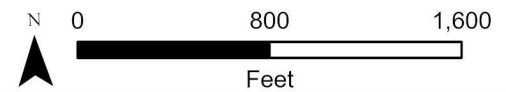




PZ-2025-2434

1900 O L G Cemetery Road
Fence variance
Notification Map
Approximately 4.1 acres

- Subject Property
- 200-ft. Buffer
- City Limits
- ETJ Boundary
- Notified Properties





City Council Meeting April 1, 2025 Transmittal Letter

STRATEGIC PILLAR
Quality of Life Economic Vitality

Agenda Item Number: 3.

Agenda Title: PZ-2025-2434 – Take action regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards for a property generally located at 1900 O L G Cemetery Road, legally described as Honey Bucket Lot 1, Block 1, Lot 1, 4.02 acre tract of land, more particularly described by Williamson Central Appraisal District Parcel R665367, Taylor, Williamson County, Texas.

Council Action to be Taken: Consider and determine the variance request

Department Submitted: Development Services

Staff Contact: Preston Gunn

1. PURPOSE / DESCRIPTION

Take action regarding a request for a variance from the Land Development Code, Section 5.8.5.4 related to Fence Standards

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The request is for the business referred to as Honey Bucket (portable restrooms). The applicant has requested that a 6-foot fence be allowed in the first layer of the property. The applicant wishes to increase their screening and add security to their site. The applicant intends to surround the portion of the property not in the floodplain with a 6-foot fence. Only the portion facing OLG Cemetery Road will have the additional screening.

Staff finds that the provisions of LDC Sec. 5.8.5.4 limiting fencing/screening to 4' in the First Layer is inconsistent with Sec. 28-29(d) of the city's Vegetation Code, which requires outdoor storage areas to be screened from all public streets. The minimum height for screening shall be six feet (6'), or a height sufficient to obscure the area... and may be provided by plants, a solid screen fence or wall, or a combination thereof.

Constructing a four-foot (4') fence in compliance with Sec. 5.8.5.4 would create a non-compliant structure per Sec. 28-29(d).

3. PROS and CONS

<u>PROS</u>	<u>CONS</u>
•	•

4. RECOMMENDATION

Discuss and consider the requested variance.

5. FUNDING SOURCE

n/a

6. TIMELINE

n/a

7. OTHER OPTIONS

n/a

8. ATTACHMENTS

None