AGENDA

BOARD OF ADJUSTMENT

SPECIAL TELECONFERENCE MEETING

TUESDAY, JUNE 23, 2020 6:30 P.M.

In accordance with social distancing guidelines, the meeting will not be open to the public. Board members, the applicants, and City staff will attend by phone or internet. The meeting will be streamed live for attendance of the public. To access please do the following:

1. Go to www.youtube.com
2. Type in the words “City of Elgin, TX” into the top search feature
3. Then click on the dark blue icon that says “Elgin Texas Perfectly Situated”
4. Then look for the “City of Elgin, Texas Board of Adjustment Meeting 6/23/20”
5. Then click on it for a live broadcast.

There will be an opportunity for the public to submit written comments prior to the meeting on agenda items. These comments must be submitted by emailing the Development Services Director at dharrell@ci.elgin.tx.us or by calling 512-229-3254 by 5:00 PM on June 23, 2020 and leaving a message. These will be read in full at the meeting during the agenda item.

1. CALL TO ORDER

2. CONSENT AGENDA
   All matters listed below are to be considered routine by the Board and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.
   1. Consider approval of the following Minutes

   2.I. December 11, 2019 Special Meeting Minutes

   Documents:

   DECEMBER 11, 2019 SPECIAL MINUTES.PDF

3. NEW BUSINESS

   3.I. Project #202000339: A Zoning Variance From Section 46-233 To Further Exceed The Maximum Forty-Five Percent (45%) Impervious Surface Coverage On The Lot For Placement Of A New Building Located At 902 W. 2nd St. (A18 BURLESON,
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CALL TO ORDER

CONSENT AGENDA

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1. Consider approval of the following Minutes
   December 11, 2019 Special Meeting Minutes
   DECEMBER 11, 2019 SPECIAL MINUTES.PDF

NEW BUSINESS

Project #202000339: A Zoning Variance From Section 46-233 To Further Exceed The Maximum Forty-Five (45%) Impervious Surface Coverage On The Lot For Placement Of A New Building Located At 902 W. 2nd St. (A18 BURLESON, JONATHAN, ACRES 17.8900, (HIGH SCHOOL)).

A. Staff Presentation
B. Applicant Presentation
C. Open Public Hearing
D. Close Public Hearing
E. Consideration

VARIANCE PACKET.PDF

4. ANNOUNCEMENTS

5. ADJOURNMENT

The Board may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code. The board will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary’s Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-5724. Servicios de traduccion disponible en la reunion.
Chair Franklin Boettcher called the meeting to order at 6:00 P.M. in the Council Chambers, City Hall Annex, 310 N Main St., Elgin, Texas. Members present were Franklin Boettcher, Chair; S.H. McShan, Ruby Simms, Brenda Piña, Regan Dumbeck, Stephen Kylberg and Darren Mogonye. Planning and Community Development Director David Harrell and Planning Technician Melissa Lipiec were present.

PUBLIC COMMENTS FOR NON-AGENDA RELATED ITEMS.
There were not public comments.

CONSENT AGENDA

1. Consider approval of the following Minutes:
   A. October 29, 2019 Special Meeting
   Brenda Piña stated that her name needed to be corrected to include the tilde over the “n” in her last name. On a motion by Regan Dumbeck, seconded by Ruby Simms, the Board voted unanimously to approve the minutes.

PUBLIC HEARING

1. Project #201900642: A zoning variance from Section 46-598 in order to occupy one (1) recreational vehicle while it is parked or stored outside of a trailer court located at 209 E. 2nd St. (Elgin Family Medical Center).
   A. Staff Presentation
      David Harrell read the report into the record.
   B. Applicant Presentation
      Dr. Biel stated that he has served the citizens of Elgin for 40 years and had been utilizing the recreational vehicle for the past 30 years and restated that it would be a hardship on him if he would not be allowed to continue utilizing the recreational vehicle.
   C. Open Public Hearing
      Public hearing was opened at 6:17 P.M.
      Keith Kubosh of 301 E. 2nd St. and Kimberly Torres Singleton of 106 N. Ave E spoke in favor of allowing the use of the RV.
   D. Close Public Hearing
      Public hearing was closed at 6:18 P.M.
   E. Board Discussion
      There was a brief discussion by the Board.
   F. Consideration
      On a motion by Regan Dumbeck, seconded by Brenda Piña, the Board unanimously voted to approve Project #201900642.
ELECTION OF CHAIR AND VICE-CHAIR FOR 2020
On a motion by Brenda Piña, seconded by Stephen Kylberg; the Board unanimously voted to elect Regan Dumbeck as Chair. On a motion by Brenda Piña, seconded by Darren Mogonye; the Board unanimously voted to elect Stephen Kylberg as Vice-Chair.

ANNOUNCEMENTS
There was no discussion.

ADJOURNMENT
The Chair adjourned the meeting at 6:32 P.M.

___________________________________
Regan Dumbeck, Chair

Attested: __________________________________
Melissa Lipiec, Secretary

On a motion by ________________________, seconded by ___________________________ the foregoing instrument was passed and approved this _______ day of __________________, 2020.
Development Services Department

STAFF REPORT

Application for Zoning Variance

File Number: 202000339

Date: June 14, 2020

Applicant: Ramtech Building Systems, Inc. c/o Gary A. Davenport

Representative: SAME

Hearing Date: Board of Adjustment – June 23, 2020

Location: 902 W. 2nd St.

APPLICATION SUMMARY

Consideration (action) by the Board of Adjustment of a Variance from Section 46-233 to further exceed the maximum forty-five percent (45%) impervious surface coverage on the lot for placement of a new building located at 902 W. 2nd St. (A18 BURLESON, JONATHAN, ACRES 17.8900, (HIGH SCHOOL)).

DEPARTMENT COMMENTS

The present R-1 Single Family District zoning only allows for a maximum forty-five percent (45%) impervious surface coverage (ISR). A summary of the request is below:

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>Maximum ISR</td>
<td>45%</td>
</tr>
<tr>
<td>Present ISR</td>
<td>59.8%</td>
</tr>
<tr>
<td>New ISR if approved by Board</td>
<td>60.6%</td>
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</tbody>
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The present site already exceeds the impervious surface requirements due to the large parking field on the lot. This variance request will allow for a new building which is a 6,536 square foot medical use that would be moved out of the existing main school building. Civil plans have been included to indicate the building placement and associated site improvements.

Under Section 46-87 the Board must determine the granting the variance will not be contrary to the public interest, where owning to special conditions, the literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done. Under Section 211.008, TLGC, at least 75% of the Board members must be present at the meeting to hear the case and under Section 211.009, TLGC, the concurring vote of 75% is needed to authorize a variation from the terms of the zoning ordinance. Since there are five (5) regular members on the Board, at least four (4) would need to vote to approve the request.
STAFF ANALYSIS
Staff believes the variance would not be contrary to the public interest since the site has large areas of grass which helps offset the increase in impervious coverage (see attachment 3). Also, the request only adds less than one (1%) to the total impervious coverage which is a minimal impact in Staff’s professional opinion (see attachment 2). Based on this information enforcement staff believes there is an unnecessary hardship and granting of this variance by the Board would result in substantial justice.

The Board is not bound to the Staff’s interpretations of the findings of fact and may determine their own standards concerning the findings of fact independent of Staff’s which may result in either approval, approval with conditions, or denial of the request.

ATTACHMENTS
Additional information is provided through attached exhibits.
- Application
- Site Plan
- Zoning Map
- Proposed Medical Building
Attachment 1
Application
ZONING VARIANCE APPLICATION

Date: May 15, 2020; amended June 11, 2020

SITE INFORMATION

Project Address: 902 WE 2nd Street, Elgin TX

Parcel Identification Number (if no address): ________________

APPLICANT

Name: Ramtech Building Systems, Inc.; Gary A. Davenport, AIA, VP of Architecture

Postal Address: 1400 US 287 S, Mansfield, TX 76063

E-Mail Address: gdavenport@ramtechgroup.com, Phone Number: 817-473-9376

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Signature: ________________________ Printed Name: Gary A. Davenport, AIA

Date: 5/15/2020

Project Description:

New Modular Office Medical Building for Community Health on Elgin ISD property in accordance with current operation relocating on the current Phoenix High School campus. This Variance request is for an increase of the existing impervious area of 466,218 S.F (59.8%) to 472,754 S.F. (60.6%) as shown on the attached S.U.P. Site Plan (revised June 11, 2020). The existing clinic is contained within the existing school moving to the proposed location which originally housed 2 portable classrooms. This facility provides medical and dental services for the community whose absence would deny much needed health services and facilities for community citizens which is contrary to the public interest. Approval of this requested Variance will enhance community services and is an essential protection of the life, safety and welfare of the individuals using the facility meeting the spirit of the zoning ordinance.
Attachment 2
Site Plan
SUP SITE PLAN FOR ELGIN MEDICAL CLINIC

902 WEST 2ND STREET

BEING OUT OF THE JONATHAN BURLESON SURVEY,
ABSTRACT NO. 18,
CITY OF ELGIN, BASTROP COUNTY, TEXAS

Date Prepared: May 15, 2020
Date Revised: June 11, 2020

OWNER:

SITE SUMMARY TABLE

GENERAL SITE DATA
EXISTING ZONING R-1
LAND USE EXISTING MIDDLE SCHOOL TO REMAIN
ADDING PROPOSED MEDICAL CLINIC
LOT AREA 779,860 S.F. (17.903 ACRES)
MAXIMUM LOT COVERAGE 50% PER ORDINANCE
VARIANCE REQUESTED
SETBACKS 25' STREET FRONTAGE

IMPERVIOUS AREA CALCULATIONS

EXISTING
IMPERVIOUS AREA
59.8%
PROPOSED
IMPERVIOUS AREA
60.6%
Attachment 3
Zoning Map
Attachment 4
Proposed Medical Building
### GENERAL CONSTRUCTION NOTES

- All construction work must be done in compliance with local building codes and regulations.
- The contractor must provide a written guarantee of the work's quality.
- Material deliveries must be coordinated with the site's access and safety considerations.
- All excavations shall be supervised by a qualified professional.
- Safety equipment and procedures must be in place.

### EROSION CONTROL NOTES

- Erosion control measures are required, including silt fences, sediment basins, and temporary slopes.
- All disturbed areas shall be covered to prevent soil erosion.
- Site drainage must be designed to prevent water runoff from affecting neighboring properties.

### GRADING NOTES

- Grading plans shall be submitted for review and approval before any excavation work.
- Slopes shall be designed to ensure stability and prevent water accumulation.
- All grading work shall be performed in accordance with the approved plans.

### ACCESSIBILITY NOTES

- The construction project shall comply with the Americans with Disabilities Act (ADA) requirements.
- All public access points shall be designed to be accessible to individuals with disabilities.
- Access ramps and elevators shall be provided where necessary.

### ENGINEERING NOTES

- All structural design shall be performed by a licensed professional engineer.
- Load-bearing walls and foundations must be designed to withstand the expected forces.
- All structural components shall be fabricated and installed in accordance with the approved plans.

### WATER AND SANITARY SEWER NOTES

- All water and sanitary sewer systems shall comply with the applicable codes and regulations.
- Sewer lines must be designed to prevent backflow and cross-connections.
- Water lines shall be sized to meet the project's demand.

### TRAFFIC CONTROL NOTES

- Traffic control plans shall be developed to minimize the impact of construction on local traffic.
- All work zones shall be clearly marked and delineated.
- Traffic detours and signs shall be provided as necessary.

### FRANCHISE UTILITY NOTES

- All franchise utilities shall be coordinated with the construction plans.
- All underground utilities shall be marked before excavation.
- Utilities shall be protected during construction.

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**Note:**
- All work shall be performed in accordance with the approved plans and specifications.
- Change orders shall be issued for any deviations from the approved plans.
- All work shall be inspected by the appropriate authorities before acceptance.

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**811 Line:**

Call before you dig.

(911 hours prior to digging)
24.7'x4' ADA RAMP (8.33% SLOPE MAXIMUM) WITH RAILING AND LANDING. DESIGN BY OTHERS. REFER TO ARCHITECTURAL.

SAW-CUT APPROXIMATELY 14 LF OF EXISTING SIDEWALK PROPOSED

PREMANUFACTURED BUILDING 6,536 SF F.F.E. = 577.80'

EXISTING BARRIER FREE ACCESSIBLE RAMP

EXISTING PARKING

PORTABLE BUILDING

ASPHALT PAVEMENT

EXISTING CONCRETE SIDEWALK

ASPHALT PAVEMENT

PORTABLE BUILDING

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STA: 2+18.49 ~ SS LINE
INSTALL: 1 - 8"x2" TAPPING SADDLE AND GATE VALVE
CONTRACTOR TO INSTALL 1 - 2" CITY APPROVED BACKFLOW PREVENTION DEVICE.

STA: 1+99.39 ~ SS LINE
INSTALL: 1 - 6" 45° WYE WITH SINGLE CLEANOUT.

STA: 1+07.07 ~ SS LINE
INSTALL: 1 - 6" 45° BEND

STA: 1+00.00 ~ SS LINE
CONNECT PROPOSED 6" SANITARY SEWER LINE TO EXISTING 8" SANITARY SEWER LINE. CONTRACTOR TO FIELD VERIFY VERTICAL AND HORIZONTAL LOCATION PRIOR TO CONSTRUCTION.

CONTRACTOR TO INSTALL APPROXIMATELY 73 LF OF 2" DOMESTIC WATER SERVICE LINE.
CONTRACTOR TO CUT, PLUG, AND ABANDON IN PLACE EXISTING SANITARY SEWER SERVICE LINE.

NOTE: CONTRACTOR TO COORDINATE TRAFFIC CONTROL WITH CITY INSPECTOR.
CONTRACTOR TO ACHIEVE A MINIMUM SLOPE OF 2%.

GRAPHIC SCALE
1 inch = 10 ft.

BENCHMARKS
ELGIN CLINIC
WEST 10TH STREET
ELGIN, TEXAS

NOTES TO CONTRACTOR
NOTE: CONTRACTOR TO REMOVE AND REPLACE ASPHALT PAVEMENT.
NOTE: CONTRACTOR TO INSTALL APPROXIMATELY 73 LF OF 2" DOMESTIC WATER SERVICE LINE.
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NOTE: CONTRACTOR TO CUT, PLUG, AND ABANDON IN PLACE EXISTING SANITARY SEWER SERVICE LINE.
NOTE: CONTRACTOR TO FIELD VERIFY VERTICAL AND HORIZONTAL LOCATION PRIOR TO CONSTRUCTION.
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NOTE: CONTRACTOR TO FIELD VERIFY VERTICAL AND HORIZONTAL LOCATION PRIOR TO CONSTRUCTION.
2. IT IS RECOMMENDED THAT THE CONTRACTOR VISIT THE JOB SITE PRIOR TO BIDDING.

3. THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES SHOWN ON PLANS WERE TAKEN FROM PLANS PREPARED BY OTHERS AND OTHER UTILITIES NOT SHOWN MAY EXIST. THIS ENGINEER TAKES NO RESPONSIBILITY FOR THE DEPTH AND LOCATION OF EXISTING UTILITIES SHOWN ON PLANS.

4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ALL UTILITY COMPANIES TO VERIFY THE LOCATION AND DEPTH OF THE UTILITIES IN THE FIELD PRIOR TO ANY CONSTRUCTION. CONTRACTOR SHALL CONTACT DIGTESS PRIOR TO ANY EXCAVATION. 1-800 DIGTESS. ALSO CALL "TEXAS ONE CALL" 1-800-545-6005 NO MORE THAN 14 DAYS PRIOR AND 48 HOURS BEFORE DIGGING.

5. THE CONTRACTOR SHALL PROTECT ALL EXISTING PRIVATE AND PUBLIC FEATURES/UTILITIES FROM DAMAGES. THE CONTRACTOR SHALL BE HELD FINANCIALLY RESPONSIBLE FOR ANY DAMAGE DONE BY HIS CONSTRUCTION.

6. THE CONTRACTOR SHALL MAINTAIN THE FLOW OF TRAFFIC AT ALL TIMES AND PROVIDE ACCESS TO ALL DRIVES. A TRAFFIC CONTROL PLAN TO BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL PRIOR TO ANY CONSTRUCTION.

7. SHEETING, SHORING, & BRACING: THE CONTRACTOR WILL ABIDE BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS GOVERNING EXCAVATION. TRENCHES AND SIDE SLOPES, SHALL MEET OCCUPATION SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS. WHEN THE TRENCH DEPTH EXCEEDS 5', THE CONTRACTOR SHALL SUBMIT DETAIL TRENCH SAFETY PLANS TO THE CITY. THESE PLANS WILL BE SEALED BY AN ENGINEER REGISTERED BY THE STATE OF TEXAS.

8. THE CONTRACTOR SHALL COMPLETE PROJECTS SUCH THAT IT ALLOWS FOR DRAINAGE OF TRENCHES TO THE CURB OR STREET. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR PERMITTING, DRAINAGE AND EROSION CONTROL.

9. CONTRACTOR SHALL COORDINATE ELECTRICAL SERVICE WITH ELECTRIC COMPANY. CONTRACTOR SHALL SUBMIT ALL CONTRACTS TO THE CITY ENGINEER FOR APPROVAL. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES TO VERIFY ALL SERVICE REQUIREMENTS. ALL UTILITY COMPANY CHARGES SHALL BE INCLUDED IN BASE BID.

10. ELECTRICAL CONTRACTOR SHALL COORDINATE ELECTRICAL SERVICE WITH ELECTRIC COMPANY.