

AGENDA ITEM # 5

March 10, 1998

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Consider granting final plat approval to Resubdivision of Lot 112, Great Oaks Subdivision.

Commissioner Hays advised the City of Round Rock has approved this plat.

Moved: Commissioner Hays

Seconded: Commissioner Boatright

Motion: To grant final plat approval to Re-subdivision of Lot 112, Great Oaks Subdivision.

Vote: Motion carried 5 - 0

AGENDA ITEM # 6

March 10, 1998

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Consider granting final plat approval to West Ridge Subdivision.

First Assistant County Attorney Dale Rye addressed the audience regarding the limitations of Williamson County Commissioners Court regarding subdivision approval.

Commissioners Court is required to approve any plats before being filed in the County Clerk's office. The State Legislature has felt for well over 100 years that county commissioners should have very little authority over land use in the county. Counties do not have zoning authority, planning authority, or building code authority like cities.

State statute essentially states a Commissioners Court can require a plat to be filed in the County Clerk's office;

The roads within the subdivision be layed out in compliance with the county road standards;

The drainage in connection with those roads be in compliance with county standards;

Financial statements be filed insuring construction of the roads and drainage in the subdivision.

Commissioners Court **can not** regulate lot size or use of the land. Basically, all the Commissioners Court **can do** is determine "does the proposed plat meet the requirements of the state statute and the county's subdivision requirements pursuant to the state statutes?"

The commissioners and their predecessors have appealed to the state legislature for numerous past years for more authority to no avail. So, even though the commissioners may share your concern, they are very limited on their authority.

Judge Doerfler invited those protesting the subdivision to introduce themselves and make a short address from the podium.

Commissioner Mehevec asked if West Ridge Lane was a collector street to which County Engineer Joe England said no. A collector street is defined as one with traffic of a minimum of 1,000 cars per day. Commissioner Mehevec also had a question about the field notes and the right-of-way dedication. Rodney Sherrill of Sherrill Engineering stated a minimum of 30' from the center line of existing roadway was designated for right-of-way dedication.

Commissioner Mehevec asked if a tombstone was located on this property. A member of the audience answered the tombstone was located on this property line.

Moved: Commissioner Mehevec

Motion: To table approval until the local homeowners have an opportunity to mark the grave sites, address his concern of the field notes being incorrect and the road being upgraded to 60' on collector street (West Ridge Lane).

Engineer Rodney Sherrill advised the graves are not located in this section of the property but near FM 2338 and to his knowledge the field notes are correct....the property boundary line is described and 2 additional parcels are being dedicated through a description to a line table.

County Engineer Joe England advised the court approved this road as a 50' right-of-way on December 9, 1997, during preliminary plat approval.

John Fenoglio had filed a formal complaint with TNRCC on the drainage problem occurring on the state highway. He advised his father had submitted a letter to Judge Doerfler which Commissioner Hays requested be made a part of the record of this meeting. He expressed concern over septic systems to which Health Department Environmental Director Paulo Pinto advised since this property is not located over the Edwards Aquifer recharge zone only 20,000 square feet or 1/2 acre is required for a septic system.

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Mr. Pinto advised soil samples had been submitted on this proposed subdivision showing no problems. When a certified public water supply is available, only 1/2 acre is required for a septic tank and Chisholm Trail Water Supply Corporation advised they have 30 taps available at this time with the Stillhouse project to be completed before additional service will be available to the remainder of the subdivision.

Resident George Gregory discussed drainage and run off, a creek bed crossing this property and over to FM 2338 has been filled in. His concern was the possibility of water backing up. County Road 248 experiences flooding all the way across the entrance to this proposed subdivision and have any environmental studies been made on this property?

County Engineer Joe England advised the law states the downstream amount of water cannot be increased nor re-directed.

Developer Nelson Shipman offered to point out the grave of a baby buried in the 1860's on property which is not located on this first subdivision phase. Lester Fisher knows the location of the grave and appropriate action will be taken at the appropriate time. The whole subdivision has been designed around sheet drainage using curbs instead of ditches to avoid erosion. The county has more roadway easement on County Road 248 than any of the adjoining properties which have been deeded years ago.

There is an existing sink hole located on old topography maps in front of the property. Some grades have been shot of the area and a drainage culvert can be installed which Mr. Shipman will have installed should the county not have the money or time to accomplish the installation. Mr. Sherrill has extensive analysis showing no drainage problems. He requested no further delay because work needs to begin as quickly as possible.

Judge Doerfler suggested Commissioner Hays and Joe England research the questionable issues of this subdivision and report back to court on March 17, 1998.

Moved: Commissioner Hays

Seconded: Judge Doerfler

Motion: To table this item for one week to look at graveyard issue, drainage issue, road curve issue, restrictions and 60' right-of-way on West Ridge Lane.

Vote: Motion carried 4 - 1 with Commissioner Heiligenstein voting against the motion.

< Clerk copy here >

March 9, 1998

#### Commissioners' Court Of Williamson County

My voter registration card indicates that I am a resident of and may vote in Precinct 309 of Williamson County. As such a resident I have received no notice of any public hearing regarding the development of "Westridge Subdivision" situated between Ranch Road 2338 and County Road 248. The owners of this property are proposing to develop 13 acres of the some 118 acres into 22 lots for mobile homes. It is our understanding that the consideration of this development is and has occurred as a Precinct 2 agenda item.

As an owner of property in the immediate area and in an elevation below the stated property, we have grave concern for the possible contamination of surface and subsurface water by careless and abusive installation of septic systems. Our understanding is that septic density of more than one system per acre is illegal in Williamson County and that some consideration has been given to changing that regulation to one system to each five acres. A close neighbor within a half mile of the property in question has been unable to obtain a septic permit for his mobile home and he owns five hundred acres. It seems rather interesting that we are being so carefully protected on the one hand and violated on the other. Perhaps it has less to do with protection than with ownership.

As representatives of the residents of this County, your stewardship of the values of the land and the rights of all residents of the County seem to be on the line with regard to this matter. Your just consideration of the impact of this proposal on the long term interest of all Williamson County is respectfully requested.

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Additionally, your review of the process that has occurred relating to the consideration of this matter is invited. Has all required public notice been properly extended? Is this property located in precinct 2 or 3? As Commissioners are you confident that all state as well as county laws have been appropriately followed?

Respectfully,

John A. Fenoglio

Mary E. Fenoglio  
Mary E. Fenoglio

AGENDA ITEM # 7March 10, 1998\*Consider granting final plat approval to Ranch at Cypress Creek, Section 13.

County Engineer Joe England requested this item be tabled until further notice.

AGENDA ITEM # 8March 10, 1998\*Consider granting final plat approval to Taylor Estates Section One, Phase One.

City of Taylor representative Stephanie Duprie advised the city requires the developer to provide fire flows in this subdivision. The City of Taylor is not providing any utilities to this subdivision. Noack Water Supply is purchasing the water from the City of Taylor and along with their individual wells will provide water to the subdivision.

Engineer Matt Mitchell of Professional Design Group advised the City of Taylor had been provided with utility plot plan with Noack Water Supply showing where the services were going to be located. Noack Water Supply has a line directly in front of the property for connection.

Moved: Commissioner Hays

Seconded: Judge Doerfler

Motion: To grant final plat approval to Taylor Estates, Section One, Phase One.

Vote: Motion carried 4 - 1 with Commissioner Mehevec voting against the motion.

AGENDA ITEM # 9March 10, 1998\*Consider granting final plat approval to Taylor Estates Section One, Phase Two.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To grant final plat approval to Taylor Estates Section One, Phase Two.

Vote: Motion carried 4 - 1 with Commissioner Mehevec voting against the motion.

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AGENDA ITEM # 10March 10, 1998\*Consider extending date to open bids for storage expansion at Justice Center to April 7, 1998.

Moved: Judge Doerfler

Seconded: Commissioner Hays

Motion: To extend date to open bids for storage expansion at Justice Center to April 7, 1998 at 10 o'clock a.m..

Vote: Motion carried 5 - 0

AGENDA ITEM # 11March 10, 1998\*

Hear recommendations from County Engineer on proposals of Letters of Intent for Engineering services on various county roads and take appropriate action. (Including Roads #'s 143, 245, 122, 113, 110, 200, 214, Northridge Acres, Morris Road and Meister Lane.)

County Engineer Joe England informed the court of the process for receiving the proposals and which firms complied with the deadline. He distributed his matrix to the court with his recommendation that numerous firms be awarded one project each in order to expedite the design package distribution.

Commissioner Boatright expressed a desire to review the proposals and talk to firms having submitted proposals before making an award.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To award proposals on March 24, 1998.

Vote: Motion carried 4 - 0 with Commissioner Mehevec absent from the dais.