

AGENDA ITEM # 10January 5, 1999

*

Consider granting a variance from plating for Mrs. Estelle Daniell property.
(1 acre out of the John McDevitt Survey off FM 3405).

Commissioner Hays advised Forest Surveying and Mapping Company is requesting variance from 50' to 30' access easement for property owned by Mrs. Estelle Daniell.

He stated the Elgin Bank case did not require a minimum footage to a public road - just **some** amount of footage to a public road.

Moved: Commissioner Hays

Seconded: Commissioner Boatright

Motion: To grant a variance allowing Mrs. Estelle Daniell to plat 1 acre out of 4.342 acres in the John McDevitt Survey, A 415 with 30' access instead of required 50' access to FM 3405.

Vote: Motion carried 5 - 0

< Clerk copy here >

W. F. FOREST, JR.
 Registered Public Surveyor



FOREST SURVEYING & MAPPING CO.

1002 ASH STREET — PHONE (512) 930-5927
 GEORGETOWN, TEXAS 78626 — FAX 868-0605

12-18-1998

Joe England P.E.
 County Engineer
 1900 Georgetown Inner Loop Suite B
 Georgetown, TX. 78626

Dear Joe,

I am writing in regards to our pending survey request from Ms. Estelle Daniell. The enclosed planning sketch represents a potential survey design that has been recommended to Ms. Daniell to conform to minimum requirements for access as defined by Texas Local Government Code section 232.001(a) as quoted in the county subdivision ordinance.

Ms. Daniell originally requested a survey of 1 acre at the rear of the 4.34 acre tract, with an easement through the Johnie L. Daniell property located to the East of her property. As explained to Ms. Daniell, her original proposal would not conform to the minimum design standard necessary to comply with state law. As you are aware, state law would require county approval of any easement situation without lot frontage on a public road. However, state law does not set out a minimum width for access. The planning sketch was prepared for a potential survey to meet the minimum width requirement identified as desirable by most lending institutions. This design conforms to the requirements of Section 232.001(a) as further clarified by the Elgin Bank decision. Additionally this design is expected to avoid an encroachment of the mobile home situated on the 4.34 acre parcel owned by Ms. Daniell. Altering the design to conform to the minimum 50' access width found in county ordinance would create a hardship for Ms. Daniell and effectively kill the sale to her potential buyer. In my opinion, since direct access will be provided adjacent to a public road, the county ordinance is not applicable to this situation.

From our conversation, it appears that in this situation county policy would be to request a commissioners' court decision regarding a variance to county ordinance to approve a 30 foot wide access strip for this site.

Please review this matter with Commissioner Boatright and the commissioners' court and notify me regarding the court's decision. The survey is scheduled for December 29th. I would appreciate an early decision which would enable me to avoid having to reschedule the project.

Approved 1-5-99
John C. Daefler

Cordially,

Kathryn Heidemann
 Kathryn Heidemann

(Record
N71°E
1964)

Johnie L. Daniell
79.01 AC. 1858 / 83

JOHN McDEVITT SUR. A-415

Estelle Daniell
part of 40 AC
492 / 406

S70°26'W
344.28'

1.0 Ac. Building Site
+ 0.33 Ac. Access strip
1.33 Ac. Total

10.00 AC.

4.342 AC.

(By Possession)

S82°24'15"E
15.62'

154

Note: The jurisdiction
for subdivision approval
of this property is
the Williamson County
Commissioners' Court.

Legend

- Iron Pin Fo
- Iron Pin S
- X- Fence
- Monument



RECORDERS MEMORANDUM

All or parts of the text on this page was not
clearly legible for satisfactory recordation.

FB46 Pg. 82 Disk 28-J 18

AGENDA ITEM # 11January 5, 1999

*

Consider granting a variance to building set back lines for Lot 60, Northwest Woods.

Unified Road and Bridge Engineer Assistant Mark Kronkosky advised Lot 60 shown on Northwest Woods subdivision plat filed in Cabinet C, Slides 137/8 indicates 25' building set-back line from both Villa Park Drive (front lot line) and unnamed stub street across Villa Park Drive from Hazelhurst Drive (side lot line). The Northwest Woods deed restrictions require 60' building space while survey indicates approximately 55' x 97' building space.

Owner Steve Spada is requesting a variance from the 60' building space in order to construct a 50' x 61' structure on lot with front facing Villa Park Drive. This would encroach one and one-half foot into the side set-back line located adjacent to unnamed stub street.

Moved: Commissioner Hays

Seconded: Commissioner Heiligenstein

Motion: To grant variance to Steve Spada of one and one-half foot encroachment into the side set-back line for Lot 60, Northwest Woods.

Vote: Motion carried 5 - 0

< Clerk copy here >