

AGENDA ITEM 15

Discuss and consider taking action on variance request for a 25' building setback on County Road 122 and County Road 123.

County Engineer Joe England advised the developer was requesting a variance from the 50' setback requirement mainly due to the encroachment of 100 year flood plane. County Road 123 is not now being considered a substantial arterial roadway and the developer has agreed to dedicate 30' right-of-way from center line of County Road 123.

Mr. England did not feel comfortable granting variance for County Road 122, since the right-of-way has been annexed by the City of Round Rock. Also, County Road 122 will be a major arterial roadway.

Moved Commissioner Limmer

Seconded: Commissioner Heiligenstein

Motion: To grant variance from 50' to 25' setback requirement on County Road 123 only **contingent upon** Williamson County being granted additional right-of-way of 30' from center line of County Road 123 with any necessary release needed to be granted by Williamson County.
Vote: Motion carried 4 – 0

< Clerk copy here >

May 19, 2000

Aaron Thomison
2890 Palm Valley Blvd.
Round Rock, Texas 78664

Jack Thomison
3201 Kipphen Rd.
Round Rock, Texas 78664

Williamson County
Commissioner's Court
Attn: John Doerfler, County Judge
710 South Main
Georgetown, Texas 78626

RE: Creek View Subdivision
Request for Variance to Commissioner's Court
Setback Requirements on CR 122 and 123

Dear Judge Doerfler:

During the preliminary plat review, we were informed of an "old commissioner's note" calling for a 50' building setback on CR122 and 123 and were asked to apply it to our subdivision.

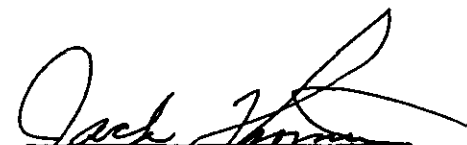
We provided 10' additional right-of-way on CR123 and showed a 35' building setback since we recently constructed a building on that tract that meets the requirements for 10' right-of-way and 35' building setback. In addition the property to the east of our subdivision has a building that is almost flush with our building. They would not be able to satisfy the requirements made on our property. Beyond that property is a very steep gully that will NOT allow CR 123 to be widened in that direction. In fact, approximately 35' of right of way has been provided on the opposite side of CR 123 with the Oak Bluff Estates, Phase 2 subdivision. Any widening of CR 123 will be made on the opposite side of our subdivision.

An old gravel drive exists between CR122 embankment and bridge and the west edge of our subdivision. This old gravel drive is located on an area between the CR 122 east edge of pavement and our property line which area varies in width from 50' to 100'. This old gravel drive will remain and will provide sufficient widening space for future CR 122 construction if necessary.

We hereby respectfully request a variance to the 50'"old commissioner's note" setback for CR 122 and 123. We will provide a 35' setback for both roads and will provide 10' right-of-way on CR 123.

Sincerely,


Aaron Thomison


Jack Thomison