

AGENDA ITEM 24

Consider approving installation of flashing school zone light for Jarrell School District.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve installation of flashing school zone light for Jarrell School District.

Vote: **5 - 0**

AGENDA ITEM 25

Discuss and consider granting variances for Cross Country Estates, Section Three (a proposed private subdivision).

Landowner Bruce Fowler discussed the variance request and answered questions.

Moved: **Commissioner Limmer**

Seconded: **Judge Doerfler**

Motion: To grant variances to sections 5.2, B.4.2 and 3.2.1 of the Williamson County Subdivision Regulations for Cross Country Estates, Section Three subject to the approval of Joe England and Dwight Pittman after the landowner submits an agreement, which is to include how the money is going to be spent and how the road is going to be built.

Vote: **5 - 0**

< Attachment >

CROSS COUNTRY ESTATES SECTION THREE

The Owners and Developer of Cross Country Estates Section Three are asking for Variances to the specific Sections Outlined Below. The Variances are being sought in accordance with Section 9 - Variances and Section 7 - Private Subdivisions of the Williamson County Subdivision Regulations.

9. Variances

- 9.1 The Commissioners' Court of Williamson County shall have the authority to grant variances from these Regulations when the public interest or the requirements of justice demands relaxation of the strict requirements of the rules.

7. Private Subdivisions

- 7.1 The roads must meet all county road standards, except where specific variances have been granted by Commissioners Court for adequate cause in each case;

The Owner and Developer are asking for the variances below to be granted in the public's interest and in no way will there be any adverse effects to the public.

There will be five; five-acre tracts serviced by the private roads in Cross Country Estates Section Three and the requirements of justice demands relaxation of the strict requirements of the rules stated in the Williamson County Subdivision Regulations.

Cross Country Estates Section One and Two are currently platted as a Private Subdivision and will remain so in perpetuity, as stated on the subdivision plat and restrictions on file with Williamson County, Texas.

Cross Country Estates Section Three will be a Private Subdivision and follow the requirements as outlined in Section 7 - Private Subdivisions of the Williamson County Subdivision Regulations, except where specific variances have been granted.

The intent of Cross Country Estates Section Three will be to:

- 1) Place a statement on the subdivision plat and restrictions that Williamson County will never accept or maintain the roads unless they meet the county standards in effect on the date of acceptance;
- 2) Place a statement on the subdivision plat that the roads will be maintained in perpetuity by the owners in the subdivision, and will devise a mechanism for assessing the owners to produce adequate revenue for perpetual maintenance;

approved 6-26-01
John C. Daehler

- 3) Place a requirement on the subdivision plat that every deed contain notice to the grantee that all streets are private, that the owners will be perpetually liable for maintenance, that the county will never accept it for maintenance, and that the quality of the roads may affect access by public services such as police, fire, and EMS.
- 4) All arterial and major collector streets required by Section B.2.1 must be dedicated to the public and constructed to county standards. Other streets will be dedicated to the homeowners association for the use of the property owners, their assigns and successors, and emergency response individuals.
- 5) A sign will be placed at the entrance of the subdivision clearly stating that the roads in this subdivision are private roads.
- 6) A homeowners association with assessment authority will be formed. Membership in the association will be mandatory for each lot owner. The association will be responsible for the maintenance of the roads in the subdivision.
- 7) The owner shall provide a maintenance schedule for the roads to the County Engineer. The schedule will include the maintenance activities, their cycle of occurrence, and the current cost of providing the maintenance activity. The total cost of the activities along with a rate of inflation will be used to determine the annual assessment per lot.
- 8) The owner shall provide either a crash gate or a lock box and a letter of approval from all of the affected emergency response agencies stating their approval of full time access to the subdivision.
- 9) *All streets shall be local and follow the guidelines as outlined in B.3.3.*
- 10) *The engineer for Cross Country Estates Section Three shall provide Williamson County with a letter showing that all roads were built to county standards.*
- 11) *There shall be no requirement for the owner to provide a good and sufficient bond, cash, letter of credit, or to provide an executed deed of trust creating a first lien to the county. After the sale and closing of the first lot, the monies received from the sale will be placed in a trust and will be used to build the infrastructure (roads, power, water).*

The purpose of asking for the variances outlined below is to assure that Cross Country Estates Section Three will begin and remain in perpetuity as a Private, Gated Subdivision. The county will never accept or maintain the roads unless they meet the county standards in effect on the date of acceptance. Developer, thus freeing up the valuable assets of the county, will monitor construction.



5. Road and Drainage Construction

- 5.2 If the owner desires to have the plat placed on record before completion of construction of the streets, roads and drainage, then the owner shall give a good and sufficient bond, cash, or letter of credit. This security must be payable to the County Judge, or his successors in office, of Williamson County, Texas, the estimated cost of construction according to the calculations of a Registered Professional Engineer. The security shall be conditioned on the completion (in compliance with the Engineering Guidelines) of all the roads, streets and drainage shown on the plat. In lieu of such security, the owner may provide an executed deed of trust creating a first lien to the county in order to secure construction of the improvements.

REQUEST

We are requesting a specific variance from Section 5.2. All of the streets within Cross Country Estates Section Three will be dedicated to the homeowners association for the use of the property owners, their assigns and successors, and emergency response individuals. In lieu of bond, cash, letter of credit, or an executed deed of trust, a trust will be formed to ensure construction of the improvements.

- 5.6 Upon approval of the construction plans, the owner shall pay an inspection fee in the amount of 1.5% of the construction cost for the roads and drainage. If the subdivision is within the ETJ of a municipality and the municipality charges an inspection fee then this fee is waived.

REQUEST

We are requesting a specific variance from Section B.4.2. All of the streets within Cross Country Estates Section Three will be dedicated to the homeowners association for the use of the property owners, their assigns and successors, and emergency response individuals. There will be no need to pay for an inspection fee. The engineer for Cross Country Estates Section Three shall provide Williamson County with a letter showing that all roads were built to county standards

- 3.2 Every preliminary plat submission must include all of the following:

- 3.2.1. Existing topographic contours at two-foot intervals for subdivision where lots are less than five acres, 10-foot intervals for all other subdivisions.

We are requesting a specific variance from Section 3.2.1. All five lots within Cross Country Estates will be 5 acres or very close to five acres in size. We would like to provide Williamson County with 10-foot contours instead of the required two-foot contours.



AGENDA ITEM 26

Discuss and consider approving a variance pertaining to structures build in county right-of-way (section B4.1, Williamson County Subdivision Regulations) for Cimarron Hills PUD.

No action was taken on this agenda item, which will be added to the July 3, 2001 agenda.

AGENDA ITEM 27

Consider approving resolution requesting the widening of shoulders along Williams Drive.

No action was taken on this agenda item, which will be added to the July 3, 2001 agenda.

AGENDA ITEM 28

Consider approving lease agreement with City of Thrall for radio tower site.

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To approve lease agreement with City of Thrall for radio tower site.

Vote: **4 – 0** with Commissioner Heiligenstein absent from the dais.

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