



City of Hutto

Agenda

Zoning Board of Adjustments

Tuesday, October 24, 2023 at 7:00 PM

Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. CALL SESSION TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on October 24, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

4. AGENDA ITEMS

- 4.1. Consideration and possible action on the meeting minutes from the regular scheduled Zoning Board of Adjustments Commission meeting held on September 26, 2023.
- 4.2. Consideration of a public hearing and possible action regarding a variance request for the property located at 602 East Street from the building form standards, as outlined in Chapter 10, 10.1003.3.1 of the Unified Development Code (UDC), to allow a reduction in the required rear setback.

5. DEVELOPMENT SERVICES DIRECTOR REPORT

6. ADJOURNMENT

7. CERTIFICATION

I certify that this notice of the October 24, 2023 Hutto Zoning Hearing Board meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on October 20, 2023 before 5:00 P.M.




Angel Kavanaugh, Management Assistant

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at City.Secretary@huttox.gov or call (512) 759-4033 for assistance.

AGENDA ITEM REPORT

4.1.



To: Zoning Board of Adjustment
Subject: Consideration and possible action on the meeting minutes from the regular scheduled Zoning Board of Adjustments Commission meeting held on September 26, 2023.
Meeting: Tuesday, October 24, 2023
Department: Development Services
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FISCAL NOTES:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Zoning Board of Adjustments Meeting Minutes 9.26.2023



City of Hutto

Minutes

Zoning Hearing Board

Tuesday, September 26, 2023 at 7:00 PM

City Council Chambers

1. CALL SESSION TO ORDER

The Zoning Board of Adjustments meeting was called to order at 7:00 PM

2. ROLL CALL

Members of the Zoning Board of Adjustments in attendance were Norman Delay, Ray Alba, Cory Denena, Suzanne Caulfield and Jim Morris. Commissioner not in attendance: Ed Pride.

Members of City of Hutto Staff in attendance were: John Byrum, Planning Manager and Angel Kavanaugh, Sr Management Assistant.

3. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on September 26, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

No Public Comment

4. AGENDA ITEMS

- 4.1. Consideration and possible action on the meeting minutes from the regular scheduled Zoning Board of Adjustments Commission meeting held on October 25, 2022.

Commissioner Norman Delay Made a motion to accept the meeting minutes from the regular scheduled Zoning Board of Adjustments Commission meeting held on October 25, 2022, seconded by Commissioner Cory Denena. Motion passed 5 Ayes to 0 Nays.

- 4.2. Consideration of a public hearing and possible action regarding a variance request for the property located at 310 Ed Schmidt Boulevard from the parking lot and vehicular use screening standards, as outlined in Chapter 4, Section 10.407.5.2 of the Unified Development Code (UDC), to allow a reduction in the required landscape screening.

The public hearing opened at 7:08 PM. Closed at 7:08 PM, Commissioner Jim Morris made a motion to correct the "not" on the staff report, seconded by Commissioner Norman Delay. Motion passed 5 Ayes to 0 Nays.

Commissioner Cory Denena made a motion to approve the variance request for the property located at 310 Ed Schmidt Boulevard from the parking lot and vehicular use

screening standards, as outlined in Chapter 4, Section 10.407.5.2 of the Unified Development Code (UDC), to allow a reduction in the required landscape screening with a Landscape bond, seconded by Commissioner Susanne Caulfield. Motion passed 5 Ayes to 0 nays

5. DEVELOPMENT SERVICES DIRECTOR REPORT

John Byrum advised that there will be a October 24th meeting

6. ADJOURNMENT

Meeting adjourned at 7:21 PM.

7. CERTIFICATION

I certify that this notice of the September 26, 2023 Hutto Zoning Hearing Board meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on September 21, 2023 before 5:00 P.M.

Zoning Board of Adjustment

AGENDA ITEM REPORT

4.2.



To: Zoning Board of Adjustment
Subject: Consideration of a public hearing and possible action regarding a variance request for the property located at 602 East Street from the building form standards, as outlined in Chapter 10, 10.1003.3.1 of the Unified Development Code (UDC), to allow a reduction in the required rear setback.
Meeting: Tuesday, October 24, 2023
Department: Development Services
Staff Contact:

BACKGROUND INFORMATION:

The property located at 602 East Street is apart of the Hutto & Metcalfe Addition, Block 2, Lot 3, and is approximately 0.38 acres. The property is currently zoned OT-3 (Residential) and is located within the Historic Overlay District. The main structure on the site was built in 1936, with the residential accessory structure (detached garage) being built sometime after. In July of this year (2023), a fire resulted in the total loss of the detached garage.

Section 10.1003.3.1 (Building Form Standards) lists out the setbacks for accessory buildings in the OT-3 zoning district as follows:

- Front Setback: 20 ft. min. + building setback
- Side Setback: 5 ft. or 6 ft. at corner
- Rear Setback: 3 ft. min.

Neighbor Responses and Notification

13 notifications were sent out to property owners within 200' of this site. To date, staff has received two responses, both supporting the variance request.

SUMMARY OF REQUEST:

The applicant is intending to rebuild the detached garage to the same standards as the original detached garage. The applicant intends to use the foundation that remains from the original structure. LEAP!Structures, PLLC did an inspection of the original foundation and found that the foundation that remains is adequate and sufficient for a new structure to be built on, with the exception of one small area that will need to be saw-cut and removed and replaced. By anchoring into the original foundation, it will provide sufficient positive connection for the new structure.

The existing foundation was put into place before the existing code existed, which resulted in the foundation encroaching the rear setback by 10 inches. According to Section 10.1003.3.1 of the Unified Development Code, the rear setback for accessory structures in the OT-3 zoning district is 3 feet, while the existing

AGENDA ITEM REPORT

4.2.



foundation is currently at 2 feet, 2 inches.

The applicant is requesting a variance from the Unified Development Code Section 10.1003.3.1 to allow a rear setback for an accessory structure to be 2 feet, 2 inches instead of the required 3 feet (10 inches less than what the current code requires).

The applicant also discovered that the existing metal shed that was placed by the previous owner is over the 5' setback. Once the detached garage is rebuilt, the shed will be removed.

Variance Evaluation and Recommendation

The proposed request does meet the variance approval criteria.

- There are unique conditions peculiar to the parcel, such as unusual shape that does not exist on adjacent parcels.
 - True. There is an existing foundation that the previous detached garage was on. The applicant submitted paperwork from a professional engineer showing that the existing foundation remains adequate and sufficient for a new detached structure to be built on with the exception of one small area that will need to be saw-cut and removed and replaced by anchoring into the original foundation, which will provide sufficient positive connection for the new structure.
- Strict application of this code deprives the applicant of rights commonly enjoyed by other land in the area or land with a similar zoning designation.
 - True. The applicant has an existing foundation that is still sound and adequate for a new detached garage structure.
- The variance is in harmony with the spirit of this code and community, neighborhood and other applicable land use and development plans, and will not adversely affect property near the subject site.
 - True. The applicant would still like to use the existing foundation for the detached garage. The detached garage will be the same build as the previous detached garage before the fire.
- Conditions resulting in the request are not self-created by disregard or ignorance of this code.
 - True. The original detached garage was a total loss after a fire in July of 2023. The applicant will use the existing foundation that is still adequate for a new structure.

AGENDA ITEM REPORT

4.2.



- The variance does not confer special privileges that this code does not permit on other lands, structures or buildings in the same zoning district.
 - True. There is already an existing foundation that held a detached garage. With the garage being burnt due to a fire, the applicant is intending to rebuild the same detached garage.

- The variance is the minimum necessary to grant relief.
 - True. The applicant is asking to use the existing foundation to have the exact same detached garage located in the historic district.

STAFF REVIEW:

Based on the findings, staff recommends approval of the proposed variance request. It should be noted that in the historic district, new structures require a Certificate of Appropriateness. Since the applicant is proposing to construct what was already existing before the fire, staff discussed the project with the Historic Preservation Commission and they agreed a Certificate of Appropriateness would not be necessary since the applicant would be replacing with an updated structure with the same architecture. The Commission felt it would not be necessary for the COA regardless of the outcome of the request on the setback variance.

FISCAL NOTES:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Variance Request Letter - Jackson Hall Shop (9-6-23)
2. Letter of Findings - Jackson Hall Shop (9-6-23)
3. 230793- 602 East Street
4. 602 EAST STREET SITE PLAN
5. DJI_0192
6. Driveway
7. Variance Request Letter - Jackson Hall Shop (9-6-23)
8. Letter of Conformance_
9. previous strcutre
10. K Clark (favor)
11. T Dixon (favor)

AGENDA ITEM REPORT

4.2.





1810 CR 122 NORTH
ROUND ROCK, TX 78665
PHONE: 855.499.ADAY(2329)
www.adayassociates.com

September 6th, 2023

City of Hutto
ATTN: John Byrum, Planning Manger
500 W Live Oak Street
Hutto, TX 78634

Re: **602 East Street Garage Rebuild** – New Garage/Shop Building, 602 East Street, Hutto, TX 78634

Letter of Request

Dear John,

Please accept this letter as our formal notice of intent to construct a new garage structure. The existing garage burned down in a fire in July of this year (2023). Our intent is to construct on the existing garage concrete foundation. The existing driveway and garage foundation are on the same plan, and we would like it to remain symmetrical, as is.

Should you have any further questions, please do not hesitate to contact me. We look forward to working with you on this project.

Sincerely,

ADAY & ASSOCIATES

A handwritten signature in black ink, appearing to read 'Austin Aday'.

Austin Aday, Vice President



1810 CR 122 NORTH
ROUND ROCK, TX 78665
PHONE: 855.499.ADAY(2329)
www.adayassociates.com

September 6th, 2023

City of Hutto
ATTN: John Byrum, Planning Manger
500 W Live Oak Street
Hutto, TX 78634

Re: **602 East Street Garage Rebuild** – New Garage/Shop Building, 602 East Street, Hutto, TX 78634

Letter of Findings

Dear John,

Upon completion of the survey, we discovered that the existing slab is 2'2" from the property line. The building setback is technically required to be 3' for an outbuilding rear setback. We are requesting to get this 10" approved so we can construct the new garage structure on the existing slab. We also discovered that the shed that was placed by the previous owner is over the 5' side set back, we will be removing this shed when we rebuild the garage.

Should you have any further questions, please do not hesitate to contact me. We look forward to working with you on this project.

Sincerely,

ADAY & ASSOCIATES

A handwritten signature in black ink, appearing to read 'Austin Aday'.

Austin Aday, Vice President

LOT 3, BLOCK 2, HUTTO & METCALFE ADDITION TO THE CITY OF HUTTO, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 66, PAGE 147, DEED RECORDS, WILLAMSON COUNTY, TEXAS.

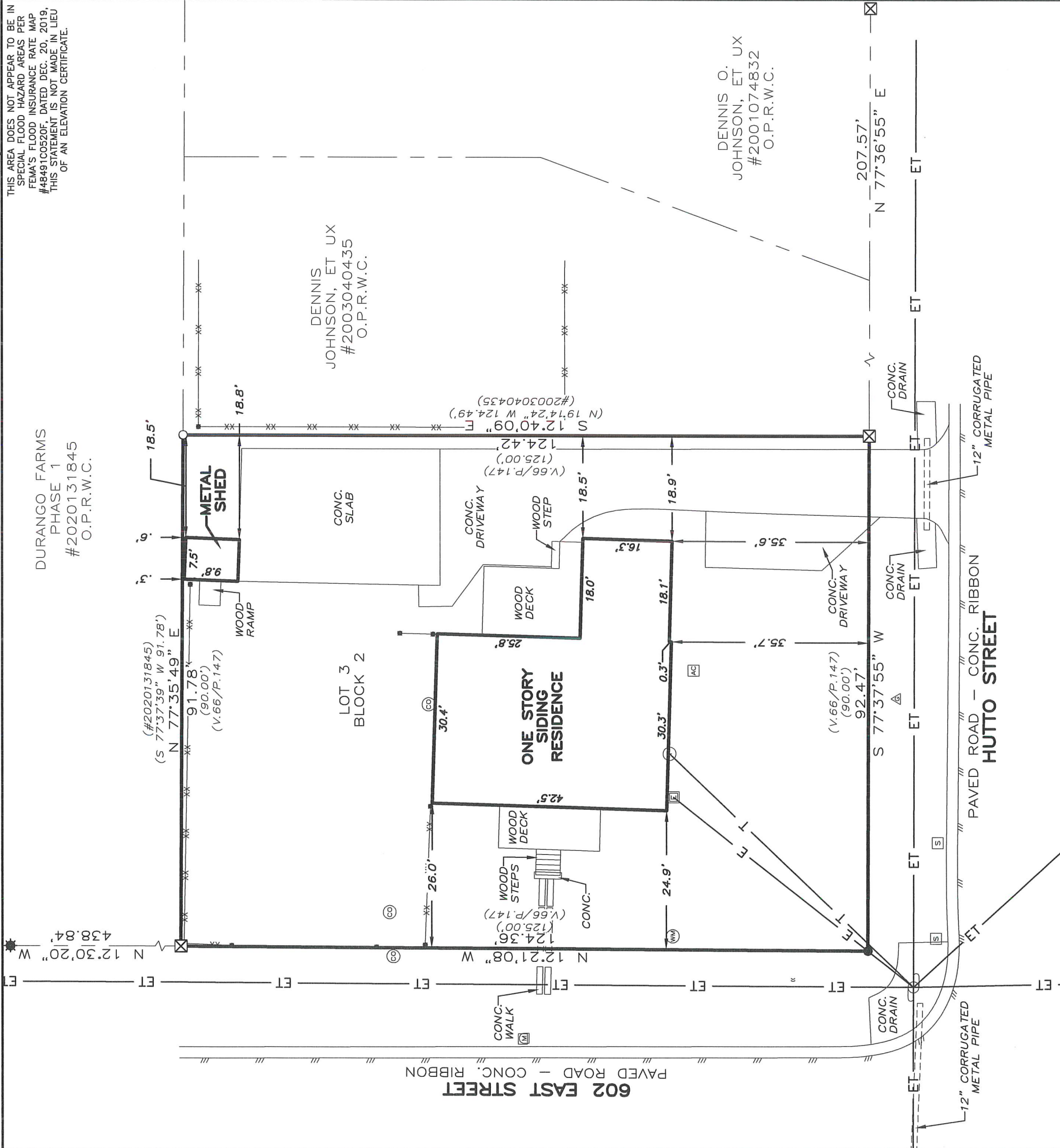
JOB NO: 230793

DRAWN: RCG

F.C.: LR

THIS AREA DOES NOT APPEAR TO BE IN SPECIAL FLOOD HAZARD AREAS PER FEMA'S FLOOD INSURANCE RATE MAP #48491C0520F, DATED DEC. 20, 2019, THIS STATEMENT IS NOT MADE IN LIEU OF AN ELEVATION CERTIFICATE.

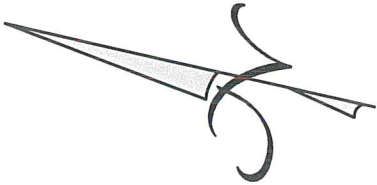
DURANGO FARMS
PHASE 1
#2020131845
O.P.R.W.C.



LEGEND	
●	1/2" IRON ROD FOUND
⊠	CONCRETE MONUMENT FOUND
✱	COTTON SPINDLE FOUND
○	1/2" IRON ROD SET WITH PINK CAP STAMPED "TLS"
///	PAVEMENT
■	FENCE POST
—XX—	CHAIN LINK FENCE
—O—	UTILITY POLE
—C—	GUY ANCHOR
—E—	ELECTRIC LINES
—ET—	ELECTRIC/TELEPHONE LINES
—T—	TELEPHONE LINES
—A—	AIR CONDITIONER
⊞	CLEANOUT
⊞	ELECTRIC
⊞	GAS METER
⊞	MAILBOX
⊞	SIGN
⊞	TELEPHONE
⊞	WATER METER
()	RECORD INFORMATION
CONC.	CONCRETE
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

Scale: 1" = 20'

BEARINGS CITED HEREON BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983, TEXAS CENTRAL ZONE.



SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. OTHER EASEMENTS AND/OR RESTRICTIONS NOT SHOWN HEREON MAY AFFECT.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON §

THAT SURVEYOR FOR TEXAS LAND SURVEYING, INC., HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AND THAT SAID PROPERTY ADJOINS A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

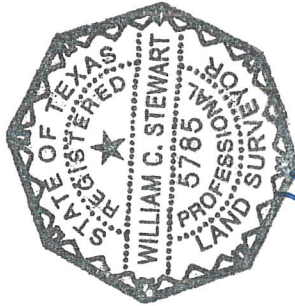
Texas Land Surveying, Inc.

—A Land Surveying Firm—

3613 Williams Drive, Suite 903 — Georgetown, Texas 78628
(512) 930-1600 www.texas-ls.com

TBPELS LAND SURVEYING FIRM NO.10056200

IF THIS DOCUMENT DOES NOT CONTAIN THE STAMP AND SIGNATURE OF THE UNDERSIGNED SURVEYOR, IT IS AN UNAUTHORIZED/ILLEGAL COPY. TEXAS LAND SURVEYING, INC. ASSUMES NO LIABILITY FROM THE USE OF ANY UNAUTHORIZED/ILLEGAL DOCUMENT.



Witness my hand and seal this the 24th Day of August, 2023 A.D.



SITE PLAN

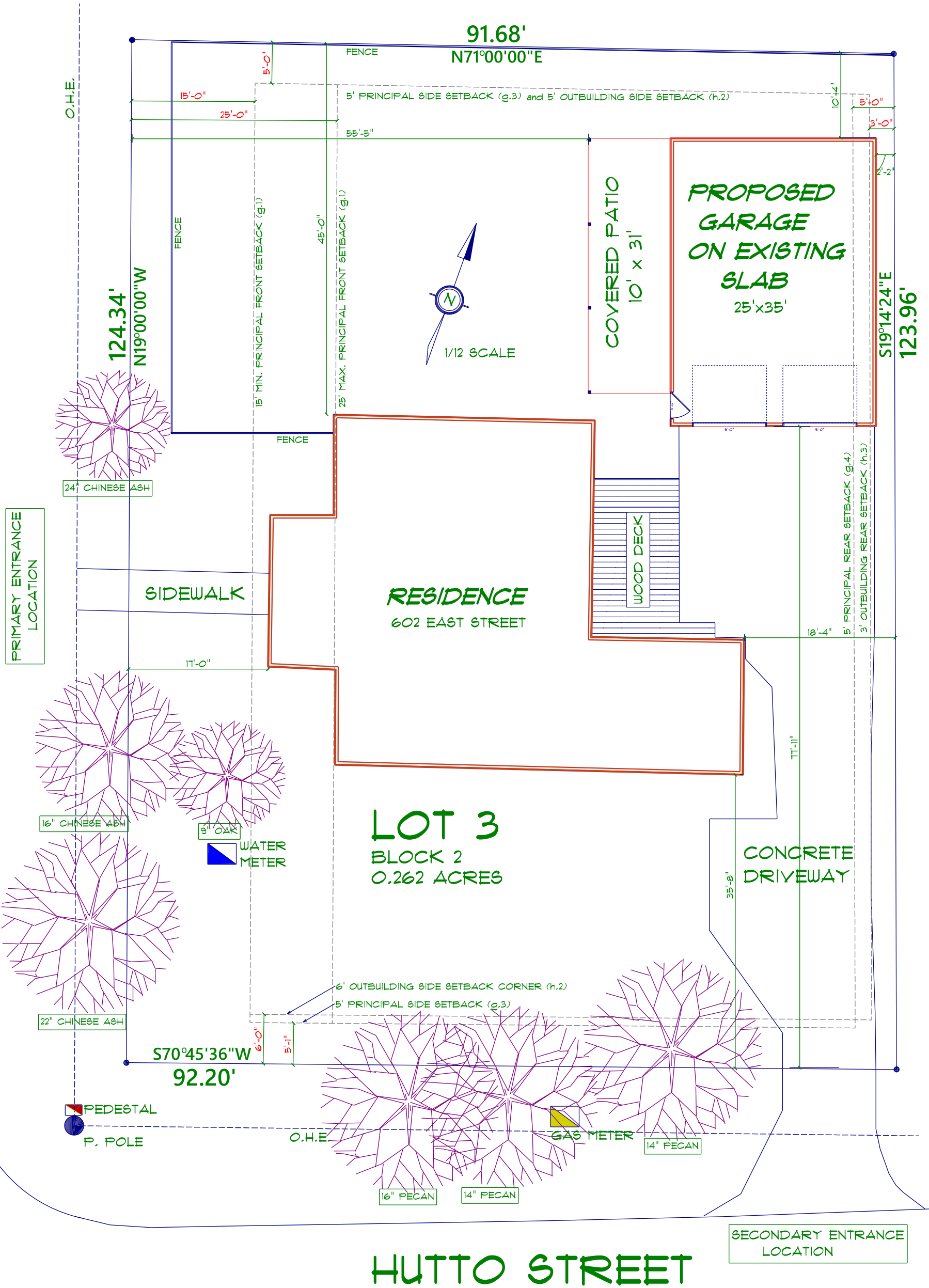
602 EAST STREET LOT 3
HUTTO, TX 78634 BLOCK 2

SCALE: 12'=1"



7.18.2023

EAST STREET









1810 CR 122 NORTH
ROUND ROCK, TX 78665
PHONE: 855.499.ADAY(2329)
www.adayassociates.com

September 6th, 2023

City of Hutto
ATTN: John Byrum, Planning Manger
500 W Live Oak Street
Hutto, TX 78634

Re: **602 East Street Garage Rebuild** – New Garage/Shop Building, 602 East Street, Hutto, TX 78634

Letter of Request

Dear John,

Please accept this letter as our formal notice of intent to construct a new garage structure. The existing garage burned down in a fire in July of this year (2023). Our intent is to construct on the existing garage concrete foundation. The existing driveway and garage foundation are on the same plan, and we would like it to remain symmetrical, as is.

Should you have any further questions, please do not hesitate to contact me. We look forward to working with you on this project.

Sincerely,

ADAY & ASSOCIATES

A handwritten signature in black ink, appearing to read 'Austin Aday'.

Austin Aday, Vice President

September 19, 2023

Aday and Associates
1820 N. Cr 122
Round Rock, TX 78665

Re: 602 East St.
Hutto, Texas

To Whom It May Concern:

We understand that the wood-framed garage structure located at the property of 602 East Street in Hutto, Texas caught fire recently and was demolished for safety reasons. However, for the purposes of rebuilding a replacement structure, we understand that an evaluation of the existing structural foundation was needed to confirm that the foundation, even after the fire event, would be structurally sound such that a new single-story wood framed garage could be supported. From our observations of the foundation that remains, we believe that it is adequate and sufficient for a new structure to be built upon.

From the inspection, it appears that a previous owner laid down a 6" layer of concrete above the original foundation structure. This is evidenced by the sill plate framing of the burned structure and the bottom portions of the studs still being encapsulated by this 6" layer of concrete. We understand this was done in order to raise the height of the garage foundation floor to prevent the floor from being damaged by water intrusion during significant rain events. Fortunately, this added layer of concrete appears to have created an insulating effect for the original concrete foundation below. (FIGURE 1)

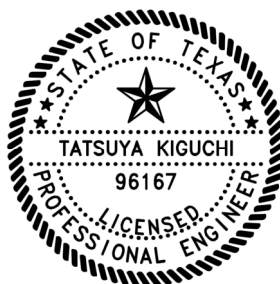
We recommend that in order to reframe the new wood garage structure, a portion of this "new" concrete above the original be saw-cut and removed and replaced. By anchoring into the original foundation, this will provide sufficient positive connection for the new structure. Please refer to FIGURE 2 detail below.

Based upon field observations performed by our firm, we believe that the existing structural foundation with the revisions described above is sufficient and adequate for the new replacement wood-framed structure provided it is built according to the requirements outline in the 2018 International Residential Code (IRC).

Sincerely,

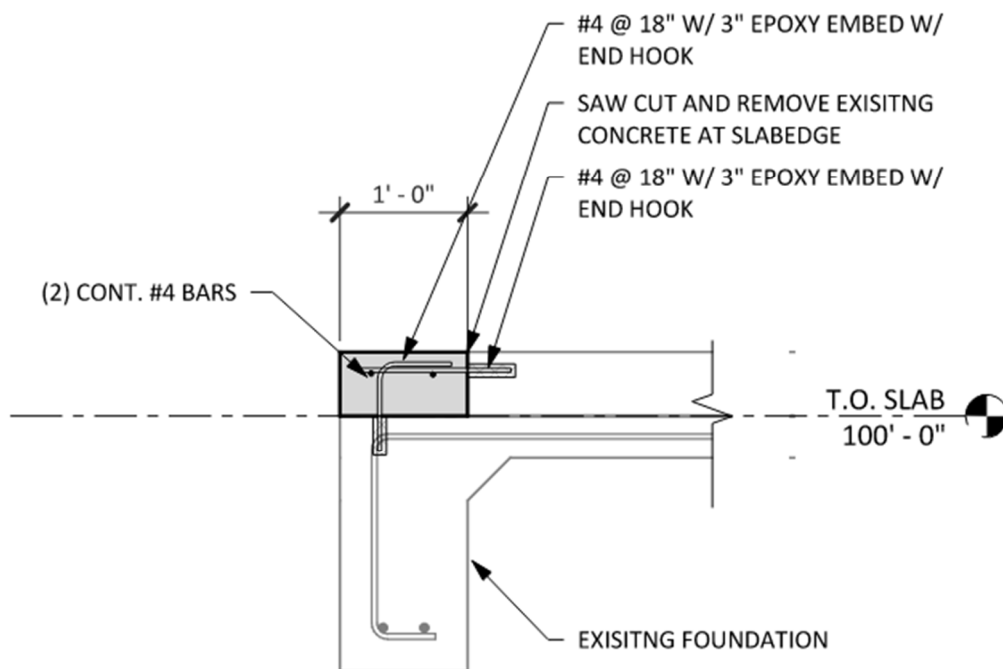
A handwritten signature in black ink, appearing to read "Tatsuya Kiguchi".

Tatsuya Kiguchi, P.E., S.E.
LEAP!Structures, PLLC
TBPE Firm Reg. #F-14438





(FIGURE 1)



(FIGURE 2)



This is a response in regards to a letter I received:

The property is located at **602 EAST STREET.**

Hearing Date: **OCTOBER 24,2023**

Time: **7:00 PM**

My name: **Kathryn L Clark**

My address: **109 Hutto St, Hutto TX 78634**

I AM IN FAVOR!!

Thank you,
Kathy Clark

Good Morning,

I received a notice of public hearing related to building on 602 East Street.

My name is Norwood Dixon III(Trey) and I own/live at 601 East Street, across the street. I am in favor of granting the variance.

Please let me know if there it's anything else I can do to help get this permit issued.

Regards,

T Dixon

Get [Outlook for Android](#)