

Bastrop Zoning Board of Adjustments Agenda

Bastrop City Hall City Council Chambers

1311 Chestnut Street

Bastrop, TX 78602

(512) 332-8800



August 20, 2026

Agenda - Zoning Board of Adjustments at 6:00 PM

Bastrop Zoning Board of Adjustments meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

1. CALL TO ORDER

2. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Board/Commission must complete a citizen comment form and give the completed form to the Board/Commission Secretary prior to the start of the Board/Commission meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Board/Commission cannot discuss issues raised or make any decision at this time. Instead, the Board/Commission is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to the City Manager for research and possible future action. Profanity, physical or other threats are not allowed and may subject the speaker to loss of the time for comment, and if disruptive to the conduct of business, could result in removal of the speaker.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider and act to approve meeting minutes from the June 18, 2026 Zoning Board of Adjustment Meeting.

Submitted by: Alondra Macias, Planner I

3B. Consider and act to approve meeting minutes from the July 16, 2026, Regular Zoning Board of Adjustment Meeting.

Submitted by: Alondra Macias, Planner I

3C. Consider and act on a request for a zoning variance from the Bastrop Building Block Code, Section 6.5.003, Building Standards per Place Type for the P5 Core zoning district, to

allow an existing nonconforming lot to be subdivided into three lots to accommodate two new businesses on a portion of the existing parking lot. One of the resulting lots would exceed the district's maximum impervious cover requirement of 65 percent, with proposed impervious cover percentages of approximately 88.6 percent, 64.3 percent, and 61.8 percent, respectively.

Submitted by: James E Cowey, Development Services Director

4. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: August 14, 2026 at 6:00 p.m. and remained posted for at least two hours after said meeting was convened.

/s/ James E. Cowey
James E. Cowey, Director of Development Services



STAFF REPORT

MEETING DATE: August 20, 2026

TITLE:

Consider and act to approve meeting minutes from the June 18, 2026 Zoning Board of Adjustment Meeting.

STAFF REPRESENTATIVE:

Alondra Macias, Planner I

ATTACHMENTS:

Meeting Minutes from the June 18, 2026, Zoning Board of Adjustment Meeting.

ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
June 18, 2026, at 6:00 P.M.

The City of Bastrop Zoning Board of Adjustment met Thursday, June 18, 2026, at 6:00 PM in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Vicechair woman Judith Hoover called the meeting to order at 6:02 pm.

David Lowen	Present
David Cruz	Absent
Vicky Lindsey	Present
Judith Hoover	Present
Dock Jackson	Present

2. CITIZEN COMMENTS

There were no citizen comments at this time.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider and act on a request for a zoning variance from the Bastrop Building Block Code, Section 6.5.003, Building Standards per Place Type for the P4 Mix zoning district, to allow the subject property to exceed the maximum impervious cover requirement of 60 percent. The variance would allow up to 62% percent impervious cover to accommodate a new paved parking lot, utilizing permeable pavers, in place of the existing gravel parking lot.

Presented by Brittany Epling, Senior Planner

Public Hearing Opened: 6:17 pm

Delma Soriano, resident at 707 Water Street, spoke about her concerns on the noise and sound pollution that will be caused. She stated that she was not opposed to the property being developed into a parking lot but wanted some protection such as a guardrail to prevent any vehicle hitting any of the neighboring properties.

The applicant, Gilber Vargas, spoke on behalf of Bastrop County and answered questions that the board members had such as the possibility of decreasing impervious coverage.

Public Hearing Closed: 6:26 pm

Board member Vicky Lindsey made a motion to deny the variance from the Bastrop Building Block Code, Section 6.5.003, Building Standards per Place Type for the P4 Mix zoning district, to allow the subject property to exceed the maximum impervious cover requirement of 60 percent. Board member Dock Jackson seconded the motion. The motion passed unanimously.

- 3B. Consider and act on a request for a zoning variance from the Bastrop Development Code Section 14.04.005, Access and Connectivity for Single Family zoning district, to allow the subject property to exceed the maximum number of driveways allowed. The variance would allow up to 2 driveway accesses with up to 36' width in total.

Public Hearing Opened: 6:23 pm

The property owner and applicant Stuart Williams explained to the board members the current issues he is facing with his property and the parking situation for him and his family.

Public Hearing Closed: 6:35 pm

The board members discussed the item amongst themselves as to the parking and exiting driveways risks in Tahitian Village due to the topography and visibility impairment.

Board member Dock Jackson made a motion to approve the zoning variance from the Bastrop Development Code Section 14.04.005, Access and Connectivity for Single Family zoning district, to allow the subject property to exceed the maximum number of driveways allowed. The variance would allow up to 2 driveway accesses with up to 36' width in total. Board Member David Lowen seconded the motion. The motion passed unanimously.

4. ADJOURNMENT

The meeting was adjourned at 6:51 pm with a unanimous vote from the board members.

David Cruz, Chair

Judith Hoover, Vice-Chair



STAFF REPORT

MEETING DATE: August 20, 2026

TITLE:

Consider and act to approve meeting minutes from the July 16, 2026, Regular Zoning Board of Adjustment Meeting.

STAFF REPRESENTATIVE:

Alondra Macias, Planner I

ATTACHMENTS:

Meeting Minutes

ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
July 16, 2026, at 6:00 P.M.

The City of Bastrop Zoning Board of Adjustment met Thursday, July 16, 2026, at 6:00 PM in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Chairman David Cruz called the meeting to order at 6:00 pm.

David Cruz	Present
Judith Hoover	Present
Dock Jackson	Present
David Lowen	Absent
Vicky Lindsey	Present
Dave Wells	Present

2. CITIZEN COMMENTS

There were no citizen comments at this time.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider and act to approve meeting minutes from the May 14, 2026, Zoning Board of Adjustment Meeting.

Vice chair Judith Hoover made a motion to approve meeting minutes from May 14, 2026, Zoning Board of Adjustment Meeting. Board member Dock Jackson seconded the motion. The motion passed unanimously.

- 3B. Consider and act to approve meeting minutes from the June 18, 2026, Zoning Board of Adjustment Meeting.

Board members discussed the meeting minutes for June 18, 2026. They stated that Item 3B did not show the second to the motion, nor did it show that the motion had carried.

Board member Vicky Lindsey made a motion to table the approval of the meeting minutes until the next meeting so that staff have time to make the corrections. Vice chair Judith Hoover seconded the motion. The motion passed unanimously.

- 3C. Consider and act on a request for a zoning variance from Section 14.04.006, Accessory Units and Structures, Subsection (G)(3)(b), of the Bastrop Development Code, which limits RR-Rural Residential lots of accessory dwelling units to 1,500 square feet of gross floor area allowance. The applicant is requesting approval to allow an additional 788 square feet of conditioned space for a total of 2,288 square feet of gross floor area

allowance for the property being 123.03 acres out of the Abstract 11, Bastrop Town Tract, located at 147 Tonkawa Hills Drive, within the city limits of Bastrop, Texas.

James Cowey, Director of Development Services, presented the zoning variance request, along with supporting information to provide clarity for the request.

Chair David Cruz opened the public hearing for item 3C at 6:10 pm.

1. Calyn Clardy
147 Tonkawa Hills Dr

Spoke in favor of his requested zoning variance

2. Andy Wells
123 Tonkawa Hills Dr

Spoke in favor of the requested zoning variance

3. Clyde Clardy
412 Laura Ln

Spoke in favor of the requested zoning variance

The public hearing was closed at 6:17 pm.

Board members discussed the item amongst themselves.

Vice Chair Judith Hoover thanked staff for their terrific common sense with the items they took before City Council to approve changes to this section of the code. She then made a motion to approve the request for a zoning variance to allow an additional 788 square feet of conditioned space for a total of 2,288 square feet of gross floor area allowance for the dwelling to be located at 147 Tonkawa Hills Dr. Board member Dock Jackson seconded the motion. The motion passed unanimously.

4. ADJOURNMENT

Board member Dave Wells made a motion to adjourn. Board member Vicky Lindsay seconded the motion. The motion passed unanimously. The meeting adjourned at 6:19 pm.

David Cruz
Chair

Judith Hoover
Vice Chair



STAFF REPORT

MEETING DATE: August 20, 2026

TITLE:

Consider and act on a request for a zoning variance from the Bastrop Building Block Code, Section 6.5.003, Building Standards per Place Type for the P5 Core zoning district, to allow an existing nonconforming lot to be subdivided into three lots to accommodate two new businesses on a portion of the existing parking lot. One of the resulting lots would exceed the district's maximum impervious cover requirement of 65 percent, with proposed impervious cover percentages of approximately 88.6 percent, 64.3 percent, and 61.8 percent, respectively.

AGENDA ITEM SUBMITTED BY:

James E Cowey, Development Services Director

PROPERTY INFORMATION:

Applicant:	Brynda Fowler
Property Owner:	North Pines LLC
PID #	60416
Acreage:	5.85 Acres
Request:	Variance from Impervious Cover Max.
Current Zoning:	General Commercial
Prior Zoning at Time of Application:	P5 Core under Prior B3 Code
Existing Use:	Commercial (Retail)
Proposed Use:	Expanded Commercial (Retail and Service)
Requested Impervious Coverage:	88.6%, 64.3%, and 61.8% (82.8% Overall)
Maximum Impervious Coverage Allowed:	65% (under prior B3 Code and current BDC)

BACKGROUND/HISTORY:

The applicant is requesting a variance to allow the subdivision of the existing Bastrop West Commercial site, commonly known as the Tractor Supply lot.

The property was zoned P5 Core under the prior B3 Code when the application was submitted. The property is now zoned General Commercial under the Bastrop Development Code. Both zoning districts allow a maximum impervious cover of 65 percent.

The existing site is a legally nonconforming lot at 91.7 percent impervious cover. The applicant proposes to subdivide the property into three lots to allow two new commercial businesses to be developed in an area currently used as excess parking along the frontage road.

The proposed redevelopment would add landscaping and pervious area, reducing the overall site impervious cover from 91.7 percent to 82.8 percent. However, one of the newly created lots would still exceed the 65 percent maximum impervious cover requirement.

The B3 Code and the Bastrop Development Code allow existing nonconforming conditions to continue under certain circumstances, but do not allow subdivision of an existing nonconforming lot, or creation of new nonconforming lots without coming into compliance or express approval from the Zoning Board of Adjustments.

The two new pad sites are proposed to comply with the B3 requirements in effect at the time of application, except for impervious cover.

ZONING VARIANCE JUSTIFICATION BASED ON VARIANCE CRITERIA:

Staff analyses zoning variance requests and makes a recommended based off the specific criteria under **Section 2.4.003 Zoning Board of Adjustments (ZBA), (f) Variances**, of the B3 Code, as authorized under Chapter 211 of the Texas Local Government Code.

(1) The ZBA may authorize a Variance from these Standards when, in its opinion, undue hardship will result from requiring strict compliance. In making the findings hereinafter required, the ZBA shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, and the probable effect of such Variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

The proposed use is commercial and is generally compatible with the existing Tractor Supply site and surrounding commercial area. The project would also improve the overall site condition by reducing impervious cover and adding landscaping.

However, the variance would allow one existing nonconforming lot to be divided into three lots, being. One lot would remain above the 65 percent maximum impervious cover requirement.

Staff Finding: The proposal improves the overall site but still creates three nonconforming lots. Public health, safety, and welfare concerns related to impervious cover remain relevant. However, if the variance is approved, a Final Drainage Plan will be required to be submitted and approved to comply with current drainage requirements to ensure no additional off-site impacts.

(2) In order to grant a Variance from these zoning Standards, the ZBA must make written findings that undue hardship exists, using the following criteria:

A. Special circumstances or conditions exist that affect the land involved such that the strict application of the provisions of this Code would deprive the Applicant of the reasonable use of the land.

Information for Consideration:

The site is already developed and used for commercial purposes. The existing Tractor Supply use may continue. The impervious cover is already existing and over 65%.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant.

Information for Consideration:

The requested variance would allow the site to be developed to have two additional lots and two additional commercial developments in the south portion of the lot and would decrease the overall impervious coverage.

Examples of factors the ZBA may consider include:

- Whether the ability to further develop the southern portion of the property is necessary to preserve and enjoy a substantial property right.
- Whether the ability to provide two additional lots and reduce the overall impervious cover, is necessary to preserve a substantial property right.
- Whether the property can continue to serve a commercial function without the requested variance.
- Whether approval of the variance would observe the spirit and intent of the Code.
- Whether granting or denying the variance would result in substantial justice based on the facts in the record.

C. Granting of the Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area, and the spirit of the ordinance will be observed. Variances shall be granted only when in harmony with the general purpose and intent of this Code.

Information for Consideration:

The proposed use is the redevelopment of an existing commercial lot and adding two additional businesses in the south. The property is located near a state highway surrounded by commercial use development. The proposed site improvements include two additional lots with improved impervious coverage.

Examples of factors the ZBA may consider include:

- Whether subdividing the lot would improve accessibility, drainage design, and on-site traffic circulation.
- Whether the requested increase in lot amounts with one of them exceeding the 65 percent impervious cover could affect stormwater runoff, downstream drainage, or nearby properties.
- Whether required drainage improvements and detention standards adequately address potential impacts.
- Whether the proposed site improvements protect public health, safety, and welfare.
- Whether the increase in impervious cover could positively or negatively affect site design to reduce traffic, on street parking, and neighborhood compatibility.

D. Granting of a Variance is consistent with the Comprehensive Plan and will not have the effect of preventing the orderly use of other land in the area in accordance with the provisions of this Code.

Information for Consideration:

The proposed commercial use is generally consistent with the commercial character of the area.

E. Granting of a Variance must be predicated on a finding that the Applicant's practical difficulties or unnecessary hardship arise from unusual conditions or circumstances, including topography or the exceptional irregularity of the land involved, that are not shared generally by other parcels in the neighborhood or district.

Information for Consideration:

The record may be reviewed to determine whether the property has extraordinary physical conditions, such as exceptional narrowness, shallowness, shape, topography, drainage constraints, or other site-specific characteristics such as existing conditions.

Examples of factors the ZBA may consider include:

- Whether the lot has exceptional narrowness, shallowness, shape, topography, or similar extraordinary physical conditions.
- Whether the conditions relied on for the variance are related to the property itself.
- Whether similar conditions are generally shared by other properties in the same zoning district or vicinity.
- Whether other small or infill parking lots in the area face similar impervious cover or parking capacity constraints.
- Whether the hardship arises from the property characteristics or from the proposed development layout.

F. A Variance is to be denied if conditions or circumstances relied on for a Variance were created by a person having an interest in the property.

Information for Consideration:

The variance request is associated with a lot that already has existing impervious cover and the further subdivision of the lots.

Examples of factors the ZBA may consider include:

- Whether the need for the variance results from the physical characteristics of the property.
- Whether the need for the variance results from the proposed site design or desired number of lots.
- Whether alternative layouts, materials, parking counts, or site improvements could reduce or eliminate the need for the variance.
- Whether the circumstances supporting the request were created by the applicant, property owner, or proposed development plan.
- Whether the requested relief is necessary due to an existing condition or due to the proposed redevelopment plan.

G. Financial hardship to the Applicant, standing alone, shall not be deemed to constitute a hardship.

Information for Consideration:

The applicant has identified that the subdivision of the lot is intended to allow the new businesses to have their own lot and no need for a condo regime.

Examples of factors the ZBA may consider include:

- Whether the request is based on financial hardship, operational convenience, parking demand, or site functionality.
- Whether reduced parking capacity, increased design difficulty, or project impracticality constitutes unnecessary hardship under the criteria.
- Whether the hardship is based on property-specific conditions rather than financial impact alone.
- Whether Texas Local Government Code Section 211.009(b-1) applies to the specific facts of the request.
- Whether any evidence in the record supports a hardship beyond ordinary development costs or project preference.

H. The Applicant bears the burden of proof in establishing the facts justifying a Variance, which shall be documented in the record.

Information for Consideration:

The applicant has provided a variance justification letter and supporting site plan materials.

Examples of factors the ZBA may consider include:

- Whether the applicant has provided sufficient evidence to support each required finding.
- Whether the record identifies a property-specific unnecessary hardship.
- Whether the record identifies special conditions peculiar to the property.
- Whether the record includes evidence related to drainage, impervious cover, site constraints, parking needs, and alternative layouts.
- Whether the record supports approval, denial, or the need for additional information.

ZBA ACTION:

The ZBA may approve, approve with conditions if legally authorized, deny, or table the request for additional information.

Any action on the variance request should be based on the ZBA's written findings regarding the applicable variance criteria.

RECOMMENDATION:

Consider and act on the zoning variance request for Project #26-000145, a request for a zoning variance from the Bastrop Building Block Code, Section 6.5.003, Building Standards per Place

Type for the P5 Core zoning district, to allow an existing nonconforming lot to be subdivided into three lots to accommodate two new businesses on a portion of the existing parking lot. One of the resulting lots would exceed the district's maximum impervious cover requirement of 65 percent, with proposed impervious cover percentages of approximately 88.6 percent, 64.3 percent, and 61.8 percent, respectively.

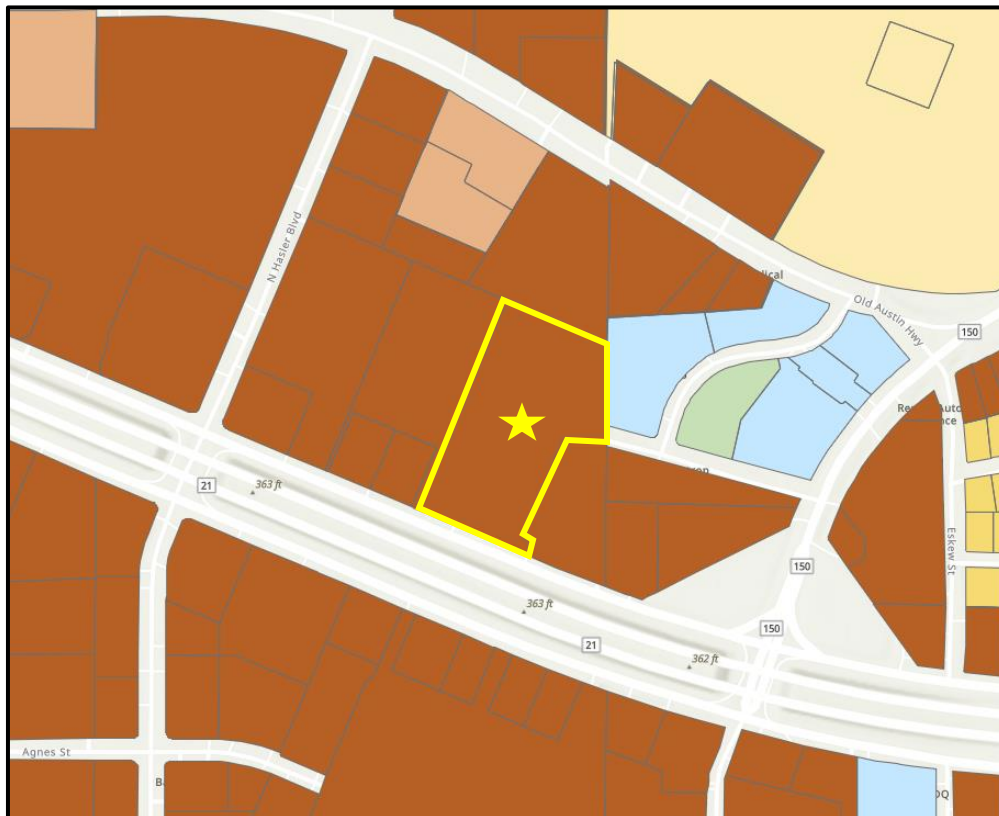
ATTACHMENTS:

- Zoning Map and Site Map
- Proposed Subdivision/Site Plan
- Variance Justification Letter from Applicant

Site Map



Zoning Map



Zoned Parcels

ZoneType

-  Parks & Open Space
-  Rural Residential
-  Single Family Residential (SF-1)
-  Single Family Residential (SF-2)
-  Single Family Residential (SF-3)
-  Mixed Use
-  General Commercial
-  Public Institutional
-  Industrial
-  Planned Development

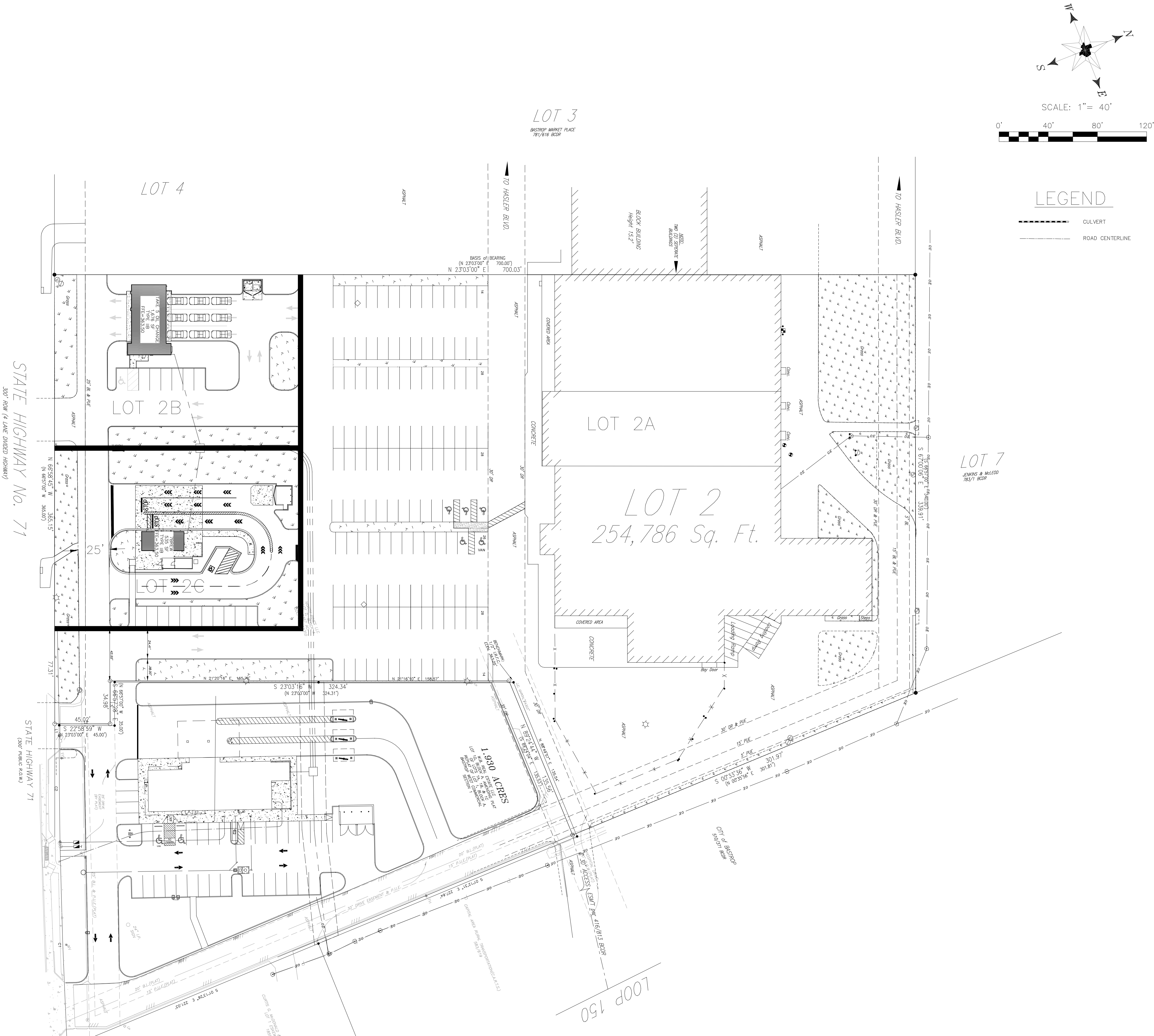
EXISTING CONDITIONS:
LOT 2 = 254,786 SF
LOT COVERAGE = 233,555 SF (91.7%)

PROPOSED CONDITIONS:
TOTAL SITE = 254,786 SF
TOTAL IMPERVIOUS COVER = 210,930 SF (82.8%)

LOT 2A:
197,228 SF
LOT COVERAGE = 174,652 SF (88.6%)
136 PARKING SPACES

LOT 2B:
28,208 SF
LOT COVERAGE=18,137 SF (64.3%)
BLDG: 1,676 SF
7 PARKING SPACES

LOT 2C:
29,350 SF
LOT COVERAGE=18,141 SF (61.8%)
BLDG: 535 SF
12 PARKING SPACES



NORTH PINES LLC
441 STATE HIGHWAY 71 WEST
BASTROP, TEXAS 78602
OVERALL SITE PLAN

Highland Development
& ENGINEERING COMPANY
hd+e
FIRM REGISTRATION # F-19450
111 N Hasler Blvd
Bastrop, Texas 78602
(512) 744-6815



SHEET
4
OF 8

CASE NO: -----

525 TAHITIAN DRIVE • BASTROP, TEXAS 78602 • PHONE (512) 585-1388

PROJECT DESCRIPTION LETTER

PROJECT: BASTROP WEST COMMERCIAL – LOT 2

Property Owner's Name : North Pines LLC

Property Address: 441 W SH 71, Bastrop, Texas 78602

Project Purpose : Create a 3-lot Amending Plat to allow two new lots for two new businesses on the SH 71 Corridor, providing tax revenue and amenities to local residents.

-
- Lot 2 (the subject) was developed for Walmart in mid- 1980's as a portion of a larger Shopping Center (Shopping Center). Walmart subsequently moved South of HWY. 71 and the Lot 2 building was then repurposed (partitioned into 3 units using internal demising walls by subsequent Owners). It remains subject to a Cross Easement Conveyance ("CC&R") which creates rights and duties for all Owners in the Shopping Center and contains multiple restrictions.
- Applicant acquired the Subject in October 2018. In 2019 Bastrop adopted what came to be known as "B-3" Code; While initially successful, implementing a one-size-fits-all, form-based code proved problematic. In April 2026 the Bastrop City Council unanimously repealed the B3 Code and replaced it with the traditional framework of the new Bastrop Development Code.
- Applicants' redevelopment efforts got caught in this transition. Virtually all planning, Tenant Research and Marketing for the Subject was done during the tenure of the B3 Code. In Spring of 2026, we had two acceptable prospective Tenants and by April/ May had started the re-plating process of Lot 2, to conform to the re-development plans. This effort included getting other Shopping Center Owners to approve the Plans and Tenants. Once this was done, we started

525 TAHITIAN DRIVE • BASTROP, TEXAS 78602 • PHONE (512) 585-1388

meetings with the city; we needed permission to re-plat Lot 2. We were told to apply for “Warrants” to deal with Impervious Cover issues under the B-3 Code. We filed for Warrants. Next, it was determined that Warrants were not the correct route; we needed to file for Variances- we did so. In the meantime, the city was working to re-establish a Zoning Board of Adjustment (ZBA). We became the first case for the new ZBA. This effort on our part was done, in hindsight too hurriedly—the application proved lacking in technical areas. To correct, we pulled the filing, expanded the explanations and reworked parts of the site plan design. That effort was helpful with documentation and with guidance from City Staff along with minor changes to the Plan we are now requesting Variance for impervious cover for only proposed Lot 2A, as we have redesigned proposed lots 2B & 2C to conform with current Code. Under the current Plan Proposed Lot 2B & C will be Compliant; and Lot 2A will need Variance for Impervious Cover. The various ratios for the respective Lots are set out on Site Plan attached. To this Application.

Brynda K. Fowler 07/20/2026

- Brynda Fowler, Steubing Land Surveying, 1802 SH 95, Bastrop, Texas 78602 512-567-9256
- Owner’s Agent for North Pines LLC