Bastrop Planning and Zoning Commission Agenda Bastrop City Hall City Council Chambers 1311 Chestnut Street Bastrop, TX 78602 (512) 332-8800



**September** 15, 2022

### Agenda - Planning and Zoning Commission at 6:00 PM

Bastrop Planning and Zoning Commission 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. **ANNOUNCEMENTS**

Introduction - Keehren Baah, Assistant Director of Planning & Development

### 3. 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. Alternately, if you are unable to attend the Board/Commission meeting, you may complete a citizen comment form with your comments at <u>www.cityofbastrop.org/citizencommentform</u> at least two hours before the meeting starts on the requested date. Comments submitted by this time will be given to the Board/Commission during the meeting and included in the public record, but not read aloud. 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 City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Board/Commission to allow a member of the public to slur the performance, honesty and/or integrity of the Board/Commission, as a body, or any member or members of the Board/Commission individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Board/Commission and/or any person in the Board/Commission's presence will not be tolerated.

### 4. **ITEMS FOR INDIVIDUAL CONSIDERATION**

- <u>4A.</u> Consider action to appoint a Planning & Zoning Commission member as its representative on the Historic Landmark Commission (HLC).
- 4B. Hold public hearing and consider action on a subdivision variance from the B<sup>3</sup> Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.
- <u>4C.</u> Hold public hearing and consider action on a replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

### 5. **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 of convenient and readily accessible to the general public, as well as to the City's website, <u>www.cityofbastrop.org</u> and said Notice was posted on the following date and time: Friday, September 9, 2022 at 7:15 p.m. and remained posted for at least two hours after said meeting was convened.

<u>/s/ Jennifer C. Bills</u> Jennifer Bills, Director of Planning



## **STAFF REPORT**

### MEETING DATE: September 15, 2022

### TITLE:

Consider action to appoint a Planning & Zoning Commission member as its representative on the Historic Landmark Commission (HLC).

### **STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

### BACKGROUND/HISTORY:

Per the membership requirements for the Historic Landmark Commission (HLC), the P&Z Commission is to nominate a P&Z member to serve as an HLC member, which will be forwarded to the Mayor for appointment.

The HLC currently meets on the third Wednesday of the month at 6:00 p.m.



## **STAFF REPORT**

### MEETING DATE: September 15, 2022

### TITLE:

Hold public hearing and consider action on a subdivision variance from the B<sup>3</sup> Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

### STAFF REPRESENTATIVE:

Jennifer C. Bills, Director of Planning & Development

### **ITEM DETAILS:**

TIEWI DETAILS:	
Site Address:	TBD Post Oak Rim (Attachment 1)
Total Acreage:	1.838 acres
Legal Description:	Piney Ridge Section 1, Block A, Lot 11
Property Owner:	Martha Miles
Agent Contact:	James Garon, James E. Garon & Associates, Inc.
Existing Use:	Vacant
Existing Zoning:	P2 - Rural
Future Land Use:	Rural Residential

### **BACKGROUND/HISTORY:**

The applicant has submitted an application to replat Lot 11 of Piney Ridge Section 1, Block A (Exhibit A). The replat proposes dividing the 1.838-acre lot into two lots, 1.065 acres and 0.773 acres.

Section 1 was originally platted with 49 lots in 1978. It was replatted in 1981 with 71 total lots. Section 2 was originally platted with 13 lots in 1980 and replatted with 32 lots. Section 3 was platted in 1981 with 65 lots. Other replats and illegal deed divisions have occurred over the years, yielding over 170 individually owned parcels in the Piney Ridge Subdivision (Attachment 2).

The applicant is requesting two variances to the subdivision regulations:

### B<sup>3</sup> Code Technical Manual, Section 3.2.005

(a) Lots 1 acre or greater outside the wastewater CCN [or more than 300 feet from an existing wastewater line] shall be permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this 1 acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.

This standard was adopted to promote orderly development of utilities and infrastructure as areas of the city become more urban. Lots that are 1 acre or greater create a subdivision that is rural in nature. As the lot sizes continue to get smaller and development denser, additional septic systems create environmental issues that are not present with an organized sanitary sewer system. Additionally, as one of the Intents of the B<sup>3</sup> Code is to ensure the City is fiscally sustainable, new properties within the City Limits should become wastewater customers.

### 2018 International Fire Code, Appendix D, Section D107.1 One- and Two-family dwelling residential development

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access road. Exceptions:

- 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
- 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

The Piney Ridge Subdivision has only one access road, Piney Ridge Drive, which connects to Hoffman Road. None of the other publicly accessible roads within the subdivision connect out of the subdivision. An accident at this intersection or an emergency that requires evacuation can cause the residents within the subdivision to be stuck with no alternative route for egress.

### POLICY EXPLANATION:

Replats with residential restrictions are reviewed and approved by the Planning & Zoning Commission. This subdivision has residential restrictions.

Compliance with 2036 Comprehensive Plan:

Future Land Use Plan - Rural Residential: The Rural Residential character area is for lands primarily found on the City's periphery, and is characterized by large lot single-family residences, as well as agriculture, ranching, silviculture, and natural landscape. Rural Residential areas which retain a pastoral setting have not always been set aside for conservation or public use, but may eventually be subject to subdivision, and/or conversion to agricultural or other similar uses.

The future land use plan does not define a "large lot size" however the description includes that a majority of the space retain a pastoral setting for agriculture or natural landscape. Creating additional lots does not maintain this intent.

Goal 4.1.1 Provide a greater diversity of housing options in Bastrop while protecting the character of the City's existing neighborhoods.

The Piney Ridge Subdivision was originally platted with a majority of the lots ranging from 1 acre to over 5 acres in size.

Sec. 212.014. Replatting without Vacating Preceding Plat.

A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

- (1) is signed and acknowledged by only the owners of the property being replatted;
- (2) is approved by the municipal authority responsible for approving plats; and
- (3) does not attempt to amend or remove any covenants or restrictions.

Sec. 212.015. Additional Requirements for Certain Replats.

(a) In addition to compliance with Section 212.014, a replat without vacation of the preceding plat must conform to the requirements of this section if:

(1) during the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or

Prior to the adoption of the B<sup>3</sup> Code in 2019, the property was zoned SF-20, which was a residential zoning classification that did not allow more than 1 residential unit per lot.

(2) any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

The subdivision has residential deed restrictions.

(a-1) If a proposed replat described by Subsection (a) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the municipality.

### Two variances are being requested.

(a) Notice of the hearing required under Subsection (a-1) shall be given before the 15th day before the date of the hearing by:

(1) publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and

(2) by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.

A notice was placed in the Bastrop Advertiser on August 31, 2022 and notice mailed to the property owners within 200 feet. At the time of this report, no responses have been received.

(b) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative

vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

At the time of this report, no protest has been received.

(c) In computing the percentage of land area under Subsection (c), the area of streets and alleys shall be included.

B<sup>3</sup> Code – Chapter 1: Subdivisions

Section 1.3.001 Standard Procedure - Platting

Any subdivision requiring the extension of public infrastructure or of more than four lots require the approval of a Preliminary Plat, Public Improvement Plan, and a Final Plat. This re-subdivision is fewer than four lots and did not require public infrastructure, classifying it as a replat.

• Section 1.3.004 Plat Requirements

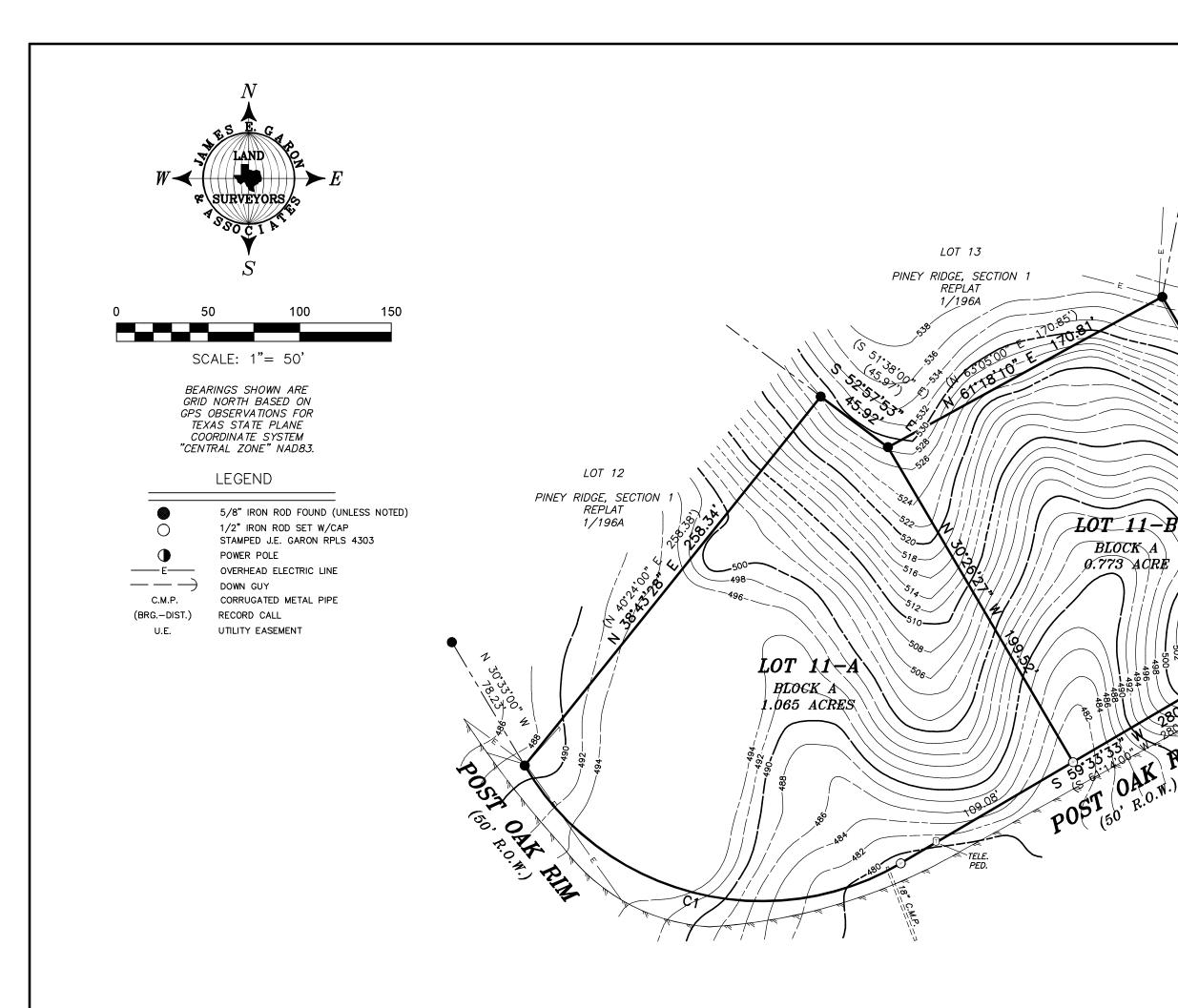
The Development Review Committee reviewed the replat for compliance with subdivision and utility standards on August 22, 2022 and deemed that the plat cannot be recommended for approval unless the two variance requests are granted.

### **RECOMMENDATION:**

Hold public hearing and consider action to **deny** a subdivision variance from the B<sup>3</sup> Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and **deny** a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

### ATTACHMENTS:

- Exhibit A: Piney Ridge Section 1, Block A, Replat of Lot 11
- Attachment 1: Location Map
- Attachment 2: Piney Ridge Parcel Map
- Attachment 3: Applicant Letter
- Attachment 4: Notice to Property Owners



### STATE OF TEXAS } COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARTHA MILES BEING THE OWNER OF 1.838 ACRES OF LAND, BEING LOT 11. BLOCK A, PINEY RIDGE, SECTION ONE, REPLAT, A SUBDIVISION SITUATED IN BASTROP COUNTY, TEXAS AND RECORDED IN PLAT CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS AND AS CONVEYED TO ME BY DEED RECORDED IN DOCUMENT #202011581 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, DO HEREBY REPLAT SAID LAND IN ACCORDANCE WITH THE PLAT SHOWN HEREON, TO BE KNOWN AS: PINEY RIDGE. SECTION ONE. REPLAT

### **REPLAT OF LOT 11, BLOCK A**

SUBJECT TO EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED AND DO HEREBY DEDICATE ANY STREETS AND/OR EASEMENTS SHOWN HEREON TO THE PUBLIC

WITNESS MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_, 2022, A.D.

### MARTHA MILES 127 N KAUPO DRIVE BASTROP, TEXAS 78602

STATE OF TEXAS 🛔 COUNTY OF BASTROP }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARTHA MILES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE\_\_\_\_\_DAY OF\_\_\_\_\_ 2022, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS JAMES E. GARON11/08/2024PRINTED NAME OF NOTARY / EXPIRES

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A.D. BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BASTROP, TEXAS. ATTEST: APPROVED:

PLANNING & ZONING COMMISSION CHAIRPERSON

CITY SECRETARY

### STATE OF TEXAS § COUNTY OF BASTROP }

KNOW ALL MEN BY THESE PRESENTS

### THAT I, JAMES E. GARON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BASTROP, TEXAS.

JAMES E. GARON REGISTERED PROFESSIONAL LAND SURVEYOR REG. NO. 4303 FIRM REG. #10058400 185 MCALLISTER ROAD, BASTROP, TEXAS 78602 PH. 512-303-4185 FAX 512-321-2107

JAMESEGARON.COM

STATE OF TEXAS & COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS I, RACHEL D. HARTZLER, P.E., DO HEREBY CERTIFY THAT THE STREET AND DRAINAGE DESIGN, AS SHOWN HEREON, COMPLIES WITH THE SUBDIVISION REGULATIONS OF BASTROP COUNTY, AND THAT

THE 100 YEAR FLOOD PLAIN IS AS SHOWN AND WILL BE CONTAINED WITHIN THE DRAINAGE EASEMENTS, AS SHOWN HEREON.

RACHEL D. HARTZLER, P.E. DATE PROFESSIONAL ENGINEER NO. 117344 FIRM REG. **#**F-20368 185 MCALLISTER ROAD BASTROP, TEXAS 78602 512-303-4185

UTILITY SERVICE PROVIDERS:

WATER SERVICE IS PROVIDED BY: <u>CITY OF BASTROP</u> WASTEWATER SERVICE IS PROVIDED BY: <u>INDIVIDUAL ON-SITE SEWAGE FACILITIES</u> ELECTRIC SERVICE IS PROVIDED BY: <u>BASTROP POWER & LIGHT</u>

FLOOD PLAIN NOTE:

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100 YEAR SPECIAL FLOOD HAZARD AREA (1% ANNUAL CHANCE OF FLOODING AREA) AS IDENTIFIED BY THE FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0360E, EFFECTIVE JANUARY 19, 2006 FOR THE COMMUNITY BASTROP COUNTY, COMMUNITY NUMBER 481193.

FLOOD WARNING: THE DEGREE OF FLOOD PROTECTION REQUIRED BY THE BASTROP COUNTY FLOOD DAMAGE PREVENTION ORDER IS CONSIDERED REASONABLE FOR REGULATORY PURPOSES AND IS BASED ON SCIENTIFIC AND ENGINEERING CONSIDERATIONS. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. ACCEPTANCE OF THIS PLAT BY THE COMMISSIONERS COURT DOES NOT IMPLY THAT LAND OUTSIDE THE AREAS OF SPECIAL FLOOD HAZARDS OR USES PERMITTED WITHIN SUCH AREAS WILL BE FREE FROM FLOODING OR FLOOD DAMAGES. NOR SHALL ACCEPTANCE OF THIS PLAT CREATE LIABILITY ON THE PART OF BASTROP COUNTY OR ANY OFFICIAL OR EMPLOYEE THEREOF FOR ANY FLOOD DAMAGES THAT RESULT FROM RELIANCE ON INFORMATION CONTAINED WITHIN THIS PLAT OR ANY ADMINISTRATION DECISION LAWFULLY MADE THEREUNDER.

EROSION AND SEDIMENTATION CONTROLS ARE REQUIRED FOR CONSTRUCTION ON EACH LOT, INCLUDING SINGLE-FAMILY, DUPLEX, AND MULTI-FAMILY CONSTRUCTION.

# PINEY RIDGE, SECTION ONE, REPLAT REPLAT OF LOT 11, BLOCK A

CURVE TABLE RCLENGTHCHORDLENGTHCHORDBEARINGDELTAANGLE35.62'212.13'N75°25'24"W90°00'01"

### **3PLAT NOTES:**

-POINT OF BEGINNING

BENCHMARK:

1/2"IRON ROD FOUND

AT THE EASTERLY CORNER

OF LOT 11-B, ELEVATION = 500.5'

LOT 10

PINEY RIDGE, SECTION

REPLAT

1/196A

1. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS FROM THE PREVIOUS SUBDIVISION PINEY RIDGE, SECTION ONE, REPLAT AS RECORDED IN CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS

2. ALL SUBDIVISION PERMITS SHALL CONFORM TO THE CITY OF BASTROP CODE OF ORDINANCES, PUBLIC IMPROVEMENT STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.

3. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES SOLE RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF BASTROP. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR RE-PLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

4. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE APPROVED WATER DISTRIBUTION AND WASTEWATER CONNECTION FACILITIES. 5. WASTEWATER AND WATER SYSTEMS SHALL CONFORM TO TEXAS COMMISSION

ON ENVIRONMENTAL QUALITY (ICEQ) 6. ALL UTILITIES WILL BE UNDERGROUND.

7. IMPACT FEES SHALL BE ASSESSED IN ACCORDANCE WITH THE ORDINANCE

EFFECTIVE AT THE TIME OF PLATTING. 8. DEVELOPER OR PROPERTY OWNER SHALL BE SOLELY RESPONSIBLE FOR ALL RELOCATION AND MODIFICATIONS TO EXISTING UTILITIES.

9. TEMPORARY AND PERMANENT EASEMENTS TO BE PROVIDED, AS REQUIRED AT THE CITY'S SOLE DISCRETION FOR OFF-SITE IMPROVEMENTS.

10. AS SHOWN HEREON, A TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) IS HEREBY DEDICATED ADJACENT TO STREET RIGHTS-OF-WAY ON ALL LOTS. A FIVE (5) FOOT WIDE P.U.E IS HEREBY DEDICATED ALONG EACH SIDE AND REAR LOT LINE. 11. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO ALL EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES. 12. NO BUILDING, FENCES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED WITHIN DRAINAGE EASEMENTS SHOWN, EXCEPT AS APPROVED BY THE CITY OF BASTROP AND/OR BASTROP COUNTY.

13. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNEES.

14. NO LOT OR STRUCTURE SHALL BE OCCUPIED PRIOR TO THE APPLICANT SUBMITTING TO THE CITY OF BASTROP DOCUMENTATION OF SUBDIVISION/SITE REGISTRATION WITH THE TEXAS DEPARTMENT OF LICENSING AND REGULATIONS (TDLR) AND PROVIDE DOCUMENTATION OF REVIEW AND COMPLIANCE OF THE SUBDIVISION CONSTRUCTION PLANS WITH TEXAS ARCHITECTURAL BARRIERS ACT (TABA).

15. EROSION AND SEDIMENTATION CONTROLS CONSTRUCTED IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF BASTROP ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION.

16. PUBLIC UTILITY AND DRAINAGE EASEMENTS WHERE SHOWN AND/OR DESCRIBED HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE WAYS; INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES, AND NATURAL GAS LINES.

17. SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF BASTROP.

18. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THE SUBDIVISION, BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF BASTROP.

19. BUILD-TO LINES SHALL BE IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF BASTROP.

20. BLANKET TEMPORARY ACCESS AND CONSTRUCTION EASEMENT DOCUMENT \_\_\_\_\_ HAS BEEN PROVIDED FOR CONSTRUCTION ACCESS.

21. ANY PUBLIC UTILITY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY VEGETATION AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE SUCH PROVIDERS WITH ANY EASEMENT AND OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF PUBLIC UTILITIES.

22. LINE EXTENSION FEES ARE REQUIRED TO BE ASSESSED AT THE TIME OF PLATTING. PROVIDE ELECTRIC LOAD CALCULATIONS, NUMBER OF SERVICES, OR PLANS FOR REVIEW.

23. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF BASTROP.

24. BENCHMARK USED: 1/2" IRON ROD FOUND AT THE EASTERLY CORNER OF LOT 11-B, ELEVATION = 500.5', MONUMENT DATA, LCRA HARN STATION A757 NORTHING STP: 10020749.9478, EASTING STP: 3252162.9986, ELEVATION = 386.54'.

LEGAL DESCRIPTION:

BEING 1.838 ACRES, AND BEING ALL OF LOT 11, BLOCK A, PINEY RIDGE, SECTION ONE, REPLAT, A SUBDIVISION IN PLAT CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS AND BEING CONVEYED TO MARTHA MILES BY DEED RECORDED IN INSTRUMENT #202011581 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2"" iron rod found in the northerly right-of-way line of Post Oak Rim (50' R.O.W.) for the most easterly corner hereof and said Lot 11, being the most southerly corner of Lot 10, Block A of said Piney Ridge, Section One, Replat;

THENCE S 59'33'33" W a distance of 280.57 feet along said right-of-way to a 1/2" iron rod with cap stamped "J,E, Garon RPLS4303" set at a point of curvature for an angle point hereof;

THENCE with said curve, being a curve to the right, having a radius of 150.00 feet, an arc distance of 235.62 feet and whose chord bears N 75°25'24" W a distance of 212.13' feet to a 1/2" iron rod found for the most westerly corner hereof and said Lot 11, Block A, being the most southerly corner of Lot 10, Block A of said Piney Ridge. Section One. Replat:

THENCE leaving said right-of-way with the common line of said Lots 10 and 11, Piney Ridge, Section One, Replat, N 38'43'28" E a distance of 258.34 feet to a 1/2" iron rod found in the southwest line of Lot 13. Block A of said Piney Ridge. Section One, Replat, the easterly corner of said Lot 12, Block A for a northerly corner hereof and said Lot 11, Block A:

THENCE with the common line of said Lots 11 and 13, Block A, S 52\*57'53" E a distance of 45.92 feet for an angle point and N 6118'10" E a distance of 170.81 feet to a 1/2" iron rod found at a westerly corner of said Lot 10, Block A, the southeasterly corner of said Lot 13, Block A for the northeasterly corner hereof and said Lot 11, Block A;

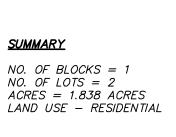
containing 1.838 acres of land.

CONSERVATION SUBDIVISION NOTES:

THIS PROJECT IS LOCATED WITHIN THE AREA OF "KNOWN AND POTENTIAL HABITAT" OF THE ENDANGERED HOUSTON TOAD AS DETERMINED BY THE U.S. FISH AND WILDLIFE SERVICE. AS AUTHORIZED UNDER BASTROP COUNTY'S FEDERAL FISH AND WILDLIFE-ISSUED ENDANGERED SPECIES - INCIDENTAL TAKE PERMIT NUMBER TE-113500-0, PROPERTY OWNERS SHOULD CONTACT THE LOST PINES HABITAT CONSERVATION PLAN (LPHCP) ADMINISTRATOR AT THE BASTROP COUNTY DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT ACTIVITY.

SINCE NO FURTHER FRAGMENTATION OF POTENTIAL HOUSTON TOAD HABITAT OCCURS FROM THIS SUBDIVISION, IT HAS NO EFFECT TO THE LPHCP.

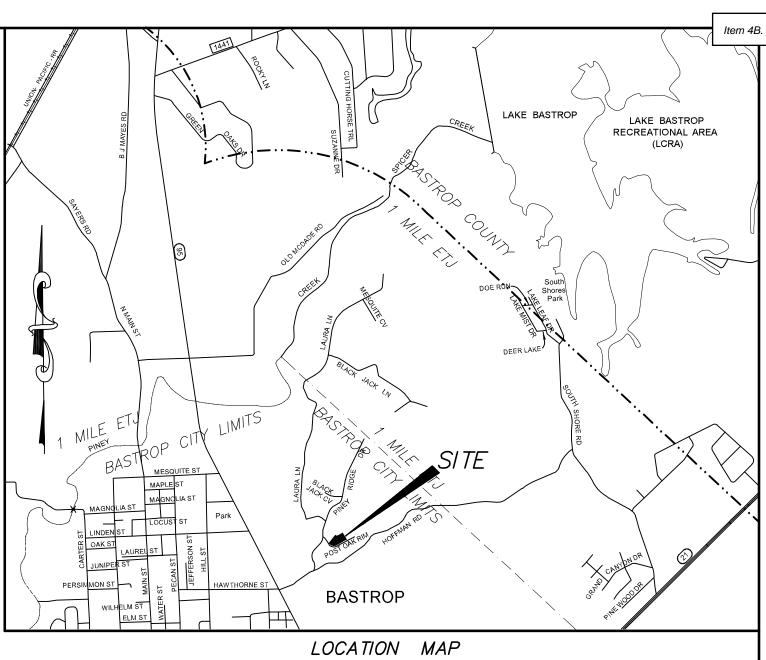
SURVEYOR:



OWNER: Martha Miles 127 N Kaupo Drive Bastrop, Texas 78602 713–819–7123

ENGINEER: James E. Garon & Associates, Inc. Firm Reg. #F–20368 Rachel D. Hartzler License #117344 185 McAllister Road Bastrop, Texas 78602 512-303-4185

James E. Garon & Associates, Inc. James E. Garon, R.P.L.S. Firm Reg. #10058400 185 McAllister Rd. Bastrop, Texas 78602 512-303-4185



NOT TO SCALE

THENCE S 30'39'52" E a distance of 194.32 feet to the POINT OF BEGINNING,

STATE OF TEXAS } COUNTY OF BASTROP }

I, KRISTA BARTSCH, COUNTY CLERK OF BASTROP COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE\_\_\_\_DAY OF\_\_\_\_, 2022, A.D., AT\_\_\_\_\_O'CLOCK\_\_\_\_\_M., IN THE PLAT RECORDS OF BASTROP COUNTY, TEXAS IN PLAT CABINET\_\_\_\_\_, PAGE\_\_\_\_\_

FILED FOR RECORD ON THE\_\_\_\_DAY OF\_\_\_\_, 2022, A.D.

DEPUTY

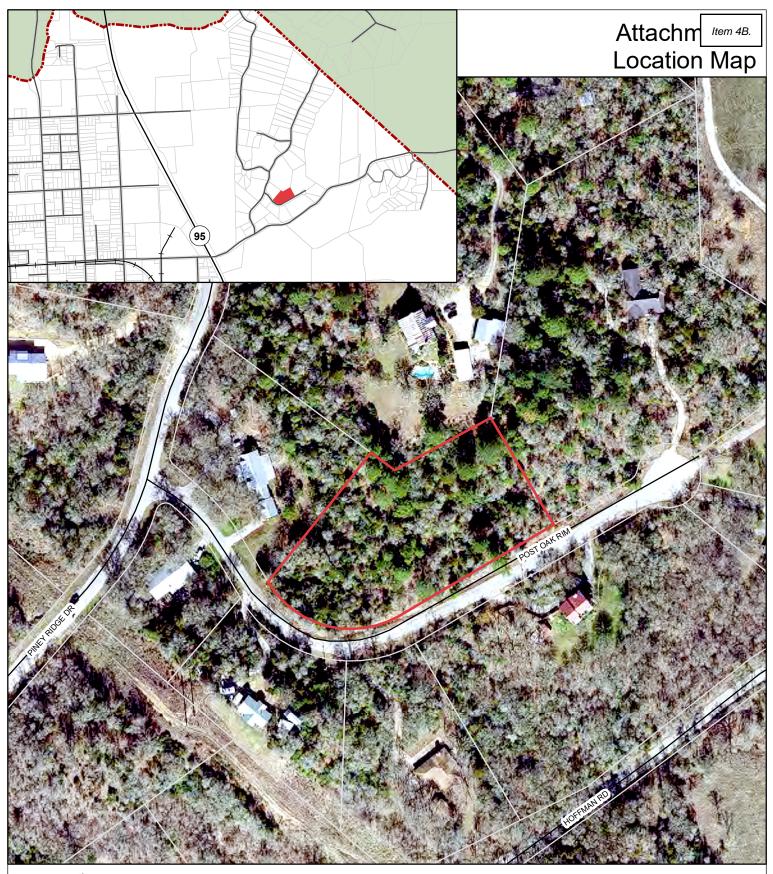
KRISTA BARTSCH COUNTY CLERK BASTROP COUNTY, TEXAS

PINEY RIDGE, SECTION ONE, REPLAT REPLAT OF LOT 11, BLOCK A

> FIELD BOOK: B-671/15 FILE: Server\Co\Bastrop\Subd\Piney Ridge\Section 1\98921-Plat\98921-Plat.dwa

SURVEY DATE:	NOVEMBER 29, 2021	
DRAWN:	DECEMBER 23, 2021	
REVISED:		
REVISED:		
REVISED:		

JAMES E. GARON & ASSOC LAND SURVEYORS & CIVIL ENGINEERS Firm Reg. #10058400 & F-20386 185 McAllister Road Bastrop, Texas 78602 (512) 303-4185 jgaron@austin.rr.com www.jamesegaron.com



### Date: 8/22/2022

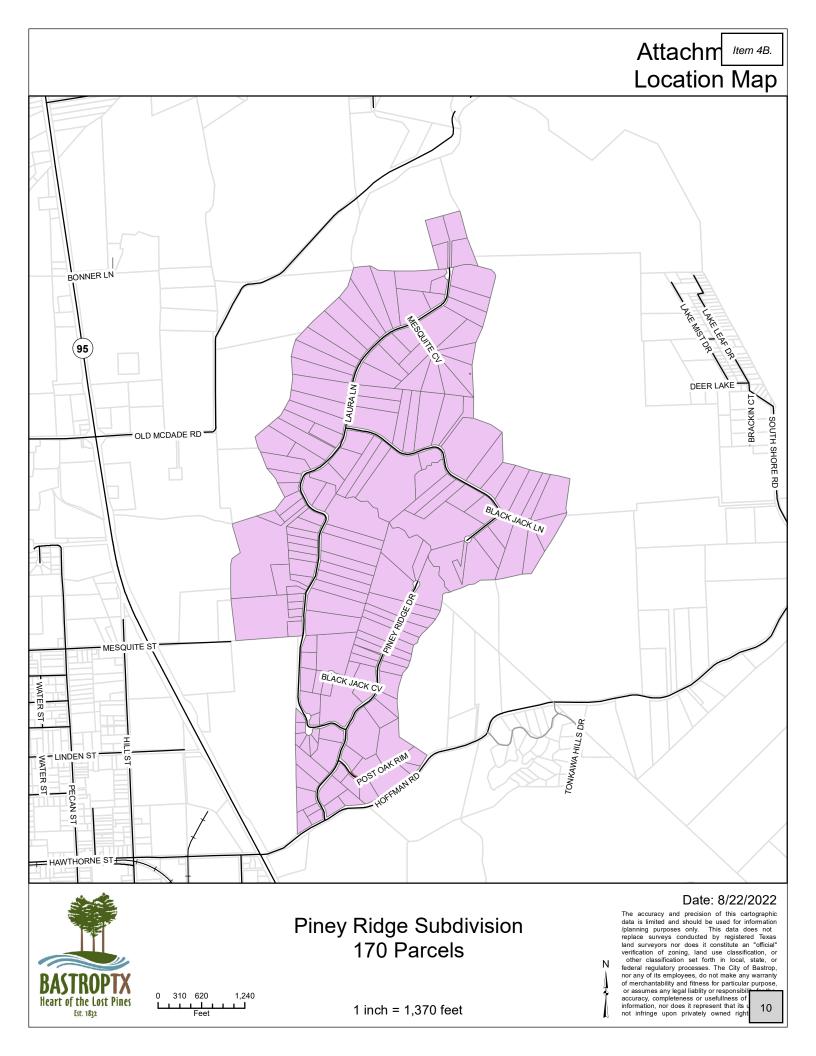


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Piney Ridge, Section One, Block A, Lot 11 Replat and Subdivision Variances

Date: 8/22/2022 The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility accuracy, completeness or usefulness of an information, nor does it represent that its us not infringe upon privately owned rights.

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### JAMES E. GARON & ASSOCIATES, INC.

LAND SURVEYORS & CIVIL ENGINEERS 185 McAllister Road Bastrop, Texas 78602 512-303-4185 Firm #10058400 jgaron@austin.rr.com

August 2, 2022

City of Bastrop Planning & Development 1311 Chestnut Street Bastrop, TX 78602

### RE: #22-000018 - Piney Ridge, Section One Replat, Replat of Lot 11, Block A

We request a variance from Bastrop Building Block Technical Manual. Article 3.2 Infrastructure requirements: Section 3.2.005. Lot 11-B is 0.773 acre and does not meet the requirement of 1 acre for an on-site septic system. The lot will be connected to an approved water supply system and under TCEQ rules the minimum required lot size is 0.50 acre.

In addition we request a variance from the IFC 2018, Appendix D, Sec. D107 not allowing more than 30 units in a subdivision without a secondary outlet. This is an existing subdivision, developed in 3 large sections, all exceeding 30 units. There have been multiple replats of lots creating additional units. This replat is fairly near the single outlet to Hoffman Road and should not pose an increased hazard.

Sincerely,

James E. Garon Registered Professional Land Surveyor Server: Co\Bastrop\Subdivision\Piney Ridge Sec 1\989-21 plat



## **STAFF REPORT**

### MEETING DATE: September 15, 2022

### TITLE:

Hold public hearing and consider action on a replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

### STAFF REPRESENTATIVE:

Jennifer C. Bills, Director of Planning & Development

ITEM DETAILS:	A second second
Site Address:	TBD Post Oak Rim (Attachment 1)
Total Acreage:	1.838 acres
Legal Description:	Piney Ridge Section 1, Block A, Lot 11
Property Owners:	Martha Miles
Agent Contact:	James Garon, James E. Garon & Associates, Inc.
Existing Use:	Vacant
Existing Zoning:	P2 - Rural
Future Land Use:	Rural Residential

### BACKGROUND/HISTORY:

The applicant has submitted an application to replat Lot 11 of Piney Ridge Section 1, Block A (Exhibit A). The replat proposes dividing the 1.838-acre lot into two lots, 1.065 acres and 0.773 acres.

Section 1 was originally platted with 49 lots in 1978. It was replatted in 1981 with 71 total lots. Section 2 was originally platted with 13 lots in 1980 and replatted with 32 lots. Section 3 was platted in 1981 with 65 lots. Other replats and illegal deed divisions have occurred over the years, yielding over 170 individually owned parcels in the Piney Ridge Subdivision.

The previous item is a public hearing and consideration for the two variances requested for this replat.

### Traffic Impact and Streets

Both proposed lots will have frontage on Post Oak Rim. There are 7 streets within the subdivision. Piney Ridge Drive connects to Hoffman Road. The other 6 streets (Laura Lane, Post Oak Rim, Black Jack Cove, Black Jack Lane, Elm Cove and Mesquite Cove all are dead end streets that do not provide any additional connections outside of the subdivision. All 170 existing parcels must exit at Piney Ridge Drive and Hoffman Road.

**Utilities** 

Water service (domestic and fire) is currently provided by the City of Bastrop. Wastewater service is provided by OSSF (on-site sewage facility). The nearest public sanitary sewer line is approximately 1,790 feet from Lot 11.

### Drainage

P2 zoning allows a percentage of impervious cover of up to 40%. The Piney Ridge Subdivision uses open ditch systems to convey water into Piney Creek.

### **POLICY EXPLANATION:**

Replats with residential restrictions are reviewed and approved by the Planning & Zoning Commission. This subdivision has residential restrictions.

### Compliance with 2036 Comprehensive Plan:

Future Land Use Plan - Rural Residential: The Rural Residential character area is for lands primarily found on the City's periphery, and is characterized by large lot single-family residences, as well as agriculture, ranching, silviculture, and natural landscape. Rural Residential areas which retain a pastoral setting have not always been set aside for conservation or public use, but may eventually be subject to subdivision, and/or conversion to agricultural or other similar uses.

The future land use plan does not define a "large lot size" however the description includes that a majority of the space retain a pastoral setting for agriculture or natural landscape. Creating additional lots does not maintain this intent.

Goal 4.1.1 Provide a greater diversity of housing options in Bastrop while protecting the character of the City's existing neighborhoods.

The Piney Ridge Subdivision was originally platted with a majority of the lots ranging from 1 acre to over 5 acres in size.

### Local Government Code

Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

Bastrop adopted subdivision regulations in 1981. The B<sup>3</sup> Code, Chapter 1: Subdivision outlines the process and requirements for plats within the Bastrop city limits and Extra Territorial Jurisdiction (ETJ).

### Section 212.004 Plat Required

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. The applicant has proposed subdividing a 1.838-acre residential lot into two lots. The B<sup>3</sup> Code Technical Manual Section 3.2.005 requires all new lots to be a minimum of 1 acre in size if utilizing on-site sewer facilities (septic).

Additionally, the 2018 International Fire Code, Appendix D, Section D107.1 requires a subdivision with more than 30 units/lots to have a secondary point of egress.

Two variance requests accompany this plat request.

Sec. 212.010. Standards for Approval

- (a) The municipal authority responsible for approving plats shall approve a plat if:
  - (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

The replat does not conforms to the Future Land Use Plan, which requires areas to extend utilities has the area becomes more urban.

(2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

Extension of roads are required to meet egress requirements for the Piney Ridge Subdivision. Utility extensions are required for sewer for an additional lot that is less than 1 acre.

 a bond required under Section 212.0106, if applicable, is filed with the municipality; and

A fiscal guarantee is not applicable if the replat is approved.

(4) it conforms to any rules adopted under Section 212.002.

The plat does not comply with the requirements of the adopted B<sup>3</sup> Code and Texas Local Government Code.

Sec. 212.014. Replatting without Vacating Preceding Plat.

A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

- (1) is signed and acknowledged by only the owners of the property being replatted;
- (2) is approved by the municipal authority responsible for approving plats; and
- (3) does not attempt to amend or remove any covenants or restrictions.

Sec. 212.015. Additional Requirements for Certain Replats.

(a) In addition to compliance with Section 212.014, a replat without vacation of the preceding plat must conform to the requirements of this section if:

(1) during the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or

Prior to the adoption of the B<sup>3</sup> Code in 2019, the property was zoned SF-20, which was a residential zoning classification that did not allow more than 1 residential unit per lot.

(2) any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

The subdivision has residential deed restrictions.

(a-1) If a proposed replat described by Subsection (a) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the municipality.

Two variances are being requested.

(b) Notice of the hearing required under Subsection (a-1) shall be given before the 15th day before the date of the hearing by:

(1) publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and

(2) by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.

A notice was placed in the Bastrop Advertiser on August 31, 2022 and notice mailed to the property owners within 200 feet. At this time, no responses have been received.

(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

At the time of this report, no protest has been received.

(d) In computing the percentage of land area under Subsection (c), the area of streets and alleys shall be included.

B<sup>3</sup> Code – Chapter 1: Subdivisions

Section 1.3.001 Standard Procedure - Platting

Any subdivision requiring the extension of public infrastructure or of more than four lots require the approval of a Preliminary Plat, Public Improvement Plan, and a Final Plat. This re-subdivision is fewer than four lots and did not require public infrastructure, classifying it as a replat.

Section 1.3.004 Plat Requirements

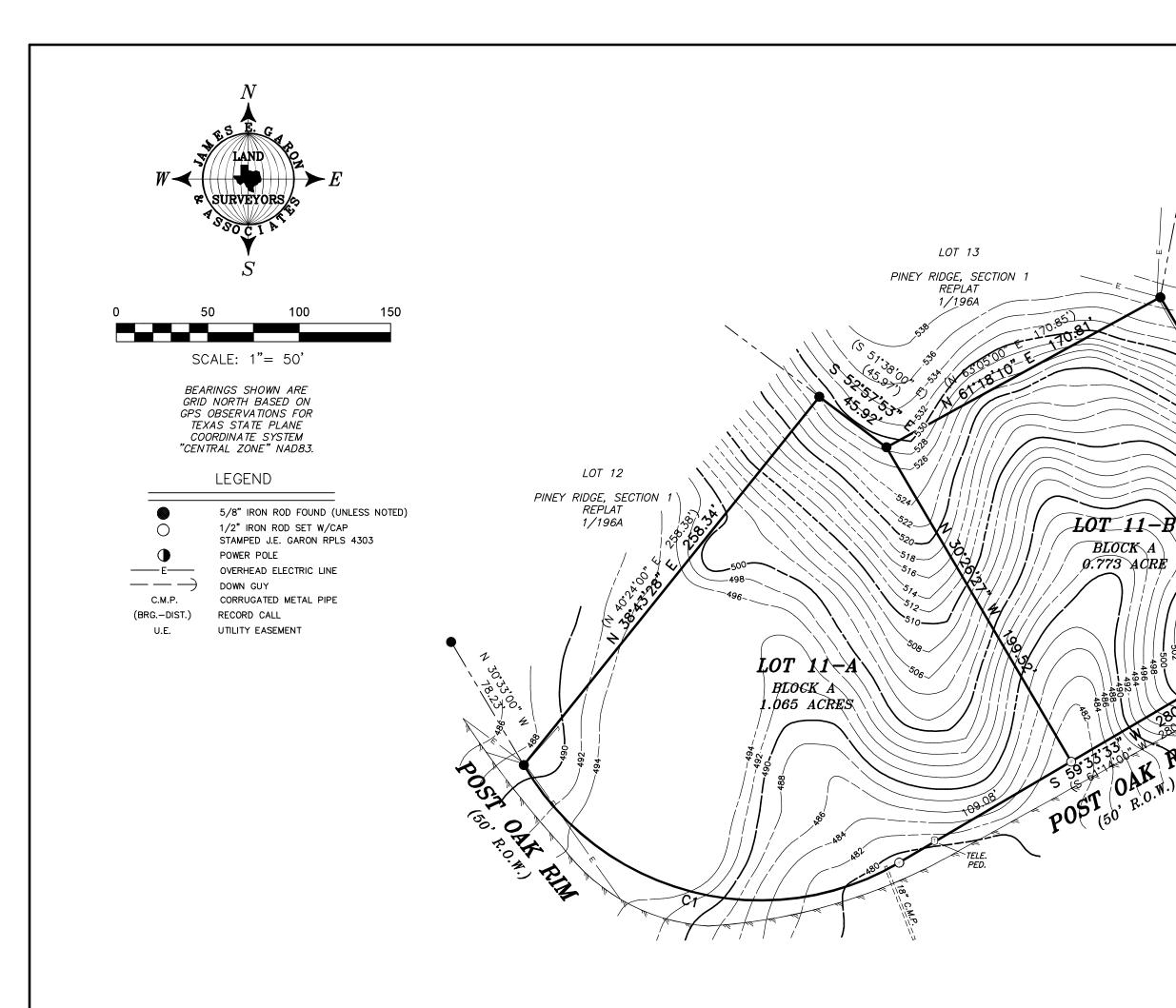
The Development Review Committee reviewed the replat for compliance with subdivision and utility standards on August 22, 2022 and deemed that the plat cannot be recommended for approval unless the two variance requests are granted.

### **RECOMMENDATION:**

Hold public hearing and consider action to approve the Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A with the condition that the two subdivision variance in the preceding item have been approved.

### **ATTACHMENTS:**

- Exhibit A: Piney Ridge Section 1, Block A, Replat of Lot 11
- Attachment 1: Location Map
- Attachment 2: Notice to Property Owners



### STATE OF TEXAS } COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARTHA MILES BEING THE OWNER OF 1.838 ACRES OF LAND, BEING LOT 11. BLOCK A, PINEY RIDGE, SECTION ONE, REPLAT, A SUBDIVISION SITUATED IN BASTROP COUNTY, TEXAS AND RECORDED IN PLAT CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS AND AS CONVEYED TO ME BY DEED RECORDED IN DOCUMENT #202011581 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, DO HEREBY REPLAT SAID LAND IN ACCORDANCE WITH THE PLAT SHOWN HEREON, TO BE KNOWN AS: PINEY RIDGE. SECTION ONE. REPLAT

### **REPLAT OF LOT 11, BLOCK A**

SUBJECT TO EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED AND DO HEREBY DEDICATE ANY STREETS AND/OR EASEMENTS SHOWN HEREON TO THE PUBLIC

WITNESS MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_, 2022, A.D.

### MARTHA MILES 127 N KAUPO DRIVE BASTROP, TEXAS 78602

STATE OF TEXAS 🛔 COUNTY OF BASTROP }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARTHA MILES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE\_\_\_\_\_DAY OF\_\_\_\_\_ 2022, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS JAMES E. GARON11/08/2024PRINTED NAME OF NOTARY / EXPIRES

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A.D. BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BASTROP, TEXAS. ATTEST: APPROVED:

PLANNING & ZONING COMMISSION CHAIRPERSON

CITY SECRETARY

### STATE OF TEXAS § COUNTY OF BASTROP }

KNOW ALL MEN BY THESE PRESENTS

### THAT I, JAMES E. GARON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BASTROP, TEXAS.

JAMES E. GARON REGISTERED PROFESSIONAL LAND SURVEYOR REG. NO. 4303 FIRM REG. #10058400 185 MCALLISTER ROAD, BASTROP, TEXAS 78602 PH. 512-303-4185 FAX 512-321-2107

STATE OF TEXAS & COUNTY OF BASTROP

JAMESEGARON.COM

KNOW ALL MEN BY THESE PRESENTS I, RACHEL D. HARTZLER, P.E., DO HEREBY CERTIFY THAT THE STREET AND DRAINAGE DESIGN, AS

SHOWN HEREON, COMPLIES WITH THE SUBDIVISION REGULATIONS OF BASTROP COUNTY, AND THAT THE 100 YEAR FLOOD PLAIN IS AS SHOWN AND WILL BE CONTAINED WITHIN THE DRAINAGE EASEMENTS, AS SHOWN HEREON.

RACHEL D. HARTZLER, P.E. DATE PROFESSIONAL ENGINEER NO. 117344 FIRM REG. **#**F-20368 185 MCALLISTER ROAD BASTROP, TEXAS 78602 512-303-4185

UTILITY SERVICE PROVIDERS:

WATER SERVICE IS PROVIDED BY: <u>CITY OF BASTROP</u> WASTEWATER SERVICE IS PROVIDED BY: <u>INDIVIDUAL ON-SITE SEWAGE FACILITIES</u> ELECTRIC SERVICE IS PROVIDED BY: <u>BASTROP POWER & LIGHT</u>

FLOOD PLAIN NOTE:

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100 YEAR SPECIAL FLOOD HAZARD AREA (1% ANNUAL CHANCE OF FLOODING AREA) AS IDENTIFIED BY THE FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0360E, EFFECTIVE JANUARY 19, 2006 FOR THE COMMUNITY BASTROP COUNTY, COMMUNITY NUMBER 481193.

FLOOD WARNING: THE DEGREE OF FLOOD PROTECTION REQUIRED BY THE BASTROP COUNTY FLOOD DAMAGE PREVENTION ORDER IS CONSIDERED REASONABLE FOR REGULATORY PURPOSES AND IS BASED ON SCIENTIFIC AND ENGINEERING CONSIDERATIONS. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. ACCEPTANCE OF THIS PLAT BY THE COMMISSIONERS COURT DOES NOT IMPLY THAT LAND OUTSIDE THE AREAS OF SPECIAL FLOOD HAZARDS OR USES PERMITTED WITHIN SUCH AREAS WILL BE FREE FROM FLOODING OR FLOOD DAMAGES. NOR SHALL ACCEPTANCE OF THIS PLAT CREATE LIABILITY ON THE PART OF BASTROP COUNTY OR ANY OFFICIAL OR EMPLOYEE THEREOF FOR ANY FLOOD DAMAGES THAT RESULT FROM RELIANCE ON INFORMATION CONTAINED WITHIN THIS PLAT OR ANY ADMINISTRATION DECISION LAWFULLY MADE THEREUNDER.

EROSION AND SEDIMENTATION CONTROLS ARE REQUIRED FOR CONSTRUCTION ON EACH LOT, INCLUDING SINGLE-FAMILY, DUPLEX, AND MULTI-FAMILY CONSTRUCTION.

# PINEY RIDGE, SECTION ONE, REPLAT REPLAT OF LOT 11, BLOCK A

CURVE TABLE RCLENGTHCHORDLENGTHCHORDBEARINGDELTAANGLE35.62'212.13'N75°25'24"W90°00'01"

### **3PLAT NOTES:**

-POINT OF BEGINNING

BENCHMARK:

1/2"IRON ROD FOUND

AT THE EASTERLY CORNER

OF LOT 11-B, ELEVATION = 500.5'

LOT 10

PINEY RIDGE, SECTION

REPLAT

1/196A

1. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS FROM THE PREVIOUS SUBDIVISION PINEY RIDGE, SECTION ONE, REPLAT AS RECORDED IN CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS

2. ALL SUBDIVISION PERMITS SHALL CONFORM TO THE CITY OF BASTROP CODE OF ORDINANCES, PUBLIC IMPROVEMENT STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.

3. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES SOLE RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF BASTROP. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR RE-PLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

4. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE APPROVED WATER DISTRIBUTION AND WASTEWATER CONNECTION FACILITIES. 5. WASTEWATER AND WATER SYSTEMS SHALL CONFORM TO TEXAS COMMISSION

ON ENVIRONMENTAL QUALITY (ICEQ) 6. ALL UTILITIES WILL BE UNDERGROUND.

7. IMPACT FEES SHALL BE ASSESSED IN ACCORDANCE WITH THE ORDINANCE

EFFECTIVE AT THE TIME OF PLATTING. 8. DEVELOPER OR PROPERTY OWNER SHALL BE SOLELY RESPONSIBLE FOR ALL RELOCATION AND MODIFICATIONS TO EXISTING UTILITIES.

9. TEMPORARY AND PERMANENT EASEMENTS TO BE PROVIDED, AS REQUIRED AT THE CITY'S SOLE DISCRETION FOR OFF-SITE IMPROVEMENTS.

10. AS SHOWN HEREON, A TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) IS HEREBY DEDICATED ADJACENT TO STREET RIGHTS-OF-WAY ON ALL LOTS. A FIVE (5) FOOT WIDE P.U.E IS HEREBY DEDICATED ALONG EACH SIDE AND REAR LOT LINE. 11. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO ALL EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES. 12. NO BUILDING, FENCES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED WITHIN DRAINAGE EASEMENTS SHOWN, EXCEPT AS APPROVED BY THE CITY OF BASTROP AND/OR BASTROP COUNTY.

13. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNEES.

14. NO LOT OR STRUCTURE SHALL BE OCCUPIED PRIOR TO THE APPLICANT SUBMITTING TO THE CITY OF BASTROP DOCUMENTATION OF SUBDIVISION/SITE REGISTRATION WITH THE TEXAS DEPARTMENT OF LICENSING AND REGULATIONS (TDLR) AND PROVIDE DOCUMENTATION OF REVIEW AND COMPLIANCE OF THE SUBDIVISION CONSTRUCTION PLANS WITH TEXAS ARCHITECTURAL BARRIERS ACT (TABA).

15. EROSION AND SEDIMENTATION CONTROLS CONSTRUCTED IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF BASTROP ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION.

16. PUBLIC UTILITY AND DRAINAGE EASEMENTS WHERE SHOWN AND/OR DESCRIBED HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE WAYS; INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES, AND NATURAL GAS LINES.

17. SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF BASTROP.

18. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THE SUBDIVISION, BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF BASTROP.

19. BUILD-TO LINES SHALL BE IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF BASTROP.

20. BLANKET TEMPORARY ACCESS AND CONSTRUCTION EASEMENT DOCUMENT \_\_\_\_\_ HAS BEEN PROVIDED FOR CONSTRUCTION ACCESS.

21. ANY PUBLIC UTILITY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY VEGETATION AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE SUCH PROVIDERS WITH ANY EASEMENT AND OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF PUBLIC UTILITIES.

22. LINE EXTENSION FEES ARE REQUIRED TO BE ASSESSED AT THE TIME OF PLATTING. PROVIDE ELECTRIC LOAD CALCULATIONS, NUMBER OF SERVICES, OR PLANS FOR REVIEW.

23. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF BASTROP.

24. BENCHMARK USED: 1/2" IRON ROD FOUND AT THE EASTERLY CORNER OF LOT 11-B, ELEVATION = 500.5', MONUMENT DATA, LCRA HARN STATION A757 NORTHING STP: 10020749.9478, EASTING STP: 3252162.9986, ELEVATION = 386.54'.

LEGAL DESCRIPTION:

BEING 1.838 ACRES, AND BEING ALL OF LOT 11, BLOCK A, PINEY RIDGE, SECTION ONE, REPLAT, A SUBDIVISION IN PLAT CABINET NO. 1, PAGE 196A, PLAT RECORDS BASTROP COUNTY, TEXAS AND BEING CONVEYED TO MARTHA MILES BY DEED RECORDED IN INSTRUMENT #202011581 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2"" iron rod found in the northerly right-of-way line of Post Oak Rim (50' R.O.W.) for the most easterly corner hereof and said Lot 11, being the most southerly corner of Lot 10, Block A of said Piney Ridge, Section One, Replat;

THENCE S 59'33'33" W a distance of 280.57 feet along said right-of-way to a 1/2" iron rod with cap stamped "J,E, Garon RPLS4303" set at a point of curvature for an angle point hereof;

THENCE with said curve, being a curve to the right, having a radius of 150.00 feet, an arc distance of 235.62 feet and whose chord bears N 75°25'24" W a distance of 212.13' feet to a 1/2" iron rod found for the most westerly corner hereof and said Lot 11, Block A, being the most southerly corner of Lot 10, Block A of said Piney Ridge. Section One. Replat:

THENCE leaving said right-of-way with the common line of said Lots 10 and 11, Piney Ridge, Section One, Replat, N 38'43'28" E a distance of 258.34 feet to a 1/2" iron rod found in the southwest line of Lot 13. Block A of said Piney Ridge. Section One, Replat, the easterly corner of said Lot 12, Block A for a northerly corner hereof and said Lot 11, Block A:

THENCE with the common line of said Lots 11 and 13, Block A, S 52°57′53" E a distance of 45.92 feet for an angle point and N 6118'10" E a distance of 170.81 feet to a 1/2" iron rod found at a westerly corner of said Lot 10, Block A, the southeasterly corner of said Lot 13, Block A for the northeasterly corner hereof and said Lot 11, Block A;

containing 1.838 acres of land.

CONSERVATION SUBDIVISION NOTES:

THIS PROJECT IS LOCATED WITHIN THE AREA OF "KNOWN AND POTENTIAL HABITAT" OF THE ENDANGERED HOUSTON TOAD AS DETERMINED BY THE U.S. FISH AND WILDLIFE SERVICE. AS AUTHORIZED UNDER BASTROP COUNTY'S FEDERAL FISH AND WILDLIFE-ISSUED ENDANGERED SPECIES - INCIDENTAL TAKE PERMIT NUMBER TE-113500-0, PROPERTY OWNERS SHOULD CONTACT THE LOST PINES HABITAT CONSERVATION PLAN (LPHCP) ADMINISTRATOR AT THE BASTROP COUNTY DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT ACTIVITY.

SINCE NO FURTHER FRAGMENTATION OF POTENTIAL HOUSTON TOAD HABITAT OCCURS FROM THIS SUBDIVISION, IT HAS NO EFFECT TO THE LPHCP.

ENGINEER:

OWNER:

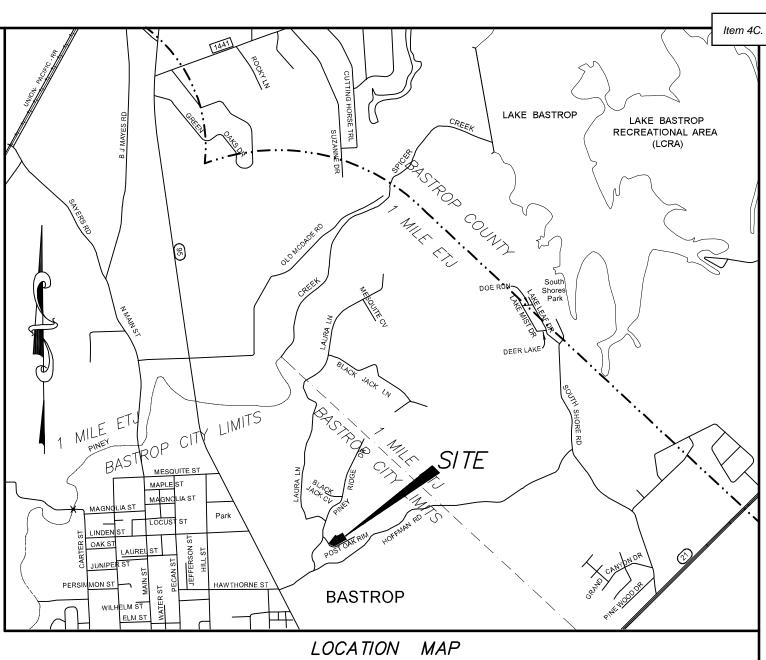
SURVEYOR:

<u>SUMMARY</u>
NO. OF BLOCKS = 1 NO. OF LOTS = 2 ACRES = 1.838 ACRES LAND USE – RESIDENTIAL

Martha Miles 127 N Kaupo Drive Bastrop, Texas 78602 713–819–7123

James E. Garon & Associates, Inc. Firm Reg. #F–20368 Rachel D. Hartzler License #117344 185 McAllister Road Bastrop, Texas 78602 512-303-4185

James E. Garon & Associates, Inc. James E. Garon, R.P.L.S. Firm Reg. #10058400 185 McAllister Rd. Bastrop, Texas 78602 512-303-4185



NOT TO SCALE

THENCE S 30'39'52" E a distance of 194.32 feet to the POINT OF BEGINNING,

STATE OF TEXAS } COUNTY OF BASTROP }

I, KRISTA BARTSCH, COUNTY CLERK OF BASTROP COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE\_\_\_\_DAY OF\_\_\_\_, 2022, A.D., AT\_\_\_\_\_O'CLOCK\_\_\_\_\_M., IN THE PLAT RECORDS OF BASTROP COUNTY, TEXAS IN PLAT CABINET\_\_\_\_\_, PAGE\_\_\_\_\_

FILED FOR RECORD ON THE\_\_\_\_DAY OF\_\_\_\_, 2022, A.D.

DEPUTY

KRISTA BARTSCH COUNTY CLERK BASTROP COUNTY, TEXAS

PINEY RIDGE, SECTION ONE, REPLAT REPLAT OF LOT 11, BLOCK A

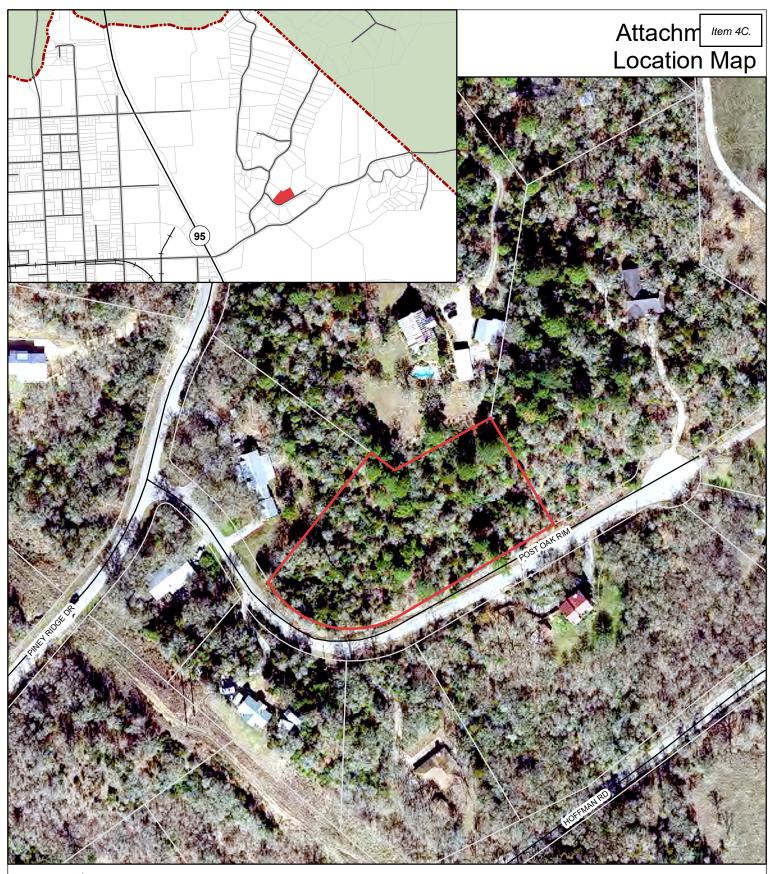
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Firm Reg. #10058400 & F-20386 185 McAllister Road Bastrop, Texas 78602 (512) 303-4185 jgaron@austin.rr.com www.jamesegaron.com

JAMES E. GARON & ASSOC

LAND SURVEYORS & CIVIL ENGINEERS



### Date: 8/22/2022



120 30 60

Piney Ridge, Section One, Block A, Lot 11 Replat and Subdivision Variances

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