

Notice of Meeting of the Zoning Board of Adjustment of the City of Georgetown, Texas February 17, 2026

The Georgetown Zoning Board of Adjustment will meet on February 17, 2026 at 5:00 PM at Council and Court Building, 510 W. 9th Street.

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King Jr. Street, Georgetown, TX 78626 for additional information; TTY users route through Relay Texas at 711.

Public Wishing to Address the Board

On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found on the table at the entrance to the meeting room. Clearly print your name and the letter of the item on which you wish to speak and present it to the Board Liaison prior to the start of the meeting. You will be called forward to speak when the Board considers that item. Only persons who have delivered the speaker form prior to the meeting being called to order may speak. Speakers will be allowed up to three minutes to speak. If you wish to speak for six minutes, it is permissible to use another requestor's granted time to speak. No more than six minutes for a speaker may be granted. The requestor granting time to another speaker must also submit a form and be present at the meeting.

On a subject not posted on the agenda: A request must be received by the Advisory Board or Commission Liaison prior to the day the agenda for this meeting is posted. Each speaker will be given three minutes to address the Board or Commission members. No action can be taken.

Regular Session

1.A Meeting Minutes

Consideration and possible action to approve the minutes from the October 21, 2025, meeting of the Zoning Board of Adjustment -- Erica Dunlop, Planning Specialist

1.B 2025-3-VAR, 704 West Carport Variance

Public Hearing and possible action on a Zoning Variance to allow for an accessory structure to encroach 1'5" into the side setback pursuant to Section 6.02.050 of the Unified Development Code, for the property located at 704 West Street, bearing the legal description of Lot 6, Block S, out of the South San Gabriel Urban Renewal Subdivision (2025-3-VAR) -- Colin Davidson, Senior Planner

Adjournment

Certificate of Posting

I, Robyn Densmore, City Secretary for the City of Georgetown, Texas, do hereby certify that this Notice of Meeting was posted at City Hall, 808 Martin Luther King Jr. Street, Georgetown, TX 78626, a place readily accessible to the general public as required by law, on the _____ day of _____, 2025, at _____, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

City of Georgetown, Texas
Zoning Board of Adjustment
February 17, 2026

SUBJECT:

Meeting Minutes

SUGGESTED ACTION:

Consideration and possible action to approve the minutes from the October 21, 2025, meeting of the Zoning Board of Adjustment -- Erica Dunlop, Planning Specialist

ITEM SUMMARY:

FINANCIAL IMPACT:

SUBMITTED BY:

Erica Dunlop, Planning Department

ATTACHMENTS:

[10.21.2025 ZBA Minutes Final.pdf](#)

Minutes of the Zoning Board of Adjustment City of Georgetown, Texas Tuesday, October 21, 2025

The Georgetown Zoning Board of Adjustment met on Tuesday, October 21, 2025 at 5:00 PM at Council and Court Building, 510 W. 9th Street.

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King, Jr Street for additional information; TTY users route through Relay Texas at 711.

The following Members were in attendance:

Present were: Scott A Allen, Travis Perthuis, Pierce P Macguire, Michael D Charles, Ercel Brashear, Shelley Rodocker

Public Wishing to Address the Board

On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found on the table at the entrance to the meeting room. Clearly print your name and the letter of the item on which you wish to speak and present it to the Board Liaison prior to the start of the meeting. You will be called forward to speak when the Board considers that item. Only persons who have delivered the speaker form prior to the meeting being called to order may speak. Speakers will be allowed up to three minutes to speak. If you wish to speak for six minutes, it is permissible to use another requestor's granted time to speak. No more than six minutes for a speaker may be granted. The requestor granting time to another speaker must also submit a form and be present at the meeting.

On a subject not posted on the agenda: A request must be received by the Advisory Board or Commission Liaison prior to the day the agenda for this meeting is posted. Each speaker will be given three minutes to address the Board or Commission members. No action can be taken.

1. Regular Session

1.A Meeting Minutes

Consideration and possible action to approve the minutes from the May 20, 2025, meeting of the Zoning Board of Adjustment -- Erica Dunlop, Planning Specialist

Moved by Scott A Allen; seconded by Pierce P Macguire to Approve the minutes from the May 20, 2025, meeting of the Zoning Board of Adjustment.

Motion Approved: 4- 0

Voting For: Scott A Allen, Travis Perthuis, Pierce P Macguire, Michael D Charles

Voting Against: None

1.B [Nomination and Selection of Vice Chair and Secretary for the 2025-2026 Session](#)

Nomination and Selection of Vice Chair and Secretary for the 2025-2026 Session -- Erica Dunlop, Planning Specialist

Moved by Michael D Charles; seconded by Pierce P Macguire to Approve the nomination of Scott Allen as Vice Chair for the 2025-2026 session.

Motion Approved: 5- 0

Voting For: Scott A Allen, Travis Perthuis, Pierce P Macguire, Michael D Charles, Ercel Brashear

Voting Against: None

Moved by Scott A Allen; seconded by Pierce P Macguire to Approve the nomination of Michael Charles as Secretary for the 2025-2026 session.

Motion Approved: 5- 0

Voting For: Scott A Allen, Travis Perthuis, Pierce P Macguire, Michael D Charles, Ercel Brashear

Voting Against: None

1.C [2025-9-VAR, 409 E 9th ST](#)

Public Hearing and possible action on a Zoning Variance minimum lot size in the Residential Single Family Zoning District pursuant to Section 6.02.050 of the Unified Development Code, for the property located at 409 E. 9th Street, bearing the legal description of .109 acres out lots 3 and 4, Block 28, Glasscock Addition (2025-9-VAR) — Olivia Beams, Historic and Downtown Planner

Olivia Beams presented the staff report.

Board Member Allen inquired about an illegal subdivision. Beams explained that the city's subdivision standards were adopted on May 10, 1977, which essentially required a plat for an active subdivision. Beams shared that the two subdivisions referenced in the staff report occurred via metes and bounds which effectively made it an illegal subdivision. Beams concluded that a legal active subdivision would be subdivided through a plat. Board Member Allen asked if the subdivision that occurred in 2024 was initiated by the property owner. Beams explained that it was not initiated by the property owner and that it occurred prior to their ownership.

Board Member Brashear asked if the city reviewed the subdivision regulations at the time the structure was constructed. Beams explained that the structure was built in the 1930s which would predate the adoption of the subdivision standards.

Jamie Winkley, owner, approached the podium to address the board and highlighted that the lots were separated by metes and bounds. Winkley explained that family members who owned the property separated the land in 1959 and explained that the 3 lots were all non-conforming. Winkley explained that the deeds show that different

family members owned the property but were eventually inherited by John Clemens in 1993. Winkley shared that the metes and bounds did not change from 1959. Winkley explained that the lot was on its own city utilities and that she contributes to city and county taxes. Winkley highlighted that the property was condemned by an engineer and that this would be the first step in rebuilding. Winkley concluded by providing a brief history of the deed exchanges.

Board Member Brashear asked if Winkley contacted the city as part of the due diligence process to ask about the legal status of the property. Winkley explained that they began with an application for a certificate of appropriateness and were directed to submit a plat certification letter which was completed earlier this year. Winkley noted that the plat certification letter was not submitted prior to closing on the property.

Chair Perthuis asked if the property was subdivided before it was listed for sale. Winkley explained that through the closing process a survey was conducted in 2024.

Board Member Brashear explained that one of the findings that the board would make was that the owner did not create the situation and asked for the city's response within the plat certification letter. Beams explained that Winkley initially applied for a Certificate of Appropriateness for the demolition of the structure on the lot and that during the COA process, staff reviewed the status of the lot which required Winkley to request a plat certification letter. Beams added that a legal lot was created via metes and bounds which do not meet the zoning standard for minimum lot size. Beams shared that an approved variance would require a replat and then the COA and building permit can be submitted.

Chair Perthuis inquired about how a replat would affect the adjacent property. Beams explained that the adjacent property did not request a plat certification letter to verify exemption from platting but since it was created in the same active subdivision as the property in question, it can be assumed that they would need to replat to further develop the property. Beams explained that the adjacent property's existing structure would not require a replat requirement at the time.

Chair Perthuis questioned the timeline.

Travis Baird, Assistant Planning Director of Current Planning, approached the podium to address the board and provided the history of the property that predated the applicant. Baird explained that a prior applicant or owner experienced a similar situation in 2024 and requested a letter of regulatory compliance which was denied. The basis of the denial was the 1993 deed that combined the two lots, lot 4 and the south 20 feet of lot 5, which eliminated the existing non-conformity of the two lots. Baird continued to provide a brief history of the property.

Chair Perthuis opened and closed the public hearing with no speakers coming forth. Chair Perthuis opened the floor to a motion.

Moved by Scott A Allen; seconded by Ercel Brashear to Deny the zoning variance request.

Board Member Allen explained that it would be more appropriate for the variance to be sought out once the property is formally platted. Chair Perthuis shared that he did not agree with staff on whether the subdivision was done prior to the current owner's purchase. Chair Perthuis added that his opinion was based on the creation and sale of a nonconforming lot which would have no reasonable use without the variance. Board Member Brashear shared that preliminary research was not done which would have help avoid the issue at hand and believed that correction can be done through the plat process.

With no further discussion, the board voted on the motion.

Motion Approved: 4- 1

Voting For: Scott A Allen, Travis Perthuis, Michael D Charles, Ercel Brashear

Voting Against: Pierce P Macguire

Adjournment

These minutes were approved at the meeting of _____

Chair

Attest

City of Georgetown, Texas
Zoning Board of Adjustment
February 17, 2026

SUBJECT:

2025-3-VAR, 704 West Carport Variance

SUGGESTED ACTION:

Public Hearing and possible action on a Zoning Variance to allow for an accessory structure to encroach 1'5" into the side setback pursuant to Section 6.02.050 of the Unified Development Code, for the property located at 704 West Street, bearing the legal description of Lot 6, Block S, out of the South San Gabriel Urban Renewal Subdivision (2025-3-VAR) -- Colin Davidson, Senior Planner

ITEM SUMMARY:

Overview of Applicant's Request:

The applicant is requesting a variance to encroach 1'5" into the side setback of their property.

Staff's Analysis:

The following are the pertinent sections of the Unified Development Code (UDC) related to this request:

UDC Section 6.02.050

Staff has reviewed the variance request and the applicant's stated findings, and has evaluated the request based on the UDC required findings for a variance in accordance with UDC Section 3.15.030, which stated:

Required Findings

The Zoning Board of Adjustment may authorize a variance from the requirements of the zoning provisions of the UDC if the variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done. No variance shall be granted unless the ZBA finds all of the required findings established in UDC Section 3.15.030.A.

Staff has reviewed the submitted Zoning Variance request in accordance with the UDC and other applicable codes. Staff has determined that the request complies with 1 and does not comply with 6 of the 7 required findings established in UDC Section 3.15.030.A for a Zoning Variance as outlined in the attached staff report.

Public Comments:

As required by the Unified Development Code (UDC), all property owners and registered neighborhood associations within 300-feet of the subject property were notified of the request (43 notices mailed), a legal notice advertising the public hearing was placed in the Sun Newspaper (2/1/2026) and signs were posted on-site. As of the publication date of this report, staff has received 0 written comments in favor and 0 in opposition of the request.

FINANCIAL IMPACT:

None.

SUBMITTED BY:

Stephanie McNickle, Planning Department

ATTACHMENTS:

[2025-3-VAR - Presentation.pdf](#)

[2025-3-VAR - Staff Report_Final.pdf](#)

[Exhibit 1 - Location Map.pdf](#)

[Exhibit 2 - Conceptual Plan.pdf](#)

[Exhibit 3 - Letter of Intent.pdf](#)

704 West Street Carport 2025-3-VAR

February 17th, 2026 | Zoning Board of Adjustment

Item Under Consideration

2025-3-VAR

- Public Hearing and possible action on a Zoning Variance to allow for an accessory structure to encroach 1'5" into the side setback pursuant to Section 6.02.050 of the Unified Development Code, for the property located at 704 West Street, bearing the legal description of Lot 6, Block S, out of the South San Gabriel Urban Renewal Subdivision (2025-3-VAR). Colin Davidson, Senior Planner

Aerial

2025-3-VAR

 Site



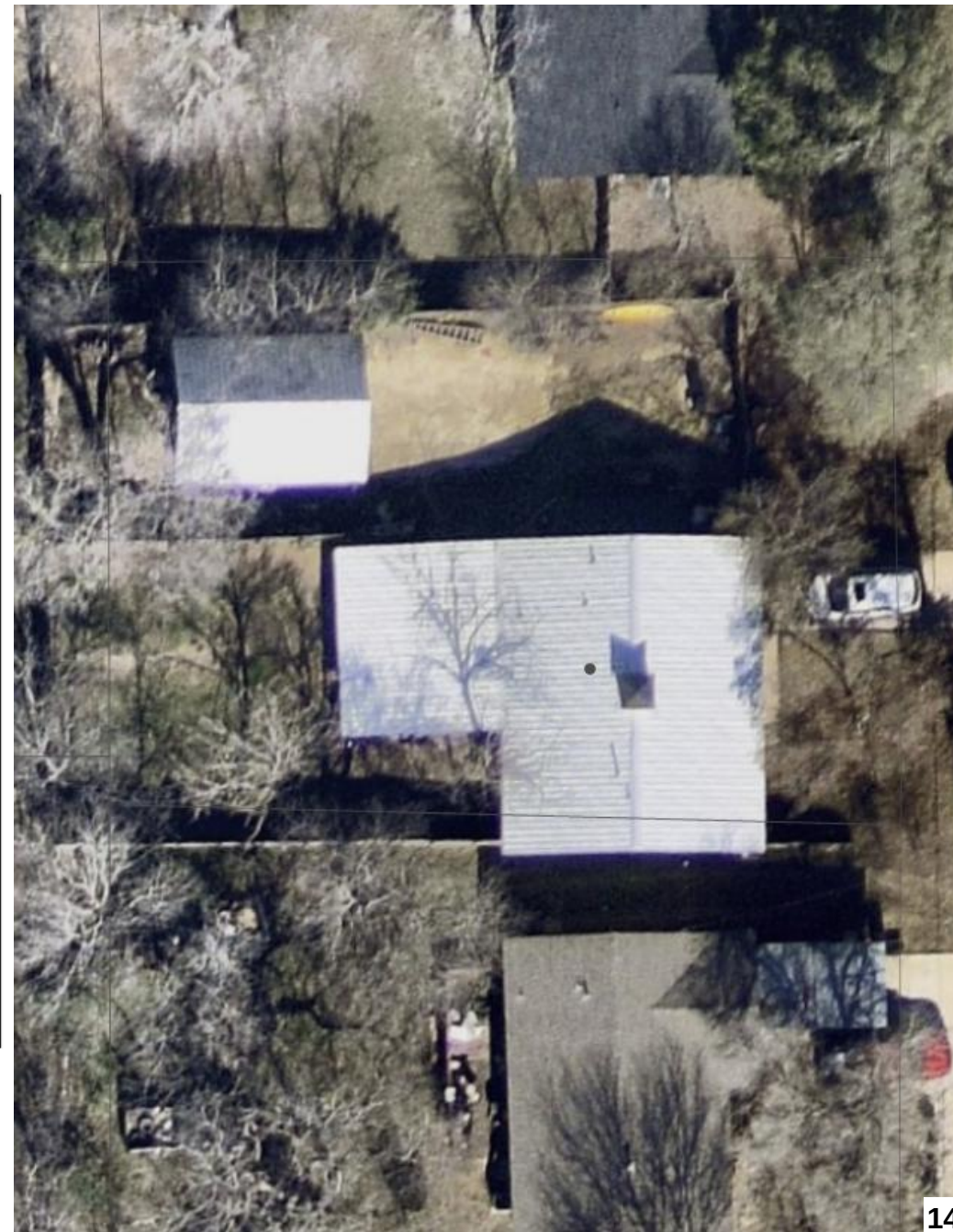
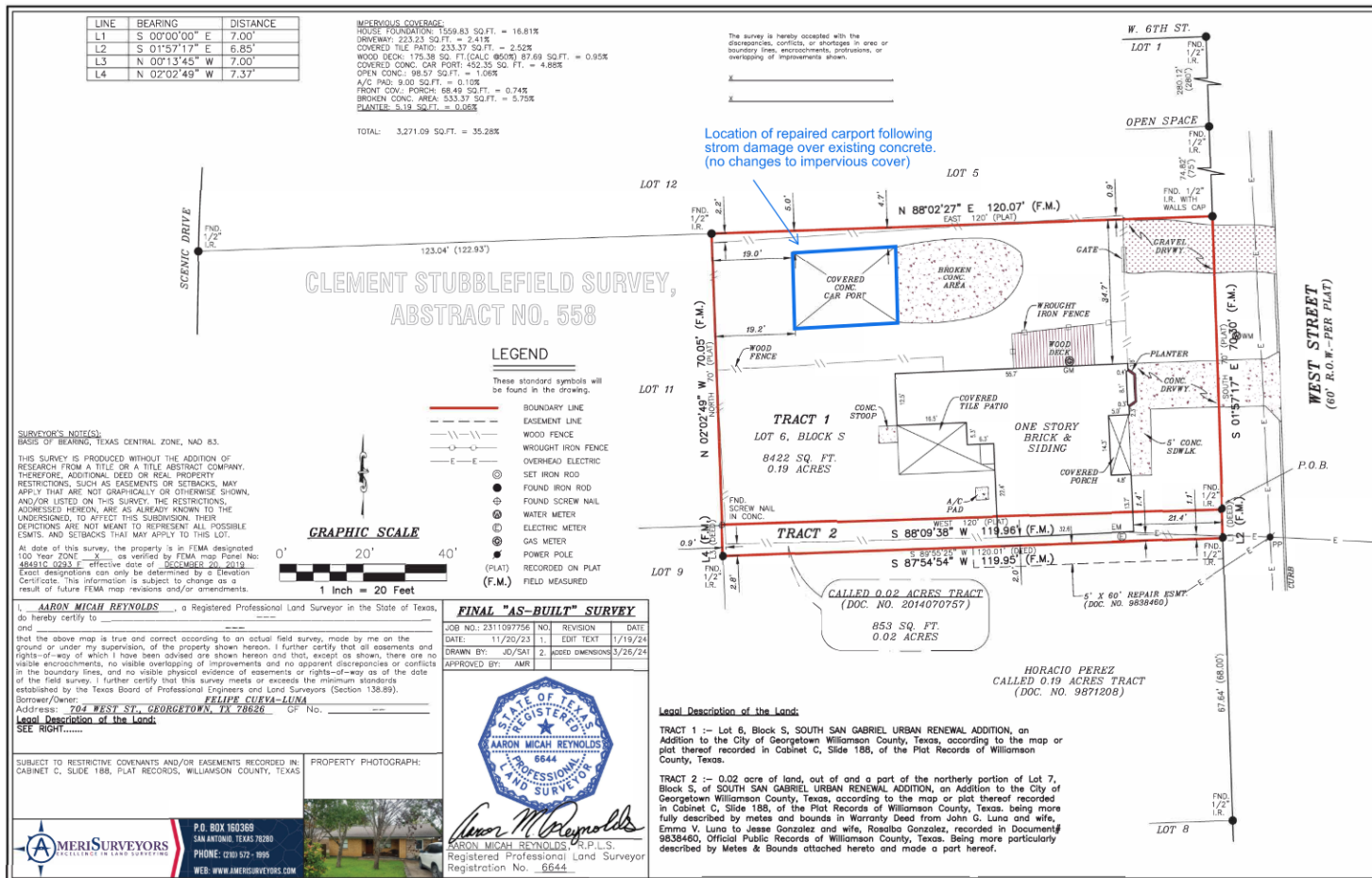
0 100 200
Feet



Zoning Variance

The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions of this Unified Development Code if the Variance from the terms of the zoning provisions is:

- Not contrary to the public interest
- Due to special conditions
- A literal enforcement of the requirements would result in unnecessary hardship
- The spirit of this Code is preserved
- Substantial justice done



Approval Criteria

1. Extraordinary Conditions

That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.

Approval Criteria

2. No Substantial Detriment

That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.

3. Other Property

That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.

Approval Criteria

4. Applicant's Actions

That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.

5. Comprehensive Plan

That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.

Approval Criteria

6. Utilization

That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Approval Criteria

7. Insufficient Findings

The following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance:

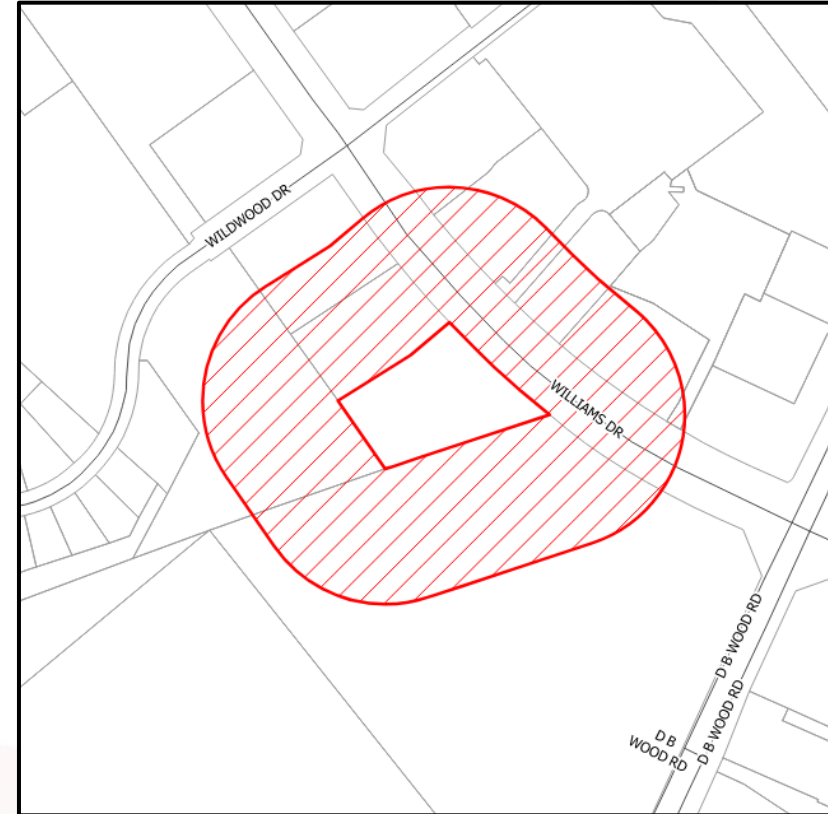
- That the property cannot be used for its highest and best use.
- That there is a financial or economic hardship.
- That there is a self-created hardship by the property owner or their agent.
- That the development objectives of the property owner are or will be frustrated.

Approval Criteria – UDC Section 3.15.030

Criteria for a Variance	Complies	Partially Complies	Does Not Comply
1. Extraordinary Conditions			X
2. No Substantial Detriment	X		
3. Other Property			X
4. Applicant's Actions			X
5. Comprehensive Plan			X
6. Utilization			X
7. Insufficient Findings			X

Public Notifications

- 43 property owners within the 300' buffer
- Notice in Sun News on 2/1/2026
- Signs posted on the property
- To date, staff has received:
 - 0 written comments IN FAVOR
 - 0 written comments OPPOSED



Summary

- Public Hearing and possible action on a Zoning Variance to allow for an accessory structure to encroach 1'5" into the side setback pursuant to Section 6.02.050 of the Unified Development Code, for the property located at 704 West Street, bearing the legal description of Lot 6, Block S, out of the South San Gabriel Urban Renewal Subdivision (2025-3-VAR). Colin Davidson, Senior Planner
- Four votes (a supermajority (3/4) vote of the Board) are required to grant a Variance. A variance that does not receive four votes is considered denied. (Code of Ord. 2.29.040)
- When making a motion, the Board must make a finding of the criteria.



Zoning Board of Adjustment Planning Department Staff Report

Report Date: February 10th, 2026
Case No: 2025-3-VAR
Project Planner: Colin Davidson, Senior Planner

Item Details

Project Name: Carport for 704 West Street
Project Location: 704 West Street, (District 6).
Legal Description: Lot 6, Block S out of the South San Gabriel Urban Renewal Subdivision

Applicant and Owner: Phil Luna

Request: Variance for a carport to encroach 1'5" into the 6' side setback for a property in the Residential Single-Family zoning district.

Case History: This is the first public hearing of this request.



Planning Department Staff Report

Overview of Applicant’s Request

The applicant is requesting a variance to allow an existing carport to encroach 1’5” into the required side setback. A previous legally non-conforming carport occupied this lot in the same location, but was demolished in 2016 as the result of a tree falling on it. The demolition eliminated the carport’s legally non-conforming status. In 2023, the carport was constructed on the same foundation without a permit. This led to a code violation. When the applicant subsequently submitted a building permit application, the side-setback encroachment was identified, prompting the current variance request.

Site Information

Location:

Property is located along West Street between W 8th Street and W 6th Street within the Track Ridge Grasshopper (TRG) Neighborhood.

Physical and Natural Features:

Property is improved with a single-family home. The carport subject to this request is located in the northeastern portion of the property.

Future Land Use and Zoning Designations:

The subject property has a Special Area Future Land Use designation and is currently zoned Residential Single-Family (RS). The property carries a Special Area FLU designation due to the property being located within the Track Ridge Grasshopper Neighborhood. Within the TRG neighborhood, the property carries a “Traditional Housing” designation which intends for the area to be primarily single-family homes. This area encourages the preservation of open space and environmentally sensitive areas.

Surrounding Properties:

The surrounding properties are also comprised of single-family homes. The character of the area is largely residential with a few small-scale, non-residential properties in the larger area.

The current zoning, Future Land Use designation, and existing uses of the adjacent properties to the north, south, east and west are outlined in the table below:

DIRECTION	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
North	RS	Special Area (TRG)	Single-Family Home
South	RS	Special Area (TRG)	Single-Family Home
East	RS	Special Area (TRG)	Single-Family Home
West	RS	Special Area (TRG)	Single-Family Home



Approval Criteria

The following are the pertinent sections of the Unified Development Code (UDC) related to this request:

- UDC Section 6.02.050 provides the dimensional standards for properties located in the RS zoning district. The table describes the side setback to be 6'.
- UDC Section 6.04.020.A.1 states *No building, structure, or other development feature shall be located within a required setback or yard unless otherwise specified in this section.* The specified exemptions include landscape features, driveways, sidewalks, uncovered patios, pergolas (contained entirely within the side setback), pools, and other minor development features. The carport in question does not meet any of the allowed development features within a side setback.

Staff has reviewed the variance request and the applicant's stated findings, and has evaluated the request based on the UDC required findings for a variance in accordance with UDC Section 3.15.030, which states:

Required Findings

The Zoning Board of Adjustment may authorize a variance from the requirements of the zoning provisions of the UDC if the variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done. No variance shall be granted unless the ZBA finds all of the required findings established in UDC Section 3.15.030.A.

Staff has reviewed the submitted Zoning Variance request in accordance with the UDC and other applicable codes. Staff has determined that the request complies with 1 of the 7 required findings and does not comply with 6 of the 7 findings established in UDC Section 3.15.030.A for a Zoning Variance as outlined below.

ZONING MAP VARIANCE APPROVAL CRITERIA	
1. Extraordinary Conditions That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Unified Development Code will deprive the applicant of the reasonable use of their land. For example, a Zoning Variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.	Does Not Comply
There are no unique or special conditions affecting the land that would prevent the applicant from complying with the setback requirements of the UDC. After the structure was demolished, any legal non-conforming status would have been lost, and any new structure could have been constructed outside of the 6' setback.	
2. No Substantial Detriment That the granting of the Zoning Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this Code.	Complies
The granting of this variance is not anticipated to be detrimental to public health, safety or welfare or injurious to surrounding properties. There are no structures on adjacent properties in close proximity to this site, relieving any concerns related to fire separation. The structure is not anticipated to harm neighboring property, fire access, or traffic circulation in the area.	
3. Other Property That the conditions that create the need for the Zoning Variance do not generally apply to other property in the vicinity.	Does Not Comply
This property, like the surrounding property, is subject to Chapter 14 of the UDC which regulates legally non-conforming structures. After the structure was initially demolished, it lost its legally non-conforming status and was subject to the current UDC. Other properties in the area would be subject to the same regulations, and it cannot be stated that there are any conditions unique to this property necessitating the need for a variance.	
4. Applicant's Actions That the conditions that create the need for the Zoning Variance are not the result of the applicant's own actions.	Does Not Comply
The conditions that create the need for this variance are a result of the applicant's own actions. The applicant's letter of intent states that a tree fell on the previous carport, prompting the need to demolish and rebuild the carport. While the tree falling on the carport was not the result of the applicant's own actions, the rebuilding of a non-conforming structure in violation of the UDC was the result of the applicant's actions, leading to this request not complying with this criteria. Additionally, aerial imagery shows the carport being demolished in 2016 and not being rebuilt until the end of 2022/beginning of 2023.	

Planning Department Staff Report

ZONING MAP VARIANCE APPROVAL CRITERIA	
5. Comprehensive Plan That the granting of the Zoning Variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.	Does Not Comply
The proposed request would conflict with the purposes of the UDC. The code lays out setbacks for residential properties in order to promote building separation. Additionally, the UDC states one of the code's objectives is to <i>Establish a process that effectively and fairly applies the regulations and standards of this Code and respects the rights of property owners and the interests of citizens.</i> Allowing the car port to encroach into the side setback would conflict with this statement. Setbacks are a universal development regulation and the encroachment into one is not supported by the code.	
6. Utilization That because of the conditions that create the need for the Zoning Variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.	Does Not Comply
The application of the code would not unreasonably restrict the use of the subject property. The property is large enough to place the carport in an area that doesn't encroach into a setback. Financial or economic hardship is not justification for the granting of a variance.	
7. Insufficient Findings The following types of possible findings do not constitute sufficient grounds for granting a Zoning Variance: a. That the property cannot be used for its highest and best use. b. That there is a financial or economic hardship, except as authorized in Local Government Code 211.009(b-1). c. That there is a self-created hardship by the property owner or their agent. d. That the development objectives of the property owner are or will be frustrated.	Does Not Comply
The need for the variance was a result of a self-created hardship, resulting in this request not complying with this criteria.	

Public Notification

As required by the Unified Development Code, all property owners within a 300-foot radius of the subject property were notified of the Zoning Variance request (43 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (2/1/2026) and signs were posted on-site. To date, staff has received 0 written comments in favor, and 0 in opposition to the request.

Attachments

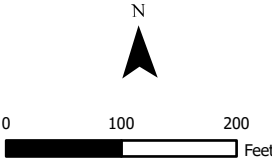
Exhibit 1 – Location Map
Exhibit 2 – Conceptual Plan
Exhibit 3 – Letter of Intent

Location

2025-3-VAR

Exhibit #1

-  Site
-  Parcels



LINE	BEARING	DISTANCE
L1	S 00°00'00" E	7.00'
L2	S 01°57'17" E	6.85'
L3	N 00°13'45" W	7.00'
L4	N 02°02'49" W	7.37'

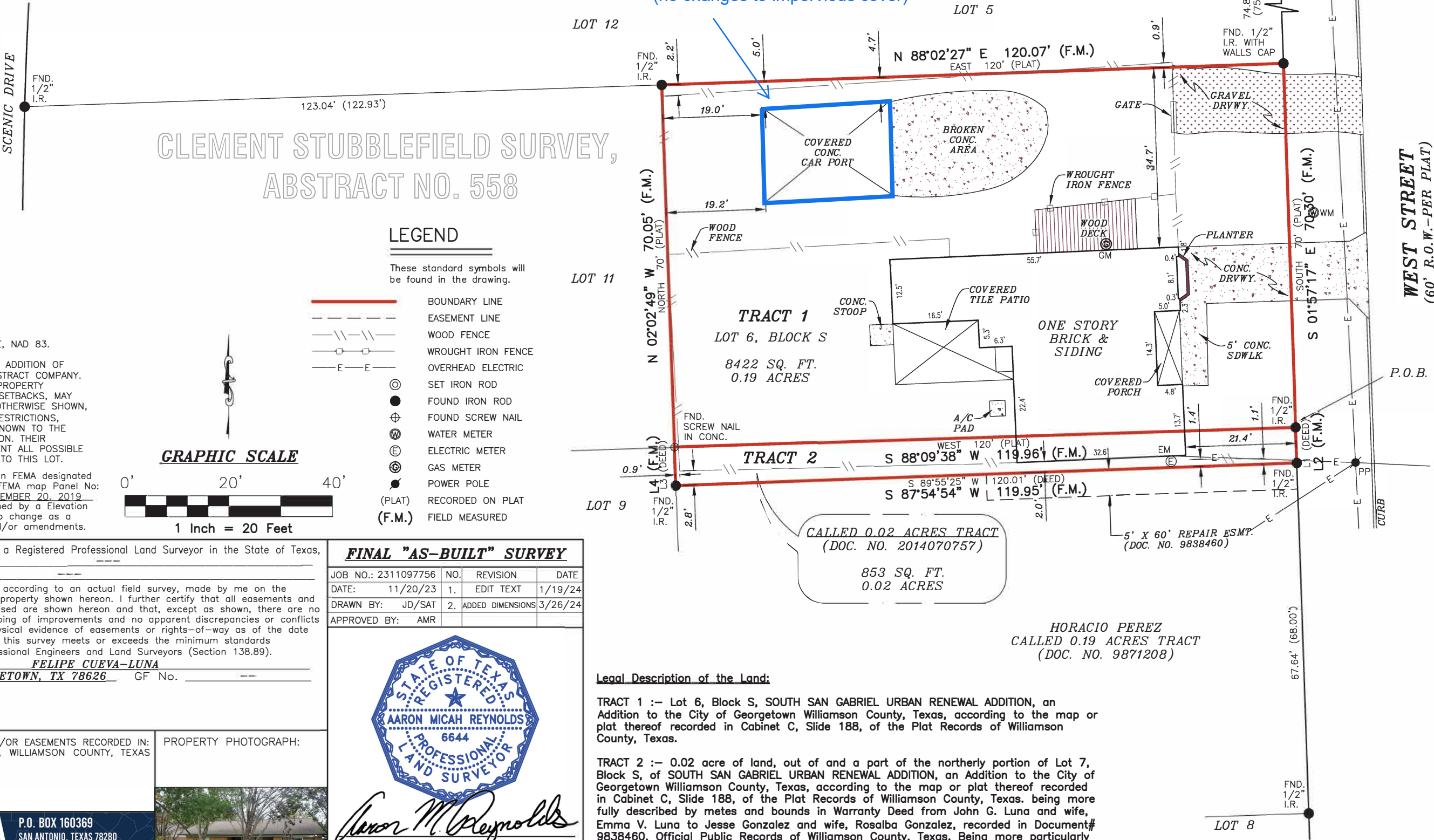
IMPERVIOUS COVERAGE:
HOUSE FOUNDATION: 1559.83 SQ.FT. = 16.81%
DRIVEWAY: 223.23 SQ.FT. = 2.41%
COVERED TILE PATIO: 233.37 SQ.FT. = 2.52%
WOOD DECK: 175.38 SQ. FT.(CALC @50%) 87.69 SQ.FT. = 0.95%
COVERED CONC. CAR PORT: 452.35 SQ. FT. = 4.88%
OPEN CONC.: 98.57 SQ.FT. = 1.06%
A/C PAD: 9.00 SQ.FT. = 0.10%
FRONT COV.: PORCH: 68.49 SQ.FT. = 0.74%
BROKEN CONC. AREA: 533.37 SQ.FT. = 5.75%
PLANTER: 5.19 SQ.FT. = 0.06%

TOTAL: 3,271.09 SQ.FT. = 35.28%

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of Improvements shown.

X _____
X _____

Location of repaired carport following
strom damage over existing concrete.
(no changes to impervious cover)



SURVEYOR'S NOTE(S):
BASIS OF BEARING, TEXAS CENTRAL ZONE, NAD 83.

THIS SURVEY IS PRODUCED WITHOUT THE ADDITION OF RESEARCH FROM A TITLE OR A TITLE ABSTRACT COMPANY. THEREFORE, ADDITIONAL DEED OR REAL PROPERTY RESTRICTIONS, SUCH AS EASEMENTS OR SETBACKS, MAY APPLY THAT ARE NOT GRAPHICALLY OR OTHERWISE SHOWN, AND/OR LISTED ON THIS SURVEY. THE RESTRICTIONS, ADDRESSED HEREON, ARE AS ALREADY KNOWN TO THE UNDERSIGNED, TO AFFECT THIS SUBDIVISION. THEIR DEPICTIONS ARE NOT MEANT TO REPRESENT ALL POSSIBLE ESMTS. AND SETBACKS THAT MAY APPLY TO THIS LOT.

At date of this survey, the property is in FEMA designated 100 Year ZONE X as verified by FEMA map Panel No: 48491C 0293 F effective date of DECEMBER 20, 2019. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments.

I, AARON MICAH REYNOLDS, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to _____
and _____
that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Engineers and Land Surveyors (Section 138.89).

Borrower/Owner: FELIPE CUEVA-LUNA
Address: 704 WEST ST., GEORGETOWN, TX 78626 GF No. _____

Legal Description of the Land:
SEE RIGHT.....

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN: CABINET C, SLIDE 188, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS

PROPERTY PHOTOGRAPH:



FINAL "AS-BUILT" SURVEY

JOB NO.: 2311097756	NO.	REVISION	DATE
DATE: 11/20/23	1.	EDIT TEXT	1/19/24
DRAWN BY: JD/SAT	2.	ADDED DIMENSIONS	3/26/24
APPROVED BY: AMR			

STATE OF TEXAS
REGISTERED
AARON MICAH REYNOLDS
6644
PROFESSIONAL
LAND SURVEYOR

Aaron M. Reynolds
AARON MICAH REYNOLDS, R.P.L.S.
Registered Professional Land Surveyor
Registration No. 6644

AMERISURVEYORS
EXCELLENCE IN LAND SURVEYING

P.O. BOX 160369
SAN ANTONIO, TEXAS 78280
PHONE: (210) 572-1995
WEB: WWW.AMERISURVEYORS.COM



CENTRAL TEXAS PERMIT PARTNERS
2880 Donnell Dr. | Suite 2802 | Round Rock, Texas 78664
Office: 512.937.0073
Tisha@permitpartnerstx.com

Phil Luna (Owner)
Tisha Ritta (Owner Agent)
704 West Steet
Georgetown, Tx 78626

Date: October 3, 2025

Georgetown Planning Department
809 Martin Luther King Jr St
Georgetown, Tx 78626

Re: Letter of Intent – Zoning Variance Request for 704 West St

Dear Planning Department,

On behalf of the property owner, I respectfully submit this letter of intent in support of a zoning variance request for the above-referenced property.

The property contains an existing single-family residence with a carport that has historically provided necessary covered parking. In 2022, a severe storm caused a large tree to fall onto the carport, resulting in significant structural damage. To restore safe use of the property, the owner rebuilt the carport roof and added new support beams for stability.

The original carport, built in 1978, was classified as a legal non-conforming structure. Unfortunately, when the storm destroyed the structure, it lost its grandfathered status. At the time of repair, the contractor contacted the City and was informed that the structure was non-conforming. The contractor mistakenly interpreted this to mean permits were not required and proceeded with construction. The owner accepts full responsibility and acknowledges that additional due diligence should have been performed prior to rebuilding.

Importantly, the carport was reconstructed over the existing concrete slab, so there was no increase in impervious cover. In fact, the owner reduced the degree of non-compliance by relocating the new support beams further from the property line than the original placement.

More than a year later, a portion of the rebuilt carport was identified as encroaching 1 ft, 5 in into the required 6 ft side setback, and a code violation was issued. The owner now respectfully requests a variance to allow the existing carport to remain as built, or to otherwise restore its non-conforming status.

A building permit has been submitted to the City for the structure, and all review comments have been addressed to demonstrate compliance with the current Unified Development Code, with the sole exception of the requested variance for the side setback encroachment. Additionally, we have obtained a letter of support from the adjacent neighbor, the only property owner who could potentially be affected by this request.

This variance request meets the City's criteria for approval for the following reasons:



CENTRAL TEXAS PERMIT PARTNERS

2880 Donnell Dr. | Suite 2802 | Round Rock, Texas 78664

Office: 512.937.0073

Tisha@permitpartnerstx.com

1. Extraordinary Conditions

The property contains a single-family residence and a carport that has existed since 1978. The original carport was legally non-conforming and served as essential covered parking. In 2022, an extraordinary circumstance occurred when a severe storm caused a tree to fall and destroy the structure. This condition is not typical to surrounding properties and directly impacted the applicant's ability to continue the reasonable use of the property. Strict application of the code now prohibits restoration of what historically existed on the lot, depriving the applicant of reasonable and safe use.

2. No Substantial Detriment

Granting this variance will not be detrimental to public health, safety, or welfare. The rebuilt carport is located over the original concrete slab, resulting in no increase to impervious cover. In fact, the new support beams were relocated further away from the property line than the original structure, reducing the degree of encroachment. The encroachment of 1 ft, 5 in into the 6 ft side setback is minimal and does not affect traffic circulation, fire access, or neighboring property rights.

3. Other Property

The conditions that necessitate this request do not generally apply to other properties in the vicinity. Most homes in the area were not subject to the destruction of a grandfathered carport by a fallen tree. This situation is unique to the applicant's property and not a recurring condition across the neighborhood.

4. Applicant's Actions

The hardship is not the result of the applicant's deliberate actions. The destruction of the carport was caused by an extraordinary storm event beyond the applicant's control. While the contractor misunderstood permitting requirements, the owner acted in good faith and with the intent to restore safe use of the property. The encroachment was not a product of voluntary site design choices but of rebuilding in the footprint of a preexisting, legally non-conforming structure.

5. Comprehensive Plan

The variance is consistent with the purposes of the Comprehensive Plan and the Unified Development Code. The request supports neighborhood stability by maintaining an existing single-family use, provides safe and functional parking and does not introduce density or intensity inconsistent with surrounding residential properties. Granting the variance preserves the character of the neighborhood while respecting the property owner's right to utilize their land.

6. Utilization

Without relief, the property owner is deprived of reasonable utilization of the property, as the loss of the carport limits safe and functional parking and protection of vehicles. Strict application of the setback requirement would unreasonably restrict the ability to restore a structure that has historically existed on the lot and was integral to the property's use since 1978.

7. Insufficient Findings Not Applicable

This request is not based on a desire for highest and best use, financial hardship, or frustration of development objectives. It is also not a self-created hardship. Instead, it stems from extraordinary storm damage to a legally non-conforming structure, a condition unique to this property.



CENTRAL TEXAS PERMIT PARTNERS

2880 Donnell Dr. | Suite 2802 | Round Rock, Texas 78664

Office: 512.937.0073

Tisha@permitpartnerstx.com

For these reasons, we respectfully request approval of the zoning variance. The variance will allow the property owner to maintain a safe and functional carport consistent with the long-standing use of the property and in harmony with the surrounding neighborhood.

Thank you for your time and consideration. Please feel free to contact me at with any questions or if further information is needed

Respectfully,

Tisha Ritta – Owner's Agent
Central Texas Permit Partners, LLC
512-937-0073