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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

March 3, 2022

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AGENDA TOPIC: Consideration and possible action approving a request to create a flag shaped rear lot and a rear lot with a depth greater than five times the lot frontage on the street located northwest of the intersection of Rolling Acres Trail and Ammann Rd

DATE: March 3, 2022

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services

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#### **SUMMARY:**

The request (Exhibit A & B) involves a 27-acre lot located northwest of the intersection of Rolling Acres Trail and Ammann Rd. The lot is currently not platted and contains a single-family residence. The applicant is proposing to subdivide the 27-acre parcel into two lots:

- A front 8-acre lot facing Ammann Road encompassing the existing single-family residence; and,
- A rear 19-acre lot to include a future new single-family residence.

The parcel is currently zoned rural residential and is served by a private well and a private septic system. The city's Unified Development Code (UDC) requires each lot to have a minimum width of 150' and a minimum lot size of 5 acres. The proposed front 8-acre lot will have an approximate width of 229' and an approximate area of 8 acres meeting the zoning requirements.

The rear 19-acre lot is configured as a flag shaped lot with a width of 70' on Ammann Rd. and a depth of approximately 3000'. In accordance with the UDC Section 5.4 (4) city regulations, the lot cannot be platted as proposed without approval from the City Council:

*"Flag shaped lots generally will not be approved in any subdivision. Lots that have a long dimension (depth) greater than five times the lots street frontage (width) will only be permitted with City Council approval."*

The purpose of tonight's agenda item is for City Council to consider the following:

- a. Creation of a flag shaped rear lot.
- b. Platting a rear lot with a depth (3000') that is greater than five times the lot frontage on the street (70').

As per UDC Section 5.4, lots served by a private septic system are required to have a minimum street frontage of 150 feet. In addition to the request from the City Council above, the last step for the rear lot creation will be a variance approval by the Zoning Board of Adjustment reducing the minimum street frontage (lot width) requirement from 150' to 70'.

**LEGAL\POLICY ANALYSIS:**

The City of Fair Oaks Ranch's UDC requires the following prior to the submittal of the subdivision plat as proposed:

- a. City Council approval of a flag shaped rear lot.
- b. City Council approval of platting the rear lot with a depth (3000') that is greater than five times the lot frontage on the street (70').
- c. Zoning Board of Adjustments approval of a variance to reduce the minimum street frontage (lot width) requirement from 150' to 70'.

**STAFF ANALYSIS:**

- a. Both lots create less density than the minimum requirements allowed in the city's rural residential zoning
- b. One water connection versus 7 authorized in the city's Master Water Plan
- c. Consistent with the characteristics of rural residential zoning
- d. Neighboring property access is not affected

**PROPOSED MOTION:**

I move to recommend approval of the request as follows:

- a. Creation of a flag shaped rear lot
- b. Creation of a rear lot with a depth (3000') that is greater than five times the lot frontage on the street (70')).

## **Exhibit A: Letter of Intent**

Date 1/31/22

City of Fair Oaks Ranch  
7286 Dietz Elkhorn Rd,  
Fair Oaks Ranch, TX 78015

**Re:** 423A Ammann Rd Flagged Lot Request  
Letter of Intent

To whom it may concern,

The purpose of this letter is to request our lot at 423A Ammann Rd be permitted by City Council Per UDC Section 5.4(4) "Flag shaped lots generally will not be approved in any subdivision. Lots that have a long dimension (depth) greater than five times the lots street frontage (width) will only be permitted with City Council approval." I am requesting the approval of City Council to permit 423A Ammann Rd as a flagged lot.

Sincerely,

Thomas C Dechert

A handwritten signature in black ink, appearing to read 'T. Dechert', written in a cursive style.

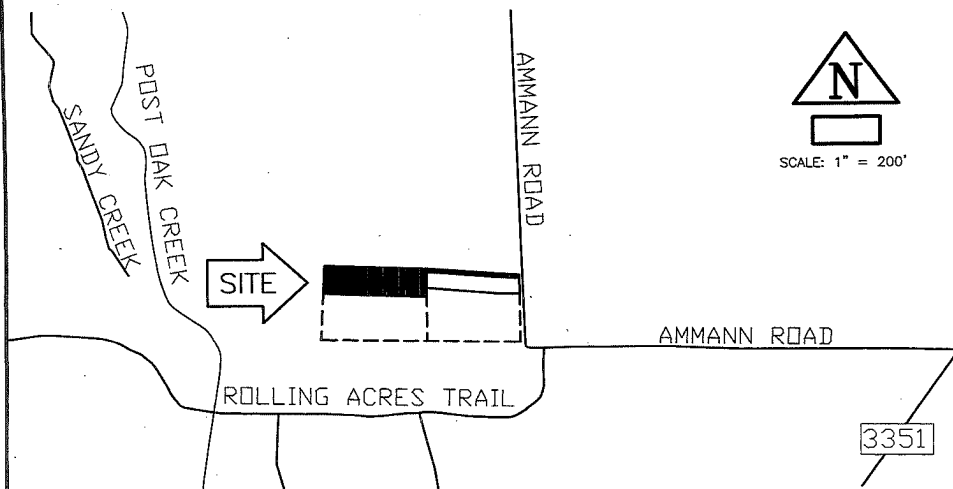
**Exhibit B: Survey (as provided by the applicant)**

# AFFIDAVIT OF LAND LOCATION

Sheet 1 of 2

Pursuant to Request for Relief granted by  
Commissioners Court on August 9, 2021

## LOCATION MAP



### NOTE:

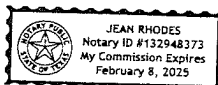
This property cannot be further divided without complying with the Kendall County Development Rules and Regulations in effect at the time of the division.

We, Thomas C. Dechert and Terrie Jean Dechert, hereby affirm that this plat is a true and correct copy of the plat prepared by a Registered Professional Land Surveyor and that it depicts 19.17 and 7.99 Acre Tract out of the William D Lusk Survey Number 211, Abstract Number 306, Kendall County, Texas.

Owner

Owner

Subscribed and sworn to before me this 13<sup>th</sup> day of August, 2021.



Notary Public, State of Texas

Reviewed:

Kendall County Development Manager  
Date:



**Schwarz**  
Land Surveying &  
Development, Inc.

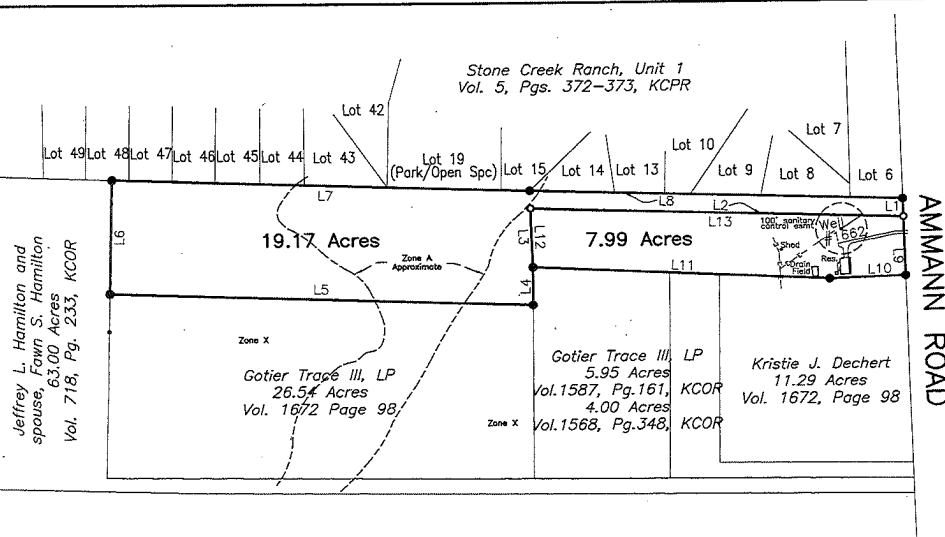
723 NORTH MAIN, BOERNE, TEXAS 78006  
PHONE: (830) 816-8907 Metro FAX: (830) 584-0445  
FIRM LICENSE NO. 10132600

Job No. 21-079

# AFFIDAVIT OF LAND LOCATION

Sheet 2 of 2

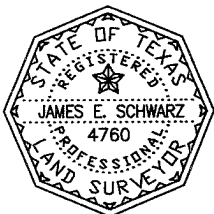
A 19.17 ACRE TRACT OF LAND OUT OF THE WM. D. LUSK SURVEY NO. 211, ABSTRACT NO. 306, KENDALL COUNTY, TEXAS, BEING ALL OF A 16.83 ACRE TRACT DESCRIBED IN PARTITION DEED RECORDED IN VOLUME 1672, PAGE 98, KENDALL COUNTY OFFICIAL RECORDS AND A PORTION OF A 10.00 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 986, PAGE 221, KENDALL COUNTY OFFICIAL RECORDS  
A 7.99 ACRE TRACT OF LAND OUT OF THE WM. D. LUSK SURVEY NO. 211, ABSTRACT NO. 306, KENDALL COUNTY, TEXAS, BEING THE REMAINDER OF A 10.00 ACRE TRACT AND ALL OF A 0.32 ACRE TRACT DESCRIBED IN VOLUME 986, PAGE 221, KENDALL COUNTY OFFICIAL RECORDS.



Scale 1"=500'

Course	Bearing	Distance
L1	S 01°51'49" E	70.15'
L2	N 88°10'18" W	1454.98'
L3	S 01°45'57" E	230.42'
L4	S 00°16'23" W	145.80'
L5	N 88°11'02" W	1653.33'
*L6	N 01°26'24" E	445.73'
L7	S 88°11'02" E	1633.55'
L8	S 88°10'18" E	1454.86'
L9	S 01°51'49" E	229.86'
L10	S 88°08'28" W	297.14'
L11	N 87°15'20" W	1158.97'
L12	N 01°45'57" W	230.42'
L13	S 88°10'18" E	1454.98'

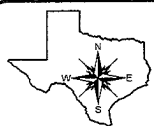
I certify that this plat is of a survey completed on the ground under my supervision on July 27, 2021.



*James E. Schwarz*  
James E. Schwarz  
Registered Professional  
Land Surveyor No. 4760

## Notes:

1. o indicates 1/2" steel rod set with a red plastic cap stamped "Schwarz 4760", unless otherwise noted.
2. indicates 1/2" steel rod found.
3. KCPR = Kendall County Plat Records.
4. KCOR = Kendall County Official Records.
5. \* This bearing, used as the bearing basis for this survey, was established by GPS.
6. POB indicates point of beginning of the Metes and Bounds Description prepared for the indicated tract.
7. Ammann Road is a county road as evidenced by public notice regarding county roads dated April 18, 2006.
8. These tracts lie within Zone X (area determined to be outside the 0.2% annual chance floodplain) and Zone A (area determined to be subject to flooding by the 1% annual chance flood; no base flood elevations determined) as shown on FIRM Panel No. 48259C0420F dated December 17, 2010.



**Schwarz**  
Land Surveying &  
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