



CITY OF HIGHLAND HAVEN
510 Highland Drive, Suite A
Highland Haven, Texas 78654-8278
Telephone: 830-265-4366

AGENDA – BOARD OF ALDERMEN MEETING

DATE: Thursday, July 3, 2025

TIME: 5:00 PM

PLACE: Highland Haven City Hall, 510-A Highland Drive, Highland Haven, TX 78654

1. Open Meeting and Establish Quorum/Roll Call– Mayor

Mayor Pro Tem Terry Nuss	☐ Present	☐ Absent
Aldersperson Don Hagans	☐ Present	☐ Absent
Aldersperson Bruce Robertson	☐ Present	☐ Absent
Aldersperson Lynn Smith	☐ Present	☐ Absent
Aldersperson Terry Smith	☐ Present	☐ Absent

2. Pledge of Allegiance

3. Recognize Visitors

4. Public Comment

(At this time, any person with business before the BOA not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

5. **Public Hearing** - Variance request to §4.02.010(i) of the Highland Haven Code of Ordinances to allow a water well to be drilled on Lot 412-B, Section 5, 203 Redbird Street.

Discussion with Possible Action – Variance request to §4.02.010(i) of the Highland Haven Code of Ordinances to allow a water well to be drilled on Lot 412-B, Section 5, 203 Redbird Street

DISCUSSION / INFORMATION ITEMS

6. Aldermen Comments

Next regular meeting – Tuesday, July 15, 2025, at 7:00 p.m., Highland Haven Community Center.

Adjournment.

Posted: June 30, 2025

CERTIFICATION OF POSTING

I, SARAH COLLARD, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL WHICH ARE ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THE CITY WEBSITE AT WWW.HIGHLANDHAVENTX.COM ON TUESDAY, JUNE 30, 2025, BY 5:00 PM AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



Sarah Collard
Sarah Collard, City Secretary

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE BOARD RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071 (Advice of Counsel), 551.072 (Real Property), 551.073 (Gifts or Donations), 551.074 (Personnel), 551.076 (Security), 551.087 (Economic Development) and/or 418.183 (Homeland Security).

§ 4.02.010. Construction requirements and restrictions.

- (a) The terrain of any lot or lots shall not be changed in any way so as to cause water drain-off to be directed to the surrounding home sites. In the event construction or alteration of any land structure, drainage structure or drainage easement occurs, a permit and drainage survey are required. (See article 10.03.)
- (b) Before any concrete is poured, the lot owner or builder shall determine the actual position of the concrete foundation forms as related to lot lines, setbacks, and easements, and verify that they are located as shown on the lot survey plot plan in the approved building permit. This requirement applies to land and waterfront construction. A form/foundation survey shall be required if setback tolerances are critical, or elevations require verification relative to the elevation certificate required in section 4.02.005(a)(1).
- (c) As required by the elevation certificate (section 4.02.005(b)) a post top of first floor construction elevation survey shall be conducted by a licensed surveyor or engineer verifying that the as-built foundation is as required by the elevation certificate and article 4.04. Results shall be noted on the elevation certificate and a copy of the elevation certificate shall be provided to the city.
- (d) Above-ground LPG [tanks] up to 250 gallons are permitted provided the fuel storage tank has a current certification that meets appropriate government regulations. Above-ground LPG tanks must be surrounded by appropriate screening material, i.e., fencing, lattice, or shrubbery. An above-ground propane tank must be secured if located within the base flood elevation and be located a minimum of two (2) feet above the base flood elevation. A direct burial LPG tank up to 500 gallons is permitted if the tank is certified for direct burial, meets all governmental regulations and codes, and a copy of such certification is provided to the city. Direct burial LPG tanks must be located at least ten feet (10') from any lot line, building, or roadway, and the location marked or protected to prevent travel over the tank location by vehicles or machines or excavation of the tank area. The property owner shall insure that the LPG tank installation provides a sufficient clearance from any buried water, septic, or electrical lines.
- (e) All garages will be enclosed on a minimum of three (3) sides and will be equipped with a garage door; a garage door opening shall not exceed 10 feet (10') in height.
- (f) The interiors of all garages and carports must be finished in such a way as to conceal framing, insulation material, or unfinished masonry.
- (g) All new residential construction and major remodels shall be treated, by a licensed technician, for subterranean termites by one of the methods approved in the current edition of the International Residential Building Code. Proof of the required treatment must be submitted to the city prior to issuance of a certificate of occupancy or refund of the construction deposit.
- (h) Some form of ground cover, such as grass, rocks, etc., will be required within 90 days after completion date of a new SFR, major remodel, or septic system replacement or repair. No deposit refund will be issued until ground cover is completed.
- (i) Water wells:

(1) Drilling of new water wells is prohibited.

(A) The prohibition of drilling new water wells does not apply in any way to the Highland Haven Water System.

(2) Plugging of an existing water well must be done by a licensed well driller or pump installer.

(3) Any existing inactive water well that is capped must be plugged within 90 days of inactivity.

(Ordinance 020 Rev. 27, sec. 10, adopted 10/17/2023)

§ 9.02.006. Variances.

(a) Procedure.

- (1) A request for a variance from this article will be submitted in writing to the mayor, board of aldermen (BOA) and planning and zoning commission (P&Z). The mayor, BOA and P&Z may authorize a variance from these regulations if, in its opinion, undue hardship will result from requiring strict compliance to this article and not cause undue hardship to the public interest. Approval of any individual variance will not automatically extend to other property within the City of Highland Haven.
- (2) Conditions required for variance:
 - (A) No variance shall be granted without first having given public notice of the variance request to any and all property owners within 200' of the requesting property and having a public hearing on the written variance request. As per Local Government Code section 211.006.
 - (B) Findings. The property owner must complete the variance documents and deliver them to the city prior to any public hearing.
 - (i) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of the land; and
 - (ii) That granting of the variance will not create a hardship to the public health, safety or welfare, or be injurious to other property within the city; and
 - (iii) That the granting of the variance will not have a negative effect on the surrounding properties; and
 - (iv) That granting the variance constitutes a minimal departure from this article; and
 - (v) That the circumstances or conditions are not self-imposed, are not based solely on economic gain or loss, and most important that they do not negatively affect properties in the vicinity of the applicant's property.
 - (C) Such written findings of the BOA, together with the specific facts upon which findings are based, shall be read into the official minutes of the BOA meeting at which the variance is reviewed. Variances should only be granted when there is no hardship caused to the public health, safety and welfare.

(b) Findings of undue hardship.

- (1) In order to grant a variance, the BOA must make written findings that an undue hardship exists using the following criteria:
 - (A) The literal enforcement of this article will create an unnecessary hardship or practical difficulty in the development of the affected property; and
 - (B) That the situation causing the hardship or difficulty is neither self-imposed nor

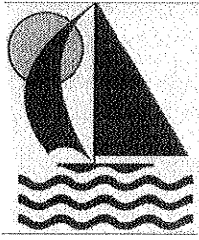
generally affecting all or most properties in the same area; and

- (C) That the relief sought will not injure the permitted use of adjacent conforming properties; and
- (2) No variance may be granted which results in undue hardship to the neighboring properties.
- (3) The applicant bears the burden of proof in establishing the facts that may justify a variance.
- (c) Application and fee. An application for a variance under this article shall be made in writing using forms provided by the city and be accompanied by an application fee. A site plan, survey, scaled drawing or other information may be requested in order to properly review the variance request.
- (d) Notice and public hearing.
 - (1) The board of aldermen shall hold public hearings for consideration of any written variance request. Notices shall be posted on the public notice board outside of city hall and published in the official newspaper of the city no less than 15 days prior to the date of the public hearing. The notice shall identify the property, street address and details of the proposed variance with the date and time of the public hearing.
 - (2) As per Texas Local Government Code, section 211.006.

(Ordinance 056 Rev. 16, sec. VI, adopted 1/24/2023)

JUN 05 2025

Received



CITY OF HIGHLAND HAVEN
 510-A Highland Drive
 Highland Haven, Texas 78654-8269
 Phone: 830-265-4366 Fax: 512-366-9721

VARIANCE APPLICATION REQUEST FORM

Date: 6-5-25Property Owner(s) or Agent(s) Name: JACQUELINE GARTOWBilling Address: 203 REDBIRD ST,City, State, Zip: HH, TX 78654Phone #: 512.663.3110 Email Address: jaxtex@ymail.comVariance Fee \$ 400.00Property Location: Lot# (s) 412B, SEC 5 HH Street Address: 203 REDBIRD STCity Ordinance Reference: 4.02.010 (i)Describe Reason or Anticipated Use for Variance: WATER WELL

(Attach additional sheets if necessary)

Anticipated use of Property: RESIDENTIAL

IT IS THE RESPONSIBILITY OF THE OWNER TO PROVIDE THE CITY WITH MOST RECENT
 PROPERTY PLAT TO INCLUDE THE FOLLOWING:

1. Date of preparation; scale of plat; north arrow
2. Identification of any floodplain within variance area
3. Setback lines / easements / boundary lines
4. General Notes to reflect same

EXPLAIN how your request applies to EACH of the following: (attach additional sheets if necessary)

(a) What are the special circumstances or conditions affecting the land involved such as strict application of provisions of this Ordinance would deprive applicant of the reasonable use of the land:

(b) That granting of the variance will not create a Hardship to the Public Health, Safety or Welfare or be injurious to other property within the City:

(c) That the granting of this variance will not have a negative effect on the surrounding properties:

(d) That granting this variance constitutes a minimal departure from this ordinance:

(e) That the circumstances or conditions are NOT self-imposed, are NOT based solely on economic gain or loss, and MOST important that they do NOT negatively affect properties in vicinity of applicant's property:

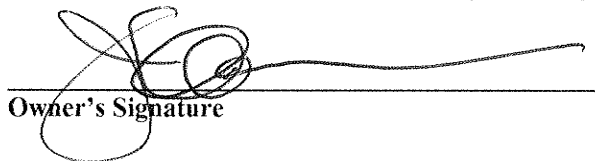
SUCH WRITTEN FINDINGS OF THE BOA, TOGETHER WITH THE SPECIFIC FACTS UPON WHICH FINDINGS ARE BASED, SHALL BE READ INTO THE OFFICIAL MINUTES OF THE BOA MEETING AT WHICH THE VARIANCE IS REVIEWED. VARIANCES SHOULD ONLY BE GRANTED WHEN THERE IS NO HARDSHIP CAUSED TO THE PUBLIC HEALTH, SAFETY AND WELFARE.

Are ALL the checklist requirements being supplied? Yes ☒ No ☐

If NOT, explain why?

IF TO BE SIGNED WITH ALTERNATE NAME OR AGENT OTHER THAN PROPERTY OWNER,
PROVIDE NAME & EXPLANATION.

I certify that I am the owner or agent of the described property for purposes of this application. I respectfully request the processing and approval of the referenced plat and agree to comply any/all necessary information concerning this request. I also understand that any substantial modifications or additions to this submittal could mean the requirement of a revised plat. I hereby certify that I have been informed and understand the requirements regarding this process as specified by City Ordinance.


Owner's Signature

JACQUELINE GARROWS
Owner's Printed Name

I hereby authorize the Agent indicated BELOW to act on my behalf during the process / presentation of this request. They are to be the principal contact with the City in processing this application.

Owner's Signature

Owner's Printed Name

Agent's Signature

Agent's Printed Name

OWNER/AGENT MUST BE PRESENT AT HEARINGS TO PRESENT PURPOSE OF VARIANCE.

(a) What are the special circumstances or conditions affecting the land involved such as strict application of provisions of this ordinance would deprive applicant of the reasonable use of the land:

At .7 acres, my lot far exceeds the average lot size in Highland Haven. Not having a well, my property is subject to much higher monthly costs to maintain irrigation. Further, irrigating with chemically treated water is stressful to my lawn and gardens. An irrigation well on my property would:

- >correct the financial inequity of monthly maintenance;
- >improve the marketability and market value of my property to be competitive with similar properties;
- >allow me full discretionary use of the land in which I invested.

(b) That granting of the variance will not create a Hardship to the Public Health, Safety or Welfare or be injurious to other property within the City:

An irrigation well within current State and County regulations is considered safe and of no risk to other properties. Many/most properties the size of mine already enjoy well water for irrigation, as the ordinance prohibiting new wells is a relatively recent change.

(c) That the granting of this variance will not have a negative effect on surrounding properties:

The majority of properties neighboring mine already have water wells. Most of these wells are over 100+ feet deep. A shallow well for irrigation purposes only is, according to my sources, virtually no risk to the water source of these wells, (a or to the City wells).

(d) That granting this variance constitutes a minimal departure from this ordinance:

This ordinance is written as to be an unmitigated prohibition. I honestly don't know why the ordinance is written as such, so I can't address how the City defines "a minimal departure". I can state that I am entitled under Texas statute to the groundwater under my property, a well on my property would meet all CTGCD definitions, spacing and regulations, and using a well to irrigate my property is a more efficient use of water resources than pumping it, holding it, treating it, pumping it to my property, metering it, billing for it, and requires that I use chemically-treated water to sustain my landscape.

(e) That the circumstances or conditions are not self-imposed, are NOT based solely on economic gain or loss, and MOST important that they do NOT negatively affect properties in vicinity of applicant's property:

There are two major inequities I'm asking the BOA to resolve with this variance:

1. Correcting the one-size-fits-all tiered water rates and penalties which are punitive because of my property size and lack of a lake pump or well water for irrigation, and;
2. Returning the right of reasonable use of my property for the specific purposes I chose it.

Cart

?

Property ID: 66341 For Year

2025 Appraisal Notice

View Map

Print

2025

Property Details

Account

Property ID:	66341	Geographic ID: 05202-0005-00412-B00
Type:	R	Zoning:
Property Use:		Condo:

Location

Situs Address:	203 REDBIRD ST HIGHLAND HAVEN, TX 78654	
Map ID:	1105	Mapsc0:
Legal Description:	S5202 HIGHLAND HAVEN LOT 412B, SECT 5	
Abstract/Subdivision:	S5202	
Neighborhood:	(CHI) HIGHLAND HAVEN CITY	

Owner

Owner ID:	250974
Name:	GARROW JACQUELINE
Agent:	
Mailing Address:	203 REDBIRD ST GRANITE SHOALS, TX 78654
% Ownership:	100.0%

Property Values

Improvement Homesite Value:	\$498,410 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$46,682 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$545,092 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value: ⓘ	\$545,092 (=)
HS Cap Loss: ⓘ	\$73,555 (-)
Circuit Breaker: ⓘ	\$0 (-)

Flower wiki

Q Flower name, disease.....



C...

Is Well Water Better for Plants Than City Water?

When it comes to watering plants, many people wonder whether well water or city water is the better choice. While both sources can be used, well water certainly has some advantages that could make it the better option in some situations.

The Benefits of Well Water for Plants

Well water is often considered better for plants than city water because it is naturally filtered through the ground, which removes many harmful chemicals and pollutants. This means that the water is free of chlorine, fluoride, and other additives that can be found in city water. Additionally, well water is usually richer in minerals, which can be beneficial for plant growth.

Another advantage of well water is that it typically has a higher pH level than city water. Most plants prefer soil with a pH level between 6.0 and 7.0, and well water can help maintain this balance. City water, on the other hand, can have a pH level that is too high or too low for optimal plant growth.

CONFLICT OF INTEREST

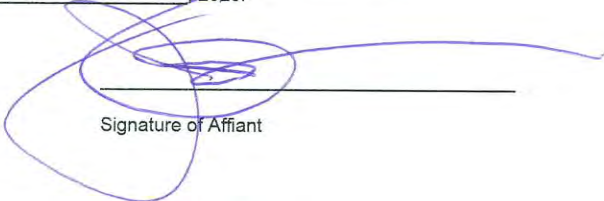
THE STATE OF TEXAS
COUNTY OF BURNET

§
§

I, Jacqueline Garrow, a local public official, make this affidavit and hereby on my oath state the following:
I have an interest in the real property that may receive a special economic effect that is distinguishable from the effect on the public on an action contemplated by the City of Highland Haven.
The real property in which I have an interest is:
Lot 412B, known as 203 Redbird Street, Highland Haven, TX 78654.
I, or a person that is related to me within the first degree on consanguinity (blood) or affinity (marriage) as defined by state law, have an interest in this real property for the following reasons (circle all that apply):

- (1) Own 10% or more of the voting stock of shares of the property or business entity;
- (2) Own 10% or more of the fair market value of the property or business entity;
- (3) Own \$15,000 or more of the fair market value of the property or business entity;
- (4) Receive from the business entity funds that exceeds 10% of _____ gross income for the previous year;
- (5) Have/has an equitable or legal ownership of real property with fair market value of \$2,500 or more;
- (6) In capacity as the developer.

Upon filing of this affidavit with the official record keeper of the city, I affirm that I shall abstain from voting or further participating in any matter involving the business entity or real property, unless allowed by law.
Signed this 13 day of June, 2025.



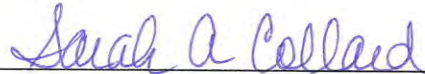
Signature of Affiant

Jacqueline Garrow

Affiant

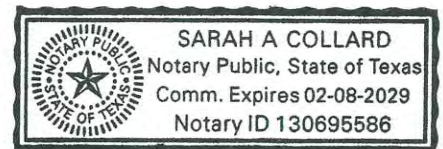
BEFORE ME, the undersigned authority, this day personally appeared Jacqueline Garrow
(affiant) and by oath stated that the facts herein stated are true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME on this 13th day of June, 2025.



Notary Public in and for the State of Texas

My commission expires: 2/8/2029



6

Friday, June 13, 2025

The Highlander
Marble Falls, Texas

The Highland Lakes Marketplace

Classifieds

The Highlander • Burnet Bulletin

Classified WORD ADS Call MARGIE 830-693-4367 or Email at: margie@highlandernews.com
DEADLINE Tuesday Issue: WORD ADS: Fridays at 12 Noon • DEADLINE Friday Issue: WORD ADS: Tuesdays at 12 Noon
Classified DISPLAY Call MARGIE 830-693-4367 or Email at: margie@highlandernews.com
DEADLINE Tuesday Issue: DISPLAY ADS: Thursdays at 3pm • DEADLINE Friday Issue: DISPLAY ADS: Mondays at 3pm



LEGAL NOTICE

LEGAL NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a MIXED BEVERAGE PERMIT (MB) by BELLA SERA OF MARBLE FALLS, INC dba Bell Sera, to be located at 1125 NORTH HIGHWAY 281, MARBLE FALLS, BURNET COUNTY, Texas.
Officers of said corporation are VEBI MUSTAFA, MEMBER and BESART MUSTAFA, MEMBER.

THERE WILL BE A PUBLIC HEARING CONCERNING A REPLAT OF LOT 72 AND THE NORTH 25' OF LOT 73, TWIN ISLES SUBDIVISION, A SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS AS SHOWN ON PLAT RECORDED IN CABINET 1, SLIDE 60C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS TO BE HEARD AT THE REGULARLY SCHEDULED BURNET COUNTY COMMISSIONERS MEETING HELD ON JUNE 24TH, 2025.

PUBLIC NOTICE

The City of Highland Haven P&Z Commission will hold a public hearing June 30, at 2:30 PM at the Roscoe E. Holt City Hall to receive public comments on a variance request to City of Highland Haven Code of Ordinances, Chapter 4, Building Regulations, §4.02.010 Construction Requirements and Restrictions, Section (I) Water wells., for Lot # 412B, known as 203 Redbird Street requesting a variance to drill a water well. The City of Highland Haven Board of Aldermen will also hold a public hearing at their regularly scheduled meeting at the Highland Haven Community Center on July 1, 2025, at 7:00 pm to receive public comments and vote on this request.

PUBLIC NOTICE

PUBLIC NOTICE

THERE WILL BE A PUBLIC HEARING CONCERNING A REPLAT OF LOTS 1, 1A, 1B, 2, 3, & 4, CLEAR CREEK SUBDIVISION, A SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS AS SHOWN ON PLAT RECORDED IN DOCUMENT NO. 202501106 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS TO BE HEARD AT THE REGULARLY SCHEDULED BURNET COUNTY COMMISSIONERS MEETING HELD ON JUNE 24TH, 2025.

THERE WILL BE A PUBLIC HEARING CONCERNING A REPLAT OF LOTS 11, 12, 13, & 14, THE EMERALDS, BLOCK 1, A SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS AS SHOWN ON PLAT RECORDED IN CABINET 1, SLIDE 15-C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS TO BE HEARD AT THE REGULARLY SCHEDULED BURNET COUNTY COMMISSIONERS MEETING HELD ON JUNE 24TH, 2025.

PUBLIC NOTICE

The City of Cottonwood Shores Crime Control Prevention District will conduct a Public Hearing at 5:00 p.m. on Tuesday, June 24, 2025, at Cottonwood Shores Civic Center, located at 4111 Cottonwood Drive, in Cottonwood Shores, Tx 78657. The purpose of the public hearing is to receive comments from interested persons on the approval of the Crime Control and Prevention District's Mid-Year Fiscal Year 2024-2025 Budget revision which will lead to the adoption of Ordinance 11130 (CCPD) 2024-2025 Fiscal Budget Revision. The caption of the Ordinance reads as follows:

Ordinance 11130

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, BURNET COUNTY, TEXAS, REVISING AND ADOPTING THE CRIME CONTROL AND PREVENTION DISTRICT BUDGET REVISIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2024, ENDING SEPTEMBER 30, 2025 AND DECLARING AN EFFECTIVE DATE.

The City of Cottonwood Shores City Council will take action on the Crime Control and Prevention District budget revision on July 17, 2025 at 6:00 p.m. at the Cottonwood Shores Civic Center, located at 4111 Cottonwood Drive in Cottonwood shores, Texas 78657.

All interested persons should attend the public hearing.

Written comments may also be submitted to the City Secretary, Cottonwood Shores, Texas. The full text of the proposed Ordinance may be viewed prior to the date of the public hearing by visiting the City Hall at 3808 Cottonwood Drive, Cottonwood shores, Texas 78657, during normal business hours.

THERE WILL BE A PUBLIC HEARING CONCERNING A REPLAT OF LOTS 554, 555, & 556, SOUTH SILVER CREEK VILLAGE, UNIT ONE, A SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS AS SHOWN ON PLAT RECORDED IN VOLUME 1, PAGE 84 OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS TO BE HEARD AT THE REGULARLY SCHEDULED BURNET COUNTY COMMISSIONERS MEETING HELD ON JUNE 24TH, 2025.

SEALED BIDS
Burnet County is seeking sealed bids for a Qualified Contractor, licensed in the State of Texas for Burnet County Jail Roof Repairs. Copies of the bid can be found on the county website: www.burnetcountytexas.org. Opening of submissions will be in the Burnet County Annex conference room at 133 E. Jackson St., Burnet, Texas, at 2:00 PM on Wednesday, **July 09, 2025**. Bids will be accepted until 2:00 pm, any received after this deadline will remain unopened.

PUBLIC NOTICE

The City of Cottonwood Shores Crime Control Prevention District will conduct a Public Hearing at 5:00 p.m. on Tuesday, June 24, 2025, at Cottonwood Shores Civic Center, located at 4111 Cottonwood Drive, in Cottonwood Shores, Tx 78657. The purpose of the public hearing is to receive comments from interested persons on the approval of the Crime Control and Prevention District's Fiscal Year 2025-2026 Preliminary Budget which will lead to the adoption of Ordinance 11128 (CCPD) 2025-2026 Fiscal Budget. The caption of the Ordinance reads as follows:

Ordinance 11128

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, BURNET COUNTY, TEXAS, ADOPTING THE CRIME CONTROL AND PREVENTION DISTRICT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2025, ENDING SEPTEMBER 30, 2026 AND PROVIDING AN EFFECTIVE DATE.

The City of Cottonwood Shores City Council will take action on the Crime Control and Prevention District budget revision on July 17, 2025 at 6:00 p.m. at the Cottonwood Shores Civic Center, located at 4111 Cottonwood Drive in Cottonwood shores, Texas 78657.

All interested persons should attend the public hearing.

Written comments may also be submitted to the City Secretary, Cottonwood Shores, Texas. The full text of the proposed Ordinance may be viewed prior to the date of the public hearing by visiting the City Hall at 3808 Cottonwood Drive, Cottonwood shores, Texas 78657, during normal business hours.

Notice of Public Sale
to satisfy Storage Finders lien.
Sale to be held online at www.storageauctions.com
Facility is located at 2705 Commerce St. Marble Falls, Tx. 78654
Bidding will open Tuesday, June 17, 2025 @ 8:00 a.m. and conclude Monday, June 23, 2025 @ 12:00 p.m.
Cleanup deposit of \$100.00 is required.
Purchases must be made with cash or cashier's check only and paid at 2411 Commerce. Seller reserves the right to withdraw property at any time before the sale. Unit items sold as-is to the highest bidder. Property includes the contents of spaces of the following tenants: **Steven Plencner**: sleeping bag, dining chairs & misc. **Ginger McCollum**: Dining chairs & misc. **Jeanette Ryan**: shelves, clothes rack & misc. **Cristal Bernhardt**: couch, desk, chair & misc. **Hazel Brown**: bikes, luggage, lamp & misc. **Grayson Taylor**: furniture and misc. **Pat Barge**: exercise equipment, couch, dresser & chest **Christa Atchisson**: baby swing & misc. **Jonas Castro**: 1993 GMC Sierra pickup & auto parts (No registration or title) **Rebecca Vanderhule**: headboard & misc.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of ROGER LYNN TORRANCE, Deceased, were issued on May 22, 2025, in Cause No. P12193, pending in the County Court of Burnet County, Texas, to: Pascale Eliane Torrance.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

Pascale Eliane Torrance, Independent Executor
c/o: Melissa Edge, Attorney at Law
P.O. Box 1479
Marble Falls, Texas 78654

DATED the 9th day of June, 2025.

FOX EDGE KUYKENDALL, PLLC

By: /s/ Melissa Edge
Melissa Edge
Texas Bar No. 24104291
P.O. Box 1479
Marble Falls, Texas 78654
Tel. (830) 637-7117
Fax (877) 368-4521
E-mail: medge@foxedgelaw.com
Attorney for Pascale Eliane Torrance, Independent Executor

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of James Roy Marquess, Deceased, were issued on May 22, 2025, in Cause No. P12195, pending in the County Court of Burnet County, Texas, to: Rita L. Marquess.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

Rita L. Marquess, Independent Executor
c/o: Melissa Edge, Attorney at Law
P.O. Box 1479
Marble Falls, Texas 78654

DATED the 9th day of June, 2025.

FOX EDGE KUYKENDALL, PLLC

By: /s/ Melissa Edge
Melissa Edge
Texas Bar No. 24104291
P.O. Box 1479
Marble Falls, Texas 78654
Tel. (830) 637-7117
Fax (877) 368-4521
E-mail: medge@foxedgelaw.com
Attorney for Rita L. Marquess, Independent Executor

Kindness
can go a
long way.



Adopt a shelter pet today!



Subscribe to *The Highlander* for your community news.
Call (830) 693-4367



CITY OF HIGHLAND HAVEN
510-A Highland Drive
Highland Haven, Texas 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

June 17, 2025

Re: Notice of Variance Request
Lot # 412B – known as 203 Redbird Street

Dear Property Owner(s),

The owner of Lot # 412B – known as 203 Redbird Street in Highland Haven, has requested a variance to the City of Highland Haven Code of Ordinances §4.02.010(i). §4.02.010(i) states:

1. Drilling of new water wells is prohibited.
 - a. The prohibition of drilling new water wells does not apply in any way to the Highland Haven Water System.
 2. Plugging of an existing water well must be done by a licensed well driller or pump installer.
 3. Any existing inactive water well that is capped must be plugged within 90 days of inactivity.
- (Ordinance 020 Rev. 27, sec. 10, adopted 10/17/2023)

The property owner(s) are requesting this variance to drill a water well for residential irrigation purposes.

You, as a property owner within a 200-foot radius of the property/properties for which a variance has been requested, are being notified per Texas Local Government Code 211.003, and per standard city procedure. The variance request will be discussed at a public hearing by the Planning & Zoning Commission on Monday, June 30, 2025, at 2:30 PM at the Roscoe E. Holt City Hall. A public hearing will also be conducted at the Highland Haven Community Center on Tuesday, July 1, 2025, at 7:00 PM at the Board of Aldermen meeting to hear any public comments and to take action related to this request.

These meetings are open to the public; you are invited to attend these meetings and to provide public comment as you see fit. Any formal comments regarding this variance request must be submitted in writing to City Hall prior to the close of the public hearings.

Sincerely,

Olan Kelley, Mayor
mayor@highlandhaventx.com
City of Highland Haven

Guide to Evaluating a Water Well Variance Request in Highland Haven

This guide helps the BOA evaluate a variance request to drill a private water well, using Highland Haven's zoning rules and the Quick Guide to Granting a Variance in Texas. It provides a neutral framework to assess the request fairly, ensuring compliance with Texas law (Texas Local Government Code, Chapter 211) and protection of community interests, health, safety and welfare.

Background on Highland Haven's Water Well Rule

Highland Haven's Ordinance 4.02.010 (i) prohibits new private water wells to protect drinking water safety. Wells near septic systems (within 50–100 feet, per Texas law, 30 TAC § 285.91) may risk groundwater contamination or complicate septic system replacements in adjacent lots. The city's water system provides a reliable source of water for the community.

Variance Request Overview

A resident has requested a variance to drill a well for irrigation but has not specified a location. They state a licensed well driller requires variance approval before identifying a suitable site due to the city's well ban.

Variance Evaluation Process

1. **Submission:** The resident submits a variance request application to the City Secretary, explaining the need for the well. Typically, a map showing the well's location and distances to septic systems and other wells is included in the application. Since no location is provided, the BOA may request a preliminary plan or driller consultation after initial review.
2. **Public Meeting:** The P&Z reviews the request at a public meeting (within 30 days). The resident presents their case, and neighbors may provide input. The P&Z will vote and submit a recommendation to the BOA at this meeting.
3. **Decision:** The BOA votes on the request. A variance requires a 75% supermajority vote to be approved. If approved, conditions (e.g., water testing or irrigation-only use) may be added to ensure health, safety and welfare.

Key Considerations for the BOA

Use the Quick Guide to Granting a Variance in Texas to evaluate the request. Consider these questions to ensure a fair and lawful decision:

1. **Is It Safe for the Public?**

- Can the well be placed 50–100 feet from septic systems (per 30 TAC § 285.91) and 150 feet from other wells (per Central Texas Groundwater Conservation District rules) to prevent contamination?
- Without a specific location, can the resident demonstrate a driller can identify a safe spot?
- Will the well impact neighbors' ability to maintain or replace their septic systems?

2. Is There an Unnecessary Hardship?

- Does the city's well ban create a significant difficulty or unfair burden due to unique property conditions (e.g., size, shape, or terrain) that isn't common to other properties?
- Is city water insufficient for irrigation needs (e.g., due to drought restrictions or limited supply)? If so, does this create a hardship unique to the property.
- Hardship is not just inconvenience—it must be a serious issue that makes normal use difficult for this property.

3. Does It Align with the Zoning Ordinance's Purpose?

- Does the variance support the city's goal of protecting drinking water safety and community health and welfare?

4. Does It Comply with State and Local Rules?

- Will the well meet Central Texas Groundwater Conservation District requirements for exempt wells, including registration and spacing rules?
- Note: The District may allow permitting based on the lot's original platting date.

5. What Are the Broader Impacts?

- Could approving this variance set a precedent that encourages more well requests, potentially affecting the city's water system or zoning ordinance?

Using the Quick Guide

Refer to the Quick Guide to Granting a Variance in Texas for legal criteria:

- Ensure the variance doesn't harm public interest.

- Confirm the hardship is due to unique property conditions, not self-imposed or purely financial (unless meeting specific thresholds, like compliance costing over 50% of the property's appraised value or reducing developable area by 25% or more).
- Verify the variance upholds the zoning ordinance's intent and achieves fairness.

Decision Framework

- **Approve** if the resident demonstrates the variance meets the criteria above, including a clear hardship, compliance with state and local rules, and protections to ensure safety.
- **Deny** if the request does not meet these criteria, risks public safety, or lacks a justified need.

Quick Guide to Granting a Variance in Texas

This guide explains, in simple terms, what the BOA must consider when deciding on a variance request, based on Texas state law (Texas Local Government Code, Chapter 211).

What is a Variance?

A variance allows a property owner to bend certain zoning rules (like setback or height limits) due to unique challenges with their property. It does **not** allow changing the type of use (e.g., turning a residential lot into a commercial one).

What Must the BOA Consider?

When reviewing a variance request, you must ensure it meets these key points:

1. **Won't Harm the Public:** The variance should not negatively affect the community's safety, health, or welfare.
2. **Unique Property Hardship:** The property must have special conditions (like unusual shape, size, or terrain) that make following the zoning rules extremely difficult. The hardship:
 - Must not be caused by the property owner.
 - Can include situations where:
 - Following the rules costs more than 50% of the property's appraised value.
 - It reduces the usable land by 25% or more.
 - It forces the structure to break other city rules or codes.
 - It causes unreasonable overlap with a neighboring property or easement.
 - The structure is considered nonconforming by the city.
3. **Keeps the Zoning's Purpose:** The variance should still support the overall goals of the zoning rules, like maintaining the neighborhood's character.
4. **Is Fair to the Applicant:** Granting the variance should provide a just solution for the property owner without undermining the zoning rules.

Voting Requirement

To approve a variance, at least 75% of the BOA members must vote in favor.

Key Notes

- The applicant must provide evidence (like property plans or reports) to prove the variance meets these criteria.
- The BOA can only grant variances for physical rules (e.g., setbacks, height), not for changing allowed land uses.

City of Highland Haven
P&Z Committee Recommendations

- Date of P&Z Meeting: June 30, 2025
- Subject: Variance Request #V25-001- Water Well
- Ordinance(s) #: 4.02.010(i)
- BOA Assignment: Yes _____ No _____ Date Assigned: _____
- P&Z Recommendation/Comments: Variance request denied by 1-2 Vote. Draft minutes of public hearing are attached.

- **Recommendation** submitted to City Secretary:

Jarvin Peters
P&Z Chair
7/1/2025
Date

Sarah A Collard
City Secretary
7/1/2025
Date

REVISIONS:

- Date of Redline - **1st revision(s)** returned to P&Z for review: _____
Date **corrected revision(s)**, if any, returned to City Secretary: _____
P&Z: Review/ Comments/ Changes:
(attached) _____

P&Z Chair

Date:

- Date of Redline - **2nd revision(s)** submitted to City Secretary: _____
Date **corrected revision(s)**, if any, returned to P&Z for review: _____
Date P&Z Agenda for final Recommendation: _____

P&Z Chair

Date:

- Date returned to City Secretary: _____
- Date final Recommendation on BOA Agenda: _____
- BOA Review/Comments: _____

BOA Action: Approved: _____ Disapproved: _____ Meeting Date: _____

DRAFT OF MINUTES – NOT YET APPROVED



City of Highland Haven
510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

MINUTES – PLANNING & ZONING COMMISSION MEETING

DATE: June 30, 2025

TIME: 2:30 PM

PLACE: Highland Haven City Hall

1. Open meeting and Roll Call to Establish Quorum – **Lorinda Peters called the meeting to order at 2:43 PM with a quorum present.**

Jackie Garrow, Chair	✓Present	☐ Absent - RECUSED
Lorinda Peters, Vice Chair	✓Present	☐ Absent
Linda Ray, Secretary	☐ Present	✓Absent
Connie Smith	✓Present	☐ Absent
John Novak	✓Present	☐ Absent

2. Pledge of Allegiance – **The pledge was led by Lorinda Peters.**
3. Recognize visitors. – **There were no visitors.**
4. Public Comment

(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)
There were no public comments.

ACTION ITEMS

5. Public Hearing – Variance request to §4.02.010(i) of the Highland Haven Code of Ordinances to allow a water well to be drilled on Lot 412-B, Section 5, 203 Redbird Street

Discussion with Possible Action – Variance request to §4.02.010(i) of the Highland Haven Code of Ordinances to allow a water well to be drilled on Lot 412-B, Section 5, 203 Redbird Street

Connie Smith made a motion to approve the variance as requested by Jackie Garrow, seconded by John Novak.

Vote: 1-2 (Against)

John Novak: No

Lorinda Peters: No

Connie Smith: Yes

INFORMATION ITEMS

6. P&Z Commission Member Comments.
7. Next Regular Meeting date July 10, 2025.
8. Items to be considered for the next agenda must be received by the Chair on or before 12 noon CDT, July 3, 2025.

DRAFT OF MINUTES – NOT YET APPROVED

A motion to adjourn was made by Connie Smith, seconded by John Novak.

Vote: 3-0

9. Adjournment.

The meeting was adjourned at 3:36 PM.

Lorinda Peters, Vice Chair

Sarah Collard, City Secretary



JUN 30 2025

Received

6:46 PM Tue Jun 10

bunny-wp-pullzone-r1n9s3hmuvb-cdn.net

88%

- (f) Notwithstanding anything to the contrary in this rule, upon application by a person, and without the need for written notice to other landowners or well owners, the Board shall grant an exception to its spacing requirements for a well that will be equipped so that it is incapable of producing more than 25,000 gallons of water per 24-hour interval and that will be used solely for domestic, livestock, or poultry use to:
- (1) equip or operate a well that was previously a monitoring well of the District pursuant to a written agreement between the District and the owner; or
 - (2) to drill a well on a tract of land that was platted, meets an exception to platting, or was otherwise lawfully configured prior to September 1, 2009, as a tract that is too small to comply with the minimum tract size and spacing requirements set forth in these rules, only if such tract is not further subdivided into smaller tracts of land after September 1, 2009, and prior to the drilling, completion, or equipping of the well.
- (g) The burden of proof in any proceeding related to an application for an exception to a spacing requirement under this Section shall be on the applicant. The Board may impose additional restrictions on the exact location of a well to be drilled pursuant to an exception that it grants.

§ 6.04 Standards of Completion for All Wells

- (a) Except as otherwise specified in this Rule 6.04, all wells must be completed in accordance with the well completion standards set forth under the Texas Water Well Drillers and Pump Installers Administrative Rules, Title 16, Part 4, Chapter 76, Texas Administrative Code, and under these Rules.
- (b) In addition to the requirements under Subsection (a), all new wells, re-worked wells, and re-completed wells shall be equipped in such a manner as to allow the measurement of the water level in the aquifer supplying water to the well as follows:

(c) For all wells except under Section 2.40, domestic, livestock, and poultry wells.

Sent from my iPad

SUBMITTED BY JACKIE GARROW 6/30/25

City of Highland Haven

JUN 30 2025

Received

To: Olan Kelley, Mayor

From: Donna Green

Date: 06/30/2025

Re: Variance Request

Lot # 412B – known as 203 Redbird Street

Dear Mr Kelley:

As you know, I am against all variance requests. It affects any future FEMA actions and is one of the first things they will ask for should we have a CAV visit by them. They will also ask for the Permit log.

That being said, the Garrow's made a request to install a well right at the time the city was enacting the current code and were turned down. There are only a few lots that would be able to be permitted should the variance be permitted, only those not affected by septic systems in the area, for example.

The Garrow's have a very large lot and cannot develop it fully as they cannot afford a monthly large bill using the city water system. I have had a \$400.00 water bill the month the city recently switched water systems and I can assure you it doesn't feel good nor could I afford it on a monthly basis.

I do think that we do need to revisit that Ordinance, approve this variance and change the Ordinance to make it fair to all that are in the same situation. A well for an irrigation system would not be as deep and should be restricted for irrigation only and be restricted to coincide with watering dates and times the city has.

I currently have Covid and cannot make either meeting or I would otherwise be there myself. If you have questions for me, please let me know via phone.

Respectfully,

A handwritten signature in black ink that reads "Donna L Green". The signature is written in a cursive style with a large, sweeping initial 'D'.

Donna L Green

100 Wren St

Highland Haven, TX 78654

830/265-0113