

**MINUTES OF FEBRUARY 10, 2020
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on February 10, 2020 pursuant to notice duly posted according to law. The following members were present:

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| Don Surratt | - | Mayor |
| Lynette Barks | - | Councilwoman |
| Steve Templeton | - | Mayor Pro Tem |
| Sharon Spears | - | Councilwoman |
| David Maniscalco | - | Councilman |
| Dan Bell | - | Councilman |
| Kenneth Wahl | - | Councilman |

And absent:

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Susan Collins, Zoning Clerk Anita Price and other guests.

Mayor Surratt called the Meeting to order at 6:30 p.m. noting that a quorum was present, and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Mayor Surratt then delivered the Invocation, Mayor Pro Tem Templeton led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

PUBLIC FORUM:

Mr. Patrick Bell, Candidate for LISD School Board Position #2, came forward to introduce himself to the Council and audience at this time.

DISCUSSION AND INFORMATION CONCERNING THE FOLLOWING:

- 1) DISCUSS A VARIANCE REQUEST SUBMITTED BY THE OFFICE OF MARK W. WHITELEY AND ASSOCIATES, INC., ON BEHALF OF MR. & MRS. DAWS, TO DRAIN A PORTION OF THE 4.155 ACRES TO THE SOUTH TO A PROPOSED POND, AS WELL AS A PORTION OF THE PROPERTY TO DRAIN TO THE WEST TOWARDS ADLER DITCH, TO BUILD A RESIDENCE. THE PROPERTY IS LOCATED IN THE S K VAN METER LEAGUE, PARCEL # 13123, ON THE SOUTH EAST CORNER OF THE INTERSECTION OF PINEBURR LOOP AT FOREST ROAD, LUMBERTON, HARDIN COUNTY, TEXAS.**

Zoning Commission Chairman, Steve Stafford came forward to present this item. Mr. Stafford advised that the natural flow of this property is toward the Adler Ditch and the homes along the side of this property, facing Ashley Street, drain from front to back which is across this property. Mr. Stafford further stated that the issue of a pond is a Council matter, *not* a Zoning matter, therefore, their recommendation was based on the drainage variance request alone, regardless of whether or not a pond is constructed. Mr. Zach Rowe, Mark Whiteley and Associates then advised that at this time, the inclusion of the pond was for transparency purposes due to the fact that one *could* be considered later. Mr. Rowe did not want it to appear that they were trying to circumvent Council or Zoning if a pond was requested in the future. After some discussion, Mr. Stafford advised that the Zoning

Commission approved the request to drain the property to the west as presented, with **no approval for a pond.**

- 2) **DISCUSS A VARIANCE REQUEST SUBMITTED BY THE OFFICE OF MARK W. WHITELEY AND ASSOCIATES, INC., ON BEHALF OF ANDERSON PETIT, LLC, TO DRAIN PORTIONS OF LOT 1 OF THE PROPOSED ANDERSON PINES SUBDIVISION TOWARDS THE SIDES OF THE LOT TO THE EXISTING DITCHES ADJOINING THE PROPERTY. THE PROPERTY IS APPROXIMATELY 2.908 ACRES LOCATED IN THE S K VAN METER LEAGUE, AB 53, ON THE NORTH EAST CORNER OF THE INTERSECTION OF PINEBURR LOOP AT FOREST ROAD, LUMBERTON, HARDIN COUNTY, TEXAS.**

Mr. Stafford advised that there will be three lots (Lot #'s 2, 3, & 4) facing Pineburr and each will drain to the front. Lot # 1 is currently land-locked therefore it is requested that the side of that lot drain into the existing ditches. The Zoning Commission did unanimously approve this request as presented.

- 3) **DISCUSS A VARIANCE REQUEST SUBMITTED BY THE OFFICE OF MARK W. WHITELEY AND ASSOCIATES, INC., ON BEHALF OF ANDERSON PETIT, LLC, FOR THE REDUCED WIDTH OF LOT 1 OF THE PROPOSED ANDERSON PINES SUBDIVISION, TO 50 FEET OF ROAD FRONTAGE. THE PROPERTY IS APPROXIMATELY 2.908 ACRES LOCATED IN THE S K VAN METER LEAGUE, AB 53, ON THE NORTH EAST CORNER OF THE INTERSECTION OF PINEBURR LOOP AT FOREST ROAD, LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that the request is for a fifty-foot (50') driveway to access the residence only, not a road. Mr. Zach Rowe also advised that there will be a twenty-five-foot building setback line to allow ample room for the city to maintain the existing ditch/easement. The Zoning Commission unanimously approve the request as presented.

- 4) **DISCUSS A VARIANCE REQUEST SUBMITTED BY HEIGHTS ENGINEERING, LLC, ON BEHALF OF THEIR CLIENT FOR THE PROPOSED POPEYES DEVELOPMENT, TO ENCROACH UPON SIDE SETBACK LINES TO WITHIN 5' OF THE SIDE PROPERTY LINES AND ENCROACH UPON THE REAR SETBACK LINE TO WITHIN 10' OF THE REAR PROPERTY LINE TO POUR CONCRETE PARKING AREAS. THIS WILL CREATE BETTER TRAFFIC CIRCULATION. THE PROPERTY IS LOCATED AT 108 S LHS DRIVE, OUT LOT 2B, HIGHLAND PARK, AB2, IN THE F ARRIOLA SURVEY, REPLAT 4-198-A, 02/03/2018, P# HLP-OL2-B, L# 1592/714, LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that this property is located just north of Burger King and before the Verizon store and this variance would provide parking as well as improving traffic flow. City Manager, Steve Clark added that there will be no driveway access off LHS Drive, that the only access will be through the Verizon and/or Burger King parking lots. Councilman Bell then stated that he recalls an agreement ensuring that a road will be constructed behind developments in this area. Mr. Clark then stated that anyone interested in developing property in this area is being advised that they will be responsible for constructing their portion of the boulevard at the rear of the property. After further discussion, Mr. Stafford advised that the Zoning Commission unanimously approved this request as presented.

ADJOURNMENT:

There being no further business, the Public Hearing adjourned at 7:05 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY