

**MINUTES OF MARCH 9, 2020  
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on March 9, 2020 pursuant to notice duly posted according to law. The following members were present:

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

And absent:

Dan Bell	-	Councilman
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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 Councilwoman Spears led the Texas Pledge.

**PUBLIC FORUM:**

**DISCUSSION AND INFORMATION CONCERNING THE FOLLOWING:**

- 1) DISCUSS A VARIANCE REQUEST SUBMITTED BY MANUEL AND DEBRA ZURITA TO POUR CONCRETE TO WIDEN AND EXTEND THEIR EXISTING DRIVEWAY TO WITHIN 4' OF THEIR NORTH SIDE PROPERTY LINE. THE PROPERTY IS LOCATED AT 1420 KALA'S CIRCLE, LOT 25, COPPER POINT, PHASE 1, P# CPT-25, 1#2019-95330 6/3/2019, LUMBERTON, HARDIN COUNTY, TEXAS.**

Zoning Commission Chairman, Steve Stafford came forward to present this item. Mr. Stafford advised that the Zoning Commission had detailed discussion concerning the fact that five feet off the property line is an existing utility easement and the concrete would cover a portion of the easement. Mr. Stafford then stated that the Zurita's clearly understood that if they are allowed to proceed with the project and access to the easement was necessary the concrete replacement would be at their own expense. Mr. Stafford further advised that the variance request was approved with the stipulation that the Zurita's also contact the utility companies to insure they do not object to concrete being in their easement. City Manager, Steve Clark, advised that the Zurita's have contacted him and the utility lines in question are their own sewer lines.

**\*\*\* NOTE: THE FOLLOWING TWO ITEMS WERE DISCUSSED TOGETHER \*\*\***

2) **DISCUSS A VARIANCE REQUEST SUBMITTED BY, KEVIN BOYKIN TO DRAIN THE REAR OF LOT 78 TO THE ADJACENT STORM WATER DRAIN ON THE SOUTHWEST CORNER OF THE PROPERTY. THE PROPERTY IS LOCATED AT 1295 MISS KYNDALL, LOT 78, COPPER POINT PHASE 2, P# CPT2-78, LUMBERTON, HARDIN COUNTY, TEXAS.**

3) **DISCUSS A VARIANCE REQUEST SUBMITTED BY, KEVIN BOYKIN TO DRAIN THE REAR OF LOT 79 TO THE ADJACENT STORM WATER DRAIN ON THE NORTHWEST CORNER OF THE PROPERTY. THE PROPERTY IS LOCATED AT 1305 MISS KYNDALL, LOT 79, COPPER POINT PHASE 2, P# CPT2-79 LUMBERTON, HARDIN COUNTY, TEXAS.**

Mr. Stafford advised that Mr. Boykin was not present to answer questions but did speak with some of the zoning members prior to the meeting. Mr. Stafford then advised that the Zoning Commission unanimously approved the request contingent upon additional information regarding the two storm drains and the reason for their placement(s) being presented to City Council.

4) **DISCUSS A VARIANCE REQUEST SUBMITTED BY SHAWN HALEY OF HALEY HOMES, LLC TO CONSTRUCT A CUL-DE-SAC THAT WILL EXCEED THE MAXIMUM 800' LENGTH IN A PROPOSED SUBDIVISION. THE PROPERTY IS LOCATED AT 218 S. VILLAGE CREEK PARKWAY, IN THE S.K. VANMETER LEAGUE, ABSTRACT 53, LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that the proposed cul-de-sac would be approximately 1100 feet which is 311 feet more than the current Ordinance allows. Mr. Shawn Haley advised that he has spoken with the Fire/EMS and they do not have a problem with the request. Mr. Stafford advised that the Zoning Commission unanimously approved this request as presented.

5) **DISCUSS A VARIANCE REQUEST SUBMITTED BY NISHA INTERNATIONAL, INC. (LUMBERTON CHEVRON) TO ENCROACH UPON REAR SETBACK LINES TO WITHIN 7'-10' OF THE REAR PROPERTY LINE TO ENLARGE THE EXISTING COMMERCIAL BUILDING AT THAT LOCATION. THE PROPERTY IS LOCATED AT 1335 S. HWY 96, IN THE E DUNCAN SURVEY, AB 14, P# 14-64-C, 1# 2019-92172 1/31/209, LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that the variance will be for *seven feet (7') only* off the rear property line. There was much discussion including drainage issues and how the water will drain off the roof of the building. Mr. Stafford further added that the placement of the air conditioning unit(s) would be within the seven feet and not added on after the building extended into the full encroachment. Mr. Stafford advised that after further discussion the Zoning Commission unanimously approved the request for *seven feet only*.

6) **DISCUSS A ZONE CHANGE REQUEST SUBMITTED BY J.J. WALLA FOR DELTA REFRACTORIES, FROM R-1 TO I-1 FOR PROPER USE OF THE PROPERTY. THE PROPERTY IS LOCATED AT 618 S. VILLAGE CREEK PARKWAY, AB 14, E DUNCAN SURVEY, P# 14-117-A TRACT 11B, LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that this business has been in existence and continuous operation for decades. The owner is requesting that the zoning designation be corrected to I-1 to reflect proper use of the property. The Zoning Commission unanimously approved the request as presented.

7) **DISCUSS A REQUEST SUBMITTED BY MICHAEL LEE TO REPLAT HIS PROPERTY. THE PROPERTY IS LOCATED AT 5238 BRYAN LANE, LOT 11,**

**BLOCK D, BEAUMONT COLONY SOUTH, P # K33-D-11, 1# 2016-65312 06/01/2016,  
LUMBERTON, HARDIN COUNTY, TEXAS**

Mr. Stafford advised that a very small corner of this property lies within the city limits therefore, the replat must presented for consideration. The Zoning Commission unanimously approved the replat as presented.

***ADJOURNMENT:***

There being no further business, the Public Hearing adjourned at 6:56 p.m.

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DON SURRETT  
MAYOR

ATTEST:

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SUSAN COLLINS  
CITY SECRETARY