

**MINUTES OF MARCH 8, 2021  
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on March 8, 2021 pursuant to notice duly posted according to law. The following members were present:

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

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

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, Councilman Templeton led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

**PUBLIC FORUM:**

**DISCUSSION AND INFORMATION CONCERNING THE FOLLOWING:**

- 1) Request submitted by Brian Don Carlos of Claycomb Associates, Architects, on behalf of Lumberton ISD to encroach upon the north building setback to replace concrete on the existing driveway located on the north property line. The property is located at the Early Childhood Campus at 1020 S Main Street, in the E Duncan Survey, Abstract 14, Lumberton, Hardin County, Texas.**

Mr. Steve Stafford, Zoning Commission Chairman came forward to present this item. Mr. Stafford advised that the new pavement will be placed over the existing driveway which is already over the property line. Mr. Stafford then advised that the Zoning Commission unanimously approved the request.

- 2) Request submitted by David Brown to Replat Lot 1, Block 5 of Brookdale Garden Homes recorded in Volume 3, Page 181, Plat Records, Hardin County, Texas, to include Tract II, being a .0655 acre tract situated in the William Slade Survey, Abstract 454, Out of and Part of Common Area, Brookdale Garden Homes. The Property is located at 115 Moonmist, P# BGD5-1, l# 2015-60423 11/18/2015, Lumberton, Hardin County, Texas.**

- 3) Variance Request submitted by David Brown to allow Common Area to be deeded to him by the property owners of Brookdale Garden Homes Subdivision, making less Common area than is required for Garden Homes according to Section 42-40 of the City of Lumberton City Ordinances. The property is located at 115 Moonmist, Lot 1, Block 5, Brookdale Garden Homes, in the William Slade Survey, Abstract 454, Out of and Part of**

**Common Area, Brookdale Garden Homes, P# BGD5-1, I# 2015-60423 11/18/2015  
Lumberton, Hardin County, Texas.**

City Attorney Curtis Soileau came forward to discuss the above two items. Mr. Soileau explained that when this Garden Home subdivision was developed the “common area” was placed at the rear and side of each lot rather than a contiguous centrally located area. Mr. Soileau also advised that a Homeowner’s Association was never formed for this subdivision and that many of the homeowners have begun utilizing the common area as their own property. In 2016 the City issued a swimming pool permit for this address and the pool was installed with a portion being in the common area. Since that time, the original owner has passed away and the heirs, who are trying to settle the estate, are having issues due to the encroachment. After much detailed discussion, Mr. Stafford advised that the Zoning Commission unanimously approved each request as presented.

- 4) Variance Request submitted by Variance Request submitted by Whiteley Oliver Engineering, LLC, on behalf of Greentree Enterprises, to drain Lots 15-19 and Lots 1-4, 20 and 21 to the rear of the property, of the conceptual layout of Heritage Highlands Subdivision. The property is located in the Francisco Arriola League, Abstract Number 2, Lumberton, Hardin County, Texas.**

Mr. Stafford advised that our Ordinances now require that the drainage plans be reflected on the initial plat prior to approval to ensure compliance when the plat is presented. Mr. Stafford advised that this variance does conform with the natural flow of the land. After further discussion, Mr. Stafford stated that the Zoning Commission unanimously approved the request as presented.

- 5) Variance request submitted by Adam and Amy Wolfe to pour concrete to widen and extend the driveway within the north side building setback. The property is located at 6640 Llano Lane, Lot 3, Block 10, Westwood Heights Phase IV, Section A, 4-177-A P # WWHIV-10-3, I# 2017-79011 10/30/2017, Lumberton, Hardin County, Texas.**

Mr. Stafford stated that the driveway would be 3.5 feet off the property line, there are no utility easements and there are no drainage concerns. Mr. Stafford then stated that the Zoning Commission unanimously approved the request as presented.

- 6) Variance request submitted David and Jennifer Bonner to encroach upon their rear building setback line to pour concrete for a detached garage. The property is located at 660 Jordan Drive in the Francisco Arriola League, Abstract 2, P# 2-69 Tract 56, I# 2014-45725 4/3/14, Lumberton, Hardin County, Texas.**

Mr. Stafford advised that the existing house will be removed, and an approximate 32 x 40 detached shop/garage will be constructed 10’ off the property line. Although there was much discussion, the Zoning Commission unanimously approved the request.

- 7) ADJOURNMENT:**

There being no further business, the Public Hearing adjourned at 7:20 p.m.

---

DON SURRETT  
MAYOR

ATTEST:

---

SUSAN COLLINS  
CITY SECRETARY