

**MINUTES OF MARCH 14, 2022
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on March 14, 2022 pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Kenny Burkhalter	-	Councilman
Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Mayor Pro Tem

And absent:

Dan Bell	-	Councilman
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Also present were City Manager Steve Clark, City Attorney Curtis Soileau, 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 Burkhalter led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

PUBLIC FORUM:

DISCUSSION AND INFORMATION CONCERNING THE FOLLOWING:

- 1) **Zone change request submitted by Tim Rushing, on behalf of Wayne and Shannon McDaniel, to rezone their property past the 250' C-2 zone line from R-1 (Residential Single-Family Dwelling District) to C-2 (Community Business District). The property is located at 770 FM 421, Abstract 1, in the Francisco Arriola League, P# 1-2-A1, Lumberton, Hardin County, Texas.**
- 2) **Variance request submitted by Tim Rushing, on behalf of Wayne and Shannon McDaniel, to encroach upon their north, east and west side building setback lines to within 10' of the property line, to pour concrete for a commercial driveway and parking only. The property is located at 770 FM 421, Abstract 1, in the E Arriola Survey, P# 1-2-A1, Lumberton, Hardin County, Texas.**
- 3) **Variance request submitted by Tim Rushing, on behalf of Wayne and Shannon McDaniel, to drain their property to the detention pond located behind the rear property line. The property is located at 770 FM 421, Abstract 1, in the E Arriola Survey, P# 1-2-A1, Lumberton, Hardin County, Texas.**

** The above three items were addressed together as they are all on the same property **

Ms. Anita Price, Zoning Secretary presented these items. Ms. Price stated that the owners would like to construct a 14-building warehouse business complex with each building being

approximately 2,400 square feet (800 square feet of office space and 1,600 square feet of warehouse area). These are odd-shaped lots with the first 250' currently being zoned C-2. Ms. Price further advised that it is not likely there will be future development in the surrounding properties as there is a dirt pit on one side and the city detention pond on the other side. Mr. Tim Rushing, Developer added that this development would be approximately five acres consisting of three streets, driveways with parking and each building having its own "green-space". After much discussion on each item, Ms. Price advised that no one was present to oppose the requests therefore, the Zoning Commission approved each request as presented.

4) Request submitted by Whiteley Oliver, LLC, on behalf of Greentree Enterprises, LP to replat Lot 1 Block 1, Soaring Dove Place, Vol. 4, Pg 248 & 249 PRHC, Abstract No. 2, in the Francisco Arriola League, Lumberton, Hardin County, Texas

Ms. Price advised that when the original Minor Plat was presented it was unknown how the property would be divided therefore, a replat is necessary to accommodate the current proposed development. Ms. Price stated that the Zoning Commission unanimously approved the request as presented.

5) Variance request submitted by Wesley Maxey to drain the rear portion of his lot to the back of the property, due to the drop off to the Village Creek Basin. The property is located at 1129 Alma Drive, Abstract 14, in the Elisha Duncan Survey, P# 14-20-B HCAD # 10344,

1# 2017-71915 02/10/2017, Lumberton, Hardin County, Texas.

Ms. Price advised that the back portion of this property naturally drops off into the Village Creek

Basin, therefore, Mr. Maxey is requesting to drain that portion of his property to the rear rather than to the front. The Zoning Commission unanimously approved the request as presented.

6) Variance request submitted by Wesley Maxey to pour an asphalt driveway instead of concrete. The property is located at 1129 Alma Drive, Abstract 14, in the Elisha Duncan Survey, P# 14-20-B HCAD # 10344, 1# 2017-71915 02/10/2017, Lumberton, Hardin County, Texas.

Ms. Price stated that this driveway will be approximately 180 feet and Mr. Maxey is requesting to pour asphalt rather than concrete as it will not be as detrimental to the life of the existing trees. Ms. Price then advised that the Zoning Commission Denied the request as presented.

7) Variance request submitted by Hardy and Susan Hargrove to encroach upon the west side building setback line, to within 7.5' of the property line, to build a 20 x 30 accessory building. The property is located at 7619 Sir Kevin, Lot 14, Block 10, Boykin Place, Unit 5, Abstract 53, in the S K VanMeter Survey, P# BOY-PL-10-14, 1# 1779/933 07/08/2010, Lumberton, Hardin County, Texas.

Ms. Price advised that this area of the Boykin subdivision has ten-foot setback lines and the Hargrove's are requesting to encroach to within 7.5 feet. The driveway accessing the back yard is already in place and they would like to add an accessory building. Ms. Price added that a swale ditch is also in place on the property. The Zoning Commission unanimously approved the request as presented.

8) Zone change request submitted by LaScott Skinner, on behalf of Arfeen Properties, to rezone this property from C-1 (Neighborhood Business District) and C-2 (Community Business District) to entirely C-2. The property is located at 344 S Main Street, Abstract 53, S K Van Meter League, P# 53-63, Tract 128, 1# 2016-62747 02/25/2016, Lumberton, Hardin County, Texas.

Ms. Price stated that a previous request to rezone this property was made which resulted in the front of the property being C-2 and the rear C-1. It is now being requested to rezone the entire

piece of property to C-2 (Community Business). The Zoning Commission approved the request as presented.

- 9) **Request submitted by LaScott Skinner, on behalf of Arfeen Properties, for a Specific Use Permit for an education facility at this location. The property is located at 344 S Main Street, Abstract 53, S K Van Meter League, P# 53-63, Tract 128, l# 2016-62747 02/25/2016, Lumberton, Hardin County, Texas.**

Ms. Price advised that Lamar State College Orange has requested a Specific Use Permit to place a branch at this location. The Zoning Commission approved the request as presented.

10) ADJOURNMENT

There being no further business, the Public Hearing adjourned at 7:06 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY