

**MINUTES OF APRIL 11, 2022  
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on April 11, 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 |
| Dan Bell         | - | Councilman    |

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:**

**\*\*\* NOTE: Multiple requests for the same property/address are often discussed together. \*\*\***

- 1) Variance request submitted by Margarete Stehle to encroach upon her south building setback line, to within 4' of the property line, to pour concrete for a driveway to the back yard. The property is located at 7708 Moonglow Circle, Lot 2, Block 3, Boykin West, P# BW-3-2, I# 1296/592, Lumberton, Hardin County, Texas.**
- 2) Variance request submitted by Margarete Stehle to encroach upon her south side building setback line and west rear building setback line to within 4' of those property lines to construct a 25 x 25 accessory building. The property is located at 7708 Moonglow Circle, Lot 2, Block 3, Boykin West, P# BW-3-2, I# 1296/592, Lumberton, Hardin County, Texas.** Zoning Commission Chairman, Steve Stafford presented these items. Mr. Stafford advised that there were no drainage issues and there would stay away from the 2.5-foot utility easement. The Zoning Commission unanimously approved the request as presented.

Mr. Stafford advised that there was much discussion on this matter. The request was then amended to locate the metal building and slab five feet off the rear property line rather than the original four feet. The Zoning Commission unanimously approved the request for five feet off the setback line.

- 3) **Variance request submitted by Brandon Barnhart of Freedom Properties, to encroach upon his east side building setback line to within 2' of the property line to pour concrete for a driveway for a side garage. The property is located at 207 Pindo Palm, Lot 12, Block 3, Woosley Palms, Phase 3, P# WP 3-3-12, I# 2021-115540 6/3/2021, Lumberton, Hardin County, Texas.**  
Mr. Stafford advised that there were no drainage issues and there will be a swale ditch in place. The Zoning Commission unanimously approved the request as presented.
- 4) **Variance request submitted by David Knight of J D Knight Construction, LLC, to encroach upon the north rear building setback line 7' to build a home. The property is located at 114 Pindo Palm, Lot 58, Block 2, Woosley Palms, Phase 4, P# WP4-2-58, I# 2021-112677 3/17/2021, Lumberton, Hardin County, Texas**  
Mr. Stafford advised that there was much discussion on this item, including the size of the homes in the subdivision as well as the lot size and shape. This home will be constructed on an odd-shaped lot, which is the first lot into the cul-de-sac. Mr. Stafford further stated that the encroachment would be the roof line only and not a room of the house. Based on the size of the home and the shape of the lot, the Zoning Commission approved the request as presented with three (3) voting for and one (1) against.
- 5) **Variance request request submitted by Eddie Byrd to encroach upon his south side building setback to within 2' of the property line to pour concrete for a driveway. The property is located at 6686 Georgetown, Lot 16, Block 11, Westwood Heights, Phase V, Section 1, P# WWHV-11-16 2021-113614 4/9/2021, Lumberton, Hardin County, Texas.**
- 6) **Variance request submitted by Eddie Byrd to encroach upon the south side building setback line and the east rear building setback line to within 5' of those property lines to build a 16 x 20 accessory building. The property is located at 6686 Georgetown, Lot 16, Block 11, Westwood Heights, Phase V, Section 1, P # WWHV-11-16 2021-113614 4/9/2021, Lumberton, Hardin County, Texas.**  
Mr. Stafford stated that there were no drainage issues and there would be ample room to maintain the area surrounding the building. The Zoning Commission unanimously approved both requests as presented.
- 7) **Variance request submitted by Stephen K Swearingen to build a 30 x 30 accessory building to within 10' of his rear property line. The property is located at 265 Sarah Lane, Lot 6, Westchase Est, Phase II, P# WCE-11-6, I# 1770/315 005576-000060, Lumberton, Hardin County, Texas.**
- 8) **Variance request submitted by Stephen K Swearingen to encroach upon his rear building setback line to pour concrete to build a driveway from Hampshire Lane to his back yard, to the accessory building. The property is located at 265 Sarah Lane, Lot 6, Westchase Est, Phase II, P# WCE-11-6, I# 1770/315 005576-000060, Lumberton, Hardin County, Texas.**  
Mr. Stafford advised that there was no opposition to this request. Mr. Stafford further stated that there is already a rock driveway off Hampshire Lane and Mr. Swearingen wishes to upgrade to a concrete drive with the understanding that should the need arise for the city to access the area, replacement will be at the owner's expense. Mr. Stafford then stated that considering the lot size and location, the Zoning Commission unanimously approved both requests as presented.
- 9) **Request submitted by Michael Minter to approve the replat of lot 1 of Minter Addition, Lots 1 and 2, Volume 4, Page 31A, PRHC, Elisha Duncan League, Abstract No. 14, Lumberton, Hardin County, Texas, into Minter Addition Lot 1-A and Lot 1-B, Elisha Duncan League, Abstract No. 14, Lumberton, Hardin County, Texas. The property is located at 115 Matthews Lane, P# MTR-10, I# 1415/786, Lumberton, Hardin County, Texas**

less Mr. Stafford advised that this re-plat is the result of the recently approved variance allowing than the minimum road frontage. After further discussion, Mr. Stafford stated that the Zoning Commission unanimously approved the request as presented.

**10) Request submitted by Mark Whiteley & Associates, LLC on behalf of HudProp, LLC. to approve the replat of a replat of Lot 4B-1, Westwood Plaza, Volume 4, Page 253, PRHC, Francisco Arriola Survey, Abstract No. 2, Lumberton, Hardin County, Texas into Lot 4B-1-A and Lot 4B-1-B, Westwood Plaza, Francisco Arriola Survey, Abstract No. 2, Lumberton, Hardin County, Texas.**

Mr. Stafford stated that this is a rather small odd-shaped lot which is accessed via the existing driveway at Westchase Loop and TxDOT *will not* allow another driveway onto the highway. Mr. Stafford also stated that there is an exclusive twenty-five-foot perpetual easement access to all of the lots. Mr. Dennis Williams, developer, came forward to address Council and advised that he hopes to build a medical/pediatric office at that location. After further discussion, Mr. Stafford stated that the Zoning Commission unanimously approved the replat request as presented.

**11) ADJOURNMENT**

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

---

DON SURRETT  
MAYOR

ATTEST:

---

SUSAN COLLINS  
CITY SECRETARY