

**MINUTES OF MAY 9, 2022
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:10 p.m. on May 9, 2022, pursuant to notice duly posted according to law. The following members were present:

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

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Zoning Secretary Anita Price, City Engineer Troy Whitehead and other guests.

Mayor Surratt called the Meeting to order at 7:10 p.m. noting that a quorum was present, and the meeting was duly called and posted in accordance with the Texas Open Meetings Act. Councilman Wahl then delivered the Invocation, Councilman Burkhalter led the Pledge of Allegiance and Councilman Bell led the Texas Pledge.

CALL TO ORDER: 7:10

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF APRIL 25, 2022 REGULAR MEETING

Councilwoman Cline made a Motion to approve these minutes, Councilman Maniscalco seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM DAVID MANISCALCO

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

OLD BUSINESS:

None at this time.

NEW BUSINESS:

Item # 220511 – Discussion and Possible Action – Planning & Zoning Recommendation on a request submitted by Chuck King of King Homes to approve the final plat of Wosley Palms Phase V, Block 5, Lots 1-2, Block 7, Lots 1-14, Block 9, Lots 22-23, located in the J F Callihan Survey, Abstract No. 588, Lumberton, Hardin

County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve the Final Plat of Woosley Palms Phase V. Councilman Maniscalco seconded the Motion.
Motion passed unanimously with seven (7) for and none (0) against to approve the Final Plat.

Item # 220512 – Discussion and Possible Action – Planning & Zoning Recommendation on a zone change request submitted by Dale Cudd to rezone this property past the 250’ C-2 zone line from R-1 (Single-Family Site Built Dwelling District) to C-2 (Community Business District). The property is located at 950 S Village Creek Parkway, AB 14, in the E Duncan Survey, P# 14-75, Tract 112, I#2017-73399 4/4/2017, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to deny the variance request. Councilwoman Barks seconded the Motion.
Motion passed unanimously with seven (7) for and none (0) against to deny the variance request.

Item # 220513 – Discussion and Possible Action – Planning & Zoning Recommendation on a zone change request submitted by Dale Cudd to rezone this property past the 250’ C-2 zone line from R-1 (Single-Family Site Built Dwelling District) to C-2 (Community Business District). The property is located at 958 S Village Creek Parkway, AB 14, in the E Duncan Survey, P# 14-74, Tract 111, I# 2016-65826, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to deny the variance request. Councilwoman Cline seconded the Motion.
Motion passed unanimously with seven (7) for and none (0) against to deny the variance request.

Item # 220514 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Kevin Boykin of Boykin Homes & Land Sales, to drain lots 243-257 and lots 231-242 to the rear of the property from the back of the house to the drainage ditch adjacent to these properties. These properties are located on Brenner Boulevard, in Copper Point, Phase 7 in the R C Rogers Survey, Abstract Number 46 and the Francisco Arriola League, Abstract Number 2, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve the variance request except for Lot #242. Councilman Maniscalco seconded the Motion.
Motion passed unanimously with seven (7) for and none (0) against to approve the variance request except for Lot #242. Lot # 242 was denied.

Item # 220515 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Lisa and Nicholas Sawchak to encroach upon their west side building setback line to within 2’ of the property line to build a 10’ wide concrete driveway to the back yard. The property is located at 230 Parkway Drive, Lot 12, Candlewick Subdivision, in the S K Van Meter League, Abstract No. 53, P# CWK-12, I#2020-107482 9/15/2020, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve the variance request. Councilman Wahl seconded the Motion.
Motion passed unanimously with seven (7) for and none (0) against to approve the variance request.

Item # 220516 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Lisa and Nicholas Sawchak to encroach upon

the west side building setback line to within 2' of the property line as well as encroach upon the south, rear building setback line to within 15' of the property line to build a 26x30 accessory building. The property is located at 230 Parkway Drive, Lot 12, Candlewick Subdivision, in the S K Van Meter League, Abstract No. 53, P# CWK-12, I#2020-107482 9/15/2020, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to approve the variance request. Councilwoman Cline seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve the variance request.

Item # 220517 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Dylan Richards to encroach upon his south side building setback line to within 1.96' to pour concrete to widen and extend his existing driveway. The property is located at 6699 Georgetown Lane, Lot 13, Blk 10, in the Francisco Arriola Survey, Abstract No. 2, Westwood Heights, Phase V, Section 1, P# WWHV-10-13, I#2021-116452 06/30/2021, Lumberton, Hardin County, Texas.

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation to approve the variance request for the driveway to be within 2' of the property line. Councilman Burkhalter seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve the variance request to within 2' of the property line.

Item # 220518 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Cody Perron to encroach upon his rear building setback line to within 10' of the property line to build a 900 square feet accessory building in his back yard. The property is located at 275 Dogwood Lane, Lot 2, in the Francisco Arriola League, Abstract No. 2, Dogwood III, P# DOG-III-2, I# 2017-75614 7/6/2017, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve the variance request. Councilwoman Cline seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve the variance request.

Item # 220519 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Jarrot Harwell to encroach upon his rear building setback line to within 5' of the property line to build a 24x20 shop with a 24x20 carport. The property is located at 7773 Rosewood Drive, Lot 13, Block 2, in the R C Rogers Survey, Abstract No 46, Boykin West, P# BW-2-13, I# 1766/600, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to approve the variance request. Councilman Wahl seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve the variance request.

Item # 2205110 – Discussion and Possible Action – to Adopt a Resolution of the City Council of the City of Lumberton authorizing the sale of the “Surface Only” of a narrow strip of land lying within the Forest Road Ditch Right-of-Way to Matthew and Andrea Daws at its appraised fair market value of \$6,000.

Councilman Wahl made a Motion to approve the sale. Councilman Burkhalter seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve.

MONTHLY REPORTS:

Reports from the Permit Department, Police Department and Library were reviewed and discussed at this time.

CITY MANAGER'S REPORT:

None at this time.

POLICE CHIEF'S REPORT:

None at this time.

EXECUTIVE SESSION:

None at this time.

ACTION ON EXECUTIVE SESSION ITEMS:

None at this time.

PERSONNEL:

ITEMS FOR FUTURE AGENDA:

None at this time.

ADJOURNMENT:

There being no further business, Councilman Wahl made a Motion to adjourn the meeting.

Councilwoman Barks seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against.

The meeting adjourned at 7:30p.m.

DON SURRETT
MAYOR

ATTEST:

ANITA M PRICE
ZONING SECRETARY