

**MINUTES OF OCTOBER 10, 2022
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on October 10, 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	-	Councilman

And absent:

Dan Bell	-	Mayor Pro Tem
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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; Councilwoman Barks led the Pledge of Allegiance and Councilwoman Cline 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) Request submitted by Deborah Hanna, of Double H Property Management, LLC, to rezone approximately 2 acres from R-1 (Single-Family Dwelling District) to C-2 (Community Business District) with a Specific Use Permit for residences for the aged. The property is located at the rear of 30 W Chance, P#NOT-50, Tract 28 and the rear of 90 W Chance, Abstract 21, in the C A Felder Survey and Bumstead, P#21-57, Lumberton, Hardin County, Texas.**
- 2) Zone change request submitted by Deborah Hanna, of Double H Property Management, LLC, to rezone the rear portion of the lot, approximately 16.48², from R-1 (Single-Family Dwelling District) to C-2 (Community Business District). The property is located at 929 N Main Street, P# NOT -45, Tract 35, I# 2016-63864, Lumberton, Hardin County, Texas.**
Zoning Secretary, Anita Price came forward to present these items. Ms. Price advised that both requests were unanimously approved as presented, therefore, the entire lot at 929 North Main as well as the two additional acres will be zoned C-2 (Community Business District). Ms. Price further stated that the Zoning guidelines stipulate that a home for the aged must be in a C-2 zoned area and a Specific Use Permit is required.

- 3) **Variance request submitted by Kevin Boykin, of Boykin Homes and Land Sales, for approval to drain the rear yards of lots 103, 104, 105, 106 to the drainage ditch located behind these lots. The property is located in Copper Point, Phase 3, an 11.868-acre subdivision, Abstract Number 46, in the R C Rogers Survey, Lumberton, Hardin County, Texas. He would also like to request approval to drain the rear yards of lots 137, 138, 139, 140, to the drainage ditch located behind these lots. The property is located in Copper Point, Phase 4, a 13.420-acre subdivision, Abstract Number 46, in the R C Rogers Survey, Lumberton, Hardin County, Texas.**
 Ms. Price stated that there was no opposition to this request, therefore, the item was unanimously approved as presented.

- 4) **Request submitted by Jessica and Jerrith Stoute to rezone the rear portion of their lot, approximately 40' deep on the southwest side, from C-2 (Community Business District) to R-1 (Single-Family Dwelling District). The property is located at the southwest corner of W Walton and Bryan Lane, Lot 1, Block 1 Beaumont Colony South, P# K33-1-1, I# 2018-88191, Lumberton, Hardin County, Texas.**
 Ms. Price advised that a small portion of this lot (behind Bridge City Bank) is zoned C-2, and the current owner would like to have it rezoned to R-1 to build a home on the lot. Ms. Price added that there was no opposition to the request, therefore, the Zoning Commission unanimously approved the request as presented.

- 5) **Request submitted by Jessica and Jerrith Stoute for the building setback line to be 25', instead of 50' shown on the original plat, on the north side of the lot on W Walton as well as on the east side of the lot on Bryan Lane. The property is located at the southwest corner of W Walton and Bryan Lane, Lot 1, Block 1 Beaumont Colony South, P# K33-1-1, I# 2018-88191, Lumberton, Hardin County, Texas**
 Ms. Price stated that this plat was originally approved through the County with a fifty-foot setback and our Ordinance sets a twenty-five-foot setback. A home will be constructed to face West Walton with the side yard on Bryan Lane. The Zoning Commission unanimously approved the request as presented.

- 6) **Request submitted by Jessica and Jerrith Stoute to construct a driveway over each culvert already in place on W Walton and Bryan Lane. The property is located at the southwest corner of W Walton and Bryan Lane, Lot 1, Block 1 Beaumont Colony South, P# K33-1-1, I# 2018-88191, Lumberton, Hardin County, Texas**
 Ms. Price advised that this request will merely allow a driveway to be constructed over existing culverts thus allowing access to the back yard. The Zoning Commission unanimously approved the request as presented.

- 7) **Request submitted by Mark Bounds of JLMB Properties, to divide his property into two lots with a Minor Plat. One of the lots would have the 75' of road frontage and the second lot would have less than the required 75' of road frontage. The property is located at 205 E Chance, NOT BUMSTEAD, P# NOT-19, Tract 66, I# 1417/668, Lumberton, Hardin County, Texas**
 Ms. Price stated that one lot would only have 63.64 feet rather than the required seventy-five feet of road frontage. The Zoning Commission unanimously approved this request as presented.

- 8) **Variance request submitted by Brett Forsyth to waive the required setback ordinance for accessory buildings, to place a 6' x 12' accessory building on the north side of his house to within approximately 5'8" from the property line as well as approximately 10" from his house. The property is located at 108 Saylor's Way, Lot 49, S01443 The Cascades, Lumberton, Hardin County, Texas**

Ms. Price advised that there were no objections to this request, therefore the Zoning Commission unanimously approved the request as presented.

- 9) **Variance request submitted by Reagan Gillespie to waive the required setback ordinance for pools, to build a swimming pool on the east side of his house to within 4 1/2 'of his side property line and 4 1/2' to his house. The property is located at 5629 Walton Creek, Lot 28, Walton Creek, P# WCR-28, I# 2019-97841 09/03/2019, Lumberton, Hardin County, Texas**
Ms. Price stated that this property is part of a Cluster Housing development with very small yards. Ms. Price further stated that although many variations were presented in an effort to make the pool fit, the Zoning Commission unanimously voted to DENY the request as presented.

10) ADJOURNMENT

There being no further business, the Public Hearing adjourned at 6:50 p.m.

DON SURRATT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY