

**MINUTES OF FEBRUARY 13, 2023
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on February 13, 2023, 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
Dan Bell	-	Mayor Pro Tem
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Councilman

And absent:

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Susan Collins, Secretary Darla Harrington, 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 Mayor Pro Tem Bell 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 Costorde LLC, on behalf of Patricia Mossburg, to replat lots 3,4 and 5 of the Final Plat of Park Central. The property is located at 285 Country Lane and 206 South LHS Drive, Abstract No. 46 in the R.C. Rogers Survey, and Abstract No. 14 in the Elisha Duncan League, Lumberton, Hardin County, Texas.**

Mr. Steve Stafford, Zoning Chairman came forward to present these items. Mr. Stafford advised that there are currently three lots behind the existing businesses and the owner/developer would like to move the dividing line to have only two lots. One fronting Country Lane Drive and the other fronting South L.H.S. Drive. Mr. Stafford added that this would meet all city standards, therefore, the Zoning Commission unanimously approved the request as presented.

- 2) Variance request submitted by Costorde LLC, on behalf of Patricia Mossburg, to encroach upon the East side building setback line by 16' to pour concrete for a driveway. The property is located at 285 Country Lane and 206 South LHS Drive, Abstract No. 46 in the R.C. Rogers Survey, and Abstract No. 14 in the Elisha Duncan League, Lumberton, Hardin County, Texas**

Mr. Stafford stated that the owner/developer would like to bring an exit driveway along the east side of the property onto Country Lane Drive. The proposed building would be placed at the forty-foot setback line leaving twenty-four feet of vegetative buffer as well as an opaque fence. Mr. Stafford further stated that some of the neighbors were concerned with noise as well as the impact to the drainage. Ms. Denise Anderson, Costorde, LLC came forward to address Council. Ms. Anderson stated that they have redesigned and moved the driveway, however, the awning/canopy would encroach. Mr. & Mrs. Prince then came forward to address Council. Mrs. Prince stated that, while they are concerned with drainage, as long as everyone works together all should be fine. Mr. Stafford then advised that after much discussion, the Zoning Commission unanimously approved the request as presented.

- 3) **Zone change request submitted by Education First to re-zone approximately 0.5 acre at the Northwest corner of parcel 11568 from R-1 Single Family to C-2 Community Business District. The property is located at 199 South LHS Drive, Abstract No. 46, in the R.C. Rogers Survey, P# 46-9-X, I# 2021-114609 05/07/2021, Lumberton, Hardin County, Texas.** Mr. Stafford advised that a very small portion at the rear of this property is zoned R-1 Single Family with the surrounding property being C-2 Community Business. Mr. Stafford then stated that the Zoning Commission unanimously approved the rezone request as presented.

- 4) **Request submitted by Julie Boothman to move a lot line with a Replat. The property is located at 7696 Cobblestone Terrace, Lots 36 & 37, Block 6, Boykin Place Unit 4, Abstract 53, S K VanMeter, P# BOY-PL-6-37, I# 2013-35209 02/04/2013, Lumberton, Hardin County, Texas.**

Mr. Stafford advised that the Zoning Commission unanimously approved this request as presented adding that it will be in compliance with the city requirements.

- 5) **Variance request submitted by Thaddeus Jones to encroach upon his North side building setback line to within 4' of the property line, as well as 9' from the rear property line to build a 20 x 20 accessory building. The property is located at 5750 Lexington Circle, Lot 6 Block 11, Abstract 21, C. A. Felder League, P# SG-11-6, I# 2021- 112419 03/15/2021, Lumberton, Hardin County, Texas**

Mr. Stafford advised that this is an odd-shaped lot with a pool and an existing structure on blocks. The property owner would like to construct a new accessory building on a slab. After further discussion, the Zoning Commission unanimously approved the variance request to within five-feet of the property line.

- 6) **Variance request submitted by Ivan Hernandez to encroach upon his North side building setback line, to within 2' of the property line, to pour concrete to extend his driveway. The property is located at 232 Cody Lane, Woosley Palms, Phase Five, Abstract #588, in the J. F. Callihan Survey, Abstract No. 588, Lumberton, Hardin County, Texas**

Mr. Stafford stated that this an odd shaped cul-de-sac lot with the driveway being on the side of the house. Mr. Stafford then advised that a swale ditch will be in place to insure there are no drainage issues. The Zoning Commission unanimously approved this request.

- 7) **Variance request submitted by Mark Bounds to divide his property into three lots with a Replat. Two of the lots would not meet the minimum 75' lot requirement. The property is located at 276 East Chance, Lot 1A Dixon Estates P# 53-138-D HCAD# 19385, I# 2020-101158 01/13/2020, Lumberton, Hardin County, Texas**

Mr. Stafford advised that the Zoning Commission unanimously DENIED the request as presented as the proposed lots did not meet the City's minimum standards. Mr. Stafford then stated that Mr. Bounds, Developer, has since revised his previous design to be three lots with only seventy

feet of road frontage however, all three lots would meet the required minimum lot size of 9,000 square feet.

- 8) Request submitted by Kurt & Michelle Balla to divide their property with a Replat. The property is located at 370 Fletcher Road, Lot 2 Blk 1 Fletcher Place S/D-Minor Plat P# FP-2 l# 2020-105114 6/24/2020, Lumberton, Hardin County, Texas**

Mr. Stafford advised that the Zoning Commission unanimously approved this replat request as presented.

9) ADJOURNMENT

There being no further business, the Public Hearing adjourned at 7:09 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY