

**MINUTES OF MAY 8, 2023
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on May 8, 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
Kimberly Cline	-	Councilwoman
Dan Bell	-	Mayor Pro-Tem
David Maniscalco	-	Councilman

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, 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; Councilwoman Barks 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) Request submitted by Chuck King, of King Homes, Inc., to encroach upon side building setback lines on corner lots within Woosley Palms Subdivision, to allow concrete to be poured for driveways. He is also requesting to drain the sides and a portion of the rear of the property, of those same lots, to the adjacent side street. The following are the lots requested:**

Phase 1 Block 1

Lot 23-202 King Palms Way, Lot 24-203 Mandavilla Way,

Phase 1-Block 2

Lot 7-114 King Palms Way, Lot 8-103 Mandavilla Way, Lot 21-102 Mandavilla Way, Lot 22-103 Mallory Lane, Lot 35-102 Mallory Lane, Lot 36-103 Jordan Gage Lane, Lot 49-102 Jordan Gage Lane,

Phase 1 Block 3

Lot 1-202 Mandavilla Way.

Phase 2A-Block 3

Lot 4-100 Palmetto Palm Street,

Phase 2A Block 4

Lot 3-210 Mandavilla Way, Lot 4-201 Heather Lane, Lot 12-200 Heather Lane, Corrected

Phase 2B Block 5

Lot 7-314 Mandavilla Way,

Phase 3 Block 2

Lot 50-103 Pindo Palm Drive, Lot 65-100 Pindo Palm Drive,

Phase 3 Block 3

Lot 11-114 Palmetto Palm Street, Lot 14-203 Pindo Palm Drive,

Phase 3 Block 4

Lot 13-203 Tara Lane, Lot 22-202 Tara Lane, Lot 23-211 Pindo Palm Drive, Lot 36-204 Pindo Palm Drive,

Phase 5 Block 5

Lot 1-101 Canary Palm Drive,

Phase 5 Block 7

Lot 1-221 Cody Lane, Lot 14-220 Cody Lane,

Phase 5 Block 9

Lot 23-201 Canary Palm Drive,

Phase 6 Block 8

Lot 1-221 Coco Palms Lane, Lot 14-220 Coco Palms Lane,

Phase 7 Block 9

Lot 1-221 Sable Palm Lane, Lumberton, Hardin County, Texas.

Anita Price, Zoning Clerk, came forward to present these items. Ms. Price stated this request pertains to approximately 30 lots in the Woosley Palms subdivision from both the original and new plats that are in various stages of development. Ms. Price then added that the 2020 subdivision ordinance amendments now require the developer to include all variances with the preliminary plat. Developer, Chuck King is requesting a variance for those properties that do not have homes on them. Ms. Price stated that the drainage will still be to the front and that they can have only one driveway and it can be **either** on the front **or** on the side street, but not both. Curtis Soileau stated that Mr. King's request was for a variance to have a driveway on either the front and/or the side street. Ms. Price clarified that that the Zoning Commission's Minutes states that it must be either/or. Ms. Prices advised that the Zoning Commission unanimously approved this request.

- 2) **Variance request submitted by BCS Lumberton, LLC. to encroach upon the rear building setback line of Lots 1 and 2, as well as the north side of Lot 2 and the south side of Lot 1 building setback lines, to pour concrete for parking and vehicle traffic to within 2' of those property lines. They would also like to request a variance to pour common concrete for the interior lot line of Lots 1 and 2 for parking and vehicle traffic. The property is located at 309 N LHS Drive, Abstract 2, in the Francisco Arriola Survey, Tract 47A, PIDN# 92350, Lumberton, Hardin County, Texas.**

Ms. Price stated that this is an odd shaped property. The developer is requesting a variance to accommodate parking and driveways for future commercial development. The Zoning Commission unanimously approved the request as presented.

- 3) **Variance request submitted by Bennett Teer to encroach upon his rear building setback line to within 5' 11" to construct an outdoor kitchen. The property is located at 215 Riverstone Court, River Birch Phase II Section II-D, Lot 10 Block 18, P#RBPII-18-10, l# 2020-107507 9/16/2020, Lumberton, Hardin County, Texas.**

Ms. Price stated that the Zoning Commission unanimously approved the variance to within 5'11" of the rear setback as presented.

- 4) **A variance request submitted by Juan Martinez to encroach upon his rear building setback line to within 20' of the rear property line to construct a 30'x 24' (720 square feet) accessory building, instead of the maximum 500 square feet building. The property is located at 6515**

Woodridge Drive, Westwood Heights, Phase II, Section A, Lot 5, Block 5, P#WWH 5-5, I# 1778/54 06/24/2010, Lumberton, Hardin County, Texas.

Ms. Price stated that the property that this building will be placed on is a 12,960 square foot lot. The property is located on the west side of the subdivision, up against a 20' drainage easement fronting the railroad corridor and county property. Curtis Soileau advised that there are neighboring properties with similar accessory buildings on the same lot size. The Zoning Commission took this, as well as the location of the property, into consideration. Motion passed with five (5) for and one (1) against.

- 5) A variance request submitted by Lanny Smith to encroach upon his west side building setback line to extend and widen his existing driveway to within 6' of that side property line. The property is located at 130 Sara Lane, Westchase Estates, Lot 16, P#WA-16, I# 1682/479, Lumberton, Hardin County, Texas.**

Ms. Price stated that the Zoning Commission unanimously approved this request as presented.

- 6) A request submitted by Curtis Bloodworth to amend the plat of Brushy Creek Estates II Lots 20 and 21, to move a lot line. The property is located at 20 John Loop, Brushy Creek Estates II, Lots 20 and 21, P#BC-EST-220-L, I# 2020-104218 5/20/2020, Lumberton, Hardin County, Texas.**

Ms. Price advised that an amended plat was submitted requesting to move the lot line so that a home could be built on Lot 21. Both lots will still have the required 9,000' square footage and will still have the same amount of road frontage as on the original plat. The Zoning Commission voted unanimously to approve the request as submitted.

- 7) A request was submitted by Tenisha Hynes on behalf of Susan Alessi to amend the plat of Boykin West, Lots 4 and 5, to move a lot line. The property is located at 7720 Cobblestone Terrace, Boykin West, Lots 4 and 5, P#BW-2-4, I# 2017-79694 11/16/2014, Lumberton, Hardin County, Texas.**

- 8) A variance request submitted by Tenisha Hynes on behalf of Susan Alessi to encroach upon the interior lot line building setback lines for the concrete driveways to within 3.7' and 9' of that property line. The property is located at 7720 Cobblestone Terrace, Boykin West, Lots 4 and 5, P#BW-2-4, I#2017-79694 11/16/2014, Lumberton, Hardin County, Texas.**

Ms. Price stated that moving the lot line still allows both lots to have the required 9,000' square footage and 75' road frontage. She also added that the variance request will allow for separate driveways. The Zoning Commission unanimously approved this request as presented.

- 9) ADJOURNMENT**

There being no further business, the Public Hearing adjourned at 6:59 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY