

**MINUTES OF
JULY 8, 2024
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on July 8, 2024, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Joey Schoen	-	Mayor Pro Tem
Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Councilman
Dan Bell	-	Councilman

Also present were City Manager Steve Clark, City Secretary Darla Harrington, City Attorney Curtis Soileau, Zoning Secretary 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. Councilman Wahl then delivered the Invocation, Mayor Pro Tem Schoen 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 Travis Kelley to encroach upon the side setback line to pour concrete for a remodel. The property is located at 1220 Pinehill Lane Abstract No. 53, S. K. VanMeter League, Lumberton, Hardin County, Texas.

Mr. Steve Stafford, Zoning Chairman, came forward to present these items. Mr. Stafford stated that when additional concrete was poured for the new carport, because of the angle of the driveway, a portion of it touched the property line. The builders agreed to cut back the concrete to at least two and a half (2 ½) feet off of the property line, move the poles further back, and will also cut back the eave of the roof so that nothing will be closer than two and a half feet to the property line. In a split decision, the Zoning Commission voted five (5) for and one (1) against to approve the variance request.

Angie Vaughn came forward to voice her concerns about the location of the new concrete and garage. Mrs. Vaughn lives next door at 1320 Pinehill Lane. She stated that the old carport had a roof that was flat, but the new one has a pitch to it. When it rains, the water flows down onto their property causing problems. She requested that Mr. Kelley not be allowed to continue to build the garage in this manner.

Ms. Micki Corley, who lives at 1255 Pinehill Lane, came forward to voice her concerns as well. She stated she and her husband built their home approximately thirty years ago and chose this location because of the proximity of the homes. She said that from her home the Vaughn's home and the Kelley's home looks like one structure. She feels like this depreciates the value of the homes.

Travis Kelley also came forward to address the Council. He stated that the new garage drastically increases the value of the property. He said that he wanted to make it right and increase the property value.

- 2) **Variance request submitted by Travis Kelley to encroach upon the side setback line to replace an old carport with a new carport. The property is located at 1220 Pinehill Lane Abstract No. 53, S. K. VanMeter League, Lumberton, Hardin County, Texas.**

Mr. Stafford stated that this item goes along with Item 1 and the Zoning Commission also voted in favor of approving the request with a split decision of five (5) for and one (1) against.

- 3) **Request submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to amend the Minor Plat of Restorations Ranch and Senior Natural Living Development dated 8/16/2023. The property is located in the M W Bumstead Survey, in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.**

Mr. Stafford requested that Mr. Dohn LaBiche, of LaBiche Engineering, present these items.

Mr. LaBiche explained that amending the minor plat would accommodate the need for more area between the single-family housing and their neighbors. The Zoning Commission voted unanimously to approve the the request as presented.

- 4) **Request submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to rezone the entire Lot 2 of the proposed Amended Plat of Restorations Ranch and Senior Natural Living Development to C-2. The property is located in the M W Bumstead Survey in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.**

Mr. LaBiche explained that expanding the C-2 Zoning to Lot 2 will allow more room for the assisted living facility and parking expansion. The Zoning Commission voted unanimously to approve the request as presented.

- 5) **Variance request, submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to Section 50-338 (b)(1) that requires an 8' opaque fence around the C-2 zoned property adjacent to R-1 zoned residential areas. The property is located in the M W Bumstead Survey in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.**

Mr. LaBiche explained that, in general, the purpose of the 8' opaque fence is to separate the commercial property from the residential property. In this instance, the three-story building is a part of the Restoration Ranch development, and it will house such things as a gym, a store, and other services for the residents. There will also be walking trails and landscaping around the building which a fence would hinder. However, there will be an 8' opaque fence around the entire perimeter of the development. The Zoning Commission voted unanimously to approve the request as presented.

- 6) **Variance request submitted by James Abshire, of Abshire Building Group, to approve the revised Preliminary Plat and construction plans for River Birch Phase III. The property is located at Abstract No. 46, Rogers R. C. Survey, Lumberton, Hardin County, Texas.**

Mr. Stafford stated that all required adjustments from the City Engineer had been satisfied. Therefore, the Zoning Commission voted unanimously to approve the request as submitted.

- 7) **Variance request submitted by Kurt Nolen to build a 24’X40’ RV/carport to within 30 inches of his east side property line. The property is located at 164 Beechwood Drive, Lot 16, Abstract 493, Lumberton, Hardin County, Texas.**

Mr. Stafford explained that the back of the property drops drastically and provided pictures of the existing building that had flooded multiple times due this drop off.. The existing building will be removed. The Zoning Commission voted unanimously to approve the request as submitted.

- 8) **Variance submitted Kurt Nolen to drain the runoff from the east side of his carport to the rear of the property. The property is located at 164 Beechwood Drive, Lot 16, Abstract 493, Lumberton, Hardin County, Texas.**

Mr. Stafford explained that draining to the rear of the property makes sense because it follows the natural flow of the land. Therefore, the Zoning Commission voted unanimously to approve the request as submitted.

- 9) **Request submitted by Jack Brumley to replat Lot 1 of the Minor Plat of Alpha Center Subdivision. The property is located at 863 and 871 S Main Street, Lot #1, in the Elisha Duncan League, Abstract No. 14, Lumberton, Hardin County, Texas.**

Mr. Stafford stated that the property owner wants to divide Lot 1 into Lots 1A, 1B, and 1C. Th Zoning Commission voted unanimously to approve this request as presented.

10) ADJOURNMENT

There being no further business, the Public Hearing adjourned at 7:10 p.m.

DON SURRETT
MAYOR

ATTEST:

DARLA HARRINGTON
CITY SECRETARY