

**MINUTES OF
JANUARY 13, 2025
CITY OF LUMBERTON**

A Public Hearing of the City Council of the City of Lumberton was held at 6:30 p.m. on January 13, 2025, 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 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. Mayor Surratt then delivered the Invocation, Mayor Pro Tem Schoen 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) Variance request submitted by Daniel Smith, to encroach upon the rear building setback line to within 5' of the property line, as well as the side building setback line, to pour concrete for a driveway to his accessory building, from Kerrville Lane. The property is located at 6505 Georgetown, Westwood Heights Subdivision, Phase IV, Section C, Block 8, Lot 33, Abstract No. 2, in the Francisco Arriola Survey, Lumberton, Hardin County, Texas.**

Mr. Steve Stafford, Zoning Chairman came forward to present these items. Mr. Stafford explained that this request is for a driveway to his outbuilding and is similar to requests that have been approved in the past. The Zoning Commission voted unanimously to approve the request as submitted.

- 2) Variance request submitted by David Spoon to build a 30'X50' accessory building on his 3.42 acres of land. The property is located at 950 Bryan Lane, Beaumont Colony South, Block J, Lot Pt of 9, Lumberton, Hardin County, Texas.**

Mr. Stafford explained that this property consists of 3.42 acres of land so it qualifies as a farm. The size of the building is well within the size limits for a farm. Therefore, the Zoning Commission voted unanimously to approve the request as submitted.

- 3) **Variance request submitted by David Spoon to build this 30'X50' accessory building with a 17' peak, instead of the required maximum of 14'. The property is located at 950 Bryan Lane, Beaumont Colony South, Block J, Lot Pt of 9, Lumberton, Hardin County, Texas.**
Mr. Stafford explained that because of the size of the building a 14' peak would be too flat. The Zoning Commission voted unanimously to approve the request as presented.
- 4) **Variance request submitted by David Spoon to encroach upon his north property line to within approximately 84' and his east property line to within approximately 95' for this 30'X50' accessory building. The property is located at 950 Bryan Lane, Beaumont Colony South, Block J, Lot Pt of 9, Lumberton, Hardin County, Texas.**
Mr. Stafford stated that the property is wooded and will stay in place. The Zoning Commission felt that the sight barrier would be sufficient, so 100' would not be necessary. Therefore, the Zoning Commission voted unanimously to approve the request as presented.
- 5) **Variance request submitted by Jeff Brushaber, of DJM Contractors, LTD., to drain the rear of this property into the existing drainage that goes across the rear of the property, to Main Street. The property is located at 130 Isom, in the Weaver Subdivision, Lot 20, Lumberton, Hardin County, Texas.**
Mr. Stafford explained that there is a swale ditch that goes through the rear of this property, as well as several other properties. These properties already drain to the swale ditch. Making the property drain to the front would cause more issues. The Zoning Commission voted unanimously to approve this request as presented.
- 6) **Variance request submitted by Mike Hawkins to make adjustments to his proposed Cluster Housing Development located on Thomas Road. He would like to extend the street to 1,040 linear feet, instead of the required 800' maximum for a cul-de-sac. The property is located at 283 Thomas Road, Tract 103, Abstract Number 14 in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.**
Mr. Stafford stated that there was a lot of discussion on this request. Some members felt like 800 linear feet is sufficient and some felt that it is not. He stated that a Motion was made for approval which was 3 for and 3 against. Another Motion was made to deny the request and ended in a spit vote of 3 for and 3 against. Therefore, the Zoning Commission did not have a recommendation.
- 7) **Variance request submitted by Mike Hawkins to make adjustments to his proposed Cluster Housing Development located on Thomas Road. He would like to reduce the required lot size of 6,500 square feet minimum, to 5,100 square feet. The property is located at 283 Thomas Road, Tract 103, Abstract Number 14 in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.**
Mr. Stafford stated that the Zoning Commission voted unanimously to deny this request.
- 8) **Variance request submitted by Mike Hawkins to make adjustments to his proposed Cluster Housing Development located on Thomas Road. He would like for the front and rear building setback lines to be 19', instead of the required minimum 25'. The property is located at 283 Thomas Road, Tract 103, Abstract Number 14 in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.**
Mr. Stafford stated that the Zoning Commission voted unanimously to deny this request.

- 9) Variance request submitted by Dylan Ainsworth and Matthew Beard, of JLT Capital, to rezone their property to entirely C-2 Community Business District. The property is currently zoned C-2 for the first 250' from the front property line with the remainder being zoned R-1 Residential Single Family Dwelling Site Built Homes. The property is located at 567 Main Street, Tract 2, Abstract 14, in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.

Mr. Stafford explained that because of where this property is located, the City requires it to be zoned C-2. The property owners would like for all of the property to be zoned C-2. The Zoning Commission voted unanimously to approve this request as presented.

- 10) Variance request submitted by Dylan Ainsworth and Matthew Beard, of JLT Capital, for the south side building setback line to be 20' instead of the required minimum of 40'. The property is located at 567 Main Street, Tract 2, Abstract 14, in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.

Mr. Stafford stated that the Zoning Commission unanimously approved the request contingent upon the concrete being used for ingress and egress and parking only. No structures shall be within the building setback lines.

- 11) Variance request submitted by Dylan Ainsworth and Matthew Beard, of JLT Capital, for the rear building setback line to be 30' instead of the required minimum of 50'. The property is located at 567 Main Street, Tract 2, Abstract 14, in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.

Mr. Stafford stated that the Zoning Commission unanimously approved this request for ingress and egress and parking only. No structure shall be allowed within the setback line.

- 12) Variance request submitted by Jack Brumley to encroach upon his east rear building setback line to within 30' of the rear property line, to pour concrete for a driveway. The property is located at Dennis Drive, Lot 1C of the replat of Lot 1 Alpha Center Subdivision, Volume 4, Page 315 Plat Records, Hardin County, Lumberton, Hardin County, Texas.

Mr. Stafford stated that the Zoning Commission unanimously approved this request contingent upon the concrete being used for ingress and egress and parking only. No structure shall be within the 30' building setback line.

13) ADJOURNMENT

There being no further business, the Public Hearing adjourned at 7:07 p.m.

DON SURRETT
MAYOR

ATTEST:

DARLA HARRINGTON
CITY SECRETARY