

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, WEDNESDAY, JANUARY 29, 2014 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

Pg.

1. VISITORS/CITIZENS FORUM:

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the January 16, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION:

3A. Replat - Public hearing, consideration, and action concerning a proposed replat of Lots 23 & 24, Phase 1, Section 8, Block B, of the Comanche Trace Subdivision, located at 3540 Trail Head Drive.

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Owner: Danny & Ariana Almond
Applicant: Mike Grogan
Zoned: PD 99-26
Planning File: 2014-001

4. STAFF REPORTS:

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5. ADJOURNMENT

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: ___at___ and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Deputy City Secretary, City of Kerrville, Texas

4. CONSIDERATION AND ACTION:

4A. Preliminary Plat - Consideration and action concerning a proposed preliminary plat establishing Lots 1 and 2 of the Green Tree Acres Subdivision comprising 15.00 acres of land, more or less, out of WM. C. Francis Survey No. 146, Abstract No. 137, in the City of Kerrville, Kerr County, located at 1141 Bandera Highway.

Owner: Gary J. Lamb

Applicant: Lee Voelkel

Zoned: (GR) Guadalupe River District

Planning File: 2013-057

Mr. Lutz presented the findings of fact and recommended approval of the preliminary plat as presented.

Com. Watterson opened the floor for comments at 4:36 p.m. Hearing no one speak, Com. Watterson closed the floor at 4:37 p.m.

Com. Harmon moved to approve the preliminary plat as presented; motion was second by Com. Morgan and passed 5-0.

5. PUBLIC HEARINGS AND ACTION:

5A. Replat - Public hearing, consideration, and action concerning a proposed replat of Lots 7, 8, 9, and 10, Block 3, of the Village Glen Subdivision, located at 1809, 1813, 1817, and 1821 Foothills Dr.

Owner: Jack Porter

Applicant: Lee Voelkel

Zoned: (R1) Single Family Residential

Planning File: 2013-056

Mr. Lutz presented the findings of fact and recommended approval the replat as presented.

Com. Watterson opened the public hearing at 4:38 p.m.

Ms. Karen Weber spoke and inquired as to the exact location of any proposed structure.

Mr. Dan Smith spoke and inquired about the location of any proposed driveways.

Ms. Ruth Spradling spoke and inquired about any proposed plans for this property. Mr. Voelkel replied on behalf on the applicant and stated the homeowner wants to replat all four lots and build a garage. Ms. Spradling asked if there would be any changes in the setbacks. Mr. Lutz replied there would only be changes to the interior setbacks.

Com. Watterson closed the public hearing at 4:48 p.m.

Com. Harmon moved to approve the replat as presented; motion was second by Com. Malone and passed 5-0.

5B. Replat and Variance Request - Public hearing, consideration, and action concerning a proposed replat of Lots 1, 2, 3, and 4, Block 3, of the Maud Jennings Subdivision, and a variance request for the minimum lot frontage for single family dwellings, located at the intersection of McGinnis Ct. and Glenn Ct.

Owner: Habitat for Humanity

Applicant: Kevin Spraggins

Zoned: (RC) Residential Cluster

Planning File: 2013-058

Mr. Lutz presented the findings of fact as follows:

1. That there are special circumstances or conditions affecting the land involved that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of this land;
 - Due to the steep topography on the southern perimeter of phase 2 and the drainage swale that runs along the northern property line, the tract is restricted to an east-west roadway configuration, thus making the limiting factor to the number of lots in the subdivision and the width of the lots required by the zoning code.
2. That the variance is necessary for the preservation of environmental features that would be affected by a strict application of the ordinance. These features would include tree preservation, geologic formations, steep slopes, springs, and other similar circumstances;
 - The owner and several of the supporters of the subdivision have a deep desire to preserve existing trees on the tract. In order to do that, the eastern and western ends of the proposed subdivision will be required to be used as open space or backyard areas. This also limits the lot configuration and lot widths required by the zoning code.
3. That the variance would enable a more efficient use of the land of previously subdivided parcels which meet or exceed the area requirements of the City zoning ordinance (deep lots, unusual shape);
 - N/A
4. That the granting of a variance would serve to minimize or correct previous development deficiencies (utility line placement, drainage courses, transmission line location, septic systems);
 - Due to the fact that some of the public improvements (water & sewer mains) have been designed and installed with services that conform to the proposed lot configuration.
5. That the variance would enable the developer to orient his lots for greater solar advantage;
 - N/A
6. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.
 - The proposed lot configuration is in similar configuration to other lots located in block 1 of this subdivision (less than 60' of frontage). Therefore due to their similarities the proposed subdivision layout is not a detriment to the adjacent property or other properties in the area. In addition if these single family dwellings were to utilize a zero lot line configuration no variance would be required as they would allow for a 50' lot frontage for those lots not located on a cul-de-sac.

At the time this packet was distributed 28 land owners, within 200', were notified and no official protests have been received.

This variance request meets the requirements found in the subdivision ordinance for the granting of a variance and staff recommends approval of the replat and variance request as presented.

Cmr. Watterson opened the public hearing at 4:55 p.m. Hearing no one speak, Cmr. Watterson closed the public hearing at 4:56 p.m.

Cmr. Zuber moved to approve the replat and variance as presented; motion was second by Cmr. Morgan and passed 5-0.

6. STAFF REPORTS:

6A. Report concerning future agenda items.

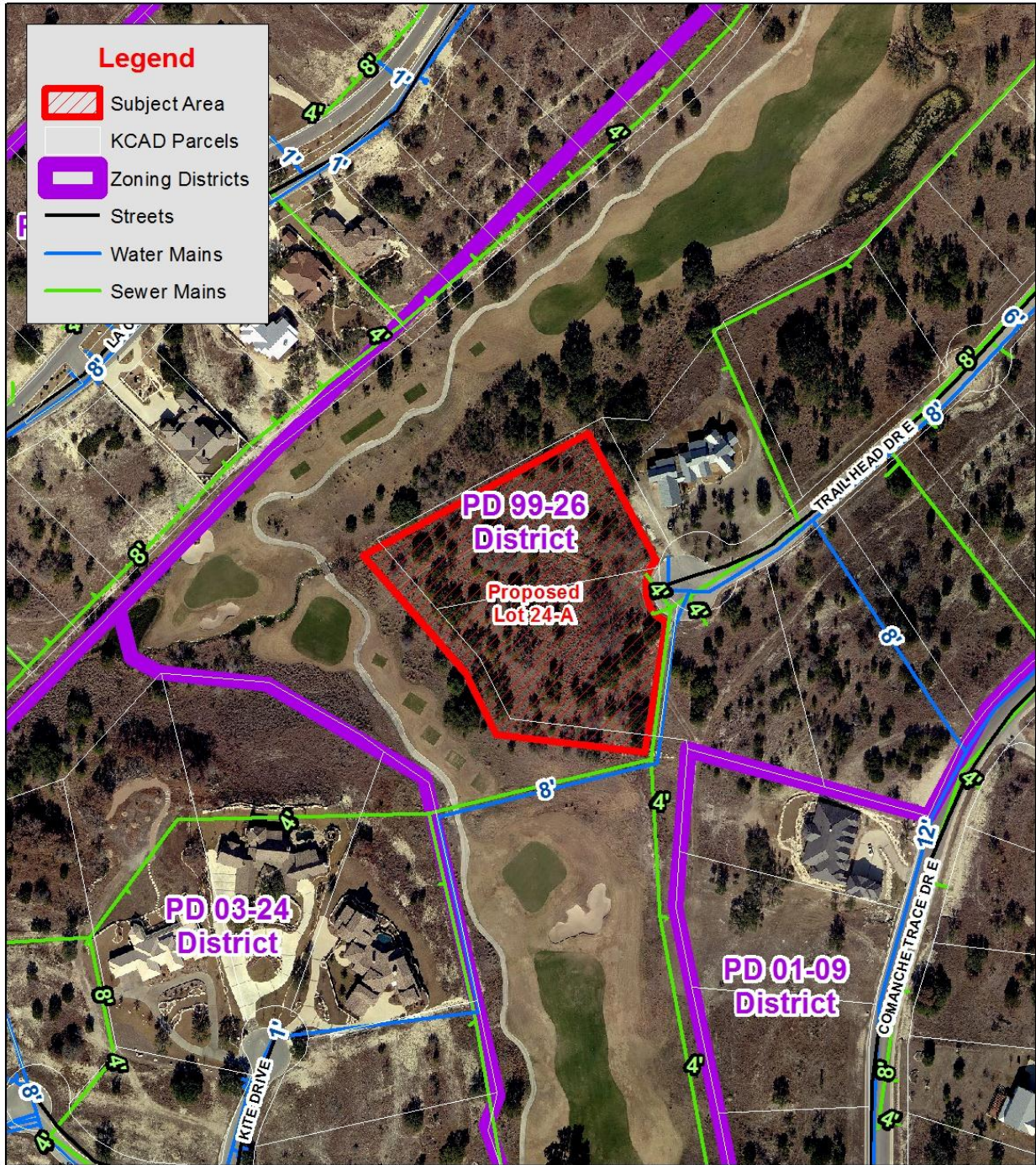
Mr. Lutz reported there will be a special meeting held Wednesday, January 29, 2014 to discuss a replat of two lots in Comanche Trace.

Mr. Lutz reported there will be a regular meeting on February 6, 2014 to discuss a CUP for 820 Sidney Baker.

7. ADJOURNMENT

This meeting was adjourned at 5:02 p.m.

P&Z Case #2014-001 Replat Location Map



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

0 100 200 400 Feet



1 inch = 200 feet



of _____, 2014 at
 Document No. _____
 Kerr County, Texas

NOTES:
 THE RECTANGULAR COORDINATES SHOWN HEREON FOR CORNERS WERE CALCULATED USING THE CITY OF KERRVILLE COORDINATE SYSTEM. THESE COORDINATES ARE FOR THE CITY OF KERRVILLE PURPOSES ONLY AND ARE NOT TO BE USED TO REPLACE MISSING CORNERS ON THE GROUND.
 BENCHMARK: BM-TH-3 SET 80" x 4" NAIL IN 40" X 60" IRON PIPE APPROXIMATELY 49 FT. SOUTHWEST FROM THE SOUTHWEST CORNER OF LOT NO. 23 AND 14. ELEVATION = 1655.82
 THE PROPERTY SHOWN HEREON IS LOCATED COMPLETELY WITHIN ZONE X, ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR KERR COUNTY, TEXAS (MAP NO. 46355C0403) MAP DATE: MARCH 3, 2011

That we, Danny Hugh Almond and Ariana Dior Almond of Lot Nos. 23 and 24 shown and hereby adopt this plat of subdivision, building restriction lines and dedications for the purposes noted.

Witness my hand this _____ day of _____, 2014

Danny Hugh Almond

Ariana Dior Almond

STATE OF TEXAS
 COUNTY OF _____

BEFORE ME, the undersigned authority, on this _____ day of _____, 2014, Denny Hugh Almond, known to me to be the person to the foregoing instrument, and acknowledged the same for the purposes and consideration therein stated.

GIVEN under my hand and seal of office this _____ day of _____, 2014

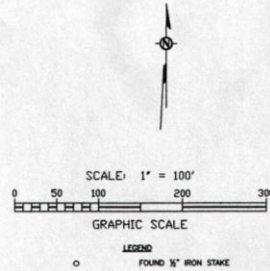
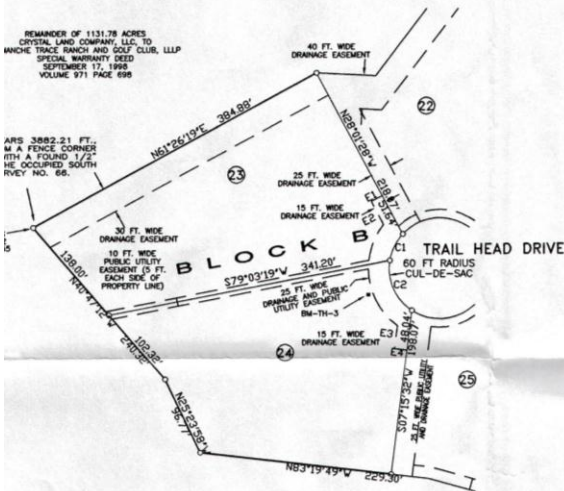
Notary Public for the State of Texas

STATE OF TEXAS
 COUNTY OF _____

BEFORE ME, the undersigned authority, on this _____ day of _____, 2014, Ariana Dior Almond, known to me to be the person to the foregoing instrument, and acknowledged the same for the purposes and consideration therein stated.

GIVEN under my hand and seal of office this _____ day of _____, 2014

Notary Public for the State of Texas

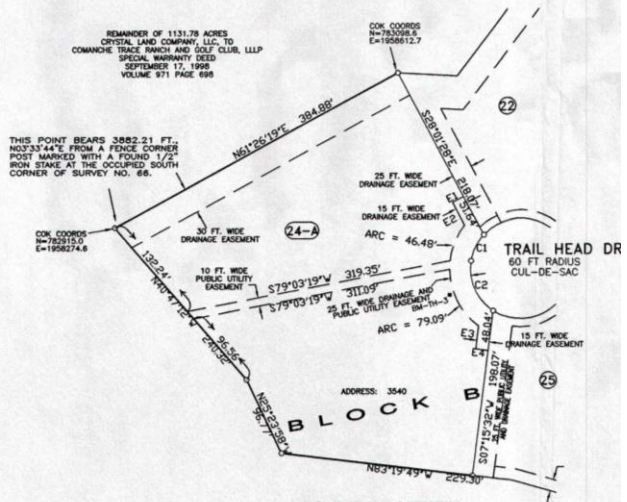


AS PLATTED
 VOLUME 7 PAGE 94

LE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
1	60.00'	35.30'	18.18'	34.79'	S26°12'14\"
2	60.00'	69.02'	38.90'	65.28'	S23°36'19\"

LINE CALLS FOR VARIABLE WIDTH EASEMENTS

E1	S61°58'32\"	15.00'
E2	S28°01'28\"	30.70'
E3	S07°15'32\"	27.69'
E4	S02°44'28\"	15.00'



AS RE-PLATTED

This plat is an accurate representation of the field hereon as determined by a survey for my direction and supervision, except to reestablish Patent Survey lines or corners as shown. This survey conforms to the Texas Board of Land Surveying = True north based on GPS observations

_____ 2014

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4 **FOR AGENDA OF:** January 29, 2014

DESCRIPTION: Future agenda items

APPLICANT(S): City staff

ATTACHMENT(S):

Regular P&Z Meeting on February 6, 2014 at 4:30 p.m.

- Case # 2014-002
 - A Conditional Use Permit to allow "Restaurant, General" at 820 Sidney Baker. This would permit the retail sale of alcoholic beverages for on-premises consumption.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5 **FOR AGENDA OF:** January 29, 2014

DESCRIPTION: Adjournment
