



NOVEMBER PLANNING BOARD MEETING

Tuesday, November 28, 2023 at 5:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

AGENDA

Planning Board will consider/discuss the following items and take any action deemed necessary.

MEETING PROCEDURE

Public notice is hereby given that the Planning Board of the City of Port Lavaca, Texas, will hold a regular meeting Tuesday, November 28, 2023 beginning at 5:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82182482989?pwd=NVNDbi9HZVlHVUIBZTcvTVJvbzdTZz09>

Meeting ID: 821 8248 2989

Passcode: 912619

One Tap Mobile

+13462487799,,82182482989#,,,,*912619# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

1. To consider and discuss approval of a replat, Port Lavaca Square Subdivision. Located near Sandcrab Blvd. CAD Pin #13628 & #84732. Legal Description: A0035 MAXIMO SANCHEZ, TRACT PT 24, (PT LTS 1, 2, 3, PL SQ).
2. Consider and discuss approval for a Variance request to the front lot setback for a deck to be built. The site address for this variance request is 212 S. Commerce

COMMENTS FROM THE PUBLIC

** (Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).*

ADJOURN

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The Planning Board of The City of Port Lavaca, scheduled for **Tuesday, November 28, 2023**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Wednesday, November 22, 2023**.

Derrick Smith, *Director of Development Services*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: To consider and discuss approval of a replat, Port Lavaca Square Subdivision. Located near Sandcrab Blvd. CAD Pin #13628 & #84732. Legal Description: A0035 MAXIMO SANCHEZ, TRACT PT 24, (PT LTS 1, 2, 3, PL SQ).

INFORMATION:

CITY OF PORT LAVACA

MEETING: November 28, 2023 **AGENDA ITEM** _____

DATE: 11/20/2023

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval of a replat, Port Lavaca Square Subdivision. Located near Sandcrab Blvd. CAD Pin #13628 & #84732. Legal Description: A0035 MAXIMO SANCHEZ, TRACT PT 24, (PT LTS 1, 2, 3, PL SQ).

Sec. 42-6. - Procedure

A plat must be approved prior to the offering for sale of any lot, tract, or building site; prior to any construction work; and before any map of said subdivision is prepared in a form for recording.

The applicant is requesting the replat for the purpose of selling the property for a new development.

Below references the City Code of Ordnances, Chapter 42 – Subdivisions and Plats, where this replat request is compliant and will meet the ordinance as presented.

Sec. 42-5. - Policy.

- (a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper approval of the planning commission. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning commission in accordance with this chapter.

Applicant has adhered to the proper replat submittal and review procedural process prior to presentation before the Planning Commission.

Sec. 42-6. - Procedure.

- (d) Final plat.

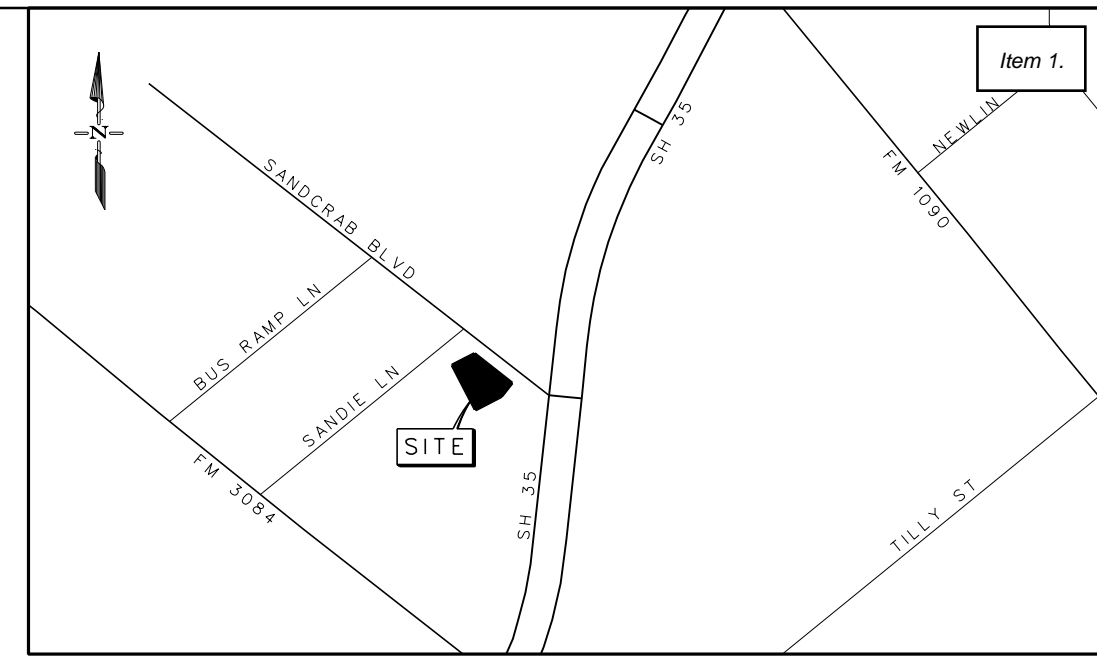
- (3) In cases where no change has been made from the preliminary plat and construction drawings, as determined by the city engineer, it shall not be necessary for the planning commission to pass upon such final plat before the same is presented to the city council for its approval.

Department Recommendation: Approval

Attachments:

- CAD PIN #13628 & #84732

- **Preliminary re-plat**



CITY SECRETARY CERTIFICATION

I, _____, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME _____ PAGE _____ OF THE MINUTES OF THE CITY COUNCIL OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA,

ON THIS _____ DAY OF _____ 2023.

CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

CALHOUN COUNTY APPRAISAL DISTRICT

I HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITHIN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR 2023 AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/IS RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08(B)].

SIGNED THIS THE _____ DAY OF _____ 2023.

CHIEF APPRAISER

COUNTY CLERK CERTIFICATION

I, _____, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF _____ SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS, DULY AUTHENTICATED BY CERTIFICATION OF THE CITY OF PORT LAVACA, TEXAS, ATTACHED HERETO, AS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ 2023, _____ O'CLOCK _____ M., AND WAS DULY RECORDED ON THE _____ DAY OF _____ 2023, IN VOLUME _____ PAGE _____ OF THE CALHOUN COUNTY PLAT RECORDS. SLIDE NO. _____.

COUNTY CLERK

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS JEMCO SANDCRAB SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNERS SIGNATURE:
SANDCRAB PLAZA, LLC
C/O DR. PAUL BUNNELL
YMCA
713 HWY 35 SOUTH
PORT LAVACA, TX 77979

STATE OF TEXAS
COUNTY OF CALHOUN

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DR. PAUL BUNNELL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS _____ DAY OF _____ 2023.

NOTARY PUBLIC
CALHOUN COUNTY, TEXAS

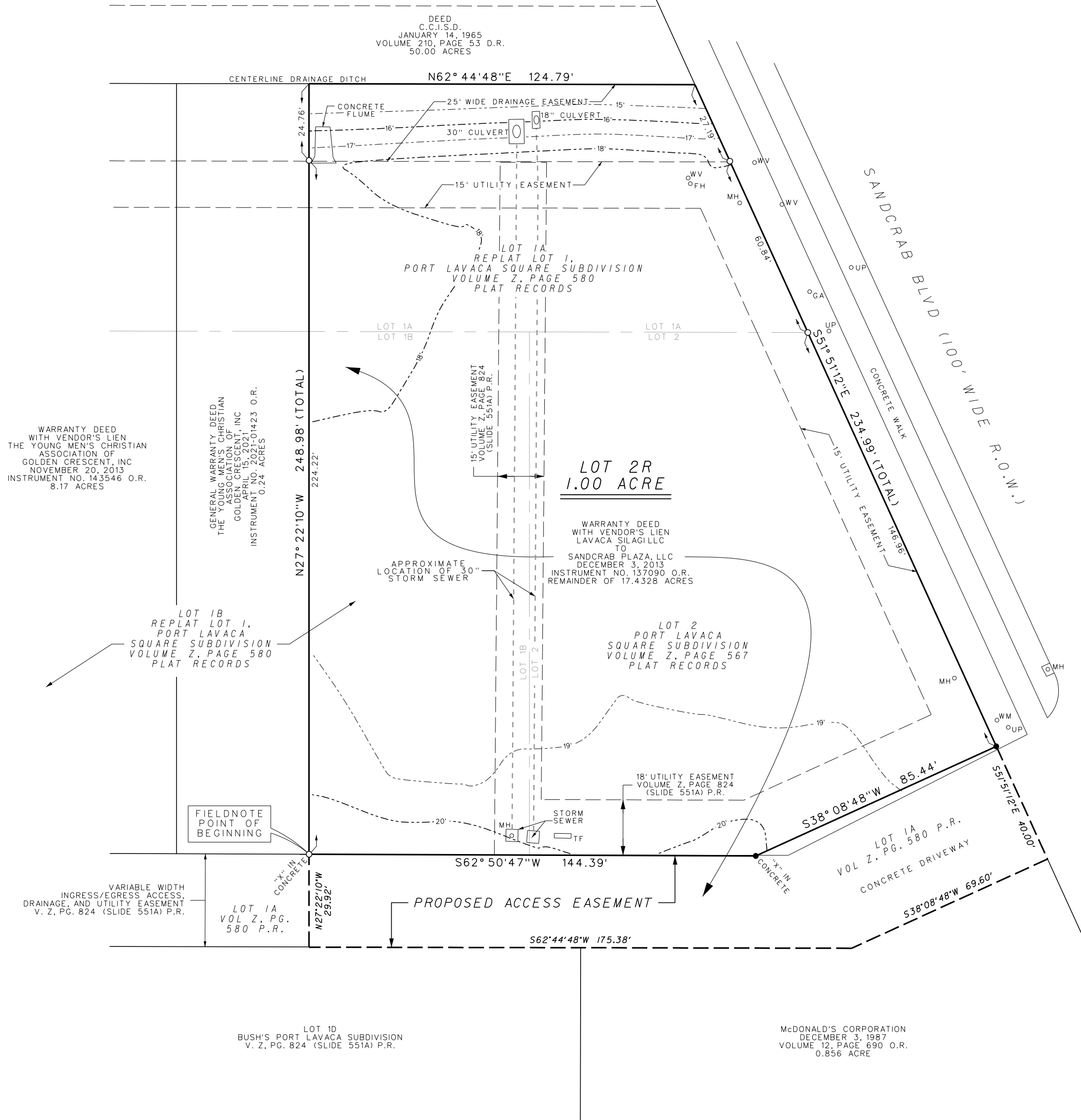
SURVEYOR CERTIFICATION

I, JASON OLSOVSKY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF PORT LAVACA, TEXAS.

-PRELIMINARY-
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

JASON B. OLSOVSKY DATE
GANEM & KELLY SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 7031

MAXIMO SANCHEZ LEAGUE A-35



LEGAL DESCRIPTION

**STATE OF TEXAS
COUNTY OF CALHOUN**

BEING a 1.00 acre tract situated in the Maximo Sanchez League, Calhoun County, Texas, and being a portion of that same tract described as 17.4328 acres in Warranty Deed with Vendor's Lien dated December 3, 2013, from Lavaca Silagi, LLC, to Sandcrab Plaza, LLC, and recorded in Instrument Number 137090 of the Official Records of Calhoun County, Texas, and this 1.00 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at an existing "X" in concrete in the northwest edge of a concrete driveway and the east corner of a 0.24 acre tract described in Instrument No. 2021-01423 of the Official Records of said county for the south corner of the herein described tract;

THENCE North 27°22' 10" West with the northeast line of said 0.24 acre tract and the southwest line of the herein described tract at 224.22 feet pass an existing 5/8 inch iron rod on line for reference and continuing for a total distance of 248.98 feet to a point in the southeast line of a 50.00 acre tract described in Volume 210, Page 53 of the Deed Records of said county at the north corner of said 0.24 acre tract for the west corner of the herein described tract;

THENCE North 62°44' 48" East with the southeast line of said 50.00 acre tract and the northwest line of the herein described tract for a distance of 124.79 feet to a point in the southwest right-of-way line of Sandcrab Boulevard at the east corner of said 50.00 acre tract for the north corner of the herein described tract;

THENCE South 51°51'12" East with the southwest right-of-way line of Sandcrab Boulevard and the northeast line of the herein described tract at 27.19 feet pass an existing 5/8-inch iron rod on line for reference, and continuing for a total distance of 234.99 feet to a 5/8 inch iron rod set in a concrete driveway for the east corner of the herein described tract;

THENCE South 38°08' 48" West with a northwest edge of concrete driveway and a southeast line of the herein described tract for a distance of 85.44 feet to a 5/8-inch iron rod set for the southeast corner of the herein described tract;

THENCE South 62°50' 47" West with a northwest edge of concrete driveway and a southeast line of the herein described tract for a distance of 144.39 feet to the **POINT OF BEGINNING**, containing 1.00 acres of land.

FLOODPLAIN NOTE

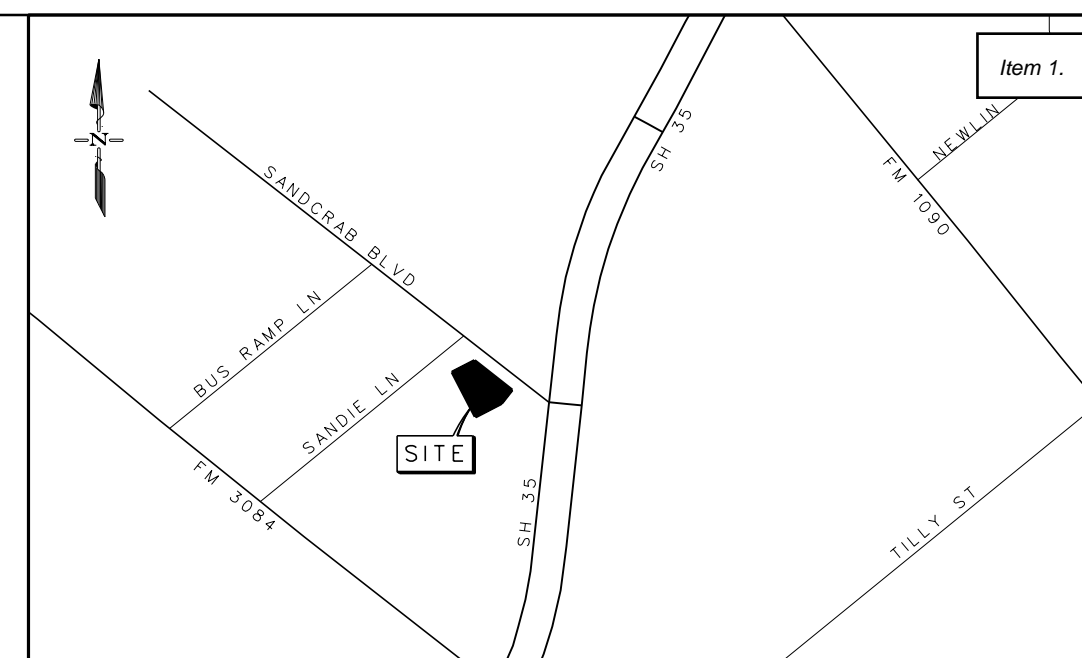
BASED ON GRAPHIC REPRESENTATION OF AND ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C0185E, MAP EFFECTIVE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED PARTIALLY IN ZONE X, WHICH IS AN AREA OF MINIMAL FLOOD HAZARD.

GENERAL NOTES	
ADDRESS: LOT 1: PORT LAVACA, TX 77979	BEARINGS ARE BASED ON TEXAS COORDINATE SYSTEM NAD83, TEXAS SOUTH CENTRAL ZONE. ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM 1988
LAND USE: LOTS 1: COMMERCIAL	THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.
	LEGEND
	<ul style="list-style-type: none"> ○ 5/8 IRON ROD FOUND UNLESS OTHERWISE NOTED ● 5/8 IRON ROD SET UNLESS OTHERWISE NOTED MH - MANHOLE UP - UTILITY POLE GA - GUY ANCHOR FH - FIRE HYDRANT --- ---
	<ul style="list-style-type: none"> WV - WATER VALVE TF - ELECTRIC TRANSFORMER WM - WATER METER
	<ul style="list-style-type: none"> --- --- ---

JEMCO SANDCRAB SUBDIVISION
A SUBDIVISION LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS

GANEM & KELLY SURVEYING, INC.
LAMAR STREET, SUITE 5
POINT COMFORT, TEXAS 77978
(361) 987-2011
FIRM NO. 10088300

DRAWN BY: G.A.G. SCALE: 1" = 30'
CHECKED BY: G.A.G. DATE: 11/22/2023
APPROVED BY: G.A.G. JOB NO. PC23-056



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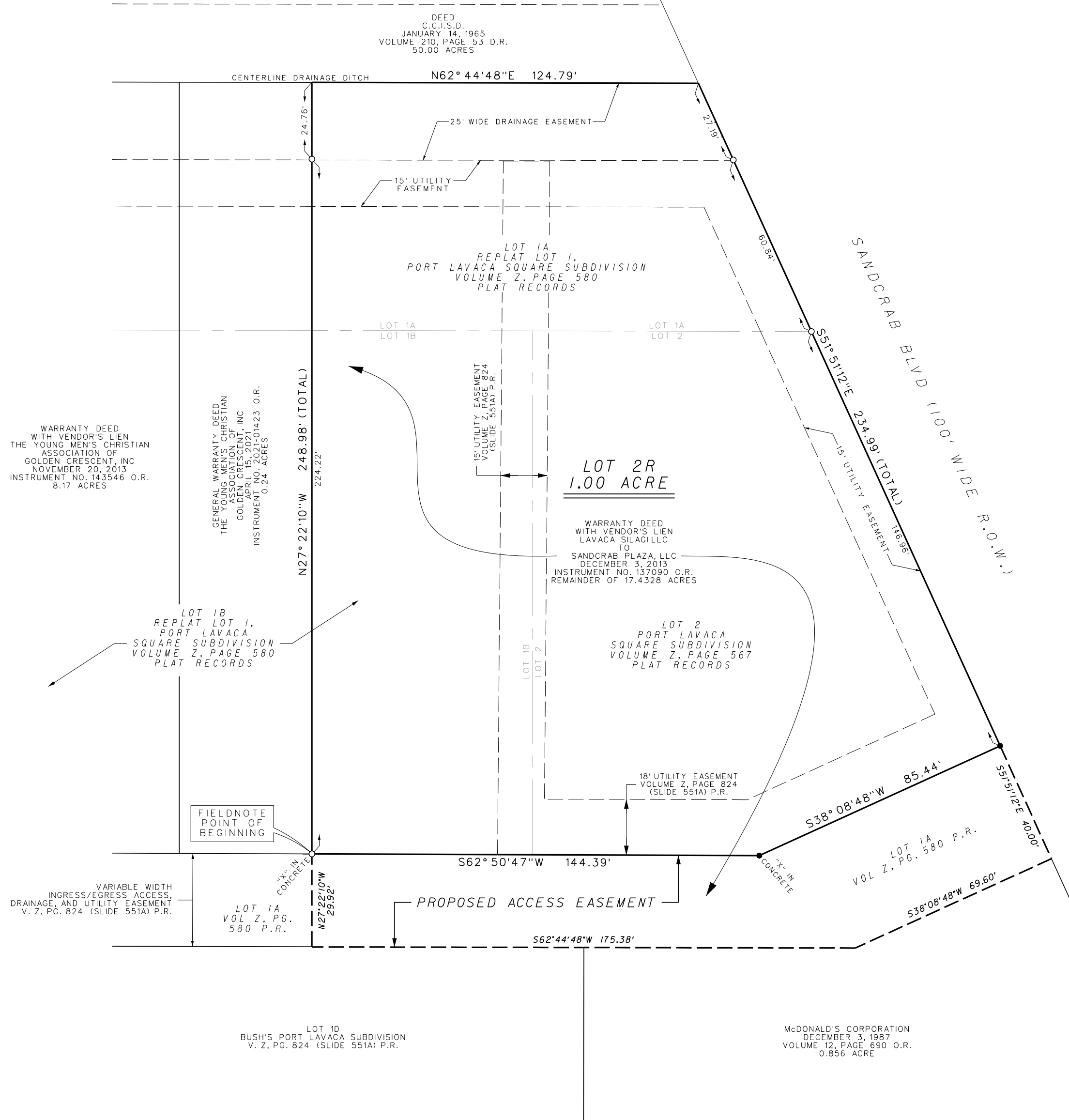
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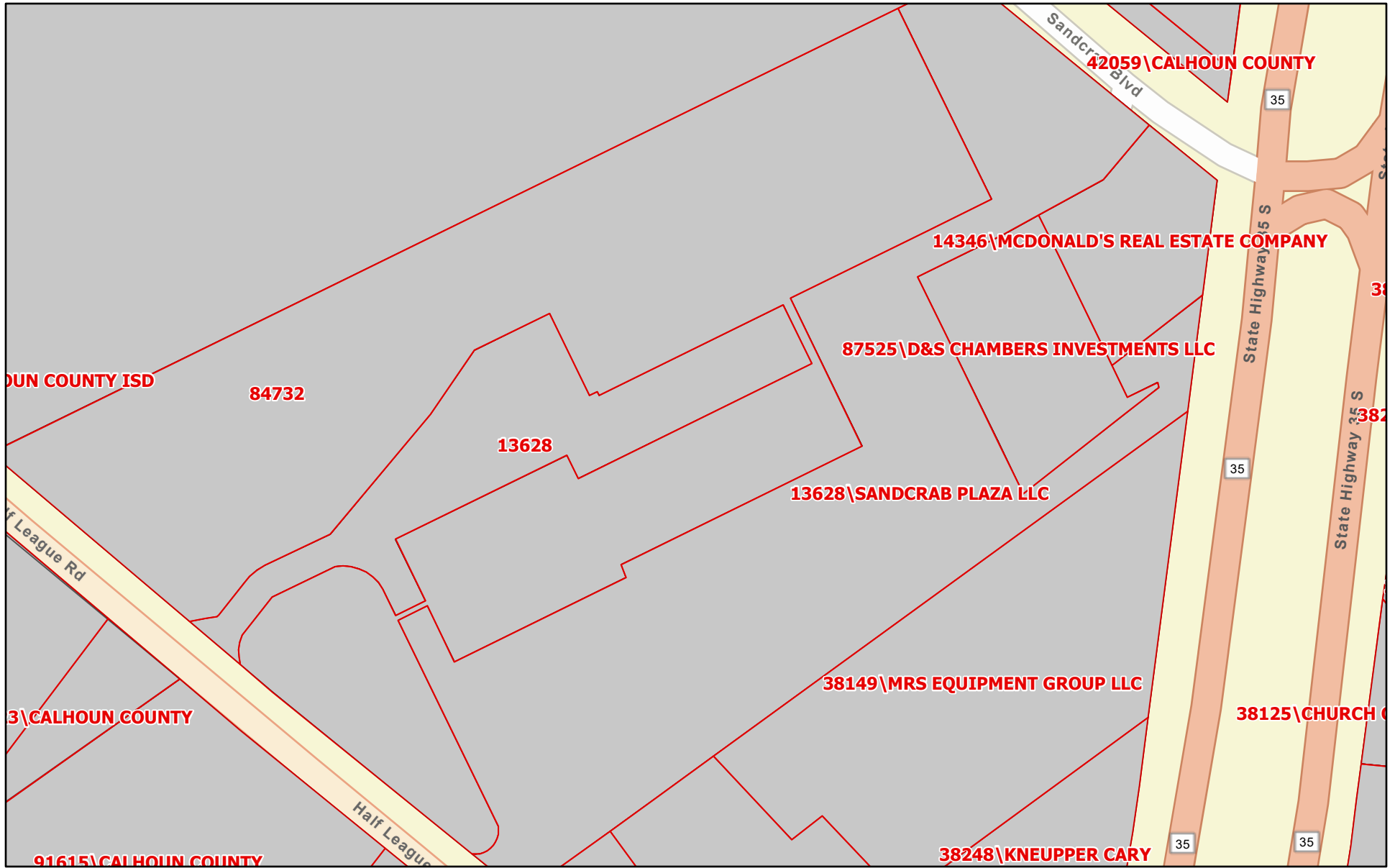
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JEMCO SANDCRAB SUBDIVISION	
A SUBDIVISION LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS	
GANEM & KELLY SURVEYING, INC. LAMAR STREET, SUITE 5 POINT COMFORT, TEXAS 77978 (361) 987-2011 FIRM NO. 10080300	
DRAWN BY: G.A.G.	SCALE: 1" = 30'
CHECKED BY: G.A.G.	DATE: 11/22/2023
APPROVED BY: G.A.G.	JOB NO. PC23-056

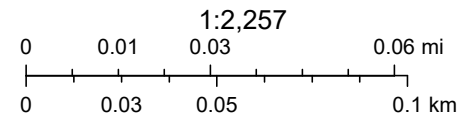
Calhoun CAD Web Map

Item 1.



11/22/2023, 9:22:16 AM

- Ownership
- Lot Lines
- Abstracts
- Property ID



Esri Community Maps Contributors, Texas Parks & Wildlife, OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare

Calhoun County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

COMMUNICATION

SUBJECT: Consider and discuss approval for a Variance request to the front lot setback for a deck to be built. The site address for this variance request is 212 S. Commerce

INFORMATION:

CITY OF PORT LAVACA

MEETING: November 28, 2023 AGENDA ITEM _____

DATE: 11.20.23

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval for a Variance request to the front lot setback for a deck to be built. The site address for this variance request is 212 S. Commerce

This Variance request is for a second-floor deck on a new mixed use build that will encroach into the front setback 3 foot. The required minimum setback is 15 foot. This will leave a 12 foot front setback for this address.

The applicant has adhered to chapter Sec.12-24 (8) and requested a variance for this encroachment and paid the fee associated with the variance request.

Sec. 12-24. - Building setbacks

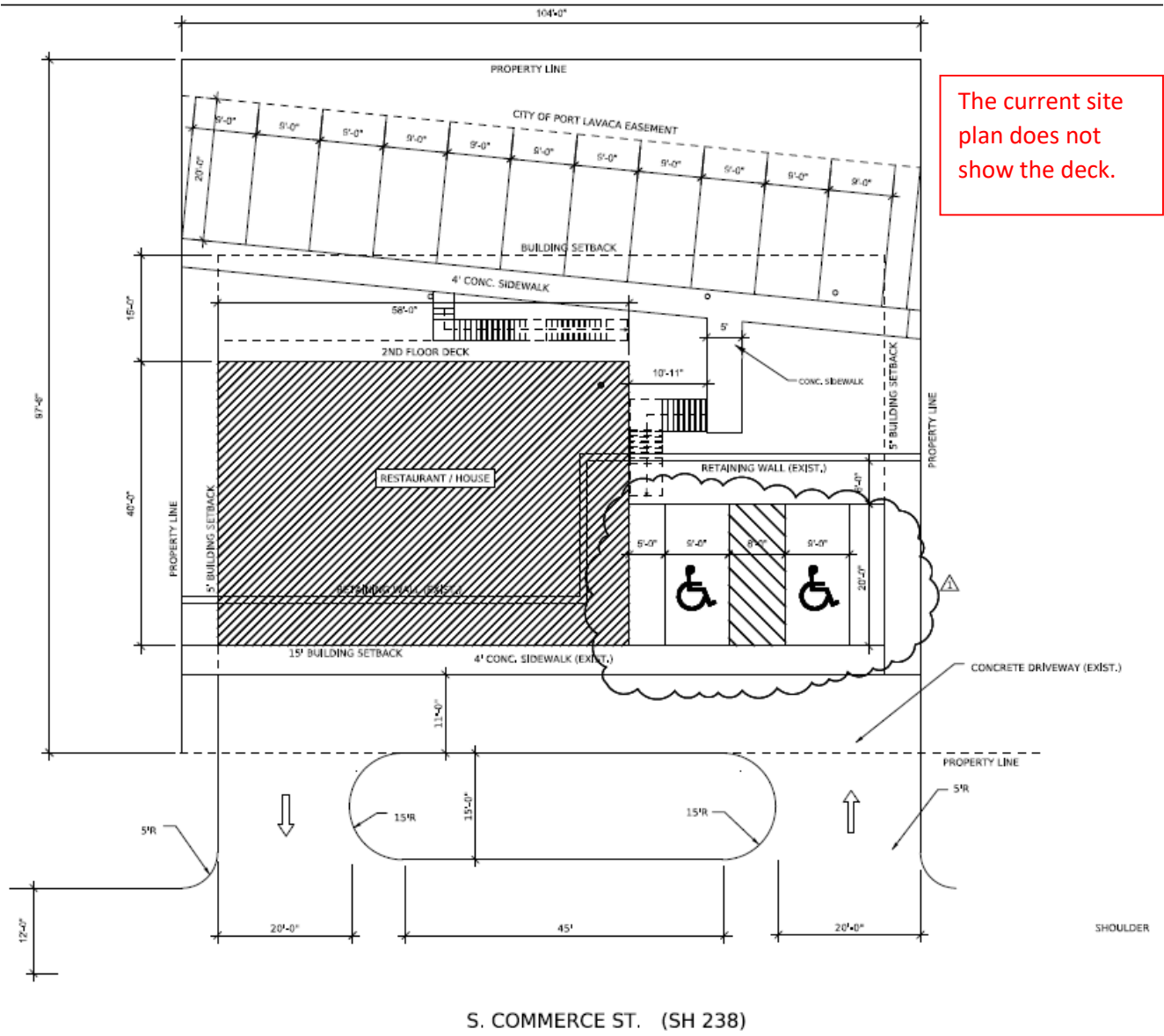
(a) *Definitions.* For the purpose of this article, the term "building setback lines" means to the distance that buildings or structures must be from the property line.

(d) Minimum setback requirements.

(1) Front setback lines. Minimum front setback lines shall be 15 feet. Corner lots shall have a minimum ten-foot setback on the side street.

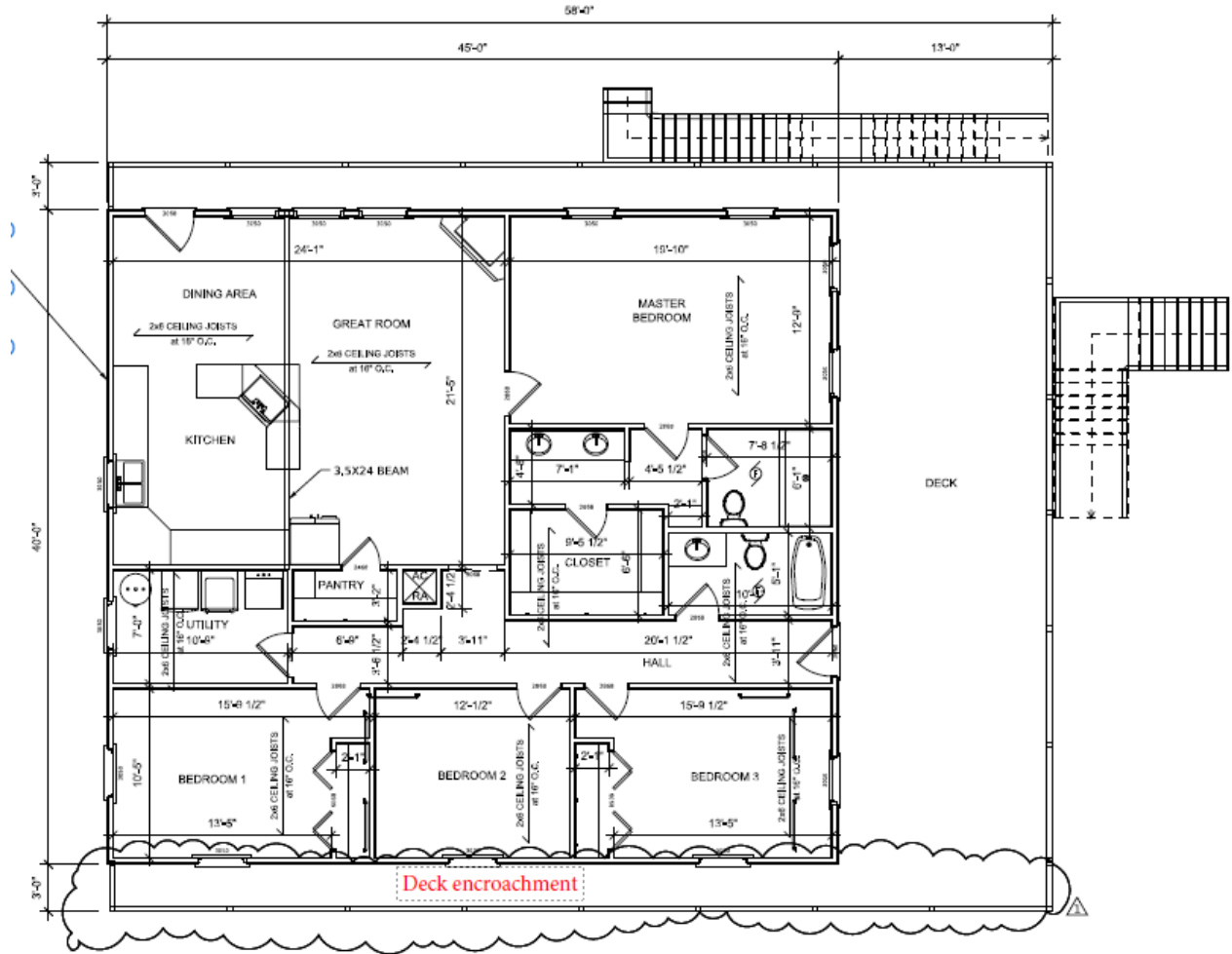
The applicant has adhered to chapter Sec.12-24 (8) and requested a variance for this encroachment and paid fee associated with the variance request.

Staff Recommendation: Approval



CITY OF PORT LAVACA

NOTE: NFPA 13 SPRINKLER SYSTEM TO BE INSTALLED ON BOTH FLOORS.



Attachments:

- Variance request
- Parcel ID

City of Port Lavaca Request for Variance

Date: 11/9/2023

Name: Kevin Nevarez, Sasha Nevarez

Address: 212 S. Commerce


Variance being requested: Encroachment to building setback (front)

Reason for request: To allow for a 3' deck on 2nd floor of proposed structure to allow for emergency access from bedrooms in the event of a fire. Encroachment would be 3' in the air at the second floor level (10' above ground) directly above a 4' sidewalk.


Signature

979-557-3738
Phone number

Date of Planning Board: 11/28/23

Received by: 
11/14/23

212 South Commerce Street

