



**CITY OF WHARTON
PLANNING COMMISSION MEETING**

**Monday, April 05, 2021
4:30 PM**

CITY HALL

**NOTICE OF
CITY OF WHARTON
PLANNING COMMISSION MEETING**

Notice is hereby given that a Planning Commission Meeting will be held on Monday, April 05, 2021 at 4:30 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

SEE ATTACHED AGENDA

Dated this 01 day of April 2021.

By: Mike Wootton by sf
Mike Wootton
Chairperson

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning Commission Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on April 01, 2021, at 04:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

The Wharton City Hall is wheelchair accessible. Access to the building and special parking is available at the primary entrance. Persons with disabilities, who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811 Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date. BRAILLE IS NOT AVAILABLE.

Dated this 01 day of April 2021.

~~CITY OF WHARTON~~
By: Paula Favors by sf
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
Planning Commission Meeting
Monday, April 05, 2021
City Hall - 4:30 PM

Call to Order.

Roll Call.

Review & Consider:

- 1.** Reading of the minutes from the meeting held October 19, 2020 and January 4, 2021.
- 2.** Request by Mr. Juan Moreno, 208 E Emily St., Hawes, Block 4, Lot 34 for interior side yard setback of 4' from required 5' for a 13' x 10' carport.
- 3.** Request by Ms. Laura Clemons on behalf of Mr. Adolfo Fernandez, N. Walnut St., Wharton, Block 21, Lot 4 for front property line setback for placement of a home.
- 4.** Request by Mr. Lyle Muegge on behalf of Haynie Family Trust for Re-Plat of 459 Live Oak Road, Oak Forrest, Block 5, Lots 11 & 12.

Adjournment.

City of Wharton
120 E. Caney Street
Wharton, TX 77488

PLANNING COMMISSION

Meeting Date:	4/5/2021	Agenda Item:	Reading of the minutes from the meeting held October 19, 2020 and January 4, 2021.
<p>At this time, the Commission may review and approve the minutes from the meetings held October 19, 2020 and January 4, 2021.</p>			
Community Development Director: Gwyneth Teves		Date: Thursday, April 1, 2021	
Approval:			
Chairman: Mike Wootton			

**MINUTES
OF
CITY OF WHARTON
PLANNING COMMISSION MEETING
CITY HALL
120 EAST CANEY STREET
WHARTON, TEXAS 77488**

**Monday, October 19, 2020
4:30 P.M.**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et seq., the City of Wharton Planning Commission of the City of Wharton, Texas held a virtual meeting on Monday, October 19, 2020 at 4:30p.m. at City Hall, 120 E. Caney St., Wharton, Texas 77488.

Chairperson Mike Wootton declared the meeting of the Planning Commission duly open for the transaction of business at 04:33 p.m.

Commissioners present were: Mike Wootton, Marshall Francis, Bryan Honeycutt, Russell Cenko and Michael Quinn.

Commissioners absent were: Rob Kolacny.

Staff members present were: Community Development Director Gwyneth Teves.

Visitors present were: None.

Call to Order.

Roll Call.

Review and Consider:

The first item on the agenda was to review and consider reading of the minutes from the meeting held September 21, 2020. Commissioner Russell Cenko moved to approve the minutes as presented. Commissioner Bryan Honeycutt seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request by Mr. Joe Sanchez, 525 Circle Dr., Park, Lot 34 for a front property line setback variance of 11' to place a 14' x 19' ft carport. After a brief discussion, Commissioner Marshall Francis moved to recommend the variance to the City Council for final approval. Commissioner Russell Cenko seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a by Stonewater, Inc on behalf of Mr. Kermit Brown, 313 Washington Ave., Washington Homes, Block 9, Lots 4 & 5 for:

- a. A variance to build over a property line.
- b. A 13' front building line setback variance from the required 25'.

After a brief discussion, Commissioner Marshall Francis moved to recommend the variances to the City Council for final approval. Commissioner Russell Cenko seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a by the Wharton County Recovery Team, 117 N. Sheppard St., Wm. Kincheloe, Block 63, Lot 125A for 10' side lot building line setback variance from the required 25' on the W. Caney side. After a brief discussion, Commissioner Russell Cenko moved to

Planning Commission Minutes
Monday, October 19, 2020
Page 2 of 2

recommend the variance to the City Council for final approval. Commissioner Bryan Honeycutt seconded the motion. All voted in favor.

Adjournment. The meeting adjourned at 4:37 p.m.

Michael Wootton, Chairman

Rob Kolacny, Secretary

**MINUTES
OF
CITY OF WHARTON
PLANNING COMMISSION MEETING
CITY HALL
120 EAST CANEY STREET
WHARTON, TEXAS 77488**

**Monday, January 04, 2021
4:30 P.M.**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et seq., the City of Wharton Planning Commission of the City of Wharton, Texas held a virtual meeting on Monday, January 04, 2020 at 4:30p.m. at City Hall, 120 E. Caney St., Wharton, Texas 77488.

Community Development Director Gwyneth Teves declared the meeting of the Planning Commission duly open for the transaction of business at 04:36 p.m.

Commissioners present were: Marshall Francis, Russell Cenko, Rob Kolacny and Michael Quinn.

Commissioners absent were: Mike Wootton and Bryan Honeycutt.

Staff members present were: Community Development Director Gwyneth Teves.

Visitors present were: None.

Call to Order.

Roll Call.

Review and Consider:

The first item on the agenda was Election of Officers. Commissioner Marshall Francis volunteered to accept the position of Vice-Chairperson. Commissioner Russell Cenko moved to appoint Commissioner Marshall Francis as Vice-Chairperson. Commissioner Rob Kolacny seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a by Mr. Oscar Alarcon, 500 Davis St., Wharton, Block 22, Lot 1A for 3' side lot building line setback variance from the required 5' for new residential construction. After a brief discussion, Commissioner Rob Kolacny moved to recommend the variance to the City Council for final approval. Commissioner Russell Cenko seconded the motion. All voted in favor.

Adjournment. The meeting adjourned at 4:41 p.m.

Marshall Francis, Vice-Chairperson

Rob Kolacny, Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

PLANNING COMMISSION

Meeting Date:	4/5/2021	Agenda Item:	Request by Mr. Juan Moreno, 208 E Emily St., Hawes, Block 4, Lot 34 for interior side yard setback of 4' from required 5' for a 13' x 10' carport.
<p>At this time, the Commission may review and consider a request by Mr. Juan Moreno, 208 E Emily St., Hawes, Block 4, Lot 34 for interior side yard setback of 4' from required 5' for a 13' x 10' carport.</p> <p>Mr. Moreno has also been advised by the Building Official that if the variance is approved he will be required to provide a gutter, splashpad and trench to alleviate any runoff/drainage concerns.</p> <p>See attached application and supporting documentation.</p>			
Community Development Director: Gwyneth Teves		Date: Thursday, April 1, 2021	
Approval:			
Chairman: Mike Wootton			

FRONT VIEW

Juan Moreno

Carport

Purlin galv 6" 1/4 gauge

Riprap 26 gauge

3x3 Pipe galv

EXISTING HOUSE

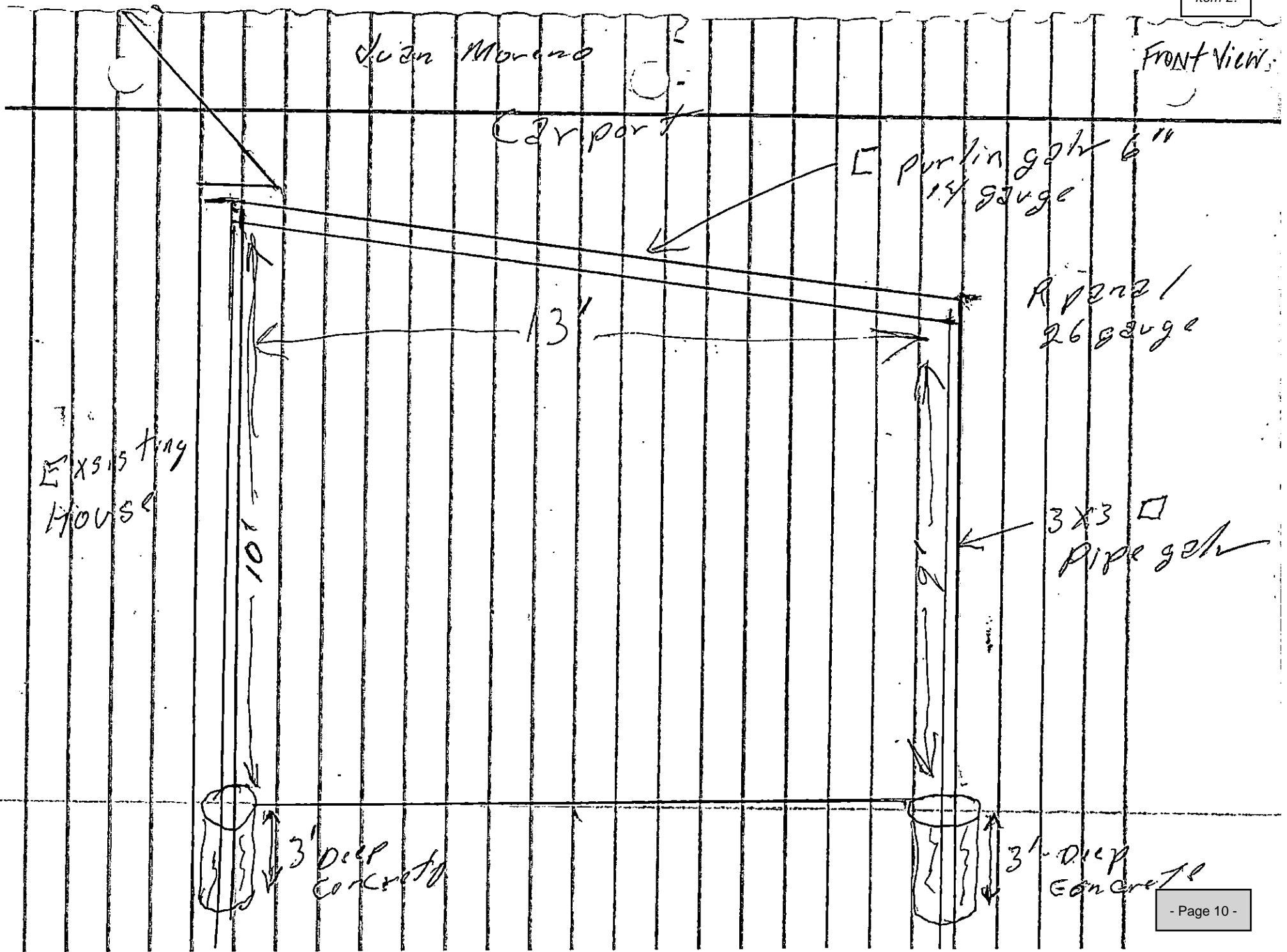
13'

10'

9'

3' DEEP CONCRETE

3' DEEP CONCRETE



208 E Emily

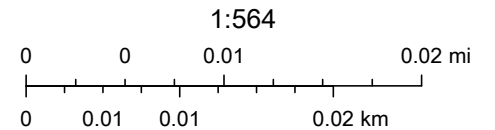
Item-2.



4/1/2021, 4:27:48 PM

World Transportation ----- Lot Lines

Parcels



© OpenStreetMap (and) contributors, CC-BY-SA, Esri, HERE,

Wharton Central Appraisal District, BIS Consulting - www.bis

City of Wharton
120 E. Caney Street
Wharton, TX 77488

PLANNING COMMISSION

Meeting Date:	4/5/2021	Agenda Item:	Request by Ms. Laura Clemons on behalf of Mr. Adolfo Fernandez, N. Walnut St., Wharton, Block 21, Lot 4 for front property line setback for placement of a home.
---------------	----------	--------------	--

At this time, the Commission may review and consider a request by Ms. Laura Clemons on behalf of Mr. Adolfo Fernandez, N. Walnut St., Wharton, Block 21, Lot 4 for front property line setback for placement of a home.

See attached application and supporting documentation.

Community Development Director: Gwyneth Teves	Date: Thursday, April 1, 2021
Approval:	
Chairman: Mike Wootton	

**CITY OF WHARTON
PLANNING COMMISSION
APPLICATION FOR VARIANCE**

Item-3.

NOTE: If variance request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time. The expiration date for approved variance application will be six months from the date of approval of the variance. If construction has not commenced within that six month period, the applicant must re-apply for the variance.

Laura Clemons on behalf of

Adolfo Fernandez _____
Name (Printed) 03/31/21 _____
Date

26223 Wharton County CAD #Davis St / Walnut St _____
Physical Address 226 W. 3rd St Wharton _____
Mailing Address

Lot 4 Block 21 City of Wharton _____
Legal Address 205-789-2266 (Laura Clemons) _____
Phone

Describe the variance request and the reason for requesting variance:

moving house & want to match setback to existing houses (14 FT property line)

ATTACH A SITE PLAN WITH DIMENSIONS TO PROPERTY LINES:

SIGNATURE OF APPLICANT:

[Signature] _____
Signature 3/31/21 _____
Date

Planning Commission Meeting: 4/5/2021 @ 4:30 PM
City Council Meeting: 4/12/2021 @ 7 PM

Building line setbacks Only	
Residential	\$100.00 <input checked="" type="checkbox"/>
Non-Residential	\$150.00 _____
Non-Refundable fee	
Effective November 3, 2006	

ADJACENT PROPERTY OWNER (S):

Ullmann & Victor Vacc _____
Name

Wharton, Block 21, Lot 5 _____
Legal Address

Howard Singleton _____
Name

Wharton, Block 21, Lot 2-3 _____
Legal Address

Name

Legal Address

Phone

415 E. Caney St. _____
Physical Address

Phone

412 Davis St. _____
Physical Address

Phone

Physical Address

APPROVAL:

[Signature] _____
Planning Department

Chairman of the Planning Commission

Mayor

4.1.2021 _____
Date

Date

Date

Item-3.

Google Maps 208 N Walnut St



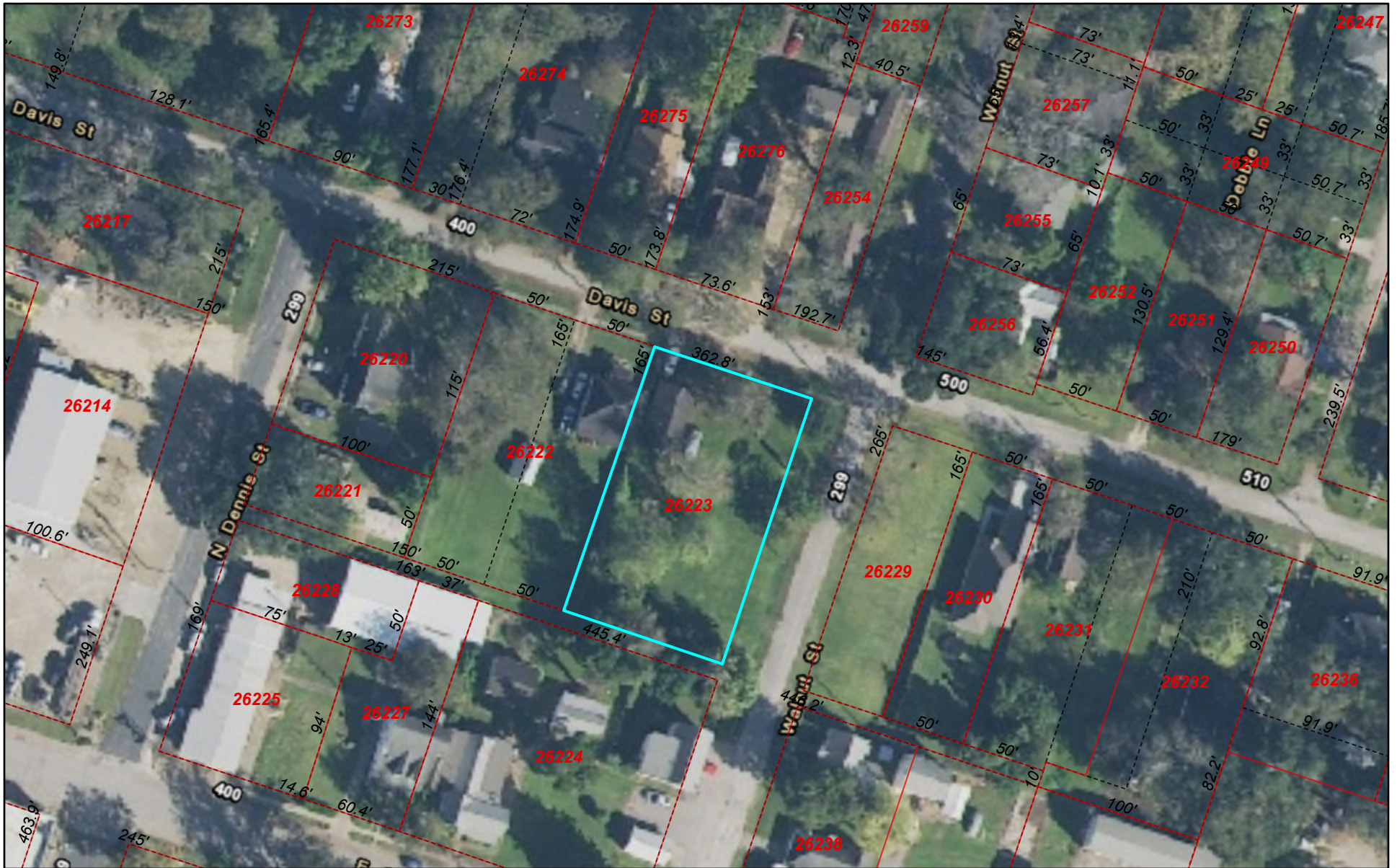
Image capture: Jan 2013 © 2021 Google

Wharton, Texas



Street View

Walnut/Davis

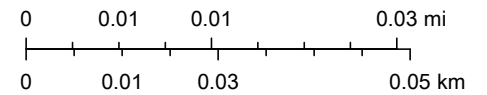


4/1/2021, 4:15:37 PM

World Transportation ----- Lot Lines

Parcels

1:1,128



© OpenStreetMap (and) contributors, CC-BY-SA, Esri, HERE,

Wharton Central Appraisal District, BIS Consulting - www.bis

City of Wharton
120 E. Caney Street
Wharton, TX 77488

PLANNING COMMISSION

Meeting Date:	4/5/2021	Agenda Item:	Request by Mr. Lyle Muegge on behalf of Haynie Family Trust for Re-Plat of 459 Live Oak Road, Oak Forrest, Block 5, Lots 11 & 12.
---------------	----------	--------------	---

At this time, the Commission may review and consider a request by Mr. Lyle Muegge on behalf of Haynie Family Trust for Re-Plat of 459 Live Oak Road, Oak Forrest, Block 5, Lots 11 & 12. The property owner would like to sale one of the lots and currently has a building encroaching so will be modifying the lot lines.

See attached application and Draft Re-Plat.

Community Development Director: Gwyneth Teves	Date: Thursday, April 1, 2021
Approval:	
Chairman: Mike Wootten	

CITY OF WHARTON PLANNING COMMISSION APPLICATION FOR PLAT OR RE-PLAT

NOTE: If plat or re-plat request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time.

Lyle Muegge
Name (Printed)
459 Live Oak Road, Wharton, TX 77488
Physical Address
OAK FORREST BLOCK 5 LOT 11,12 Acres:2.1165
Legal Address

03/29/2021
Date
3702 Jackson Lake Drive, Richmond, TX 77406
Mailing Address
281-450-0966
Phone

- *ATTACH A PRELIMINARY/FINAL DRAWING OF THE RE-PLAT.
- *ATTACH TAX CERTIFICATES.

SIGNATURE OF APPLICANT:


Signature

dotloop verified
03/29/21 5:32 PM CDT
ZVPE-YCVC-RBLI-XR6U

03/29/2021
Date

Planning commission Meeting: 04/05/2021
City Council Meeting: 04/12/2021

ADJACENT PROPERTY OWNER(S):

MICHAEL H & DEANNA FEYEN
Name
OAK FORREST BLOCK 5 LOT 10 Acres:1.0464
Legal Address
AARON M & KODI KIELER
Name
OAK FORREST BLOCK 5 LOT 13,14 Acres:2.3005
Legal Address
Robert Ging
Name
A20019 ABST.19 TRACT 7B-1B,7B-2A-3 Acres:16.3200
Legal Address

979-282-1994
Phone
425 LIVE OAK ROAD, WHARTON, TX 7788
Physical Address
979-533-9015
Phone
559 LIVE OAK ROAD, WHARTON, TX 77488
Physical Address
979-216-6072
Phone
349 Valli Road, Wharton, TX 77488
Physical Address

APPROVAL:


Planning Department

4-1-2021
Date

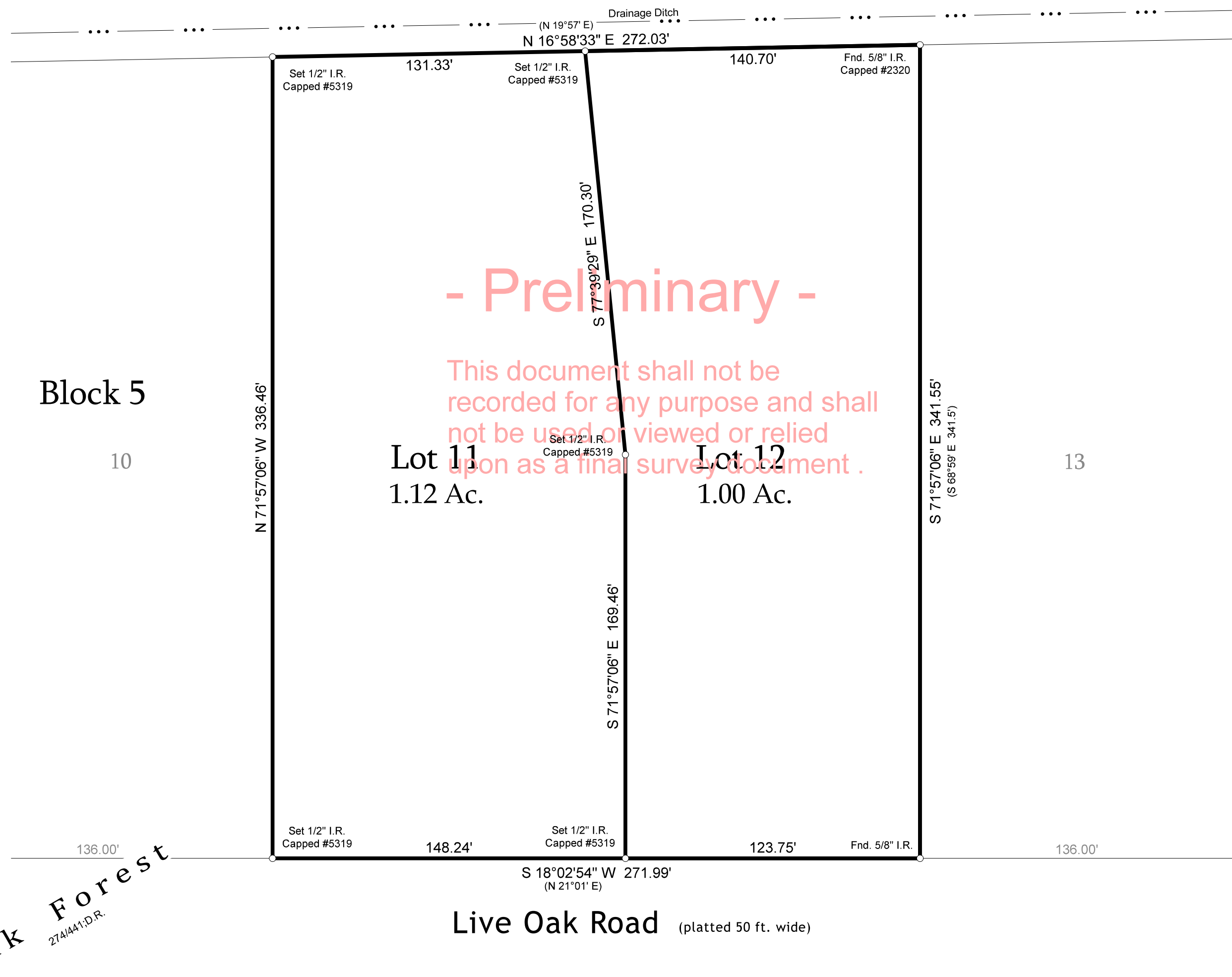
Chairman of the Planning Commission

Date

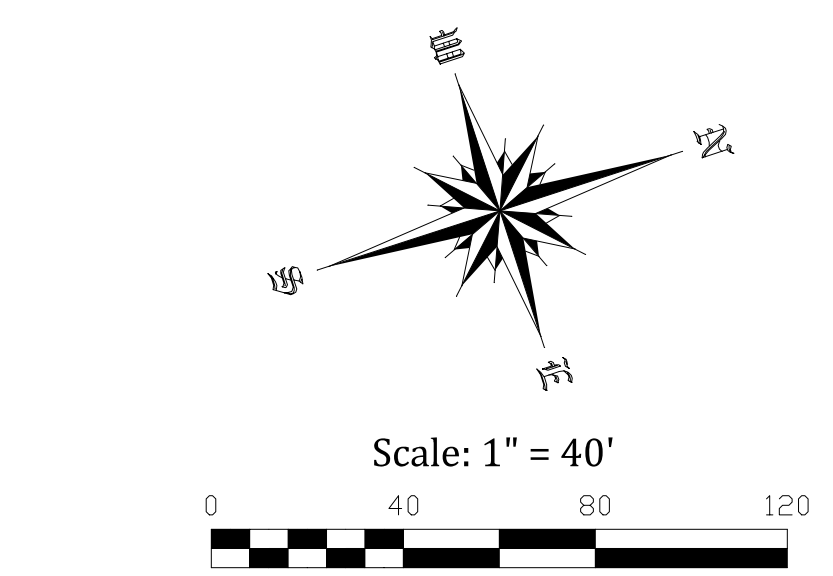
Mayor

Date

call 16.32 Ac.
TRACT 4
Geo. A. Maffett, Jr., etux Nella
647/204.O.R.



Oak Forest
274441 D.R.



NOTE:
Building Setback Lines by City Ordinance.

NOTE:
This tract is located wholly within the ETJ of the City of Wharton, Wharton County, Texas.

Flood Hazard Boundary Information:
As of this date (March, 2021), the "Replat of Lots 11 & 12, Oak Forest", is located, by scaled map location and graphic plotting only, in Flood Hazard Boundary Zone "X", Community No. 480652, Map No. 48481C0370F, dated December 21, 2017. Property IS NOT in the area subject to inundation by the 1% annual chance flood event, a.k.a. the 100 Year Flood Plain, as designated on FEMA's National Flood Insurance Program Flood Insurance Rate Map. The National Flood Insurance Program FIRM is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources, or all planimetric features outside Special Flood Hazard Areas. This flood statement does not imply that the property and/or structures located thereon will be free from flooding or flood damage. The flood hazard area is subject to change as detailed studies occur and/or watershed or channel conditions change. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

THE STATE OF TEXAS
COUNTY OF WHARTON
CITY OF WHARTON

Known all men by these presents:

That Haynie Family Trust, owner of the property shown in the above and foregoing map, does hereby make a Plat of said property according to the lines, streets, drives, lots, common areas, building lines and easements therein shown, and designate said property as the "Replat of Lots 11 & 12, Oak Forest" in the ETJ of the City of Wharton, Wharton County, Texas, and does hereby bind itself, its heirs and assigns to warrant and forever defend the title to the land so dedicated.

Witness my hand in Wharton, Wharton County, Texas, this _____ day of _____, 2021.

Garet Hall, Trustee

THE STATE OF TEXAS
COUNTY OF WHARTON

Before me, the undersigned authority, on this day personally appeared Garet Hall, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that he executed the same for the purposes and considerations therein expressed.

Witness my hand and seal of office
this _____ day of _____, 2021.

By _____
Notary Public in and for the State of Texas

THE STATE OF TEXAS
COUNTY OF WHARTON
CITY OF WHARTON

This plat is hereby approved by the Planning Commission of the City of Wharton, Wharton County, Texas. In testimony whereof witness the official signature:

Chairman, Planning Commission

Secretary, Planning Commission

Approved by the Planning Commission this _____ day of _____, 2021.

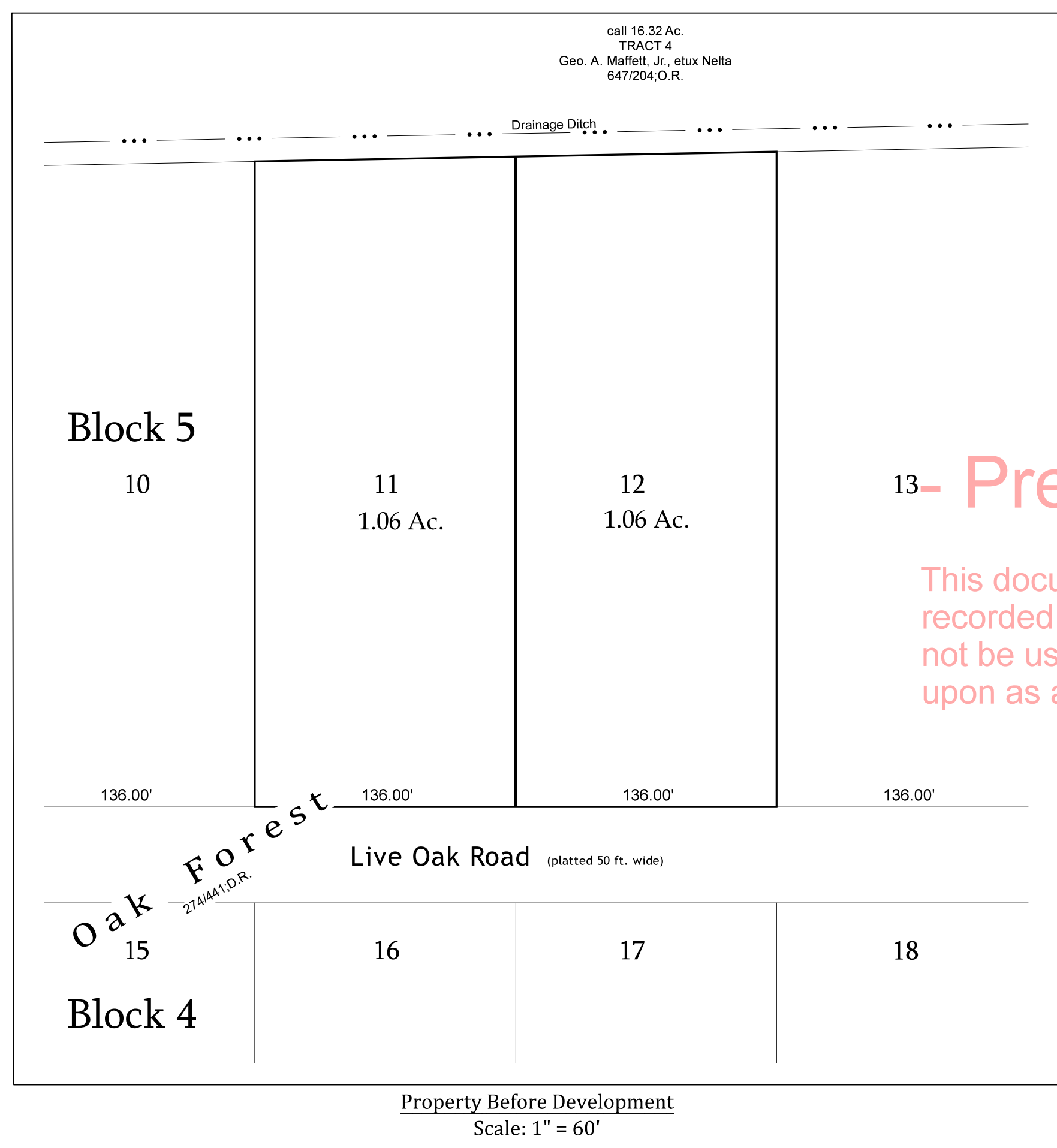
THE STATE OF TEXAS
COUNTY OF WHARTON
CITY OF WHARTON

This plat is hereby approved by the City Council of the City of Wharton, Wharton County, Texas. In testimony whereof witness the official signature:

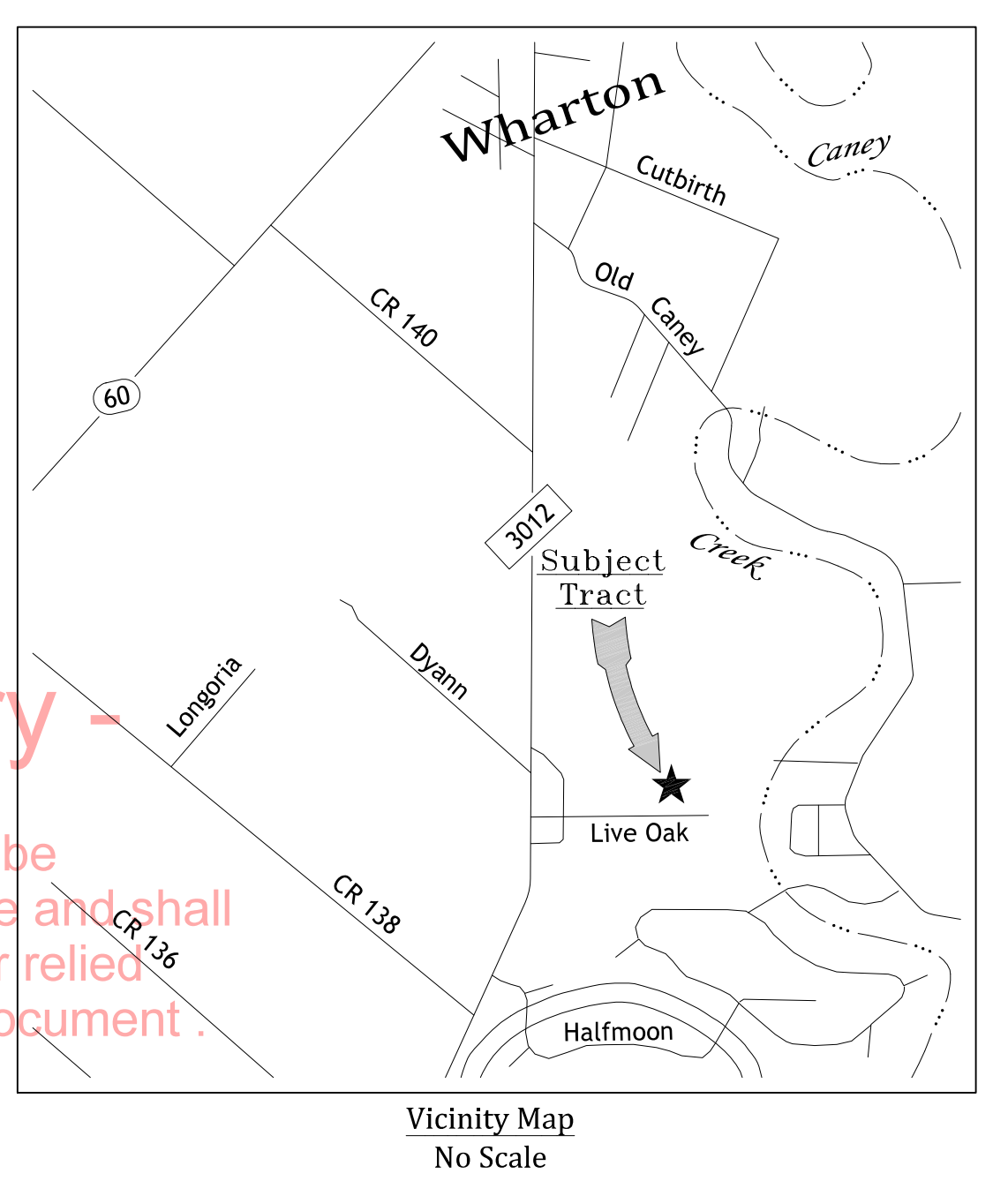
Mayor

City Secretary

Approved by the City Council this _____ day of _____, 2021.



- 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.



I, Robert W. Kolacny, am authorized under the laws of the State of Texas to practice the Profession of Land Surveying and hereby certify that the above plat is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron monuments.

Dated: March 24, 2021.

Robert W. Kolacny
Registered Professional Land Surveyor No. 5319
Ph. (979) 532-8056

- 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.

Preliminary Plat

of the

Replat of Lots 11 & 12, Oak Forest

a Subdivision in the James Cochrane League, Abstract No. 15, Wharton County, Texas

2 Lots 0 Reserves 1 Block 03/24/2021

Developers:
Haynie Family Trust
12526 Country Arbor Lane
Houston, TX 77041
281-216-2182

ROBERT W. KOLACNY AND ASSOCIATES, L.L.C.
140 S. HOUSTON STREET | WHARTON TEXAS 77488 | 979.532.8056
Registered Professional Land Surveyors

FILE: Replat of Lots 11 and 12, Oak Forest.dwg
PROJECT: Wharton/OakForest/Replat0321
GRID: G1 John.CRD
BY: PW/Arts
OFFICE (979) 532-8056 - kolacny.survey@gmail.com

459 Live Oak

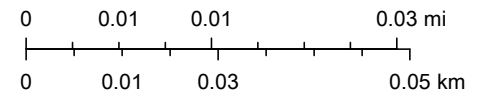


4/1/2021, 4:33:02 PM

World Transportation Lot Lines

Parcels

1:1,128



© OpenStreetMap (and) contributors, CC-BY-SA, Esri, HERE,

Wharton Central Appraisal District, BIS Consulting - www.bis

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.