



**CITY OF WHARTON  
PLANNING COMMISSION MEETING**

**Monday, August 16, 2021  
4:30 PM**

***120 E. CANEY ST.***

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

Notice is hereby given that a Planning Commission Meeting will be held on Monday, August 16, 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 12 day of August 2021.


By:     /s/Mike Wootton      
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 in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 12, 2021, at 4:30 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 12 day of August 2021.

**CITY OF WHARTON**

By:       
Paula Favors  
City Secretary



**A G E N D A**  
**CITY OF WHARTON**  
**Planning Commission Meeting**  
**Monday, August 16, 2021**  
**City Hall - 4:30 PM**

**Call to Order.**

**Roll Call.**

**Review & Consider:**

1. Reading of the minutes from the special called meeting held August 2, 2021.
2. Request by Mr. Daryl Maretka on behalf of Back 40 Carwash for a 32' front building line setback variance from the required 35' setback at 725 N. Alabama Rd, Rust 4, Block 14, Lots 1, 2 & 3 for installation of an ice and water vending machine in front of the business.

**Adjournment.**

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

## PLANNING COMMISSION

Meeting Date:	8/16/2021	Agenda Item:	Reading of the minutes from the special called meeting held August 2, 2021.
<p>At this time, the Commission may review and approve the minutes from the special called meeting held August 2, 2021.</p>			
Community Development Director: Gwyneth Teves		Date: Thursday, August 12, 2021	
Approval:			
Chairman: Mike Wootton			

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

**Tuesday, July 6, 2021  
4:30 P.M.**

Assistant to the Community Development Director Krystal Hasselmeier declared the regular called meeting of the Planning Commission duly open for the transaction of business at 04:32 p.m.

Commissioners present were: Mike Wootton, Adryalle Watson, Rob Kolacny, Marshall Francis and Russel Cenko.

Commissioners absent were: Burnell Neal and Michael Quinn.

Staff members present were: Assistant to the Community Development Director Krystal Hasselmeier.

Visitors present were: None.

**Call to Order.**

**Roll Call.**

**Review and Consider:**

The first item on the agenda was to review and consider the election of officers. Commissioner Russell Cenko moved to keep the same members in their appointed positions. Commissioners Mike Wootton as Chairperson, Marshall Francis as Vice-Chairperson and Rob Kolacny as Secretary. Commissioner Adryalle Watson seconded the motion. All voted in favor.

The second item on the agenda was to review and consider reading of the minutes from the special called meeting held July 6, 2021. Commissioner Marshall Francis moved to approve the minutes as presented. Commissioner Rob Kolacny seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request by Mr. Carl Hlavinka for Re-Plat of 1106 Oriole Ln., Mayfair Addition, Block 3, Lot 3 for subdivision. Commissioner Marshall Francis moved to recommend the replat to the City Council for final approval. Commissioner Adryalle Watson seconded the motion. All voted in favor.

**Adjournment.** The meeting adjourned at 4:39 p.m.

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Mike Wootton, Chairperson

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Rob Kolacny, Secretary

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

## PLANNING COMMISSION

Meeting Date:	8/16/2021	Agenda Item:	Request by Mr. Daryl Maretka on behalf of Back 40 Carwash for a 32' front building line setback variance from the required 35' setback at 725 N. Alabama Rd, Rust 4, Block 14, Lots 1, 2 & 3 for installation of an ice and water vending machine in front of the business.
<p>At this time, the Commission may review and consider a request by Mr. Daryl Maretka on behalf of Back 40 Carwash for a 32' front building line setback variance from the required 35' setback at 725 N. Alabama Rd, Rust 4, Block 14, Lots 1, 2 &amp; 3 for installation of an ice and water vending machine in front of the business.</p> <p>See attached application and supporting documentation.</p>			
Community Development Director: Gwyneth Teves		Date: Thursday, August 12, 2021	
Approval:			
Chairman: Mike Wootton			

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

Item-2.

**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.

Back 40 Carwash  
Name (Printed)  
725 N. Alabama Rd Wharton TX 77488  
Physical Address  
Rust 4, Blk 14, Lots 1,2,3  
Legal Address

8/9/21  
Date  
PO Box 204 Wharton TX 77488  
Mailing Address  
979-531-0051  
Phone

Describe the variance request and the reason for requesting variance:

Request a 32' variance from the required 35' setback for installation of water/lce vending machine

**ATTACH A SITE PLAN WITH DIMENSIONS TO PROPERTY LINES:**

**SIGNATURE OF APPLICANT:**

Daryl Mack  
Signature  
8/9/21  
Date  
Planning Commission Meeting: 8.16.21 4:30pm  
City Council Meeting: 8.23.21 7pm

Building line setbacks Only	
Residential	\$100.00
Non-Residential	\$150.00 ✓
<b>Non-Refundable fee</b>	
Effective November 3, 2006	

**ADJACENT PROPERTY OWNER (S):**

Bruce H. Hall  
Name  
Rust 4, Blk 14, Lot 3A, 4  
Legal Address

Phone  
727 N Alabama Rd  
Physical Address

Name

Phone

Legal Address

Physical Address

Name

Phone

Legal Address

Physical Address

**APPROVAL:**

[Signature]  
Engineering/Planning Department

8.9.21  
Date

Chairman of the Planning Commission

Date

Mayor  
F:\CodeEnforcement\MasterDocuments\APPVAR

Date

CITY OF WHARTON

979-532-2491

\*\*\*\*\* REPRINT RECEIPT\*\*\*\*\*

REC#: 00794662 8/09/2021 3:37 PM

OPER: LM TERM: 002

REF#: 7638

PAID BY:

TRAN: 10.3343 Variance Application

BACK 40 CARWASH

10 -3343

Variance Applicatio 150.00CR

TENDERED: 150.00 CHECK

APPLIED: 150.00-

CHANGE: 0.00

THANK YOU



# Back 40 Carwash

725 N. Alabama Rd

## Legend

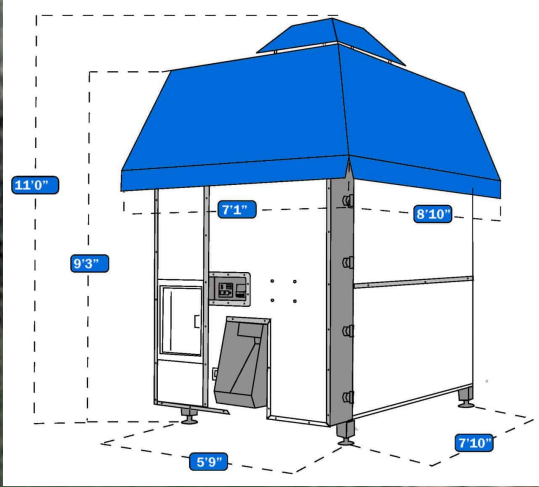
Item-2.

725 N Alabama Rd

Electrical, water, and sewer provided from car wash.

Ice / Water Vending Machine

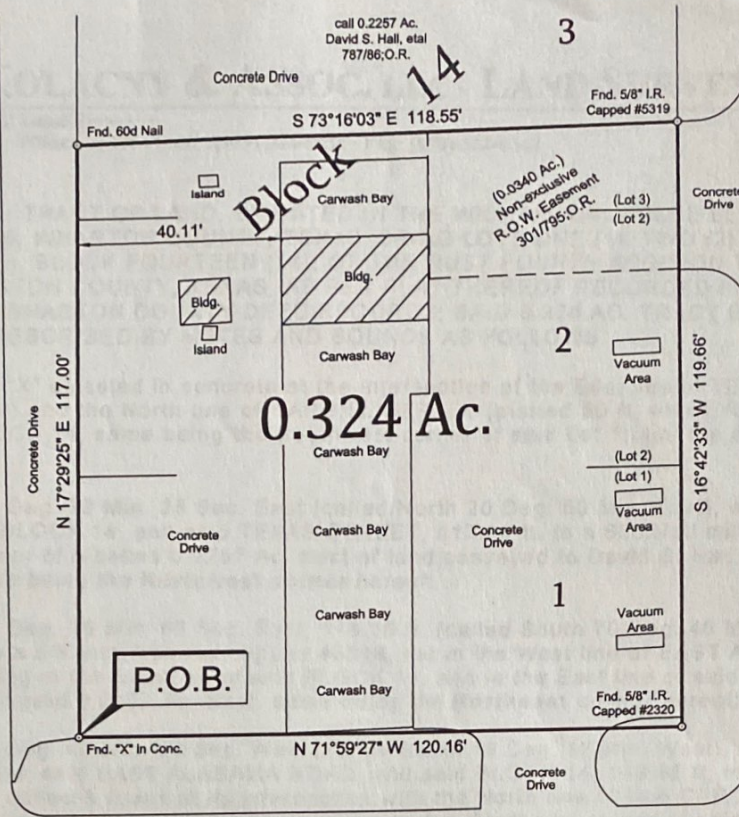
725 N Alabama Rd



Item-2.

Blk. 11

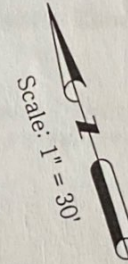
Texas Street (platted 50 ft. wide)



Cargill Street (platted 50 ft. wide)

Blk. 10

Blk. 15



### SURVEY PLAT

**BORROWER:** DARYL MARETKA

**PROPERTY LOCATION:** NORTH ALABAMA ROAD - WHARTON, TX 77488

A 0.324 AC. TRACT OF LAND, SITUATED IN THE WILLIAM KINCHELOE LEAGUE, ABSTRACT NO. 38, WHARTON COUNTY, TEXAS, BEING LOTS ONE (1), TWO (2) AND A PORTION OF LOT THREE (3), BLOCK FOURTEEN (14), OF THE RUST FOURTH ADDITION TO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AS PER PLAT THEREOF RECORDED IN VOLUME 142, PAGE 1, OF THE WHARTON COUNTY DEED RECORDS; SAID 0.324 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

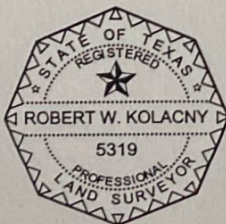
The undersigned does hereby certify that this survey was this day made, under my supervision, on the ground, of the property legally described hereon and is correct.

NOTE: Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

Flood Hazard Boundary Information:

Property is in Flood Hazard Boundary Zone "AE", Map No. 48481C0355 E, dated APRIL 5, 2006. Property is 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.

Dated: October 10, 2011



Robert W. Kolacny  
Registered Professional Land Surveyor No. 5319  
Ph. (979) 532-8056 Fax (979) 532-0342

**Robert Kolacny & Assoc. LLC**  
- Registered Professional Land Surveyors -  
140 S. Houston St. - Wharton, TX 77488  
OFFICE (979) 532-8056 - FAX (979) 532-0342

FILE: Spardes Carwash.dwg  
PROJECT: W\Wharton\City\Rust\Fourth  
CRD: Texas.CRD  
BY: PVA

# ROBERT KOLACNY & ASSOC. LLC - LAND SURVEYORS

Item-2.

Registered Professional Land Surveyor

140 S. Houston Street · Wharton, TX 77488 · (979) 532-8056 · Fax: (979) 532-0342

A 0.324 AC. TRACT OF LAND, SITUATED IN THE WILLIAM KINCHELOE LEAGUE, ABSTRACT NO. 38, WHARTON COUNTY, TEXAS, BEING LOTS ONE (1), TWO (2) AND A PORTION OF LOT THREE (3), BLOCK FOURTEEN (14), OF THE *RUST FOURTH ADDITION* TO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AS PER PLAT THEREOF RECORDED IN VOLUME 142, PAGE 1, OF THE WHARTON COUNTY DEED RECORDS; SAID 0.324 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at an "X" chiseled in concrete at the intersection of the East line of TEXAS STREET (platted 50 ft. wide) and the North line of CARGILL STREET (platted 50 ft. wide), for the Southwest corner of said BLOCK 14, same being the Southwest corner of said Lot 1, and the **Southwest corner** hereof;

**THENCE** North 17 Deg. 29 Min. 25 Sec. East (called North 20 Deg. 00 Min. East), with the common line between said BLOCK 14, and said TEXAS STREET, 117.00 ft. to a 60d Nail called & found for the Southwest corner of a called 0.2257 Ac. tract of land conveyed to David S. Hall, etux (Vol. 787, Pg. 86; O.R.), same being the **Northwest corner** hereof;

**THENCE** South 73 Deg. 16 Min. 03 Sec. East, 118.55 ft. (called South 70 Deg. 46 Min. 36 Sec. East, 118.49 ft.) to a 5/8 inch iron rod capped #5319, set in the West line of EAST ALABAMA ROAD (platted), same being in the East line of said BLOCK 14, and in the East line of said Lot 3, for the Southeast corner of said 0.2257 Ac. tract, same being the **Northeast corner** hereof;

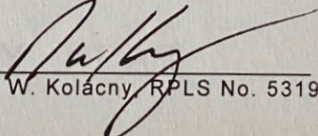
**THENCE** South 16 Deg. 42 Min. 33 Sec. West (called South 19 Deg. 12 Min. West), with the common line between said EAST ALABAMA ROAD, and said BLOCK 14, 119.66 ft. to a 5/8 inch iron rod capped #2320, called & found at its intersection with the North line of said CARGILL STREET for the Southeast corner of said BLOCK 14, same being the Southeast corner of said Lot 1, and the **Southeast corner** hereof;

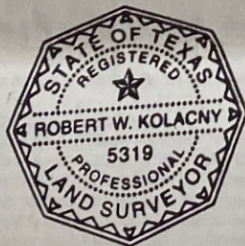
**THENCE** North 71 Deg. 59 Min. 27 Sec. West (called North 69 Deg. 30 Min. 00 Sec. West), with the North line of said CARGILL STREET, 120.16 ft. (call & meas.) to the **PLACE OF BEGINNING** and containing 0.324 Ac. of land.

NOTE: Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

NOTE: A Plat accompanies this Metes & Bounds description.

I, Robert W. Kolacny, Registered Professional Land Surveyor No. 5319, do hereby certify that the foregoing Field Note Description correctly describes results of a Survey made under my supervision on the ground, October 10, 2011.

  
Robert W. Kolacny, RPLS No. 5319




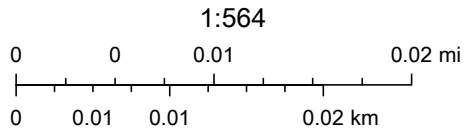
# Back 40 Carwash CAD



8/12/2021, 11:17:46 AM

 Parcels

 Abstracts



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

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.

Property ID: R056621 For Year 2021

Map



Source: Esri

Property Details

<b>Account</b>	
<b>Property ID:</b>	R056621
<b>Legal Description:</b>	RUST 4 BLOCK 14 LOT 1,2,3 Acres:0.3239
<b>Geographic ID:</b>	11160-014-001-10
<b>Agent:</b>	
<b>Type:</b>	R - REAL PROPERTY
<b>Location</b>	
<b>Address:</b>	725 N ALABAMA RD WHARTON
<b>Map ID:</b>	
<b>Owner</b>	
<b>Name:</b>	BACK 40 CARWASH LLC
<b>Mailing Address:</b>	PO BOX 204 WHARTON, TX 77488-0000
<b>% Ownership:</b>	100.0%
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.

<b>Improvement Homesite Value:</b>	\$0
<b>Improvement Non-Homesite Value:</b>	\$190,891
<b>Land Homesite Value:</b>	\$0
<b>Land Non-Homesite Value:</b>	\$36,968
<b>Agricultural Market Valuation:</b>	\$0
<b>Market Value:</b>	\$227,859
<b>Ag Use Value:</b>	\$0
<b>Appraised Value:</b>	\$227,859
<b>Homestead Cap Loss: ⓘ</b>	\$0
<b>Assessed Value:</b>	\$227,859

**VALUES DISPLAYED ARE 2021 CERTIFIED VALUES.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.