



**CITY OF WHARTON  
PLANNING COMMISSION MEETING**

**Monday, August 01, 2022  
4:30 PM**

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





**A G E N D A**  
**CITY OF WHARTON**  
**Planning Commission Meeting**  
**Monday, August 01, 2022**  
**City Hall - 4:30 PM**

**Call to Order.**

**Roll Call.**

**Review & Consider:**

1. Reading of the minutes from the regular called meeting held June 18, 2022.
2. Request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate subdivision plat recorded February 13, 1973, due to lack of development.

**Adjournment.**

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

## PLANNING COMMISSION

|  |          |                               |  |
|--|----------|-------------------------------|--|
| Meeting Date:  | 8/1/2022 | Agenda Item:                  | Reading of the minutes from the regular called meeting held June 18, 2022. |
| <p>At this time, the Commission may review and approve the minutes from the regular called meeting held June 18, 2022.</p> |          |                               |  |
| Director of Planning & Development: Gwyneth Teves  |          | Date: Thursday, July 28, 2022 |  |
| Approval:  |          |                               |  |
| Chairperson: Mike Wootton  |          |                               |  |

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

**Monday, July 18, 2022  
4:30 P.M.**

Mike Wootton, Chairperson declared the meeting of the Planning Commission duly open for the transaction of business at 04:37 p.m.

Commissioners present were: Mike Wootton, Michael Quinn, Marshall Francis, and Rob Kolacny.

Commissioners absent were: Burnell Neal and Adraylle Watson.

Staff members present were: Claudia Velasquez, Assistant to the Building Official.

Visitors present were: Michael Miller with MCP Neon & Sign

**Call to Order.**

**Roll Call.**

**Review and Consider:**

The first item on the agenda was to review and consider election of officers. Commissioner Rob Kolacny motioned for the following officers to remain as is. Michael Wootton for chairman. Marshall Francis for vice-chairman and Rob Kolacny for secretary. Michael Quinn, Commissioner seconded the motion. All voted in favor.

The second item on the agenda was to review and consider reading of the minutes from the regular called meeting held June 6, 2022. Rob Kolacny, Commissioner moved to approve the minutes as presented. Michael Quinn, Commissioner seconded the motion.

The third item on the agenda was to review and consider a request from Mr. Michael Miller on behalf of Enterprise Rent a Car, 1601 N. Richmond Rd., Blasingame, Lots 1, 1C, 2, 2B, 3, for a 3-foot variance from the required 10-foot setback resulting in a 7-foot setback for the installation of a sign in the location of the existing sign. Rob Kolacny, Commissioner moved to recommend a 3-foot variance to the City Council for final approval. Marshall Francis, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from Mr. Marshall Francis, 1804 Willowbend Dr., Chapel Heights, Block B, Lot 1, for a 12-foot variance from the required 25-foot front property line setback resulting in a 13-foot setback for the installation of a carport.

Regular Called Planning Commission Minutes  
Monday, July 18, 2022  
Page 2 of 2

Michael Quinn, Commissioner moved to recommend a 13-foot variance to the City Council for final approval. Rob Kolacny, Commissioner seconded the motion. All voted in favor.

**Adjournment.** The meeting adjourned at 4:41 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: | 8/1/2022 | Agenda Item: | Request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate subdivision plat recorder February 13, 1973, due to lack of development. |
|---------------|----------|--------------|--|

At this time, the Commission may review and consider a request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate subdivision plat recorder February 13, 1973, due to lack of development.

Attached is the request and filed plat.

Mr. Ken Schott will be in attendance on behalf of Mr. Harrison to answer any questions.

|   |                               |
|---|-------------------------------|
| Director of Planning & Development: Gwyneth Teves | Date: Thursday, July 28, 2022 |
| Approval:   |                               |
| Chairperson: Mike Wootton                         |                               |

July 25, 2022

City of Wharton Texas  
City Planning Commission  
City Council  
120 East Caney Street  
Wharton, Texas 77488

RE: Abandonment of Plat of Turtle Creek Village, Section II  
To Whom It May Concern:

Request is hereby made for the abandonment of Turtle Creek Village, Section II plat, also known as Turtle Creek Village Sec.2 Lot Lot Reserve 5,6,7, Lot 39-4,56 Thru 100. This property was platted for development in February of 1973 and recorded in the Plat Records of Wharton County, Texas in Volume 1, Page 32 of the Wharton County Plat Book Records, and re-filed in Slide 16-A of the Wharton County Plat Cabinet Records.

There has been no active steps made for the development of this property. At present it is crop land.

Sincerely,

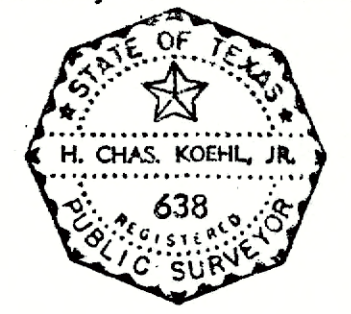
*A. Judd Harrison*



THE STATE OF TEXAS | COUNTY OF WHARTON | I, H. CHAS. KOEHL, JR., REGISTERED PUBLIC SURVEYOR, HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME ON THE GROUND OF "TURTLE CREEK VILLAGE - SECTION II", A SUBDIVISION IN THE MARTIN ALLEN LEAGUE, WHARTON COUNTY, TEXAS.

WITNESS MY HAND AND SEAL, THIS 8TH DAY OF NOVEMBER, 1972.

*H. Chas. Koehl, Jr.*  
H. CHAS. KOEHL, JR.  
REGISTERED PUBLIC SURVEYOR

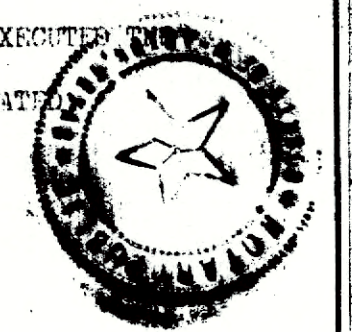


CANEY CREEK FARM, INC., ACTING THROUGH ITS PRESIDENT, RAYMOND C. HARRISON, DOES HEREBY ADOPT THIS AS THE OFFICIAL MAP OF TURTLE CREEK VILLAGE - SECTION II, AND DOES HEREBY DEDICATE "POSSUM TROT", A 60 FT WIDE STREET AND THE 10 FT WIDE STRIP FOR WIDENING OF "SUGAR MILL ROAD" ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC FOR STREET, DRAINAGE AND UTILITIES PURPOSES. EASEMENTS OF THE WIDTHS SHOWN ARE DEDICATED FOR USE OF UNDERGROUND UTILITIES ONLY, EXCEPT THAT THE 12 FT WIDE EASEMENTS ALONG THE NORTH LINE, AS INDICATED, AND ALONG THE ENTIRE WEST LINE OF THE SUBDIVISION IS NOT RESTRICTED TO UNDERGROUND EASEMENTS, AND ALONG THESE TWO LINES ONLY THERE IS ALSO DEDICATED A 5 FT WIDE UNCONSTRUCTED AERIAL EASEMENT FROM A PLANE TWENTY FEET ABOVE GROUND UPWARD, ADJACENT TO SAID TWO 12 FT WIDE EASEMENTS.

CANEY CREEK FARM, INC., IN RECORDING THIS PLAT OF TURTLE CREEK VILLAGE - SECTION II HAS DESIGNATED CERTAIN AREAS OF LAND AS "GREEN AREAS", INTENDED FOR USE BY THE RESIDENCE OWNERS IN TURTLE CREEK VILLAGE, FOR RECREATION AND OTHER RELATED ACTIVITIES. THE "GREEN AREAS" ARE NOT DEDICATED FOR USE BY THE GENERAL PUBLIC BUT ARE DEDICATED TO THE COMMON USE AND ENJOYMENT OF THE HOME OWNERS IN TURTLE CREEK VILLAGE AS MORE FULLY PROVIDED IN "SUPPLEMENTARY DECLARATION OF COVENANTS AND RESTRICTIONS" DATED NOVEMBER 1, 1972, AND RECORDED WITH THIS PLAT, AND IN "DECLARATION OF COVENANTS AND RESTRICTIONS" APPLICABLE TO TURTLE CREEK VILLAGE AND REFERENCED IN SAID SUPPLEMENTARY DECLARATION, AND WHICH SUPPLEMENTARY DECLARATION AND DECLARATION ARE HEREBY INCORPORATED AND MADE A PART OF THIS PLAT. SIGNED THIS 7TH DAY OF FEBRUARY, 1973.

CANEY CREEK FARM, INC. BY: *Raymond C. Harrison, Jr.* PRESIDENT

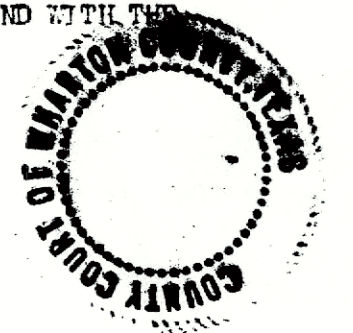
THE STATE OF TEXAS | COUNTY OF WHARTON | BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RAYMOND C. HARRISON, PRESIDENT OF CANEY CREEK FARM, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE 7th DAY OF FEBRUARY, 1973.  
*James B. Whitehead*  
NOTARY PUBLIC IN AND FOR WHARTON COUNTY, TEXAS.



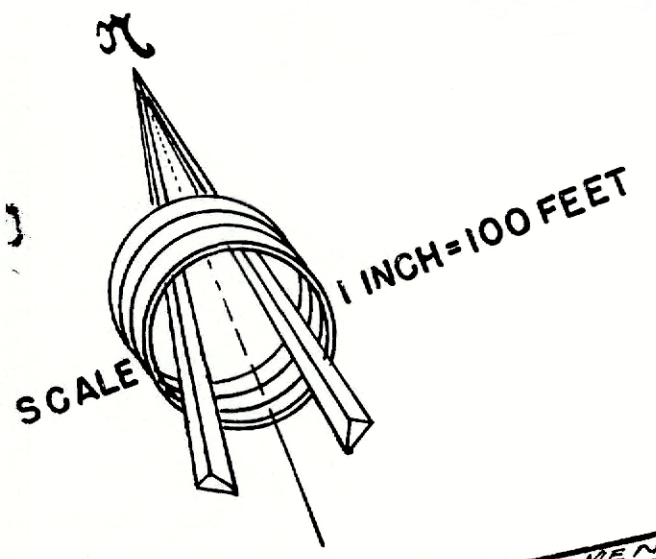
THE STATE OF TEXAS | COUNTY OF WHARTON | I, HEREBY CERTIFY THAT THE FOREGOING PLAT HAS BEEN APPROVED BY THE COMMISSIONERS' COURT OF WHARTON COUNTY, TEXAS, BY ORDER ENTERED IN THE MINUTES OF SAID COURT, DATED THE 12th DAY OF FEBRUARY, 1973, AND RECORDED IN VOLUME W ON PAGE 157 OF MINUTES OF THE COUNTY COURT OF WHARTON COUNTY, TEXAS. I FURTHER CERTIFY THAT THE SAID COURT DID, IN THE ORDER, ACCEPT THE DEDICATION OF THE STREET AND WIDENING STRIP, AND EASEMENTS FOR THE PURPOSES AND WITH THE LIMITATIONS SET OUT IN THE DEDICATION.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 13th DAY OF FEBRUARY, 1973.

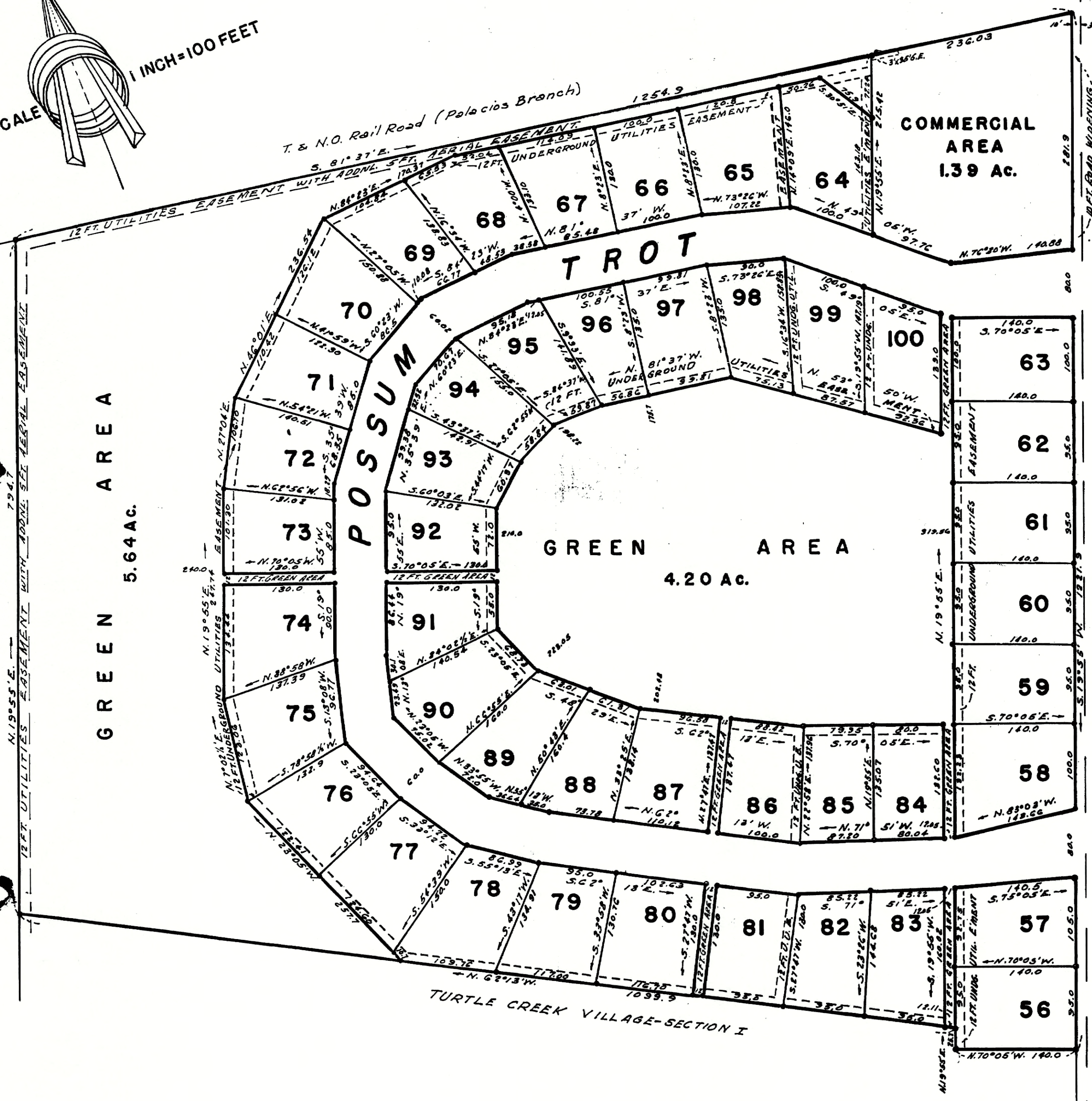
*Debra Mark*  
COUNTY CLERK IN AND FOR WHARTON COUNTY, TEXAS.



RESTRICTIONS IN VOLUME 432, PP. 131 DEED RECORD WHARTON CO.



*Kath H. Wagner 97.10 AM 79.4*



# TURTLE CREEK VILLAGE SECTION II

SITUATED IN WHARTON COUNTY, TEXAS, IN THE MARTIN ALLEN LEAGUE, ABSTRACT NO. 1, AND BEING 28.421 ACRES OFF OF THE NORTH END OF 66.10 ACRES LOT NO. 4 IN A SUBDIVISION OF A PORTION OF "THE HORTON TRACT", PLAT OF WHICH, DATED NOV. 8, 1950, IS RECORDED IN VOL. 223, ON PAGE 434 OF THE WHARTON COUNTY DEED RECORDS.

FILED

FEB 13 1973

*Debra Mark*  
County Clerk, Wharton Co., Tex.  
BY \_\_\_\_\_ Deputy

**STATE OF TEXAS  
COUNTY OF WHARTON**

**KNOW ALL MEN BY THESE PRESENTS**

I (or we), (name of owner or owners if individuals) or (name of President and Secretary or authorized trust officer of a company or corporation), being the sole owner (owners) and proprietor of the following described property in the wholly in the ETJ of the City of Wharton, Wharton County, Texas, to wit:

*Turtle Creek Village, Section II, a subdivision of Wharton County, Texas, situated in the Martin Allen League, Abstract No. 1, and being 28.421 Acres off of the North end of 66.10 Acres Lot No. 4 in a subdivision of a portion of "The Horton Tract", Plat of which, Dated Nov. 8, 1950, is recorded in Vol. 223, on Page 434 of the Wharton County Deed Records as according to the plat of record recorded on February 13, 1973, in Book 1, Page 32 of the Plat Records of Wharton County and re-filed in Plat Cabinet 1, Slide 16-A. of the Wharton County Plat Records.*

Do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and canceled so as to convert all of said platted property to an acreage tract as same existed before such property was platted, subdivided and recorded.

WITNESS MY (or our) hand in the City of Wharton, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature of owner or owners)

\_\_\_\_\_  
(Names to be printed)

**STATE OF TEXAS  
COUNTY OF WHARTON**

Before me, (insert the name and character of the officer), on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_ or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public's Signature

This is to certify that the City of Wharton, Texas has approved this instrument and vacation of the subdivision plat entitled Turtle Creek Village, Section II in conformance with the laws of the State of Texas and have authorized the recording of this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Chairman, PLANNING COMMISSION**

\_\_\_\_\_  
**Secretary, PLANNING COMMISSION**

APPROVED BY THE PLANNING COMMISSION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY SECRETARY**

APPROVED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.