



**CITY OF WHARTON  
PLANNING COMMISSION MEETING**

**Monday, May 03, 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, May 03, 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 30 day of April 2021.


By:     /s/ Mike Wootton      
Michael 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 April 30, 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 30 day of April 2021.

**CITY OF WHARTON**

By:       
Paula Favors  
City Secretary



**A G E N D A**  
**CITY OF WHARTON**  
**Planning Commission Meeting**  
**Monday, May 03, 2021**  
**City Hall - 4:30 PM**

**Call to Order.**

**Roll Call.**

**Review & Consider:**

1. Reading of the minutes from the meeting held April 19, 2021.
2. Request by Ms. Marchette Marks for:
  - a. 6' front building line setback variance from the required 25' setback for 601 Cedar Circle, Wharton, Block 57, Lot 8A.
  - b. Waiver of the \$100 Variance Application Fee.
3. Request by Mr. George Villarreal on behalf of Wharton Partners LLC for:
  - a. 10' side building line setback variance from the required 25' setback for the corner of Kelley & Rusk St., Wharton, Block 48, Lot 2 for new multifamily construction.
  - b. 3' rear building line setback from the required 5' setback for accessory buildings for placement of the trash containment.

**Adjournment.**

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

## PLANNING COMMISSION

Meeting Date:	5/3/2021	Agenda Item:	Reading of the minutes from the meeting held April 19, 2021.
<p>At this time, the Commission may review and approve the minutes from the meeting held April 19, 2021.</p>			
Community Development Director: Gwyneth Teves		Date: Friday, April 30, 2021	
Approval:			
Chairman: Mike Wootton			

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

**Monday, April 19, 2021  
4:30 P.M.**

Chairperson Mike Wootton declared the meeting of the Planning Commission duly open for the transaction of business at 04:30 p.m.

Commissioners present were: Mike Wootton, Adraylle Watson, Marshall Francis, Rob Kolacny, Burnell Neal, Russell Cenko and Michael Quinn.

Commissioners absent were: None.

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

Visitors present were: Matt Mullin, Tammy Atkinson, Bob Vaughn, WEDCo Executive Director Josh Owens.

**Call to Order.**

**Roll Call.**

**Review and Consider:**

The first item on the agenda was to review and consider a reading of the minutes from the meeting held April 5, 2021. Commissioner Marshall Francis moved to accept the minutes as presented. Commissioner Michael Quinn seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request by Mr. Matt Mullin on behalf of Alamo Lumber Company for variances to building line setbacks for 1106 N. Richmond Rd, TOXEY BLOCK 2 LOT 1,2,3,4,5, 9,10, 203 Armstrong, TOXEY BLOCK 2 LOT 7A,8 and Armstrong @ Davidson S., TOXEY BLOCK 3 LOT 1,2,3,9,10 for construction of Alamo Lumber Facilities:

- A. 16' variance from 20' required building line setback Toxey, Block 2, Lots 2, 3, 4, & 5 resulting in a 4' setback.
- B. 10' variance from 35' required building line setback on Richmond Rd., Toxey, Block 2, Lots 2, 3, 4, & 5 resulting in a 25' setback.

After a brief discussion, Commissioner Marshall Francis moved to recommend both a and b to the City Council for final approval. 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. Matt Mullin on behalf of Alamo Lumber Company for Re-Plat of 1106 N. Richmond Rd, TOXEY BLOCK 2 LOT 1,2,3,4,5, 9,10, 203 Armstrong, TOXEY BLOCK 2 LOT 7A,8 and Armstrong @ Davidson S., TOXEY BLOCK 3 LOT 1,2,3,9,10 for construction of Alamo Lumber Facilities. After a brief discussion, Commissioner Marshall

Planning Commission Minutes  
 Monday, April 19, 2021  
 Page 2 of 2

Francis moved to recommend the replat to the City Council for final approval. Commissioner Rob Kolacny seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request by Ms. Angela Hammond on behalf of Hacienda Services dba Censeo Homes for Re-Plat of Spanish Camp Rd, Harrison Odd, Block 5 Lot 5b & Spanish Camp Rd., Wharton A. Jackson, Block 52, Lot 2a for residential construction. After a brief discussion, Commissioner Rob Kolacny moved to recommend the replat to the City Council for final approval as long as the following changes were met:

- 1) Cannot find the "wholly in the City of Wharton" statement the County Clerk requires on the plat.
- 2) in the upper left corner of the plat, language:
  - a) "are intended for the construction of single family residential dwelling units thereon (OR THE PLACEMENT OF MOBILE HOMES)."
  - b) "this plat shall be restricted to prevent the DRAINAGE OF ANY SEPTIC TANKS..."  
The City of Wharton per ordinance does not allow the placement of mobile homes or septic systems.
- 3) FIRM quoted in the language in the bottom right corner is wrong. The correct panel is 355F Dated 12-21-17.
- 4) Second paragraph from the bottom of the field notes, refers to an "X" cut in conc, but the symbology matches a "BAKER & LAWSON" capped iron rod.
- 5) within the Surveyor's Certification, he states he sets PIPES, yet the Legend shows he set iron rods...
- 6) No "Lot" label on the newly created Lot... Only the acreage.

Commissioner Marshall Francis seconded the motion. All voted in favor.

**Adjournment.** The meeting adjourned at 4:45 p.m.

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Mike Wootton, Vice-Chairperson

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Rob Kolacny, Secretary

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

## PLANNING COMMISSION

Meeting Date:	5/3/2021	Agenda Item:	Request by Ms. Marchette Marks for: <ol style="list-style-type: none"> <li>a. 6' front building line setback variance from the required 25' setback for 601 Cedar Circle, Wharton, Block 57, Lot 8A.</li> <li>b. Waiver of the \$100 Variance Application Fee.</li> </ol>
<p>At this time, the Commission may review and consider a request by Ms. Marchette Marks for a 6' front building line setback variance from the required 25' setback for 601 Cedar Circle, Wharton, Block 57, Lot 8A.</p> <p>Ms. Marks has been relocated as part of the Wharton Levee Project and her modular home is being placed at 601 Cedar Circle. Ms. Marks porch is within the required 25' setback, however her steps protrude past the setback, which is the reason for the variance request.</p> <p>Ms. Marks is also requesting that since she is having to relocate for the City's project that the application fee be waived as well.</p> <p>See attached application and supporting documentation.</p>			
Community Development Director: Gwyneth Teves		Date: Friday, April 30, 2021	
Approval:			
Chairman: Mike Wootton			

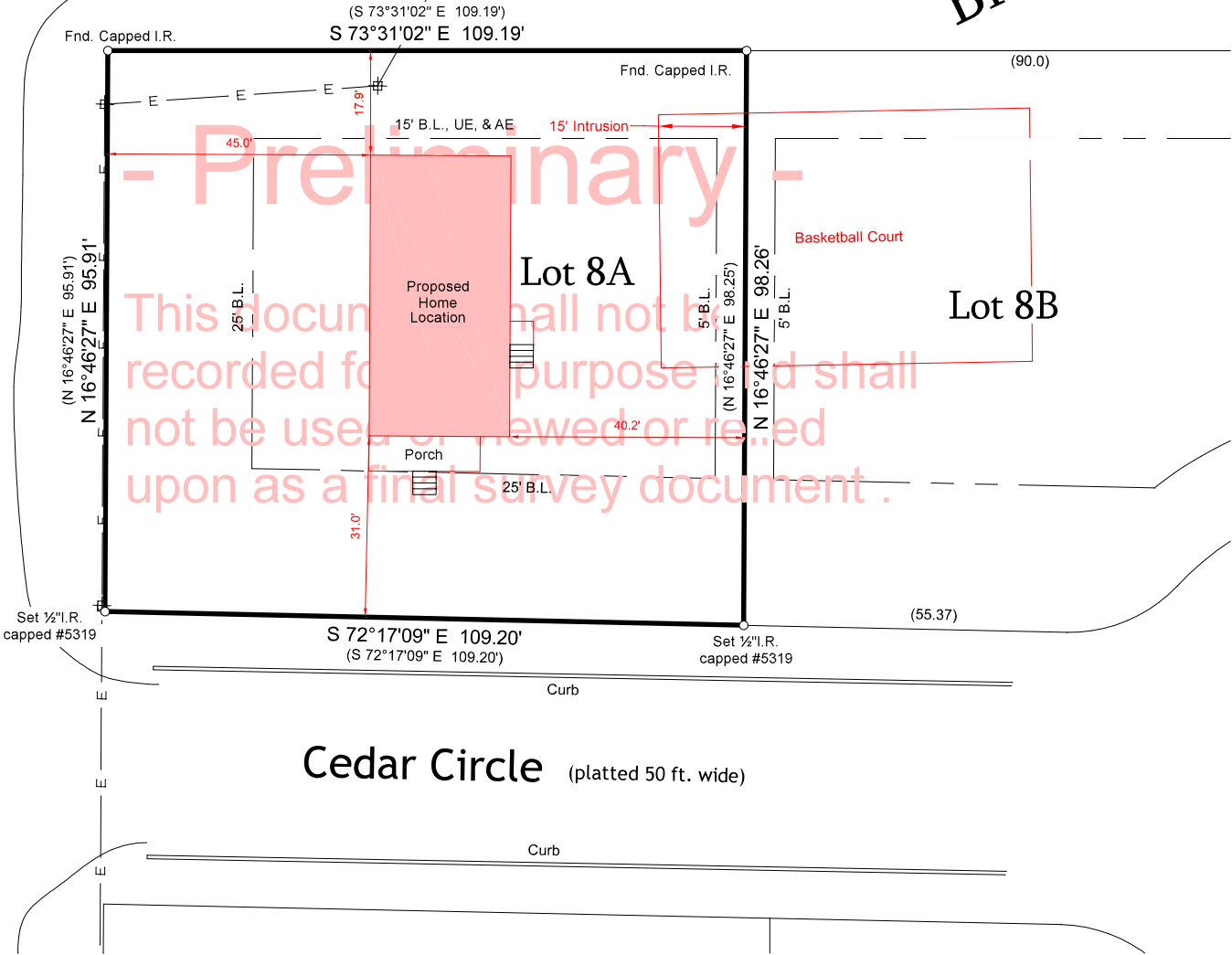




South East Avenue (meas. 50 ft. wide)

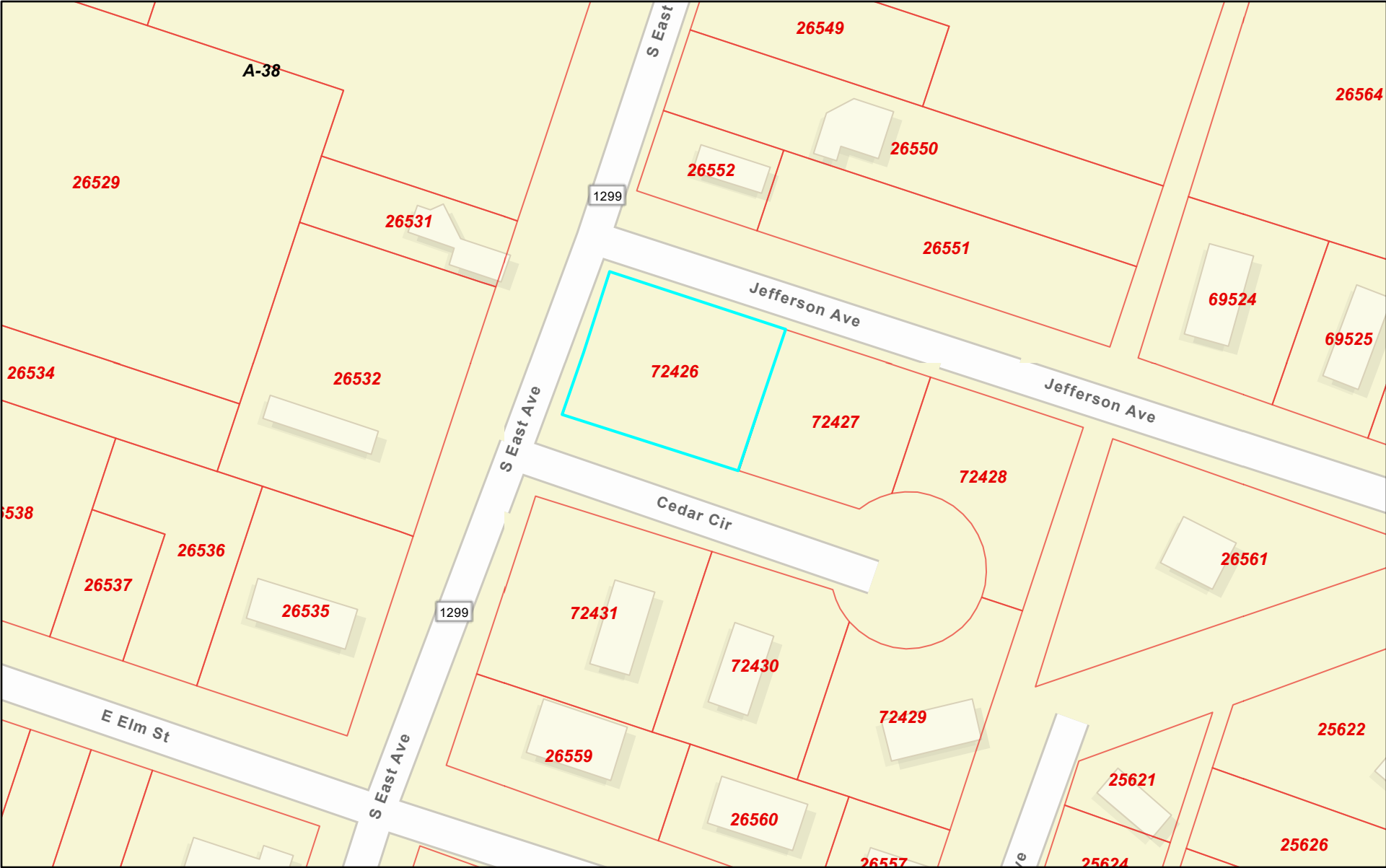
Jefferson Avenue (meas. 50 ft. wide)

Block 57





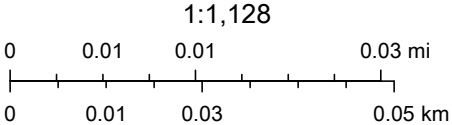
Cedar Circle (platted 50 ft. wide)

# 601 Cedar Circle



4/30/2021, 11:57:37 AM

-  Parcels
-  Abstracts



Esri Community Maps Contributors, Texas Parks

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.

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

## PLANNING COMMISSION

Meeting Date:	5/3/2021	Agenda Item:	Request by Mr. George Villarreal on behalf of Wharton Partners LLC for: <ol style="list-style-type: none"> <li>a. 10’ side building line setback variance from the required 25’ setback for the corner of Kelley &amp; Rusk St., Wharton, Block 48, Lot 2 for new multifamily construction.</li> <li>b. 3’ rear building line setback from the required 5’ setback for accessory buildings for placement of the trash containment.</li> </ol>
<p>At this time, the Commission may review and consider a by Mr. George Villarreal on behalf of Wharton Partners LLC for a 10’ side building line setback variance from the required 25’ setback for the corner of Kelley &amp; Rusk St., Wharton, Block 48, Lot 2 for new multifamily construction and a 3’ rear building line setback from the required 5’ setback for accessory buildings for placement of the trash containment.</p> <p>See attached application and supporting documentation.</p>			
Community Development Director: Gwyneth Teves		Date: Friday, April 30, 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.

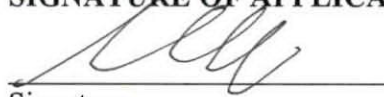
Wharton Partners LLC (George Villarreal)	04/27/2021
_____ Name (Printed)	_____ Date
34 Sullivans Landing, Missouri City, TX 77459	112 Kelley St
_____ Physical Address	_____ Mailing Address
Wharton, Block 48, Lot 2	281-660-4875
_____ Legal Address	_____ Phone

Describe the variance request and the reason for requesting variance:

Requesting 10 feet from the required 25 feet side property line and 3 feet from the required 5 feet  
Rear property line.

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

**SIGNATURE OF APPLICANT:**

  
\_\_\_\_\_  
Signature

04/27/2021  
\_\_\_\_\_  
Date

Planning Commission Meeting: 05/03 @ 4:30  
City Council Meeting: 5/10 @ 7pm

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

**ADJACENT PROPERTY OWNER (S):**

Kieth & Amanda Ermis	
_____ Name	_____ Phone
Wharton, Block 48, Lot 6/6A	1120 N Fulton
_____ Legal Address	_____ Physical Address
Chris Acuna	
_____ Name	_____ Phone
Wharton, Block 48, Lot 3	1107 N Rusk
_____ Legal Address	_____ Physical Address
_____ Name	_____ Phone
_____ Legal Address	_____ Physical Address

**APPROVAL:**

  
\_\_\_\_\_  
Engineering/Planning Department

4.25.2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of the Planning Commission

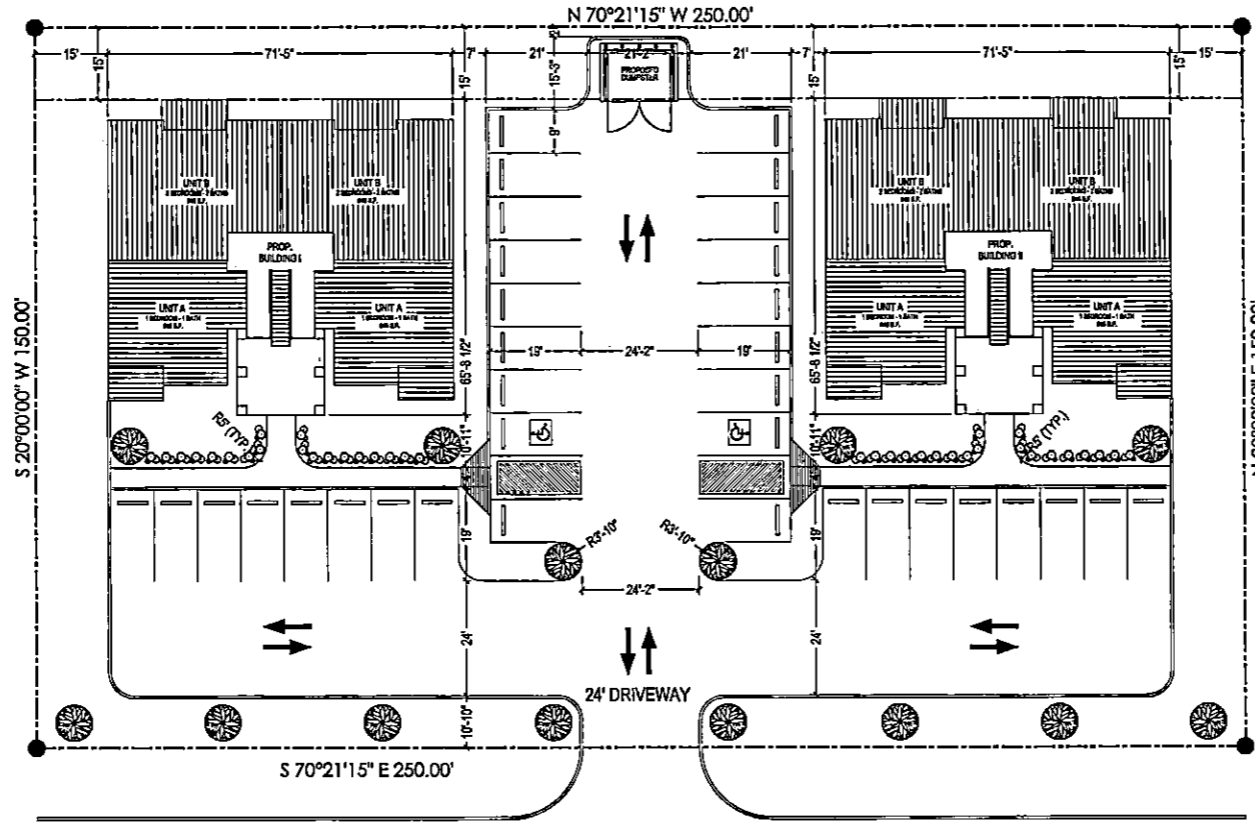
\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

SITE PLAN

SCALE 1" = 30' - 0"



KELLY STREET  
(50' WIDE)



CODE INFORMATION

Code / Project Information - Based on Applicable Codes Listed

Category	Code/Project Information	Comments
Basic Project Information	Site Land Area	16.00
	Energy Code Zone	2a
	Occupancy	R-2
Height	Building Height	2 Story 33.2 ft
	Allowable Height	2 Story 33 ft
Special	Corrosion Protection	125 ft
	Edits & Eaters	Refer to 'Code data Analyst', Egress Table

SCHEDULE OF PARKING REGULATIONS:

USE	UNIT	MINIMUM # SPACES/UNIT	PROPOSED UNITS	QTY.	TOTAL	REQUIRED PARKING
MULTIFAMILY DWELLING	1 BEDROOM	1.5 SPACES: 1	UNIT A - 1 BEDROOM	4	4 X 2 = 8	1.5 X 8 = 12
	2 BEDROOM	2.0 SPACES: 1	UNIT B - 2 BEDROOM	4	4 X 2 = 8	2.0 X 8 = 16
TOTAL UNITS / 2 BUILDINGS					16	
TOTAL REQUIRED PARKING / 2 BUILDINGS						28
10% OF TOTAL SPACES DESIGNATED FOR GUEST PARKING						10% X 28 = 2.8 (3)
MINIMUM PARKING SPACES REQUIRED PER 2 BUILDINGS						28 + 3 = 31
TOTAL PARKING SPACES PROVIDED						34

SCHEDULE OF UNITS PER BUILDING

USE	BUILDING	PROPOSED UNITS	QTY.	TOTAL
MULTIFAMILY DWELLING	BUILDINGS I - II	UNIT A - 1 BEDROOM	4	4 X 2 = 8
		UNIT B - 2 BEDROOM	4	4 X 2 = 8
TOTAL UNITS / 2 BUILDINGS				16

PRODUCTION
BUILDER
CUSTOM
LUXURY
TOWNHOME

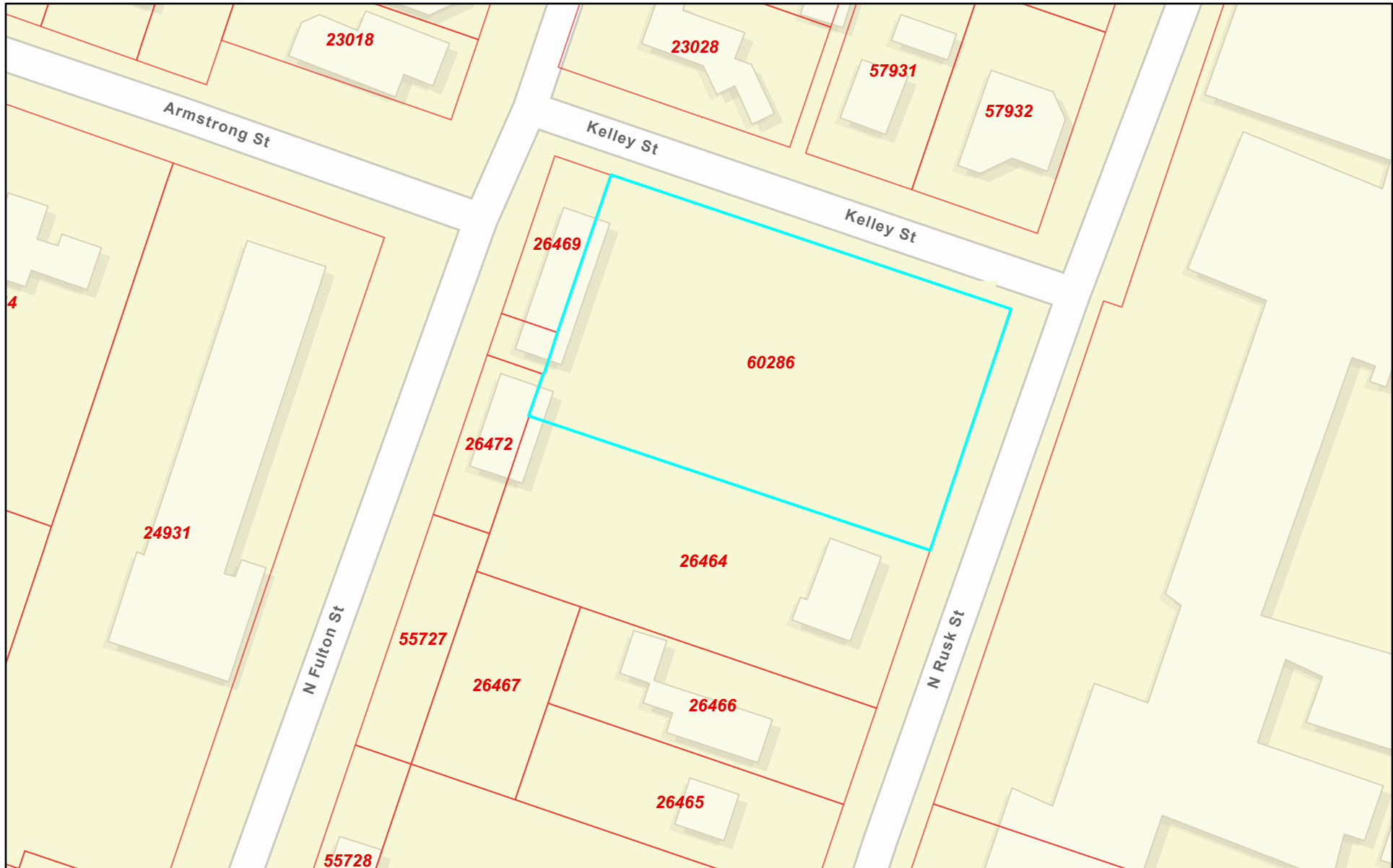
DATE	03.01.21
LC	GV
SCALE	R127-21
SCALE	SCALE 1" = 30' - 0"

MASTER SITE PLAN



**SP1**

ALL IDEAL PLANS AND SPECIFICATIONS ARE THE PROPERTY OF HOMES BY VILLA. PURCHASER'S RIGHT IS CONDITIONAL AND LIMITED TO ONE TIME USE TO CONSTRUCT A SINGLE PROJECT ON THE LOT ENTERED HEREIN AND USE IS LIMITED SPECIFICALLY TO SUCH PROJECT. THE USE OR REPRODUCTION OF THESE PLANS OR SPECIFICATIONS IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF HOMES BY VILLA, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT OR ENGINEER, IS STRICTLY PROHIBITED. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR ANY DEFECTS OR OMISSIONS IN THE EVENT OF ANY DISCREPANCY BETWEEN THESE PLANS AND THE ACTUAL CONSTRUCTION. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT OR FOR ANY DEFECTS OR OMISSIONS IN THE EVENT OF ANY DISCREPANCY BETWEEN THESE PLANS AND THE ACTUAL CONSTRUCTION.

# Kelley & Rusk



4/30/2021, 11:59:48 AM

-  Parcels
-  Abstracts

