

Minutes
Planning and Zoning Meeting
February 12, 2018

On this 12th day of February, 2018, at 7:00 p.m., the Planning and Zoning Commission convened in a Regular Meeting, and the same being opened to the public at their regular meeting place; thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, Annotated, and the following members thereof, being present, namely:

Doug Wilkins, Chairman
Rick Maxwell
Mike Herring
Darrell Murdock
Jim Lawler

Absent being Commissioner Onis Wiemers and Commissioner Ed Dougherty, constituting a quorum.

Personnel present: William L. Herring, Mayor, Cory Thompson, Councilman District 5 and Eddie Diaz, Code Compliance Officer.

Commissioner Wilkins called the meeting to order.

The first order of business was to discuss and consider approval of Minutes for the meeting of January 8th, 2018.

Planning & Zoning Commissioners reviewed the minutes.

Motion by Commissioner Herring, seconded by Commissioner Lawler to approve the minutes for the meeting of January 8th, 2018.

Ayes	--	Five
Nays	--	None
Absent	--	Two- Commissioner Wiemers Commissioner Dougherty

Motion carried.

The second order of business was to discuss and consider a request made by G&E Custom Homes for a variance from the 40 foot front setback requirement to allow for a 30 foot front setback for 357 W Malone, which bears the following legal description: Wedgewood Unit 2, Block 3, Lot 9, (NCB 187).

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Commissioners heard from Councilman District 5, Cory Thompson, representing G&E Custom Homes, who stated that all he wants to do is to be aligned with the other houses on that street. Councilman Thompson stated that leaving the horse stable (to be used as an accessory building) at its current location, will not allow enough room to build a new home. Commissioner Wilkins inquired what the distance would be between the stable and the home if the variance is approved. Councilman Thompson explained that with the variance, the distance would be 15 feet as opposed to 5 feet. The other issue is a large grouping of eight 1-foot width oak trees that make it impossible to design an “L” shape home with garage and there will be at least a distance of 10 feet away from the trees. If a 30 foot variance is approved, there will be enough room fit an “L” shape design house & detached garage. Councilman Thompson notified the Commissioners that Public Works Director, Ismael Carrillo and Code Compliance Officer, Eddie Diaz measured the existing homes. The homes were not at a 40 foot front setback, especially 331 W Malone with a 26 foot front setback and 325 W Malone with an 18 foot front setback; there is not a consistency on the front setbacks.

Commissioners held brief discussion.

Motion by Commissioner Maxwell, seconded by Commissioner Herring to recommend granting request made by G&E Custom Homes for a 30 feet front setback requirement of 40 feet from the property line to the front of the building for 357 W Malone Avenue, which bears the following legal description Wedgewood Unit 2, Block 3, Lot 9, (NCB 187).

Ayes	--	Five
Nays	--	None
Absent	--	Two- Commissioner Wiemers Commissioner Dougherty

Motion carried.

The third order of business was Information Items.

Code Compliance Officer Eddie Diaz informed the Commissioners that on 405 E Hondo Avenue, a tenant will be opening a drive-thru only coffee house; Certificate of Occupancy is still pending. Code Compliance, Eddie Diaz informed the Commissioners that on 301 S Teel Drive, tenant will opening a pizza restaurant; Certificate of Occupancy has passed and is ready to open soon. On 302 Bluebonnet Ave, contractor was issued a stop workorder last month until permits were paid. They have already paid for all the permits and can resume building. On 416 S Teel, unsightly properties letter was mailed to owner to clean up. If they do not comply, they will be served with an injunction by the City of Devine, to clean up.

There being no further business to come before the Planning and Zoning Commission, Commissioner Wilkins called for a motion to adjourn the meeting.

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Motion made by Commissioner Herring, seconded by Commissioner Lawler to adjourn the meeting.

Ayes	--	Five
Nays	--	None
Absent	--	Two- Commissioner Wiemers Commissioner Dougherty

Motion carried.

Chairman

Secretary