

Minutes
Planning and Zoning Meeting
February 7, 2022

On this 7th day of February, 2022, at 7:00 p.m., the Planning & Zoning Commission convened in a Regular Meeting, and the same being opened to the public at their regular meeting place; thereof, at the Dr. George S. Woods Community Center, 200 E. Hondo Avenue, 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
Onis Wiemers
Mike Herring
Jim Lawler
Chuck Guzman
Keil Boehme

Absent being Commissioner Brianne Obaya Alston; thus, constituting a quorum.

Personnel present: Tom Cate, City Attorney and Eduardo Diaz, Code Compliance Officer.

Others present: Zach Beadle and Debbie Beadle; George Hamilton.

Commissioner Wilkins called the meeting to order.

The first order of business was to discuss and consider Approval of Minutes for the meeting of September 2, 2021.

Planning and Zoning Commissioners reviewed the minutes.

Motion by Commissioner Herring, seconded by Commissioner Guzman to approve the minutes for the meeting of September 2, 2021.

Ayes	--	Six – Commissioners Herring, Guzman, Wilkins, Wiemers, Boehme and Lawler
Nays	--	None
Absent	--	One – Commissioner Alston

Motion carried.

The second order of business was to discuss and consider a variance request from George & Gayle Hamilton for Approval of Metes and Bounds Survey for the conveyance of The Little Red Rooster property versus replatting and vacation plats.

Commissioner Boehme inquired as to what is George & Gayle Hamilton requesting? City Attorney Tom Cate explained to the Commissioners to review the outline of the property map being sold. The house is on Lot 5, they are going to cut off the tip that is closest to the school, the back rectangle and

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then where the school building actually is and the walkway that goes to the school is what they are conveying.

The ordinance calls for a vacated and replat when you are subdividing a lot under normal circumstances and is what they would have to do, vacate and replat Lot 5. Commissioner Wiemers inquired if another survey is required? City Attorney Tom Cate said yes. Commissioner Wiemers inquired if we approved this, is this going to create a problem in the future and would the property have to be surveyed again. City Attorney Tom Cate stated the only problem would be for the Hamilton's but that's it, they might have to replat the remainder of Lot 5.

On the sidewalk to the school, that is out of the Subdivision and that was done by Metes and Bounds. If you look on the Griffin addition, those lots were subdivided but were not vacated. On the part south half Lot 7 going to Lot 6, north half of Lot 7 going to Lot 8, that was not vacated and replatted and the problem already exists. Commissioner Wiemers inquired if this would create a worse problem from the City's stand point? City Attorney Tom Cate stated that he doesn't think that it will.

Discussion was held among the Commissioners and City Attorney reviewing the survey as to what is being conveyed and which lot should have been platted to create new lot numbers.

Motion by Commissioner Wiemers, seconded by Commissioner Herring to approve a variance request from George & Gayle Hamilton for Approval of Metes and Bounds Survey for the conveyance of The Little Red Rooster property versus replatting and vacation plats. This will go to City Council next Regular Meeting.

Ayes	--	Six – Commissioners Herring, Guzman, Wilkins, Wiemers, Boehme and Lawler
Nays	--	None
Absent	--	One – Commissioner Alston

Motion carried.

The third order of business was to discuss and consider request made by Zachary Beadle, 411 West Benton, Devine, Texas, 78016, for a variance to be allowed to park his trucks on the city street right-of-way.

Mr. Zach Beadle addressed Council and informed them that he operates his business from his home, and he had gotten a variance to park his truck on the city's right-of-way. He said nothing has changed and would have loved to have a big piece of property but cost of land prevents for purchasing some. He said he's had no issues or complaints from his neighbors.

Code Compliance Officer Eduardo Diaz said that there has not been any complaint.

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City Attorney Tom Cate informed the Commissioners that they can follow the ordinance and grant a variance for one-year only. He explained that they can't do it for longer than that under the current ordinance, but advised that Council did not want to do that.

The Commissioners held discussion.

Motion by Commissioner Wiemers, seconded by Commissioner Herring to grant a one-year variance to Zachary Beadle. This will be on next City Council Regular Meeting.

Ayes	--	Six – Commissioners Herring, Guzman, Wilkins, Wiemers, Boehme and Lawler
Nays	--	None
Absent	--	One – Commissioner Alston

Motion carried.

The fourth order of business was Informational Items. Code Compliance Office Eduardo Diaz mentioned no new items.

There was some discussion after the meeting.

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

Motion made by Commissioner Herring, seconded by Commissioner Wiemers to adjourn meeting.

Ayes	--	Six – Commissioners Herring, Lawler, Wilkins, Wiemers, Boehme and Guzman
Nays	--	None
Absent	--	One – Commissioner Alston

Motion carried.

Chairman

Secretary