

# HEWITT TEXAS


## NOTICE OF MEETING OF THE BOARD OF ADJUSTMENT OF THE CITY OF HEWITT, TEXAS

Notice is given that a public meeting will be held before the Board of Adjustment of the City of Hewitt, on Thursday, September 15, 2016, at 6:00PM in the City Council Chambers at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas at which time the following subjects will be discussed:

1. Call Board of Adjustment Meeting to order;
2. Consider approval of minutes for the July 21, 2016 Board of Adjustment regular meeting;
3. Consideration of and action on a request for variance, by Warren Johnson, for Lot 18 Block 1 Ellis Farm South Part 2, also known as 120 Emmalyn Drive Hewitt Texas. The request is to the minimum side yard setback and encroachment in an easement. The structure is finished and occupied.
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Adjustment of the above names City of Hewitt, Texas was posted on a Public Notice Board located in front of City Hall before 5:00PM on September 9, 2016.

City of Hewitt

  
Eva Marie Greenup, Zoning Secretary

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, large print Braille, are requested to contact the Zoning Secretary at 254.666.6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

# HEWITT TEXAS

## **BOARD OF ADJUSTMENTS**

Jim Winton – Chairperson

Douglas Bergen

L. Bruce Dollens

Charles Howard

Bradley T. Turner

R. Don Vardeman

## **CITY STAFF**

Adam Miles, City Manager

Miles Whitney, City Engineer

Tracy Lankford, Building Official

Eva Marie Greenup, Zoning Secretary

# HEWITT TEXAS

## MINUTES OF THE OF THE BOARD OF ADJUSTMENT COMMISSION JULY 21, 2016 6:00PM

**Members present:** Jim Winton, Bradley Turner, Doug Bergen, Charles Howard

**Members absent:** R. Don Vardeman

**Staff present:** Adam Miles, City Manager, Miles Whitney, City Engineer, Tracy Lankford, Community Development Director, Eva Marie Greenup, Zoning Secretary

**Item #1:** **Call Board of Adjustment Meeting to order.** *Meeting was called to order at 6:00PM by Jim Winton.*

**Item #2:** **Consider approval of minutes for February 8, 2016 for the Board of Adjustment regular meeting.** *A motion was made by Doug Bergen to accept minutes as written and seconded by Bradley Turner. All four in favor, motion passed. Minutes dated February 8, 2016 stand approved.*

**Item #3:** **Consider a request for a variance, by Jesse Blackwell, Blackhill Restoration, to the City of Hewitt Ordinance, Section 2.104. R-4 multiple-family residential high density (district). To be discussed is the current ordinance which states garages, either attached or detached, are required for 50 percent of the living units. All garages and covered parking shall be of similar and conforming architectural design and materials as the main multi-family structures. What is being requested is a variance to this requirement.** *Those in favor were Russ Davis, 367 Broughton, Woodway*

*TX, David Hill, Salado TX, Tony Tomchesson, 981 FM Road 56, Valley Mills,*  
**Board of Adjustment Minutes**  
**July 21, 2016**  
**Page Two**

*TX, James Vidrine, 504 Rowan Oak Drive, Hewitt TX. Those against were: None. A motion was made by Charles Howard and seconded by Doug Bergen to approve with the understanding that the ordinance will be rewritten to include the Hardie board as a masonry product and the location of the property. All four in favor, no opposition. Motion passed.*

**Item #4. Consider a request for a variance, by Jesse Blackwell, Blackhill Restoration, to the City of Hewitt Ordinance 1.304(B) Other construction Requirements. To be discussed is the current ordinance which requires a minimum of 80 percent of each exterior wall of the structures, excluding doors and windows, with a masonry veneer. What is being requested is a variance to the 80 percent brick requirement in the R-4 zoning district.**

*Those in favor were Russ David, 367 Broughton, Woodway TX, David Hill, Salado TX, Tony Tomchesson, 981 FM Road 56, Valley Mills, TX, James Vidrine, 504 Rowan Oak Drive, Hewitt TX. Those against were: None. A motion was made by Charles Howard to approve and seconded by Bradley Turner. All four in favor, no opposition. Motion passed.*

**Item #5. Adjourn.** *A motion was made to adjourn the meeting by Charles Howard and seconded by Bradley Turner. Meeting adjourned at 7:03PM.*

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Chairman

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Date Approved

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Eva Marie Greenup, Zoning Secretary

**APPLICATION REVIEW**

BOA-2016-3

**CASE #:** BOA-2016-3

**NOTICES:** 22 mailed; returned,

**HEARING DATE:** September 15, 2016

**PROPERTY ADDRESS:** Lot 18 Block 1

**LEGAL DESCRIPTION:** Ellis Farm South, Part Two

**APPLICANT:** Warren Johnson, WMMS Associates LTD

**MAILING ADDRESS:** 360 Hillside Dr, Robinson, Texas 76706

**VARIANCE REQUEST:**

Applicant has requested a variance from the required side yard setback.

**COMMUNITY DEVELOPMENT REVIEW**

**NEIGHBORHOOD CHARACTER:**

The neighborhood is characterized as an area of residential. The majority of the surrounding properties are residential based. This property borders Emmalyn Drive to the North and residential properties to the South, East and West.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the Variance as requested based on the following findings:

- 1) The request is not detrimental to the nature of the ordinance.
- 2) The property is located on a local street.
- 3) The proposed change will not impact adjacent residential areas in a negative manner, and the proposed change will be compatible with, and/or enhance adjacent residential areas;
- 4) The proposed change will do an equally good job of achieving the Comprehensive Plan's other policies related to livability and growth.
- 5) No other utilities are located along this property line and the drainage structure is already is

place.

**ENGINEERING DEPARTMENT REVIEW**

**None**

**INSPECTION DEPARTMENT REVIEW**

Comments

The side yard setback was missed by the builder and staff during the construction process.

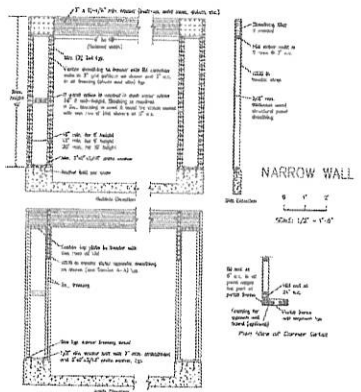
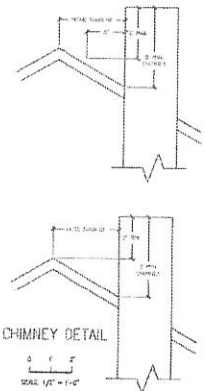
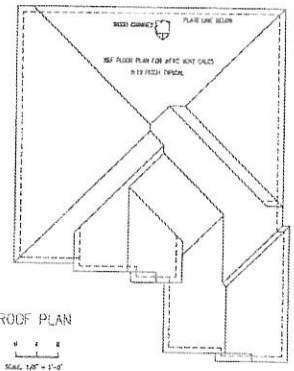
**SUPPORTING DOCUMENTS**

**PROPERTY OWNERS LIST**

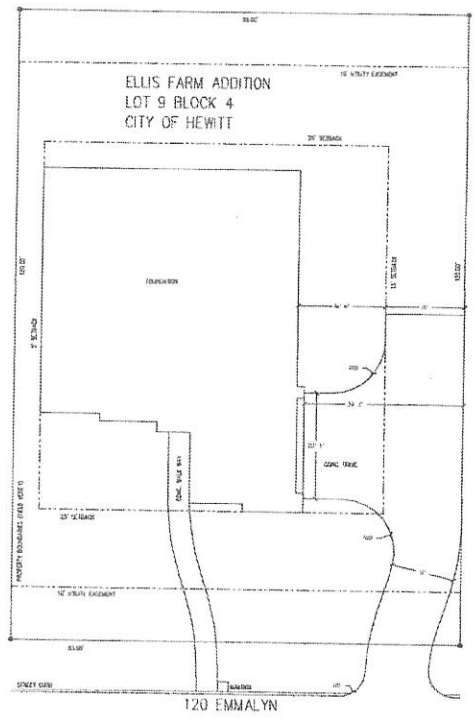
Applicant: Warren Johnson Custom Homes.

Owner: WMMS Associates

**NOTE:**  
 CONTRACTOR AND OWNER SHALL VERIFY AND HOLD VALID THE DRAWINGS FOR ANY PERMITS THAT MAY BE REQUIRED BEFORE OR AFTER THE COMMENCEMENT OF THE PROJECT, AND SHALL OBTAIN THE NECESSARY PERMITS FOR ALL EXISTING AND NEW CONSTRUCTION PERMITS. CONTRACTOR SHALL VERIFY AND OBTAIN THE NECESSARY PERMITS AT ALL TIMES AND SPECIFICATIONS ON THESE PLANS. OWNER SHALL BE RESPONSIBLE FOR THE OBTAINING OF THESE PERMITS.



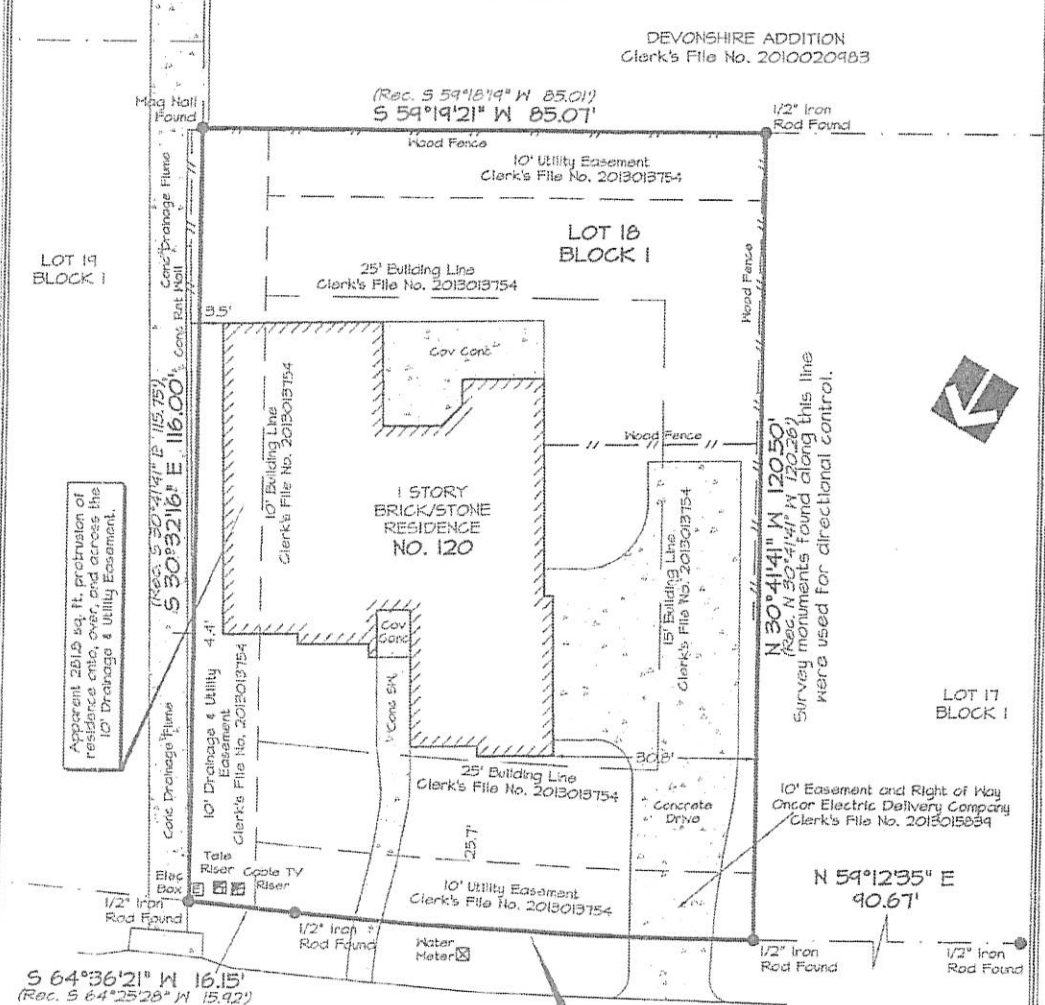
NOTE: ALL UNFINISHED AREAS OF EXTERIOR WALLS FULLY FINISHED WITH STUCCO OR GIBBS.  
 CONSTRUCTION REQUIREMENTS FOR CHIMNEY: MASONRY SHALL BE BUILT WITH 3000 PSI CONCRETE AND 4" REBAR WITH BRACING PERIOD.



**SITE PLAN**  
 SCALE: 1/8" = 1'-0"

NOTE: PLEASE VERIFY CORNER POINTS OF ALL SETBACKS AND EASEMENTS AND NOTIFY US AT ONCE IF CORRECTIONS ARE NECESSARY.

Survey showing LOT EIGHTEEN (18), BLOCK ONE (1), of the FINAL PLAT OF THE ELLIS FARM SOUTH ADDITION, PHASE TWO, LOTS 17-23 AND 48-51, BLOCK 1, LOTS 8-14, BLOCK 4, to the City of Hewitt, McLennan County, Texas, as per plat records under Clerk's File No. 2013013754 of the Official Public Records of McLennan County, Texas.



Apparent 2810 sq. ft. protrusion of residence, over, and across the 10' drainage & utility easement.

Survey monuments found along this line were used for directional control.

A - 69.39' (Rec. 69.24)  
 R - 775.00' (Rec. 775.00')  
 C - 69.37' (Rec. 69.22')  
 B - S 61°49'00" W (Rec. S 61°51'53" W)  
 D - 5°07'48"

Note from the Surveyor:  
 The following instruments listed on the title commitment supplied by First American Title Insurance Company, G.F. No. 164155, effective date July 28, 2016, have been reviewed by this surveyor and based upon what is visible on the ground and what can be platted from their descriptions, do not affect this property:

Survey performed for: CHRISTINE ORTIZ and MARK ORTIZ as per that title commitment provided by FIRST AMERICAN TITLE INSURANCE COMPANY, G.F. No. 164155, EFFECTIVE DATE: JULY 28, 2016.

(Vol/Pg) \* 348/403 \* 467/710 \* 469/120 \* 564/305 \* 1051/683 \* 1662/260 \* 604/434 \* 604/437

This sketch represents a survey made on the ground. During the performance of this survey, persons working under my supervision observed conditions within and along the boundaries and to the best of my knowledge they are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

**ACS**  
**ALL COUNTY SURVEYING, INC.**  
 1308 South 21st Street  
 Temple, Texas 76504  
 254-778-2272 Killeen 254-634-4636  
 Fax 254-774-7608  
 Tx. Firm Lic. No. 10023600



Survey completed: 08-11-2016  
 Scale: 1" = 20'  
 Job No.: 160648  
 Dwg No.: 160648  
 Drawn by: SLW  
 Surveyor: GNM #4982  
 Copyright 2016 All County Surveying, Inc.

Plot Date: 08-12-2016



**Legal Notice**

**City of Hewitt**

**Notice of Public Hearing**

A Public Hearing will be held before the Board of Adjustment of the City of Hewitt, at the Hewitt City Hall, 200 Patriot Court, on Thursday, September 15, 2016 at 6:00 p.m. to consider the following:

Consider a request for a variance to Section 6.101 by WMMS Associates on lot 18 Block 1 Ellis Farm South Part 2 also known as 120 Emmalyn Dr. Hewitt, TX. The variance request is to the minimum side yard setback and easement encroachment for the R-1 zoning district.

Any interested parties may attend the meeting or may file information with the Zoning Secretary, Eva Greenup, prior to the date of the Public Hearing.