

# HEWITT TEXAS

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

Notice given that a public meeting will be held before the Board of Adjustment of the City of Hewitt, on Thursday, April 20, 2017, 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, with corrections made, for the July 21, 2016 Board of Adjustment regular meeting;
3. Consider approval of minutes for the September 15, 2016 Board of Adjustment regular meeting;
4. Consideration and action on a request for variance, by Ed Robnett, Robinett Enterprise Inc., for Lot 8 Block 1 Collier Addition III, also known as 329 Nash Hewitt Texas. The request is to change the left side set back from 10' to 5'. The house will not fit and is short 2'x3" on back left corner.
5. Consider and action on a request for a variance, by Woody Butler, Woody Butler Homes Inc., for a built home that is over the 15' over setback.
6. 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 April 14, 2017.

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:** Don Vardeman; Kevin Summers

**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 request 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, TX, James Vidrine, 504 Rowan Oak Drive. Those against were: None. A motion was made by Howard Bergen to approve and substitute with covered parking and was opposed by Brad Turner. After discussion of considering the nature of the area Brad Turner approved and it was seconded by Doug Bergen. All four in favor, motion passed.*

**MINUTES OF THE OF THE BOARD OF ADJUSTMENT COMMISSION**

**July 21, 2016**

**Page Two**

**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 door 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 Davis, 367 Broughton, Woodway TX, David Hill, Salado TX, Tony Tomchesson, 981 FM Road 56, Valley Mills, TX, James Vidrine, 504 Rowan Oak Drive. Those against were: None. It was discussed to revisit the existing ordinance and add hardy board since it's a masonry product. A motion was made by Howard Bergen to approve hardy siding due to the area it is in and seconded by Brad Turener. All four in favor, motion passed.*

**Item #5: Adjourn.** *Motion was made by Howard Bergen and seconded by Bradley Turner to adjourn at 6:37PM, all four in favor, motion passed.*

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date Approved

*Eva Marie Greenup*  
\_\_\_\_\_  
Eva Marie Greenup, Zoning Secretary

# HEWITT TEXAS

## MINUTES OF THE BOARD OF ADJUSTMENT COMMISSION SEPTEMBER 15, 2016 6:00PM

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

**Members absent:** Bruce Dollens, Don Vardeman, Kevin Summers

**Staff present:** Tracy Lankford, Building Official, Eva Marie Greenup, Zoning Secretary

**Item #1:** **Call Board of Adjustment Meeting to order.** *Meeting was called to order at 6:15PM by Jim Winton.*

**Item #2:** **Consider approval of minutes for the July 21, 2016 Board of Adjustment regular meeting.** *A motion was made by Bradley Turner to not accept minutes as written and make changes. This was seconded by Doug Bergen. All in favor and motion was carried to correct minutes as written.*

**Item #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.** *Those in favor were Warren Johnson, 360 Hillside, Robinson TX. Those against were: John Bishop, 116 Emmalyn, Hewitt. A motion was made by Charles Howard to approve and seconded by Doug Bergen. All four in favor, motion passed.*

**Item #4:** **Adjourn.** *Motion was made by Jim Winton and seconded by Bradley Turner to adjourn at 6:23PM, all four in favor, motion passed.*

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Eva Marie Greenup, Zoning Secretary

# HEWITT TEXAS

## Board of Adjustment Application of Variance

Legal Description of Property: Lot 8 Blk 1 Collier III

Describe the location of the property as submitted by this application. This may be in the form of a street address, general description, or nearest intersection.

329 WASH

Number of Lots: 1 Number of Acres: \_\_\_\_\_ Flood Zone: NO

Zoning Classification: RG-1

Existing Building(s) on Property: NO

Total Square footage of all buildings on Property: N/A — PROPOSE 1759 #

I, the undersigned property owner or applicant of the following described real property located in the City of Hewitt, Texas hereby make this application by variance, by requesting approval for the following project: (Include how the project plans vary from the Zoning Ordinance): SIDE SET BACK ON LT. SIDE FROM

10' TO 5' - PIE SHAPED LOT - REDRAWN 3 TIMES - COMPUTER SAYS IT WILL FIT BY LAYING OUT ON LOT IS 2'3" SHORT ON BACK-LEFT CORNER - ALREADY REDUCED SIZE OF HOUSE TO MEET MIN. REQUIREMENT

Indicated the number and give a brief description of the Section of the Zoning Ordinance for which the variance is being requested. RG-1

REQUIRE 10' BETWEEN STRUCTURES (5' ON EACH SIDE)

Please provide the following recording information and a copy of the document(s) listed below with this application:

Ownership (deed): Doc. #/MCC No.: 2015029962

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): April 20, 2017

The Variance application must be completed along with the following information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit one (1) copy of survey and one (1) copy of building plans.
3. Non-refundable application fee (see fee schedule). - \$250<sup>00</sup>
4. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule).

I attest that the above information is true and correct to the best of my knowledge and I am now or will be fully prepared to present the above proposal at the Board of Adjustment hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I, understand that in the event the undersigned is not present or represented at the public hearing, the Board of Adjustment shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Board of Adjustment and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice to the Board of Adjustment shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner:

ROONER ENTERPRISE INC

Telephone Number:

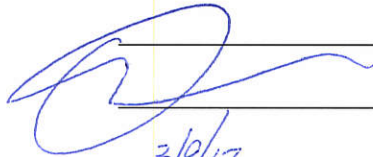
254. 744-5210

Mailing Address:

205 W. PANTHERWAY HEWITT, TX 76643

Email Address:

Signature of Property Owner:



Date:

3/9/17

Name of Applicant/Representative:

ED ROONER

Telephone Number:

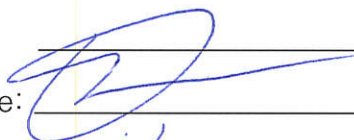
254. 744-5210

Mailing Address:

205 W. PANTHERWAY HEWITT, TX 76643

Email Address:

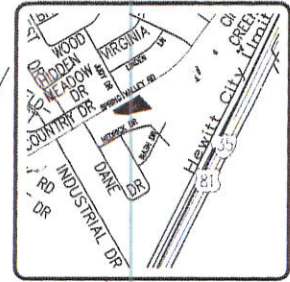
Signature of Applicant/Representative:



Date:

3/9/17

VICINITY MAP  
(Not to Scale)



LEGEND

- 1/2" Steel Rod Found
- 1/2" Copied Steel Rod Set
- ⊕ Fire Hydrant

NHS of Waco, Inc.  
Called 2.05 ACRES  
MCC# 2009038756  
O.P.R.M.C.T.

Robnett Enterprises, Inc.  
Called 6.012 ACRES  
MCC# 2015026778  
O.P.R.M.C.T.

Alliance Distributing  
Called 2.27 Acres  
MCC# 2010024788  
O.P.R.M.C.T.

Alliance Distributing, Inc.  
Called 2.39 Acres  
MCC# 2008019175  
O.P.R.M.C.T.

Lot 1, Block 1  
Collier Addition  
Volume 1286, Page 198  
D.R.M.C.T.

Lot 6, Block 1  
Collier Addition  
MCC# 2004045522  
O.P.R.M.C.T.

Block 1  
Collier Addition  
MCC# 2007025693  
O.P.R.M.C.T.

Collier Addition  
Part Two  
Volume 1594, Page 383  
D.R.M.C.T.

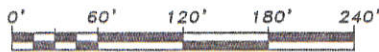
T.B.M. (See Note 10)  
LOT 4

POINT OF BEGINNING  
N:10,504,483.20  
E:3,279,601.66

US Survey Feet, Grid Coordinates  
Texas Central Zone 4203  
TX State Plane Coordinate System, NAD 83

LINE	BEARING	DISTANCE
L1	N 48°17'17" W	148.87
L2	N 63°39'54" W	48.22
L3	N 30°27'40" W	80.18
L4	N 09°22'43" W	88.88
L5	N 44°28'18" W	85.90
L6	N 20°22'42" W	68.91
L7	N 17°10'49" W	80.18
L8	N 26°29'23" W	130.08
L9	N 60°08'58" E	29.94
L10	N 03°10'14" W	26.43
L11	N 68°19'04" E	31.93
L12	N 08°51'29" W	24.86
L13	S 70°17'19" W	44.33

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	272.32'	74.49'	74.28'	N 34°49'59" E	18°40'19"
C2	855.98'	40.43'	40.42'	S 71°04'28" W	3°31'52"
C3	1122.27'	15.11'	15.11'	S 72°59'29" W	0°46'18"
C4	1122.27'	56.00'	56.99'	N 74°18'24" E	2°51'32"
C5	1122.27'	85.88'	85.87'	S 77°09'45" W	3°51'10"
C6	90.00'	2.31'	2.31'	S 08°59'00" E	2°39'01"
C7	90.00'	88.18'	88.60'	N 32°19'08" E	79°17'13"
C8	90.00'	39.04'	38.05'	S 88°40'18" E	44°45'57"
C9	90.00'	43.02'	41.70'	N 38°59'30" W	49°17'40"
C10	90.00'	27.03'	26.70'	N 01°28'32" E	90°56'23"
C11	1072.27'	84.85'	84.84'	S 73°49'49" W	0°28'58"
C12	1072.27'	85.47'	85.46'	S 77°02'13" W	2°47'50"
C13	1072.27'	85.73'	85.72'	S 79°55'40" W	2°48'03"
C14	272.73'	84.48'	84.33'	N 36°53'07" E	19°32'60"
C15	272.35'	10.00'	10.00'	N 28°02'57" E	2°06'18"
C16	1097.27'	190.23'	190.04'	N 77°03'56" E	9°58'108"
C17	1097.27'	16.91'	16.91'	N 81°35'00" E	0°52'69"



(Scale: 1" = 60')

This area reserved for county recording information.

AMENDED FINAL PLAT  
COLLIER ADDITION, PART THREE, LOTS 1 THROUGH 8 IN BLOCK ONE, LOTS 1 THROUGH 5 IN BLOCK TWO, AND LOTS 1 THROUGH 8 IN BLOCK THREE, to the City of Hewitt, McLennan County, Texas (BEING all of the Collier Addition, Part Three, Lots 1 through 8 in Block One, Lots 1 through 5 in Block Two, and Lots 1 through 8 in Block Three as shown on the plat thereof as recorded in County Clerk's File Number 2015029962 of the Official Public Records of McLennan County, Texas)

AMENDED FINAL PLAT  
LOTS 1 THROUGH 8 IN BLOCK ONE,  
LOTS 1 THROUGH 5 IN BLOCK TWO,  
AND LOTS 1 THROUGH 8 IN BLOCK THREE  
COLLIER ADDITION, PART THREE  
CITY OF HEWITT, MCLENNAN COUNTY, TEXAS

1519 Job No: 7984  
Sheet 2 of 2  
Property Address:  
Spring Valley Road  
Hewitt, Texas

Drawn By: HAT  
Reviewed By: JDD  
Prepared For:  
Ed Robnett

1519 Surveying, LLC  
5054 Franklin Avenue Suite A Waco, TX 76710 Ph: 254-776-4319 T8HLS Form 101808  
www.1519.com



# HEWITT TEXAS

## Board of Adjustment Application of Variance

Legal Description of Property: LOT 20 Block 13 Imperial Estates  
ADDITION PHASE EIGHT

Describe the location of the property as submitted by this application. This may be in the form of a street address, general description, or nearest intersection.

209 E. Jade - (Imperial Estates)

Number of Lots: 1 Number of Acres: \_\_\_\_\_ Flood Zone: NO

Zoning Classification: R-1

Existing Building(s) on Property: YES - SINGLE FAMILY

Total Square footage of all buildings on Property: 1519

I, the undersigned property owner or applicant of the following described real property located in the City of Hewitt, Texas hereby make this application by variance, by requesting approval for the following project: (Include how the project plans vary from the Zoning Ordinance): side yard set back @

~~over~~ Building over in 15' setback, however,  
houses are more than 20 FT Apart.

Indicated the number and give a brief description of the Section of the Zoning Ordinance for which the variance is being requested. \_\_\_\_\_

Please provide the following recording information and a copy of the document(s) listed below with this application:

Ownership (deed): Doc. #/MCC No.: 2016027104

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): April

The Variance application must be completed along with the following information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit one (1) copy of survey and one (1) copy of building plans.
3. Non-refundable application fee (see fee schedule).
4. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule).

I attest that the above information is true and correct to the best of my knowledge and I am now or will be fully prepared to present the above proposal at the Board of Adjustment hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I, understand that in the event the undersigned is not present or represented at the public hearing, the Board of Adjustment shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Board of Adjustment and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice to the Board of Adjustment shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner:

Woody Butler Homes Inc.

Telephone Number:

254-420-4663

Mailing Address:

207 Sun Valley

Email Address:

woody@woodybutlerhomes.com

Signature of Property Owner:

Woody Butler

Date:

3-31-17

Name of Applicant/Representative:

Woody Butler

Telephone Number:

254-744-6711

Mailing Address:

SAME

Email Address:

SAME

Signature of Applicant/Representative:

Woody Butler

Date:

3-31-17

**Surveyor's Certificate**

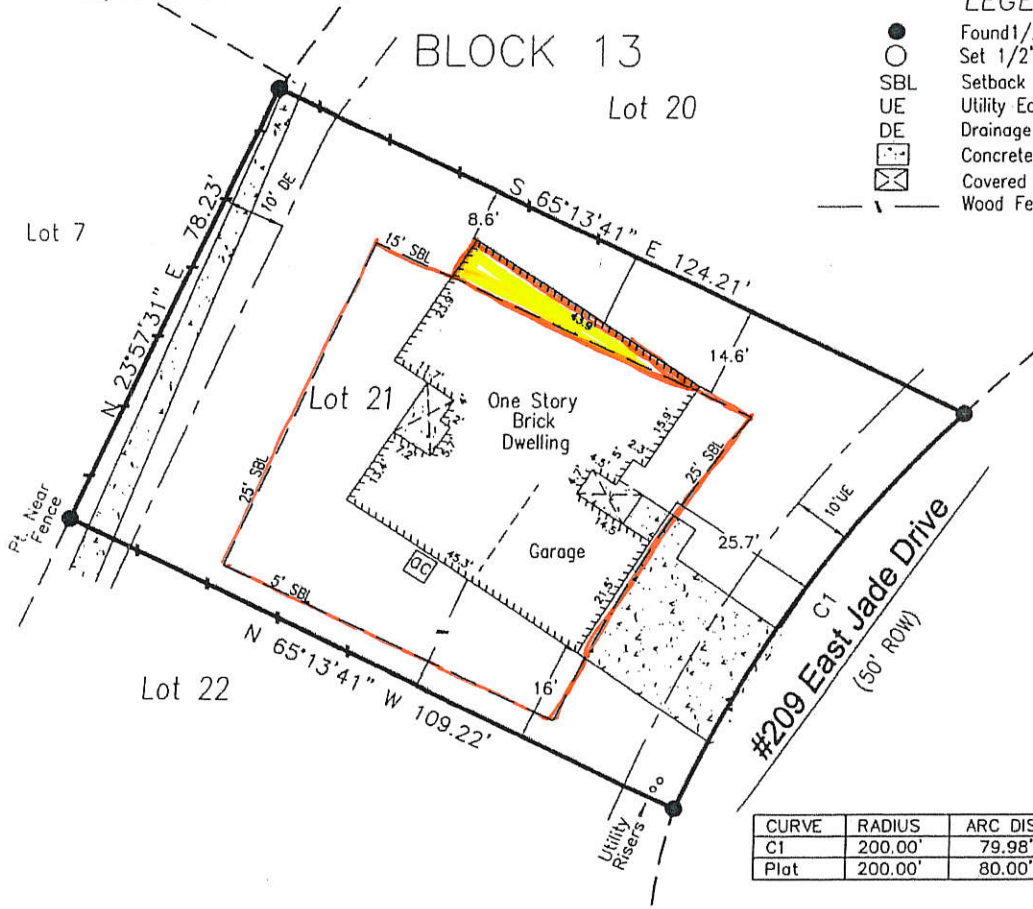
Imperial Estates Addn. Phase Two  
602/347 OPRMCT

BLOCK 13

Lot 20

**LEGEND**

- Found 1/2" Iron Rod Unless Noted
- Set 1/2" IR w/Red Cap
- SBL Setback Line
- UE Utility Easement
- DE Drainage Easement
- ☐ Concrete
- ☒ Covered Areas
- - - Wood Fence



CURVE	RADIUS	ARC DIST	CHORD BEARING	CH DIST
C1	200.00'	79.98'	N 34°50'01" E	79.44'
Plot	200.00'	80.00'	S 34°55'57" W	79.47'


**LEGAL DESCRIPTION:**

**Lot 21, in Block 13 of the IMPERIAL ESTATES ADDITION, PHASE EIGHT to the City of Hewitt, McLennan County, Texas, according to the plat of said addition recorded in Clerk's File No. 2016027104 of the Official Public Records of McLennan County, Texas.**

Note: All setbacks and easements are per plat CF#2016027104 OPRMCT. Note: The following easements do not apply to this tract: to TP&L Co. - 1307/753 & 1016/569 DRMCT; to Hewitt Water Co. - 980/61 DRMCT; to City of Hewitt - 1202/213 DRMCT; to State of Texas 871/140 DRMCT; to City of Hewitt - 599/896, 600/1, 600/5, & 600/9 - OPRMCT; to Oncor Elec. - 2014025903 OPRMCT. The following does not apply to this tract: Right-of-way deed to State of Texas - 871/138 DRMCT. Ordinance No. 2013-07-29-2 to the City of Hewitt - 2014006078 OPRMCT. Easement Deed by Court Order in Settlement of Landowner Action filed July 27, 2015 between Paul D. Drawhorn and Ronald Poor vs Qwest Communications Company, et al - 2015022953 OPRMCT.

Based on what can be scaled from the graphics shown on F.I.R.M. Community- Panel No. 480458 0530 C, dated September 26, 2008, this property appears to lie within "Zone X." As stated in the map legend, "Zone X" is indicated to be an area "determined to be outside the 0.2% chance floodplain." This Flood Statement does not imply this tract will never flood, nor does it create any liability on the surveyor in the event that it does flood.

I, Brent M. Taylor, certify that this survey represents the results of an on-the-ground survey made by me or under my supervision during March, 2017, and certifies only to the legal description and easements shown on the referenced title commitment.

  
Brent M. Taylor RPLS No. 6294

Date: March 27, 2017  
GF No.: 170525  
First Title Co.  
Waco, Texas



Brent M. Taylor  
Registered Professional Land Surveyor  
P.O. Box 154544, Waco, Texas 76715  
rpls6294@yahoo.com / Ph. 254-717-5938