

HEWITT TEXAS

BOARD OF ADJUSTMENTS

Jim Winton – Chairman

Douglas Bergen

Royce “Rusty” Smith

Scott Hedges

Bradley T. Turner

Charles “Chuck” Howard

R. Don Vardeman

CITY STAFF

Bo Thomas – City Manager

Miles Whitney – City Engineer

Tracy Lankford – Community Development Director

Brittney Cantu – Zoning Secretary

Board of Adjustment meetings are held as needed on the third Thursday of each month at 6PM in the City of Hewitt Council Chambers located at 200 Patriot Court, Hewitt, Texas 76643.

HEWITT TEXAS

NOTICE OF MEETING OF THE BOARD OF ADJUSTMENT

Notice is given that a **Regular** meeting will be held before the Board of Adjustment of the City of Hewitt, on **Thursday, May 21, 2020 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:

In accordance with social distancing guidelines, the Board of Adjustment meeting will not be open to the public.

There will be an opportunity for the public to submit written comments on items listed on the agenda. Complete a Public Comment form available online and submit via email to the City Secretary. Comments must be received no later than noon on the date of the meeting.

Call Board of Adjustment Meeting to order.

1. Consider approval of minutes for the September 19, 2019 Board of Adjustment regular meeting.
2. **Public Hearing:** Consider a request for a variance to Section 6.101 by Larry Green on Lot 7 Block 9 Original City of Hewitt Addition also known as 216 S. 3rd St., Hewitt, TX. The variance request is to the minimum front yard setback encroachment for the R-1 zoning district.
3. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Adjustment of the City of Hewitt, Texas was posted on a Public Notice Board located in front of City Hall before 5:00PM on May 15, 2020.

Brittney Cantu, City of Hewitt 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

MINUTES OF THE BOARD OF ADJUSTMENT

September 19th, 2019 – 6:00PM

Members Present: Chairman Jim Winton, Doug Bergen, Chuck Howard, Brad Turner, Don Vardeman

Members Absent: Scott Hedges

Staff Present: Tracy Lankford, Community Development Director
Mike Dixon, City Attorney
Brittney Cantu, Zoning Secretary

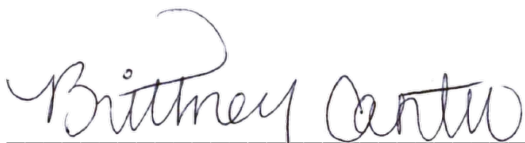
- 1) **Call Board of Adjustment Meeting to order.** *Chairman Jim Winton called the meeting to order at 6:01PM.*
- 2) **Consider approval of minutes for the February 21, 2019 Board of Adjustment regular meeting.** *A motion was made by Brad Turner, seconded by Doug Bergen, to approve the minutes as submitted but allow for corrections. All five in favor, motion passed.*
- 3) **Public Hearing: violation of an unsafe building located at 104 Saddle Horn Dr. Hewitt, Texas also known as Lot 24 Block B of the Hewitt Mobile Home Park, case number 2019 – 001.** *Public Hearing opened at 6:02PM. Mike Dixon, City Attorney, addressed the Board regarding this property stating that this property is in violation of the City of Hewitt Code of Ordinances Chapter 14 – 300, with a regard to dangerous buildings. This property has been in disrepair for at least 10 years, and the owners Mr. & Mrs. Valderrama have passed. A friend who had Power of Attorney of one of the owners kept up with the property after their passing, but since decided he no longer wants any ownership, according to the police who spoke with him. Mr. Dixon searched for any family of the owners, and found a Valderrama, Jr., who lives in Arizona, and thought this could potentially be a son of the owners. There has been both regular mail and certified mail to both the friend who had Power of Attorney as well as the potential family member who live in Arizona. A notice was also published in the newspaper regarding this meeting and invited them to show up if they were wanting. Mr. Dixon handed out a notice of the violation that was sent out, to be referred as Exhibit #1; a printout of the tracking history of the certified letter via USPS tracking for*

the potential son in Arizona, to be referred as Exhibit #2; a printout of the tracking history of the certified letter via USPS tracking for the friend was paying the taxes, Mr. Lavane, which we have not received any notification of being picked up, to be referred as Exhibit #3; and Notice of Publication in the Waco Tribune Harold, to be referred as Exhibit #4. Since this property has been vacant for so long and it is becoming a public nuisance, the City is having to go through all the proper legal steps in order to ensure everything is done legally. The issues surrounding this property have been going on since around 2003. Tracy Lankford, Community Development Director, went over the checklists that he and Code Enforcement Officer Amador Zapata did on July 31, 2019. Both checklists state that there was extensive deterioration and collapsing of walls, floors, and the roof. This structure would be a hazard for anyone who tried to enter it. There is no water or electrical, and the structure is also infested with vermin and insects. Both checklists state that this structure is uninhabitable, and that this structure could not be salvaged and remodeled. Both Mr. Lankford and Mr. Zapata recommend that the Board find this structure uninhabitable and a public nuisance, and that the owners be ordered to remove the structure within 30 days. Chairman Jim Winton called if there was anyone to come forward to speak for or against the decision to demolish and remove this property. No one is present for the meeting; therefore no one came forward to speak. Public hearing closed at 6:19PM. A motion was made by Doug Bergen, seconded by Chuck Howard, to accept the recommendation and find the structure and premises to be a public nuisance and the owners be ordered to remove the structure within 30 days. All five in favor, motion passed. Mr. Dixon handed the Board a typed-up order to read over to ensure all five agreed to what was written so that he can continue the legal process to get the property demolished and cleaned up. Chairman Jim Winton signed the order as per the instructions given.

4) **Adjourn.** *A motion was made by Doug Bergen, seconded by Chuck Howard, to adjourn the meeting. All five in favor, meeting adjourned at 6:27PM.*

Chairman Jim Winton

Date Approved



Brittney Cantu, City of Hewitt Zoning Secretary

HEWITT TEXAS

Board of Adjustment Application of Variance

Legal Description of Property: 216 S. 3rd Street

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.

216 S. 3rd St. Hewitt, Tx 76643

Number of Lots: 1 Number of Acres: _____ Flood Zone: _____

Zoning Classification: _____

Existing Building(s) on Property: 1-Dwelling 1-Metal Bldg.

Total Square footage of all buildings on Property: 1100 + 600 = 1700

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): _____

Front Porch Addition to existing Dwelling
Approx 240^{sq} ft.

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.: _____

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

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:

Larry & Melanie Green

Telephone Number:

254-717-3323

Mailing Address:

205 Cross Country Heritt, Tx 76640

Email Address:

lgreen32@hotmail.com

Signature of Property Owner:

[Signature]

Date:

3/27/2020

Name of Applicant/Representative:

Telephone Number:

Mailing Address:

Email Address:

Signature of Applicant/Representative:

Date:

0.27 Acres of land in the City of Hewitt, McLennan County, Texas, being a part of Lots 6, 7 and a 20' Alley, Block 9 of the plat of The Original City of Hewitt, recorded in Volume 94, Page 114, of the Deed Records of McLennan County, Texas, and being all of that tract in an Affidavit of Heirship to Mary Elizabeth Alder, recorded under Instrument Number 2007007344, of the Official Public Records of McLennan County, Texas.

FIELD SERVICES: TG -
TAX I.D. NO: 146678

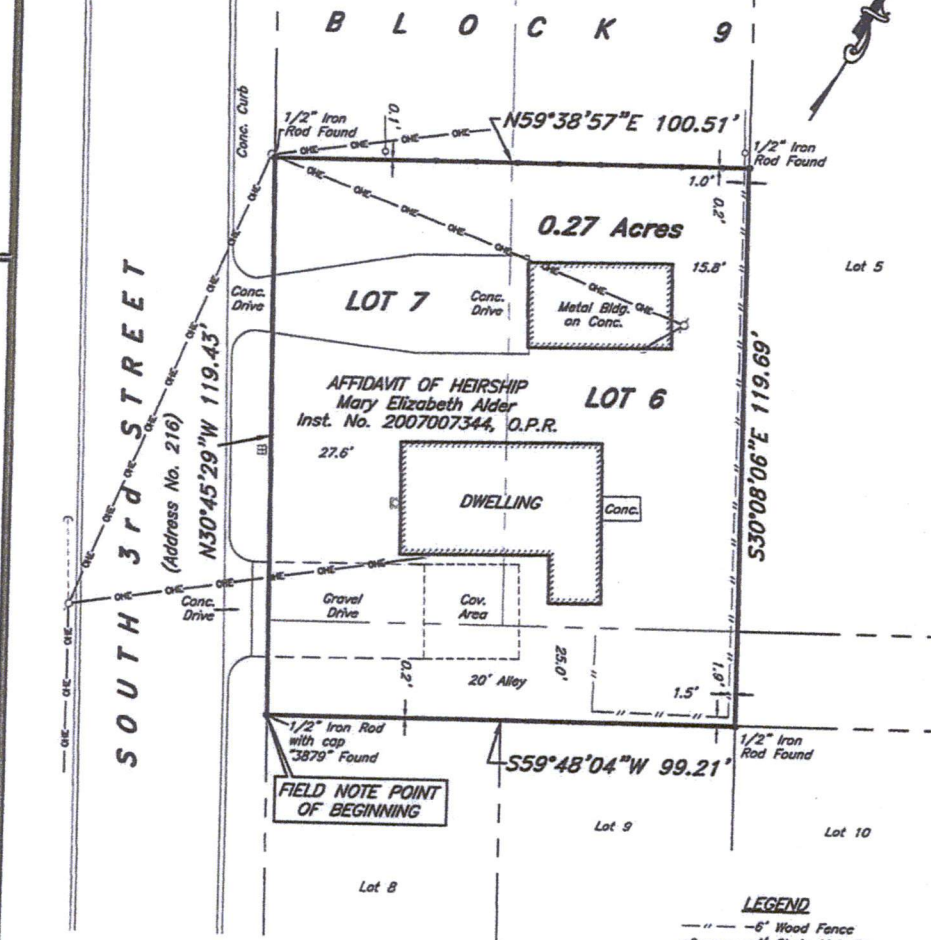
DRAWN BY: JESU

DIGITAL FILE: 20-02-3464.DWG

WORK ORDER NO: 20-02-3464

REQUESTED BY: Larry Green

OF 5



BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.

M.C.D.R.- McLennan County Deed Records.
O.P.R.- Official Public Records of McLennan County, Texas.

Home Abstract & Title Company - G.F. No. 20200128 - Effective Date: January 28, 2020.

MITCHELL & ASSOC., INC. does not make or warrant any flood zone designation.

The survey as shown hereon was prepared from an on-the-ground survey performed under my supervision on the 9th day of March, 2020. There are no substantial visible appurtenances, easements or protrusions except as shown hereon.

Robert E. Mitchell
ROBERT E. MITCHELL, RPLS, No. 5801

FIELD NOTE DESCRIPTION ATTACHED

- LEGEND**
- - - 6" Wood Fence
 - - - 4" Chain Link Fence
 - - - Overhead Electric
 - - - Guy Wire
 - ⊕ - Power Pole
 - ⊕ - Water Meter
 - ⊕ - Gas Meter
 - ⊕ - Electric Meter

ALL RIGHTS RESERVED BY:
MITCHELL & ASSOC., INC. 2020



SURVEYED: 3/9/2020

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
600 Austin Avenue - Suite #271, Waco, TX 76701
(817) 772-5151 (T. N. S. E. Title Registration No. 181804)





TAX PRORATION AGREEMENT

To: Home Abstract and Title Company
File No.: 20200128
Date: January 28, 2020
Property: TRACT ONE:

BEING A PARCEL OF LAND SITUATED UPON THE CARLOS O'CAMPO GRANT IN MCLENNAN COUNTY, TEXAS, SAID PARCEL BEING OUT OF AND A PART OF LOTS 6 AND 7 IN BLOCK NO. 9 OF THE ORIGINAL TOWNSHIP PLAT OF THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, SAID PLAT BEING OF RECORD IN VOLUME 94, PAGE 114 OF THE DEED RECORDS OF SAID COUNTY; SAID PARCEL BEING THE SOUTH 100 FEET OF SAID LOTS 6 AND 7 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID LOT 7 IN THE EAST LINE OF 3RD STREET;

THENCE WITH THE EAST LINE OF SAID 3RD STREET, SAME BEING THE WEST LINE OF SAID LOT 7, N 28° 00' WEST A DISTANCE OF 100.00 FEET TO A CONCRETE MONUMENT FOUND MARKING THE NW CORNER OF THIS;

THENCE N 61° 40' E A DISTANCE OF 99.90 FT. TO A STEEL PIN IN THE EAST LINE OF SAID LOT 6;

THENCE S 28° 03' E A DISTANCE OF 100.18 FEET TO A CONCRETE MONUMENT FOUND MARKING THE SOUTHEAST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF THIS;

THENCE S 61° 48' W A DISTANCE OF 100.00 FEET TO THE PLACE OF BEGINNING AND BEING THE SAME PROPERTY CONVEYED TO JIMMIE MARRS, A WIDOW, TO MARVIN L. LANDS AND WIFE SHIRLENE S. LANDS BY WARRANTY DEED DATED APRIL 24, 1975, RECORDED IN VOLUME 1196, PAGE 849 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS.

TRACT TWO:

BEING A TWENTY FOOT BY ONE HUNDRED FOOT ALLEYWAY BETWEEN LOTS 6 AND 7 AND LOTS 8 AND 9 IN BLOCK 9 OF THE ORIGINAL TOWN OF HEWITT, CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, AS PER PLAT RECORDED IN VOLUME 94, PAGE 114, MCLENNAN COUNTY, TEXAS, AND BEING THE SAME PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 189 PAGE 86, OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS.

This indicates our understanding of the handling of the property taxes in the referenced transaction. Since the property taxes for the current year cannot be determined at this time, the purchasers will be given credit for the Seller's share of the current year's taxes, in consideration of which purchaser will pay the full tax for the year when taxes are due. This amount is based on an estimate only, since current figures are not yet available. The purchasers have also been made aware that they must take a copy of their recorded deed when received to the Central Appraisal District in order to have the taxes changed into their names and file for any exemptions which apply.

If the actual tax assessment exceeds the estimated amount prorated at closing, seller agrees to immediately reimburse the purchaser the additional sum owed for the period from January 1 up to the closing date. Should the actual tax assessments be less than the estimated amount prorated at closing, purchaser agrees to immediately reimburse the seller the excess amount prorated/credited at closing.

All parties understand that Home Abstract and Title Company will not be responsible for, nor will they be involved in, this tax proration settlement. It is agreed that Seller and Purchaser will contact each other

directly, and the return will be paid immediately,
from the other party that same is due.

Seller(s):

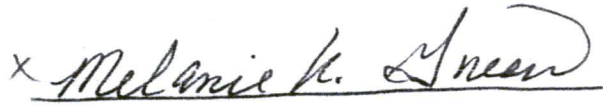
Mary Elizabeth Adler

James Douglas Bond

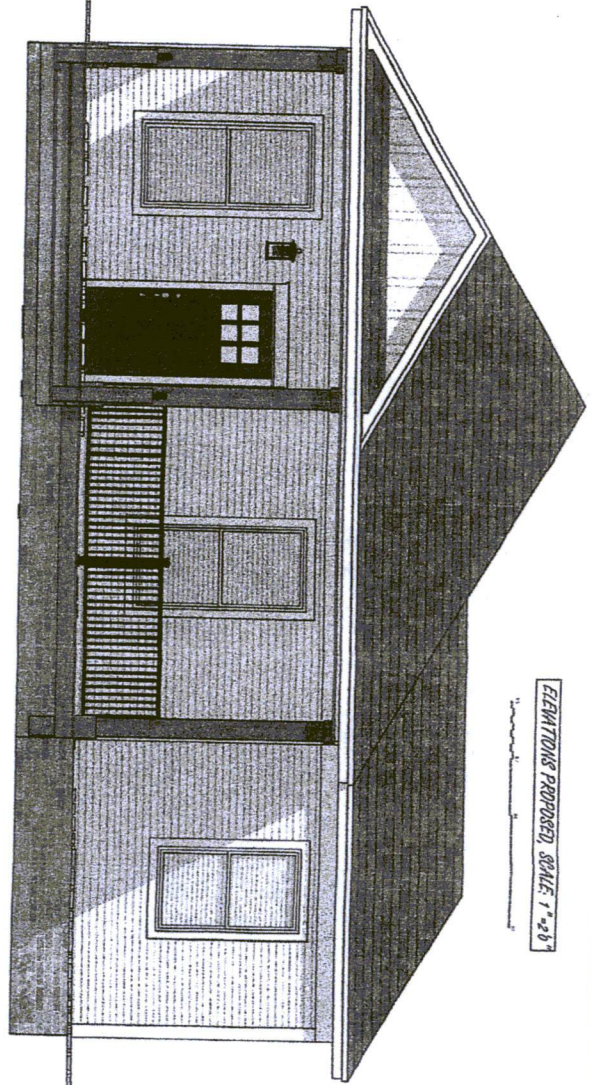
Purchaser(s):

x 

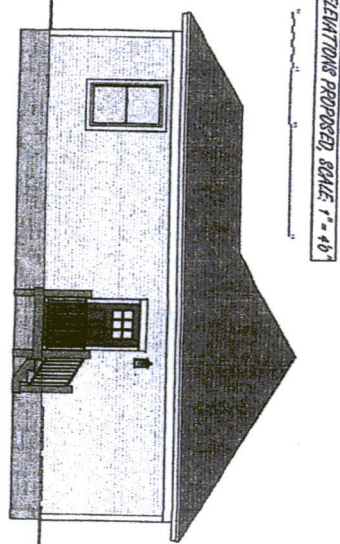
Green Family Properties, LLC

x 

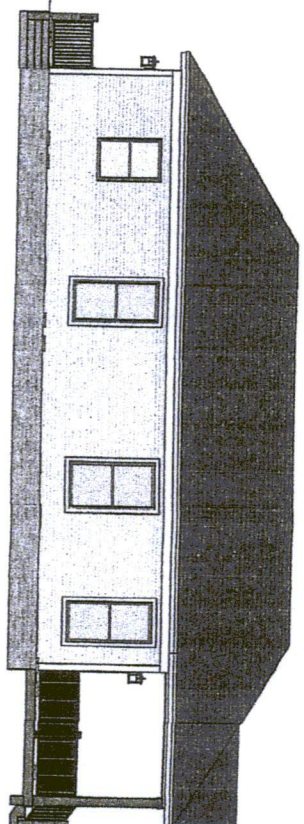
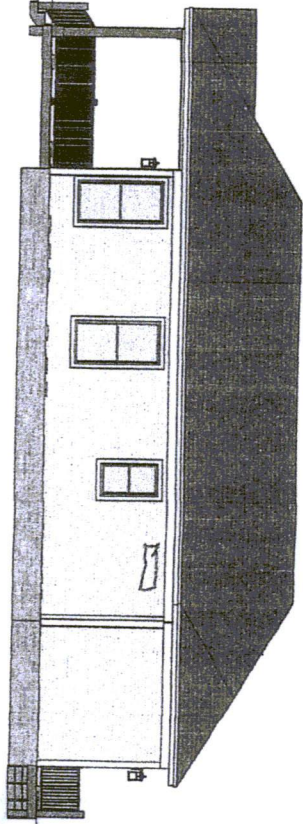
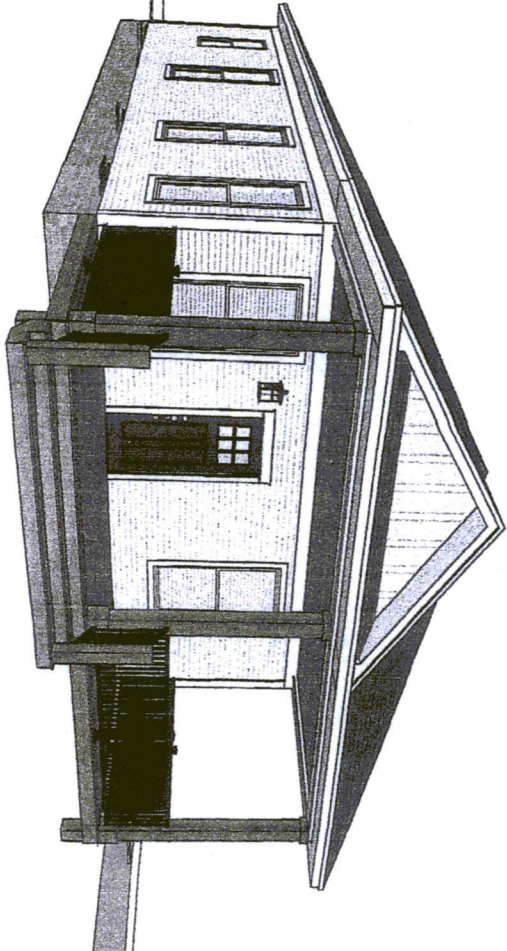
Melanie K. Green



ELEVATION PROPOSED, SCALE: 1/8" = 1'-0"

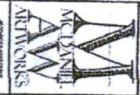


ELEVATION PROPOSED, SCALE: 1/8" = 1'-0"

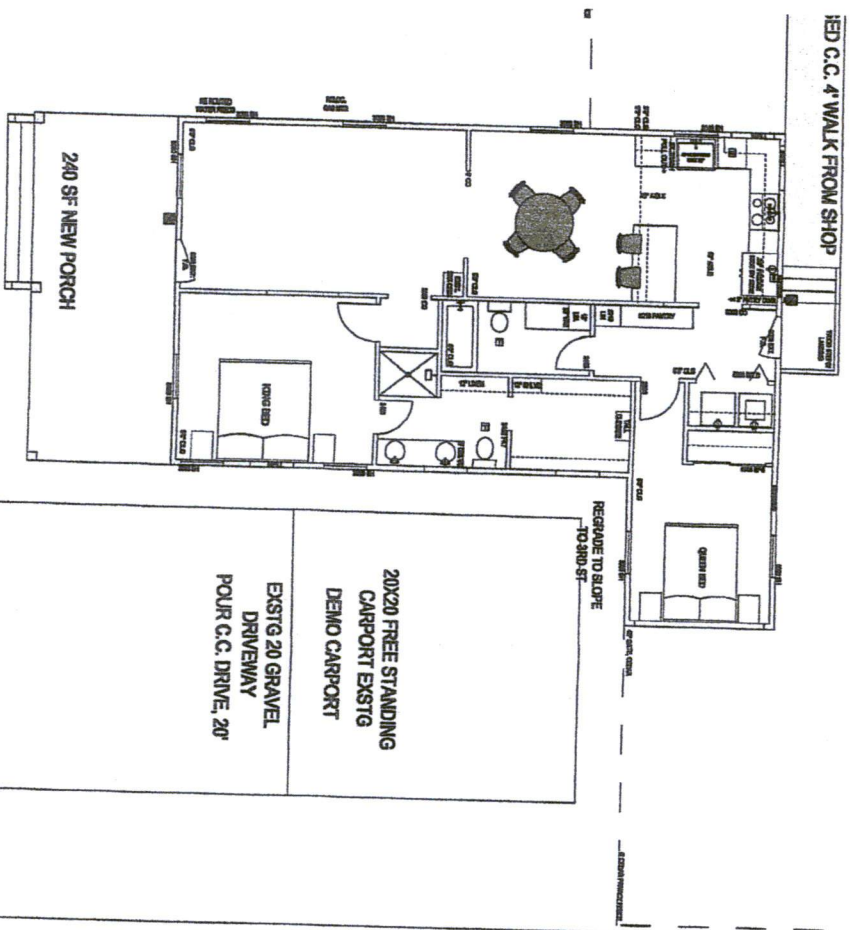


216 3RD ST
ELEVATIONS

216 3RD ST, HEWITT ORIGINAL
BLOCK 9 LOT B6 B7 D
CITY OF HEWITT,
MCLENNAN CO, TX 76643

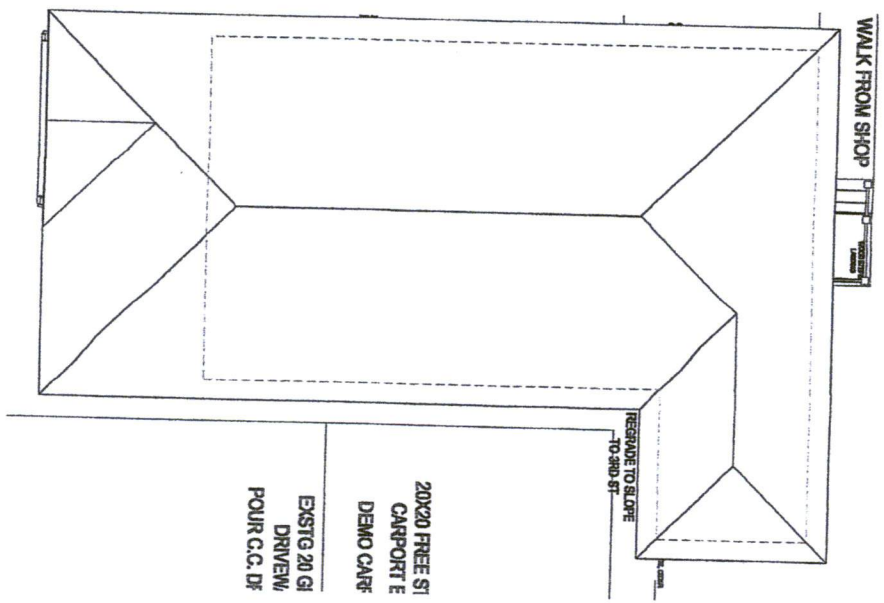


FLOOR PLAN (PROPOSED) SCALE: 1" = 4'-0"



ROOF PLAN (EXISTING) SCALE: 1" = 4'-0"

1/8" THICK, 24" x 24" ROOF JOISTS FROM EXISTING ROOF WITH NEWLY ADDED 24" x 24" JOISTS



LEGEND:
NEW
EXISTG

20'x20' FREE STANDING CARPORT EXISTG DEMO CARPORT
 EXISTG 20' GRAVEL DRIVEWAY
 POUR C.C. DRIVE, 20'

20'x20' FREE STANDING CARPORT EXISTG DEMO CARPORT
 EXISTG 20' GRAVEL DRIVEWAY
 POUR C.C. DRIVE

DRAIN TO 3RD ST
 EXISTG 20' APPROACH, C.C.

216 3RD ST
 ELECTRICAL

216 3RD ST, HEWITT ORIGINAL
 BLOCK 9 LOT B6 B7 D
 CITY OF HEWITT,
 MCLENNAN CO, TX 76643

