

Item #6

CITY OF SMITHVILLE

PLANNING & ZONING APPLICATION

APPLICATION TYPE

Zoning Change
Request:

- ☐ Change in Zoning Class
☐ Change in Ordinance
☒ Variance
☐ Special Use Permit
☐ Minor Plat/Subdivision
☐ Other _____

Number of
Requests:

- ☐ Single
☒ Multiple

PROPERTY IDENTIFICATION

Street Address 701 NE 9th St., Smithville, TX 78957

*** Applicant must submit an accurate location map and site plan for application to be considered ***

Legal description

- ☒ Platted Land (please provide subdivision, block and lot information below)
☐ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name:

ABS A46 Lomas, L.

Property Tax Code:

Block Number: _____ Lot Number: _____

Property Owner
(as listed on Deed):

Machs N Cahoots, LLC

Property Owner
Mailing Address:

PO Box 197, Smithville, TX 78957

Owner's Phone No:

Owner's Email: _____

Agent's Name
(if applicable):

Chase Hodges

Agent's Mailing
Address:

217 Main St., Smithville, TX 78957

Agent's Phone No:

Agent's Email: _____

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Use concrete gutter to divert water as described in the Garwood Park Variance Exhibit, "Gutter Detail" in lieu of curb and gutter systems stated in Ch. 10 | Act. 3 | Section 5 of the ordinances.

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Due to minimal slope characteristics on the existing property utilization of this style of concrete gutter to divert runoff to Garwood and Short Streets would allow for minimal impacts to the existing properties nature. This gutter style provides ample drainage to manage and divert runoff as needed.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Chase Hoolgen

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan 3 2023

Council Date: Feb 13 2023

Accepted By: [Signature]

Date Submitted: 11-16-2022

☒ Notice sent to property owners within 200 feet of proposed property

317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS 78957



TEL: (512) 237-3282
FAX: (512) 237-4549
WWW.CI.SMITHVILLE.TX.US

Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.
Existing minimal land slope.

Explain the unnecessary hardship caused by the special condition.
Would require unnecessary land modifications to meet runoff and drainage needs.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. This allows for this land to be improved.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll;
or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Continue to next page

Explain how the unnecessary hardship meets all of the above criteria.

This variance allows for minimal impacts to the existing land, meets the requirements of the drainage per our engineered analysis. Without this request the land use would be minimal, as moving to the stated ordinance type of system would impact the required site finish elevations across the entire acreage or would cause a substantial drainage elevations problem at adjoining streets.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
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	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Use tighter street radius to make Towers Lane (see Garwood Park Variance Exhibit) viable around the large century oak tree and minimally impact the existing building to be utilized onsite. This would be in lieu of stated ordinances as described in Ch. 10 | Act. 3 | Sect. 1.7.

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Due to the characteristics of the land this local street location provides for the best use of the land and showcases one of the preserved (per the deed) trees on property. This road layout with its tighter radius will requires a lower then standard 30 mph speed limit. Our proposed speed limit would be 20 mph providing a safer interior local street.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Shane Hodges

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan. 3 2023

Council Date: Feb. 13 2023

Accepted By: *J. D. Denski*

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS 78957



TEL: (512) 237-3282
FAX: (512) 237-4549
WWW.CI.SMITHVILLE.TX.US

Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.

Existing structures and trees require a unique design to accomodate all deed restrictions and viable lot layouts.

Explain the unnecessary hardship caused by the special condition.

Minimizes viable and usable land space and access.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. This allows for this land to be improved.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Explain how the unnecessary hardship meets all of the above criteria.

Existing structures and trees require a unique design to accomodate all deed restrictions and viable lot layouts. This variance allows for minimal impacts to the existing features, meets the needs of a local street and provides adequate access from other local streets adjoining Towers Lane. This use of a larger centerline radius would impact the project in a way making it unviale to layout adequate lots and access from adjoining streets.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Reduce the speed limit on Towers Lane to 20 pmh, as shown in "Garwood Park Variance Exhibit". This would be in lieu of standard "local Street" speeds of 30 mph.

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Reducing the speed creates a safer street through the neighborhood and allows for the road radius around the century oak to be navigated.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Chase Hoolgea

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan. 3 2023

Council Date: Feb. 13 2023

Accepted (By: *[Signature]*)

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

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Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.

The properties shape provides and unusual case to connect the new street as well as the need to preserve existing trees per the deed restrictions. These items prompted a need for a tighter turn radius around the large oak tree. A 20 mph speed allows for a safer street.

Explain the unnecessary hardship caused by the special condition.

A higher speed limit would require a differing road layout and would require unnecessary land modifications to access exiting streets. This modified layout would reduce viable land useage.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. This allows for this land to be improved.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Continue to next page

Explain how the unnecessary hardship meets all of the above criteria.

The variance approval allows for site access on areas of the property that have been in use for many years prior to this use. Additionally, with a lower speed this prompts a safer street for the neighborhood and preserves existing trees as per the deed restrictions.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Locate street (Towers Lane) as shown in the "Garwood Park Variance Exhibit". Not connecting the new local street with an Existing street (Craddock Court) per Ch. 10 | Act. 3 | Sect. 1.8. Utilizes existing site entry location and utilize land more effectively.

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

The locations of the site access and streets provide for the most utilization of the property, uses existing site access locations that have been utilized for many years and additional allows for the use of storm sewer systems already in place.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Chase Hodges

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan. 3 2023

Council Date: Feb. 13 2023

Accepted By: [Signature]

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS 78957



TEL: (512) 237-3282
FAX: (512) 237-4549
WWW.CI.SMITHVILLE.TX.US

Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.

The properties shape provides and unusual case to connect the new street to existing cross streets. Connecting the new Towers Lane road would minimize the usable land.

Explain the unnecessary hardship caused by the special condition.

Placement of the new roadway to connect as the ordinance states does not allow for reasonable use to the land based on its uncommon characteristics and shape and is viewed as an unusual case.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. This allows for this land to be improved.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Explain how the unnecessary hardship meets all of the above criteria.

The variance approval allows for site access on areas of the property that have been in use for main years prior to this use. Additionally, these access points, not aligning per the ordinance, allows for lot layouts to be more similar to the surround existing community lots. Finally, this land shape constitutes an unusual case and causes the need for alternative thoughts on access and road placements.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
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	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Reduce street Right of Way from 60-feet to 50-feet per ordinance Ch. 10 | Act. 3 | Sect. 1.5.

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

This decrease in right of way does not impact street widths, access or other requirements. It merely reduces the right of way and increases viable lot sizes providing for larger family spaces and beautification to the new layout and reduces city maintenance requirements.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Chase Hooligan

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan. 3 2023

Council Date: Feb. 13, 2023

Accepted By: [Signature]

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

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Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.

The unusual case of this property due to its shape creates needs for layouts to meet or exceed community lot sizes. This decrease to 50 foot Right of Way allow for larger lots and beautification of the area.

Explain the unnecessary hardship caused by the special condition.

Property layout and usage.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. This allows for this land to be improved.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll;
or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Explain how the unnecessary hardship meets all of the above criteria.

The variance approval allows for site access on areas of the property that have been in use for main years prior to this use. Additionally this reduced RoW does not impact an other requirement for drainage, site access or use. This request promotes the best usage of this ununally shaped property and provides lots that are similar or exceed the lots adjacent to the existing neighborhoods, keeping with concept of beautification of the property and its adjoining neighbors.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
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	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Place sidewalks along "new" interior roadway but not along "existing" exterior roadways per Ch. 10 | Act. 3 | Sect. 6

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Due to adjacent neighborhood areas not having sidewalks we are requesting that we not have to install sidewalks along Garwood, Short or Colorado streets. This would conform with existing neighborhoods that do not conform with the ordinance and comply with the standard neighborhood look and feel.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Chase Hodges

Date: 11/16/22

OFFICE USE ONLY:

Fee Amount: 1675

Fee Payment: 1675

P&Z Date: Jan. 3, 2023

Council Date: Feb. 13, 2023

Accepted By: *Dziadoski*

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

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Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No

Explain the special condition affecting the property.

Throughout this properties life cycle it has not, nor have adjoining neighborhoods had sidewalks along Garwood, Short and Colorado streets. Therefore, as this is not a standard practice in other areas of the neighborhood we are requesting to not place them on the exterior of the development.

Explain the unnecessary hardship caused by the special condition.

The sidewalks cause undue site modification requirements that are not present in other areas near the property.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes. As sidewalks have not been present along these three roads over the lifespan of this property this will conform and not differ from adjacent neighborhoods streets, nor change the look or feel of the area due to these modifications.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll;
or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

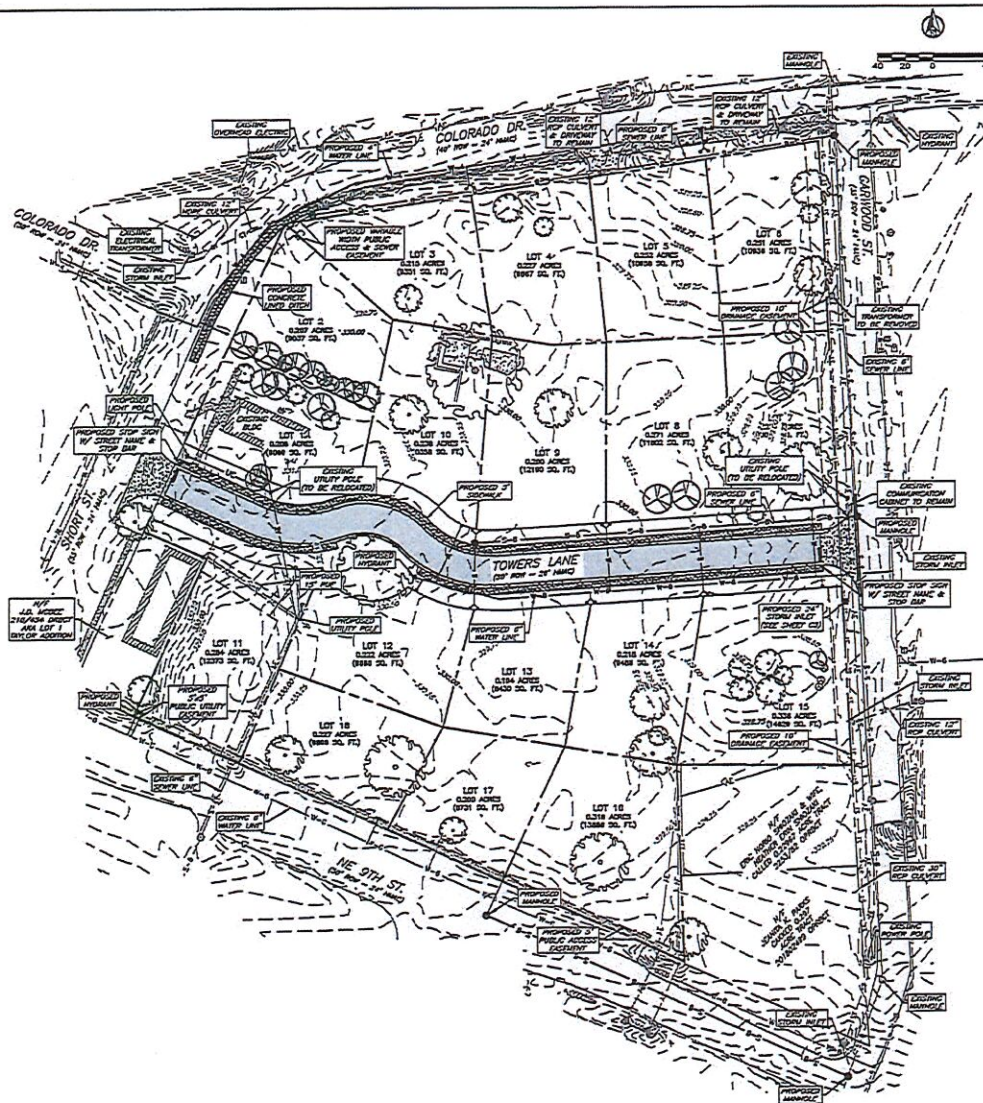
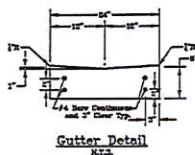
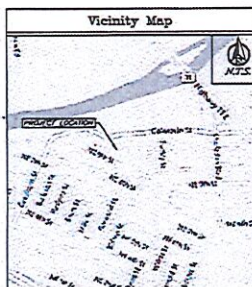
Explain how the unnecessary hardship meets all of the above criteria.

Not placing new sidewalks along the perimeter of the property does not change the look, feel or use of the property as it has been used over its life span. This request would allow our development to conform with adjoining streets and neighbors and not change the look and feel of the area. Not placing the sidewalk along these existing roads does not change the use of the area from its use to date.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Chase Hodges Print Name: Chase Hodges Date: 11/16/22



Variance Request

General Notes

1. The topography shown is from 1940 survey data.
2. All utilities shown are taken from the best available information based on construction, utility department, and/or engineering from City and independent agencies and/or other ground data evidence. Shown positions may not represent as-built conditions.
3. The contractor shall be responsible for verifying the exact location of all existing underground utilities. Utility shows are shown plan or not. Notations of the utility easements do not show in address of construction is required.
4. All construction shall be in accordance with the current City Standard Specifications, and Design Guidelines for Water, Sewer, Stormwater, and Drainage, unless otherwise noted.
5. It is the intent of these plans to comply with the City of Smithville policies, details, and specifications.

Preliminary Plans Only Not for Construction

This document is released for the purpose of review only. It is not to be used for construction, bidding, or permitting purposes.

Released for Review

No.	Description/Remarks	Date



Garwood Park Subdivision
Block 1
Lots 1-18 - 5.112 AC
Smithville, Boone County, Texas

As Shown	As Shown
As Shown	As Shown
As Shown	As Shown
As Shown	As Shown

Exhibit A

CITY OF SMITHVILLE

PLANNING & ZONING APPLICATION

APPLICATION TYPE

Zoning Change
Request:

- ☐ Change in Zoning Class
☐ Change in Ordinance
☒ Variance
☐ Special Use Permit
☐ Minor Plat/Subdivision
☐ Other _____

Number of
Requests:

- ☐ Single
☐ Multiple

PROPERTY IDENTIFICATION

Street Address Ramona and 5th Corner Lot 3A

*** Applicant must submit an accurate location map and site plan for application to be considered ***

Legal description

- ☒ Platted Land (please provide subdivision, block and lot information below)
☐ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name: S7820 Smithville Townsite (amended plat of Lots 1-4)

Property Tax Code: 8725404 Block Number: 13 Lot Number: 3A

Property Owner
(as listed on Deed): Brenda Greene Mitchell Acres 0.258

Property Owner
Mailing Address: 1002 Lorrain, Austin, TX 78703

Owner's Phone No: [REDACTED] Owner's Email: [REDACTED]

Agent's Name
(if applicable): Mitchell Jameson

Agent's Mailing
Address: PO Box 197, Smithville, TX 78957

Agent's Phone No: [REDACTED] Agent's Email: [REDACTED]

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Apply Standard Lot Dimension (vs. Alternate) Minimum side yard setback, corner lots, first 65' from front property line, to restore 10' of buildable lot width (see attached chart).

Describe special use requested:

N/A

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Due to the Vacated Alley - Ordinance #2017-540, two abutting corner lots were created. However, the zoning of each abutting corner lot is different, with the Blesoe tract composed of Lots 5 - 8 being CBD and our lot is SF1. The 25' Alternate Dimension setback being triggered is an unintended consequence of the Vacated Alley creating abutting corner lots.

Restoring the 10' of buildable lot width with Standard Lot Dimensions to Lot 3A allows the attached concept house design to be built, which more appropriately fits this beautiful neighborhood with larger lots and houses.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: Brenda Mitchell

Date: 11-16-22

OFFICE USE ONLY:

Fee Amount: 675

Fee Payment: 675

P&Z Date: Jan. 3, 2023

Council Date: Feb. 13, 2023

Accepted By: Henowski

Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

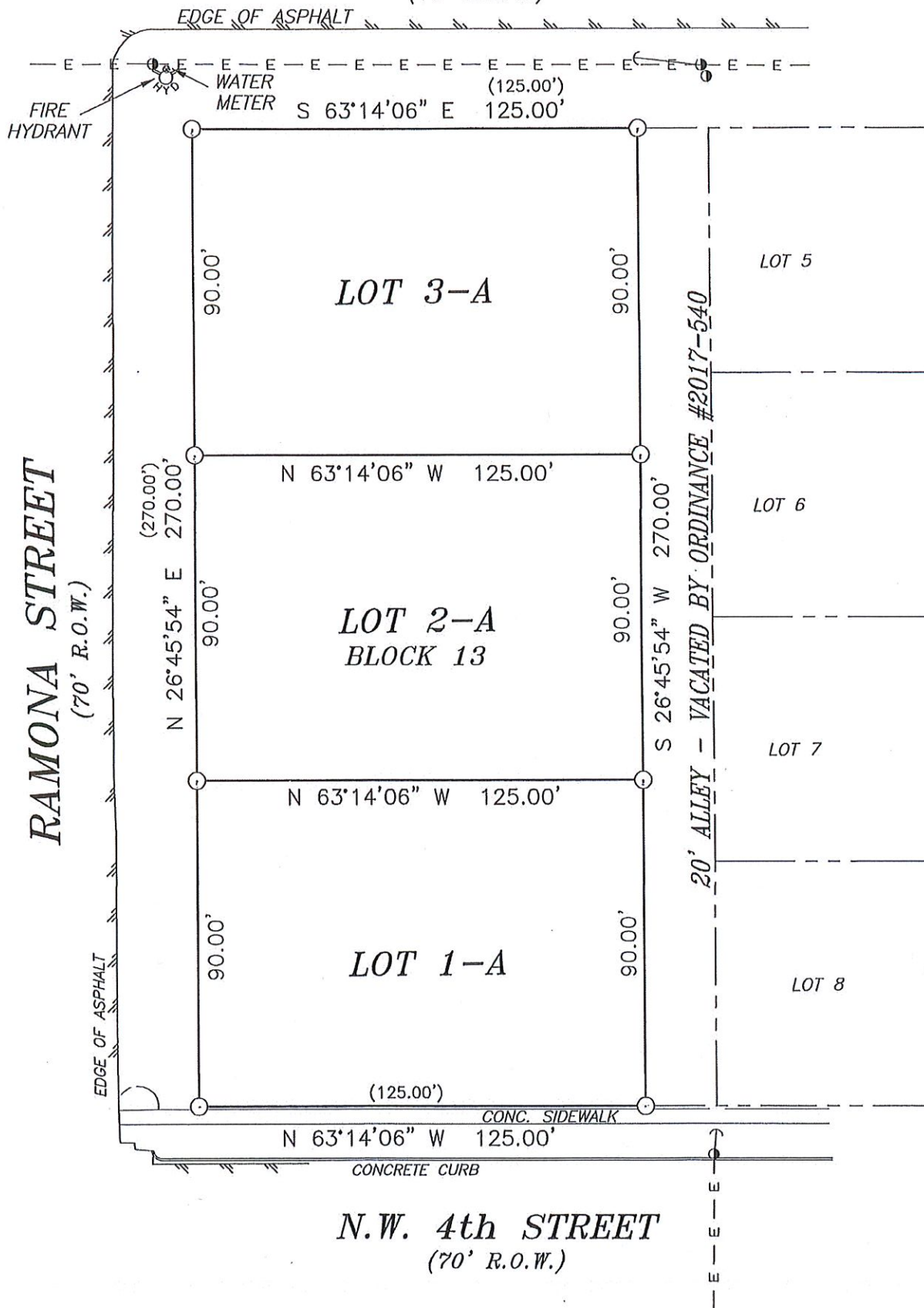
DIMENSION	STANDARD	ALTERNATE
Maximum Height	2-1/2 stories	or 35 feet
Minimum front yard setback	25 feet	
Minimum side yard setback, primary building	7-1/2 feet (one story building)	or 10 feet for buildings over one story
Minimum setback of accessory building from front property line	65 feet	
Minimum side yard setback, corner lots, first 65 ft from front property line	15 feet	25 feet when abutting another corner lot
Minimum side yard setback, corner lots, greater than 65 ft from front property line	7-1/2 feet	or 10 feet for buildings over one story
Minimum side yard setback, churches	25 feet	
Minimum side yard setback, accessory building	3 feet	
Minimum rear yard setback (min. setback is the smaller of the two)	20 feet	or 20% of lot depth
Minimum rear yard setback, accessory buildings	3 feet	
Minimum lot size, residential lots	6,500 sf	
Minimum lot size, religious facilities and country inns	21,000 sf	
Minimum lot size, all other uses	Accommodate setbacks and parking needs	
Minimum lot width	50 feet at front building line	and 35 feet at street
Maximum lot coverage by all buildings on the lot	40% lot area	
Maximum rear yard coverage by accessory buildings	30% rear yard	

CURRENT ALTERNATE DIMENSION SETBACK

VARIANCE STANDARD DIMENSION REQUEST

N.W. 5th STREET

(70' R.O.W.)





Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Ordinance Related to Variances

5.1.1. Considerations by the City Council

- A. The City Council may authorize a variance from these regulations if and only if the City Council determines all of the following:
- (1) the variance will not be contrary to the public interest;
 - (2) there are special conditions affecting the property;
 - (3) because of the special conditions literal enforcement of the ordinance would result in unnecessary hardship;
 - (4) the spirit of the ordinance will be observed; and
 - (5) substantial justice is done.
- B. For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:
- (1) Without the variance, the Smithville Code of Ordinances does not permit any reasonable use of the land;
 - (2) The hardship complained of is not self-created; and
 - (3) The hardship complained of is not a financial hardship only.
 - (4) the cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
 - (5) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
 - (6) compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
 - (7) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (8) the city considers the structure to be a nonconforming structure.
- C. In granting a variance, the City Council shall prescribe only conditions that it deems necessary to or desirable in the public interest.
- D. In making the findings herein below required, the City Council shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.
- E. Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured, and substantial justice be done.
- F. The findings of the City Council made in granting a variance, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the City Council meeting at which such variance is granted.

317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS 78957



TEL: (512) 237-3282
FAX: (512) 237-4549
WWW.CI.SMITHVILLE.TX.US

Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request, include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

NO

Explain the special condition affecting the property.

Vacated Alley created 2 abutting corner lots with the unintended consequence of triggering alternate lot dimension of 25' side setback vs Standard 15'.

Explain the unnecessary hardship caused by the special condition.

The lot width is materially reduced so that appropriate house design cannot be accommodated.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

YES. The standard 15' side setback for a corner lot allows a house design that fits the lot size and neighboring houses.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure

Explain how the unnecessary hardship meets all of the above criteria.
NA - this request is for homeowner building

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

Other Comments:

Signature: Mitchell Jameson, Agent Print Name: Mitchell Jameson, Agent Date: 11/16/2022

CITY OF SMITHVILLE

PLANNING & ZONING APPLICATION

APPLICATION TYPE

Zoning Change Request: ☒ Change in Zoning Class
☐ Change in Ordinance
☐ Variance
☐ Special Use Permit
☐ Minor Plat/Subdivision
☐ Other _____

Number of Requests: ☐ Single
☐ Multiple

PROPERTY IDENTIFICATION

Street Address See attached survey

*** Applicant must submit an accurate location map and site plan for application to be considered ***

Legal description ☐ Platted Land (please provide subdivision, block and lot information below)
☒ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name: _____

Property Tax Code: _____ Block Number: _____ Lot Number: _____

Property Owner (as listed on Deed): Smithville Investment, LLC

Property Owner Mailing Address: 11842 Wilcrest Drive, Houston, Texas, 77031

Owner's Phone No: _____ Owner's Email: _____

Agent's Name (if applicable): _____

Agent's Mailing Address: _____

Agent's Phone No: _____ Agent's Email: _____

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class: SF-1 ☒ SF-2 ☐
MR ☐ C-1 ☐
C-2 ☐ C-3 ☐
MHS ☐ MF ☐
CF ☐ PD ☐
PD-Z ☐ I ☐
CBD ☐ PD-Z ☐

Proposed Zone Class: SF-1 ☐ SF-2 ☐
MR ☐ C-1 ☐
C-2 ☐ C-3 ☒
MHS ☐ MF ☐
CF ☐ PD ☐
PD-Z ☐ I ☐
CBD ☐ PD-Z ☐

Describe variance requested:

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Building a convenience store with QSR.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: Sadique Maredia Digitally signed by Sadique Maredia
Date: 2022.11.17 09:34:43 -06'00'

Date: 11/16/2022

OFFICE USE ONLY:

Fee Amount: 1075

Fee Payment: 1075

P&Z Date: Jan. 3, 2023

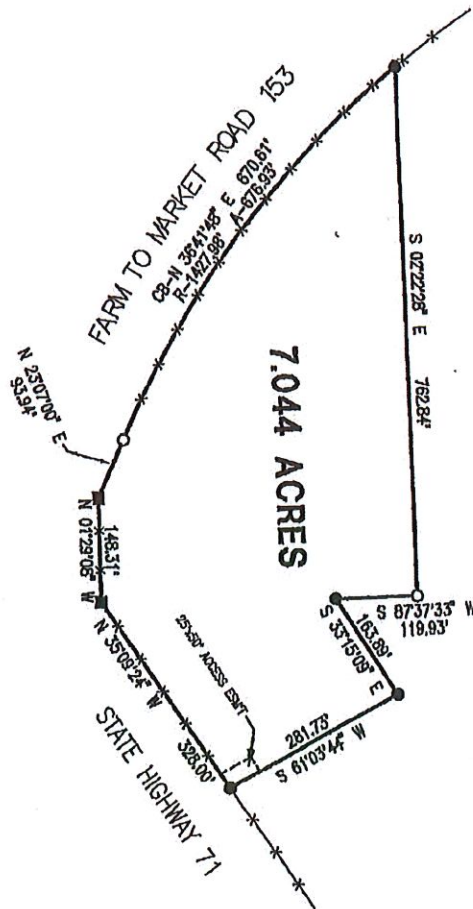
Council Date: Feb. 13, 2023

Accepted By: [Signature]

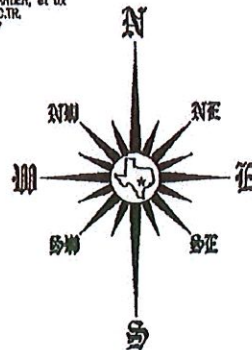
Date Submitted: 11-16-22

☒ Notice sent to property owners within 200 feet of proposed property

THOMAS DECROW SURVEY, A-27



JACK ALEXANDER, et ux
12.405 AC. TR.
1031/147



SCALE: 1" = 200'

- CONCRETE MONUMENT
- IRON ROD FOUND
- IRON PIPE FOUND
- 5/8 IRON ROD SET
- ▲ FENCE POST
- ⊙ TREE
- ⊙ UTILITY POLE
- ⊙ WATER METER
- ⊙ WATER WELL
- X- FENCE LINE
- E- ELECTRIC LINE
- P- PIPE LINE

Dale L. Olson

FENCES DO NOT REFLECT PROPERTY LINES

The undersigned does hereby certify by the title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property hereby described herein, and in concert, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown herein, and that said property has been surveyed on a dedicated road way, except as shown herein.

Dale L. Olson

DALE L. OLSON
REG. NO. 1793
DALE L. OLSON SURVEYING COMPANY
DATE: 01/29/08

MICHAEL D. OLSON
REG. NO. 6880

DALE L. OLSON

REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT

of a 7.044 ACRE TRACT in the
THOMAS DECROW SURVEY, A-27
BASTROP COUNTY, TEXAS.

SCALE: 1" = 200.00'	BROOK HURTA or Assigns		
DRAWN BY: D. OLSON	DATE: 29 JAN 08	DESK-FILE: 294-29	ORDER: 10/000
			PLAT FILE: -0-

DALE L. OLSON

Registered Professional Land Surveyor

711 Water Street

Bastrop, TX 78602

Phone (512) 321-5476 * Fax (512) 303-5476

FIELD NOTES FOR A 7.044 ACRE TRACT IN THE THOMAS DECROW SURVEY, BASTROP COUNTY, TEXAS.

BEING an 7.044 acre tract or parcel of land out of and being a part of the Thomas DeCrow Survey, A-27, in Bastrop County, Texas, and being a part of that certain 92.166 acre tract, described in a deed from Henry Buescher Parish, et ux, to Brook K. Hurta, Leslie Hurta, and Reid Sharp, dated January 28, 1998, recorded in Volume 890, Page 670, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

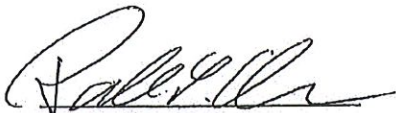
BEGINNING at a concrete right-of-way marker found at the intersection of the northeast line of State Highway No. 71 with the east line of Farm to Market Road No. 153, the west or northwest corner of the said 92.166 acre tract, for an angle corner of this tract.

THENCE with the east line of Farm to Market Road No. 153 and west line of the said 92.166 acre tract, N 01 deg. 29 min. 08 sec. W, 148.31 feet to a concrete right of way marker found; N 23 deg. 07 min. 00 sec. E, 93.94 feet to a 5/8 inch iron rod set at the beginning of a curve to the right for the most northerly northwest corner of the said 92.166 acre tract and this tract.

THENCE with the southeast line of the Farm to Market Road No. 153 and northwest line of the said 92.166 acre tract along a curve to the right whose radius is 1427.98 feet; whose long chord bears N 36 deg. 41 min. 48 sec. E, 670.61 feet; 676.93 feet along the arc to a 5/8 inch iron rod found at the northwest corner of that certain 12.495 acre tract described in a deed from Brook K. Hurta, et al, to Jack M. Alexander and Sandra L. Alexander recorded in Vol. 1031, Page 147, Bastrop County Deed Records for the northeast corner of this tract.

THENCE crossing said 92.166 acre tract with the west line of the Alexander 12.495 acre tract, S 02 deg. 22 min. 28 sec. E, 762.84 feet to a 5/8 inch iron rod found; S 87 deg. 37 min. 33 sec. W, 119.93 feet to a 5/8 inch iron rod found; S 33 deg. 15 min. 09 sec. E, 163.89 feet to a 5/8 inch iron rod found; S 61 deg. 03 min. 44 sec. W, 281.73 feet to a 5/8 inch iron rod found in the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract, the most southerly northwest corner of the Alexander tract for the southwest corner of this tract.

THENCE with the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract N 35 deg. 09 min. 24 sec. W, 328.00 feet to the POINT OF BEGINNING containing 7.044 acres of land.



Dale L. Olson
Reg. Pro. Land Surveyor 1753

OR Michael D. Olson
Reg. Pro. Land Surveyor 5386

©2008 Dale L. Olson Surveying Co.

Order #: 101608

Date Created: 01/30/08

Notices Ran in the Newspaper

The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 03, 2023 at 6:00 p.m. in the Council Chambers of City Hall located at 317 Main St. Smithville TX for discussion and action on multiple variance request for curb and gutters, street radius, speed limit, continuity, street right of ways and sidewalks for Garwood Park Subdivision, ABS A46 Lomas, L., 5.11 Acres, Parcel ID 49198, 701 NE 9th Street, property owner Machs and Cahoots LLC, Agent Chase Hodges. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023 at 6:00 p.m. Please check the City's website for any updates about this meeting.

Please run the following dates and provide a sworn affidavit December 14, 2022 in the Smithville Times.

The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 3, 2023 at 6:00 p.m. in the Council Chambers of City Hall located at 317 Main St. Smithville TX for Discussion and Action on a variance request for a minimum side yard setback for 408 Ramona Street, Parcel ID 8725404, Smithville Townsite, Block 13 Lot 3-A, Acres 0.258 (amended plat of lots 1, 2, 3 & 4 of Block 13), property owner Brenda Greene Mitchell, agent Mitchell Jameson. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the City's website for any updates about this meeting.

Please run the following dates and provide a sworn affidavit – December 14, 2022 in the Smithville Times.

The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 3, 2023 at 6:00 p.m. in the Council Chambers of City Hall located at 317 Main St. Smithville TX for Discussion and Action on zone change from SF-1 (Single Family Dwelling District) to C-3 (Highway Commercial District) for parcel ID 113099, A27 Decrow, Thomas, Acres 7.044, property owner Smithville Investment LLC, Agent Sadique Maredia. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the City's website for any updates about this meeting.

Please run the following dates and provide a sworn affidavit – December 14, 2022 in the Smithville Times.

MAYOR
SHARON FOERSTER
MAYOR PROTEM
WILLIAM GORDON
COUNCIL MEMBERS
JANICE BRUNO
CASSIE BARRIENTOS
TOM ETHEREDGE
JOANNA MORGAN
CITY MANAGER
ROBERT TAMBLE



317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS
78957
(512) 237-3282
FAX (512) 237-4549

12/13/2022

Dear Property Owner/Current Resident,

Your address is within 200' of the following proposed agenda items. This notice is to inform you that The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 3, 2023 at 6:00 p.m. in the Council Chambers located at 317 Main Street, Smithville, TX for:

Discussion and Action on zone change from SF-1 (Single Family Dwelling District) to C-3 (Highway Commercial District) for parcel ID 113099, A27 Decrow, Thomas, Acres 7.044, property owner Smithville Investment LLC, Agent Sadique Maredia.

The Commission will hear all citizens' concerns for or against the Zone Change. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the city website for any updates about this meeting.

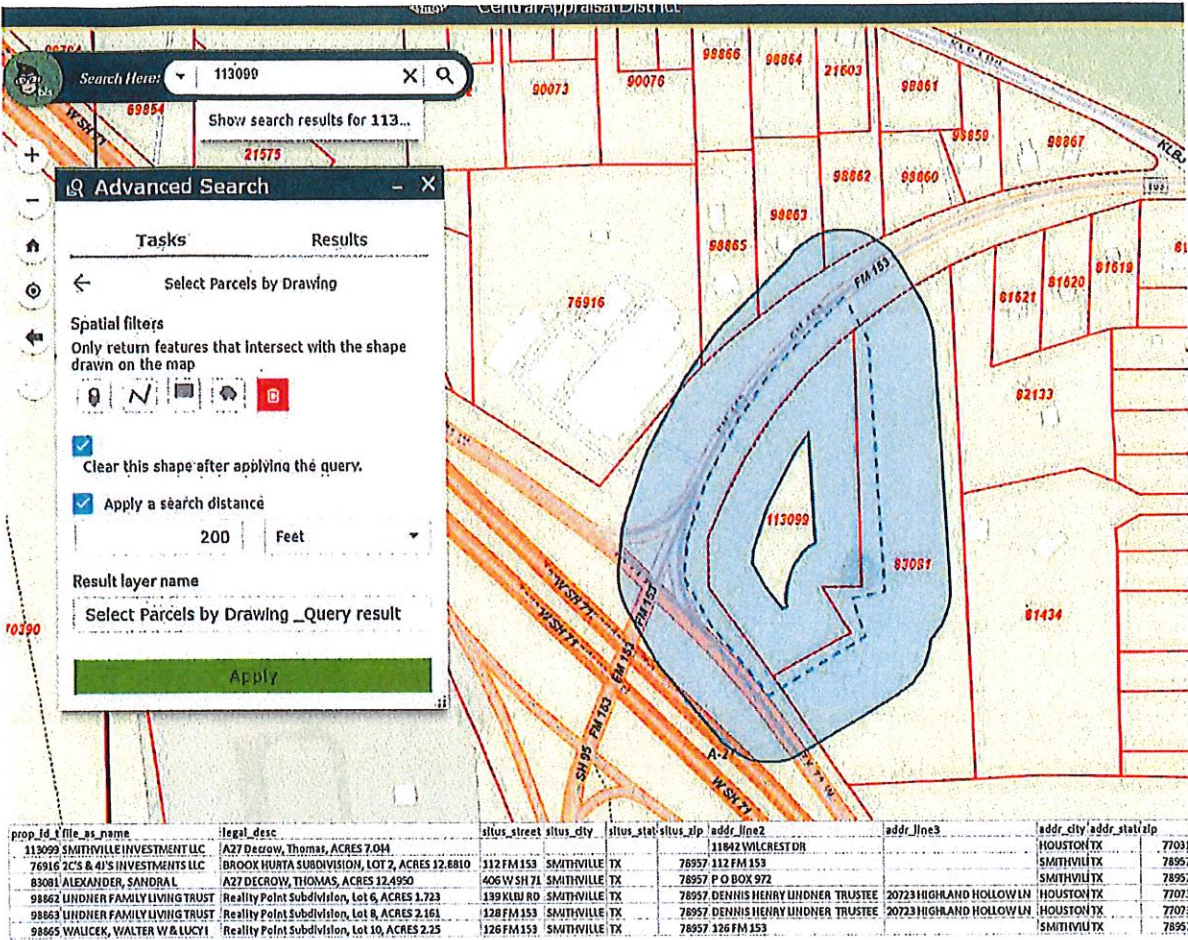
Please follow us on our YouTube Page:

(www.youtube.com/channel/UCN7rJz0wVks4zWV9EvKcH5w). You can also go to the City's website and click the link on the Planning & Zoning page to access our YouTube page. We will go live at 6:00 p.m. so that you can view the live meeting. **If you have any questions or concerns, please reach out to Tracie Dzenowski at 512-237-3282 ext. 2101 and check the City's website for any updates about this meeting.**

Thank you,

Tracie Dzenowski

Planning and Zoning Commission: Brian Riewe, Caroline Noya, Nancy Catherman, Garrett Gutierrez & Monica Poss.



MAYOR
SHARON FOERSTER
MAYOR PROTEM
WILLIAM GORDON
COUNCIL MEMBERS
JANICE BRUNO
CASSIE BARRIENTOS
TOM ETHEREDGE
JOANNA MORGAN
CITY MANAGER
ROBERT TAMBLE



317 MAIN STREET
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12/13/2022

Dear Property Owner/Current Resident,

Your address is within 200' of the following proposed agenda items. This notice is to inform you that The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 3, 2023 at 6:00 p.m. in the Council Chambers located at 317 Main Street, Smithville, TX for:

Discussion and Action on a variance request for a minimum side yard setback for 408 Ramona Street, Parcel ID 8725404, Smithville Townsite, Block 13 Lot 3-A, Acres 0.258 (amended plat of lots 1, 2, 3 & 4 of Block 13), property owner Brenda Greene Mitchell, agent Mitchell Jameson.

The Commission will hear all citizens' concerns for or against the variances. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the city website for any updates about this meeting.

Please follow us on our YouTube Page:

(www.youtube.com/channel/UCN7rJz0wVKS4zWV9EvKcH5w). You can also go to the City's website and click the link on the Planning & Zoning page to access our YouTube page. We will go live at 6:00 p.m. so that you can view the live meeting. **If you have any questions or concerns, please reach out to Tracie Dzenowski at 512-237-3282 ext. 2101 and check the City's website for any updates about this meeting.**

Thank you,

Tracie Dzenowski

*Planning and Zoning Commission: Brian Riewe, Caroline Noya, Nancy Catherman,
Garett Gutierrez & Monica Poss.*

Tasks Results

← Select Parcels by Drawing

Spatial filters
 Only return features that intersect with the shape drawn on the map

☒ Clear this shape after applying the query.

☒ Apply a search distance
 200 Feet

Result layer name
 Select Parcels by Drawing _Query result

Apply

Parcel Owner: MITCHELL, BRENDA GREENE

[View More Property Information](#)

[Click Here for GIS Map/Parcel Data](#)

Property Information

Property ID: 0725401

Legal Acreage: 0.26

Geo ID: R19169

Legal Description: S7820 - Smithville
Township BLOCK 13, LOT 3-A, ACRES 0.258
(AMENDED PLAT OF LOTS 1, 2, 3 & 4, BLK
13)

Tract or Lot: 3-A

Abstract Subdivision Code: S7820

Block: 13

Neighborhood Code: HBHD1502

[Zoom to](#)

[illegible]

MAYOR
SHARON FOERSTER
MAYOR PROTEM
WILLIAM GORDON
COUNCIL MEMBERS
JANICE BRUNO
CASSIE BARRIENTOS
TOM ETHEREDGE
JOANNA MORGAN
CITY MANAGER
ROBERT TAMBLE



317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS
78957
(512) 237-3282
FAX (512) 237-4549

12/13/2022

Dear Property Owner/Current Resident,

Your address is within 200' of one or more of the following proposed agenda items. This notice is to inform you that The City of Smithville Planning and Zoning Commission will hold a Public Hearing on January 03, 2023, at 6:00 p.m. in the Council Chambers located at 317 Main Street, Smithville, TX for:

Discussion and Action on multiple variance request for curb and gutters, street radius, speed limit, continuity, street right of ways and sidewalks for Garwood Park Subdivision, ABS A46 Lomas, L., 5.11 Acres, Parcel ID 49198, 701 NE 9th Street, property owner Machs and Cahoots LLC, Agent Chase Hodges.

The Commission will hear all citizens' concerns for or against the multiple variance request. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the city website for any updates about this meeting.

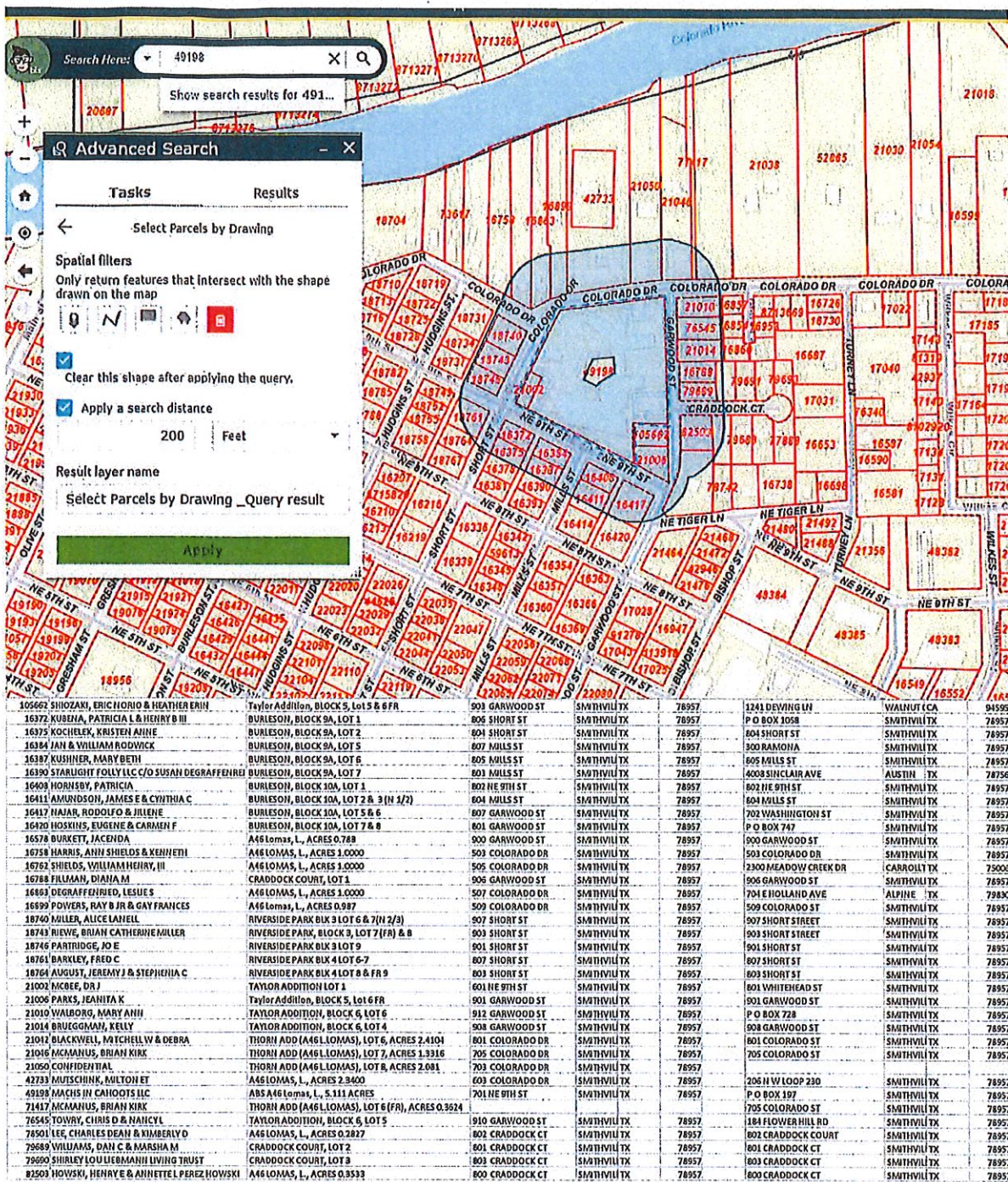
Please follow us on our YouTube Page:

(www.youtube.com/channel/UCN7rJz0wVks4zWV9EvKcH5w). You can also go to the City's website and click the link on the Planning & Zoning page to access our YouTube page. We will go live at 6:00 p.m. so that you can view the live meeting. **If you have any questions or concerns, please reach out to Tracie Dzenowski at 512-237-3282 ext. 2101 and check the City's website for any updates about this meeting.**

Thank You,

Tracie Dzenowski

Planning and Zoning Commission: Brian Riewe, Caroline Noya, Nancy Catherman, Garrett Gutierrez & Monica Poss.



CITY OF SMITHVILLE

PLANNING & ZONING APPLICATION

APPLICATION TYPE

Zoning Change Request: ☐ Change in Zoning Class
☐ Change in Ordinance
☒ Variance
☐ Special Use Permit
☒ Minor Plat/Subdivision
☐ Other _____

Number of Requests: ☐ Single
☐ Multiple

PROPERTY IDENTIFICATION

Street Address _____

*** Applicant must submit an accurate location map and site plan for application to be considered ***

Legal description ☒ Platted Land (please provide subdivision, block and lot information below)
☐ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name: A27 Decrow, Thomas, Acres 68.094

Property Tax Code: 70936 Block Number: _____ Lot Number: _____

Property Owner (as listed on Deed): Jesco Construction

Property Owner Mailing Address: P.O. Box 17066 Austin Tx

Owner's Phone No: _____ Owner's Email: _____

Agent's Name (if applicable):

Glenn Synnott

Agent's Mailing Address:

Same as above

Agent's Phone No: _____

Agent's Email: same as above

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

Describe special use requested:

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

Replat (preliminary) Industrial Park.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: _____

Kenn Lyman

Date: 01-09-23

OFFICE USE ONLY:

Fee Amount: _____

675-

Fee Payment: _____

675

P&Z Date: _____

February 7, 2023

Council Date: _____

February 13, 2023

Accepted By: _____

A. Krawowski

Date Submitted: _____

1-9-2023

317 MAIN STREET
P.O. BOX 449
SMITHVILLE, TEXAS 78957



TEL: (512) 237-3282
FAX: (512) 237-4549
WWW.CI.SMITHVILLE.TX.US

Planning and Zoning Variance Criteria: Ordinance and Request for Variance

Request for Variance

Please answer the following questions as detailed as possible so that the City Council has enough information to consider this request. Include information on additional pages if necessary:

Will granting this variance have any negative effect on the good order and functioning of the community and government affairs for the well-being of citizens?

No, this configuration is for the intent of providing developed land for various types of land use, including industrial, commercial and hospitality.

Explain the special condition affecting the property.

The land in this subdivision, will accommodate several uses, including industrial, commercial and hospitality. As such, it is necessary to use larger lots for this type of use. These uses require larger footprints and deeper lots than that required for residential uses.

Explain the unnecessary hardship caused by the special condition.

The requirement of a maximum depth of 300 Feet for a block width will not allow some uses including some of the big box type stores, or industrial uses that sometimes require 600 to 700 feet in depth.

Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and substantial justice is done. Will substantial justice be done if this variance is granted? Explain.

Yes, this development is a mixed use development and will have a varying size of lots and building sizes. With this type of development and configuration, and in order to provide for an esthetically pleasing final product it is necessary to receive this variance.

For land being used or developed for a reason other than a homeowner building or improving the homeowner's residence, there is no unnecessary hardship unless:

- (1) Without the requested variance, the Code of Ordinances of the City of Smithville does not permit any reasonable use of the land;
- (2) The hardship complained of is not self-created; and
- (3) The hardship complained of is not a financial hardship only.
- (4) The cost of compliance with the zoning ordinance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; or
- (5) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; or
- (6) Compliance would result in the structure not in compliance with a requirement of another city ordinance, building code, or other requirement; or
- (7) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (8) The city considers the structure to be a nonconforming structure


Explain how the unnecessary hardship meets all of the above criteria.

The unique nature of this development with the intent of larger users, with industrial, commercial and hospitably oriented business cannot be accommodated within the requirements of the current City of Smithville ordinances. Some of the users will require close coordination of local traffic on a contiguous lot or tract. If this land was to be used for residential, compliance would be met, but not for the intended use of this site. The development market is the driving factor for this configuration, as there are two potential users that will be building in phase I of the development, with aggressive construction schedules.

☒ By checking this box, I affirm that granting this variance will not negatively affect land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the area, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and general welfare in the vicinity.

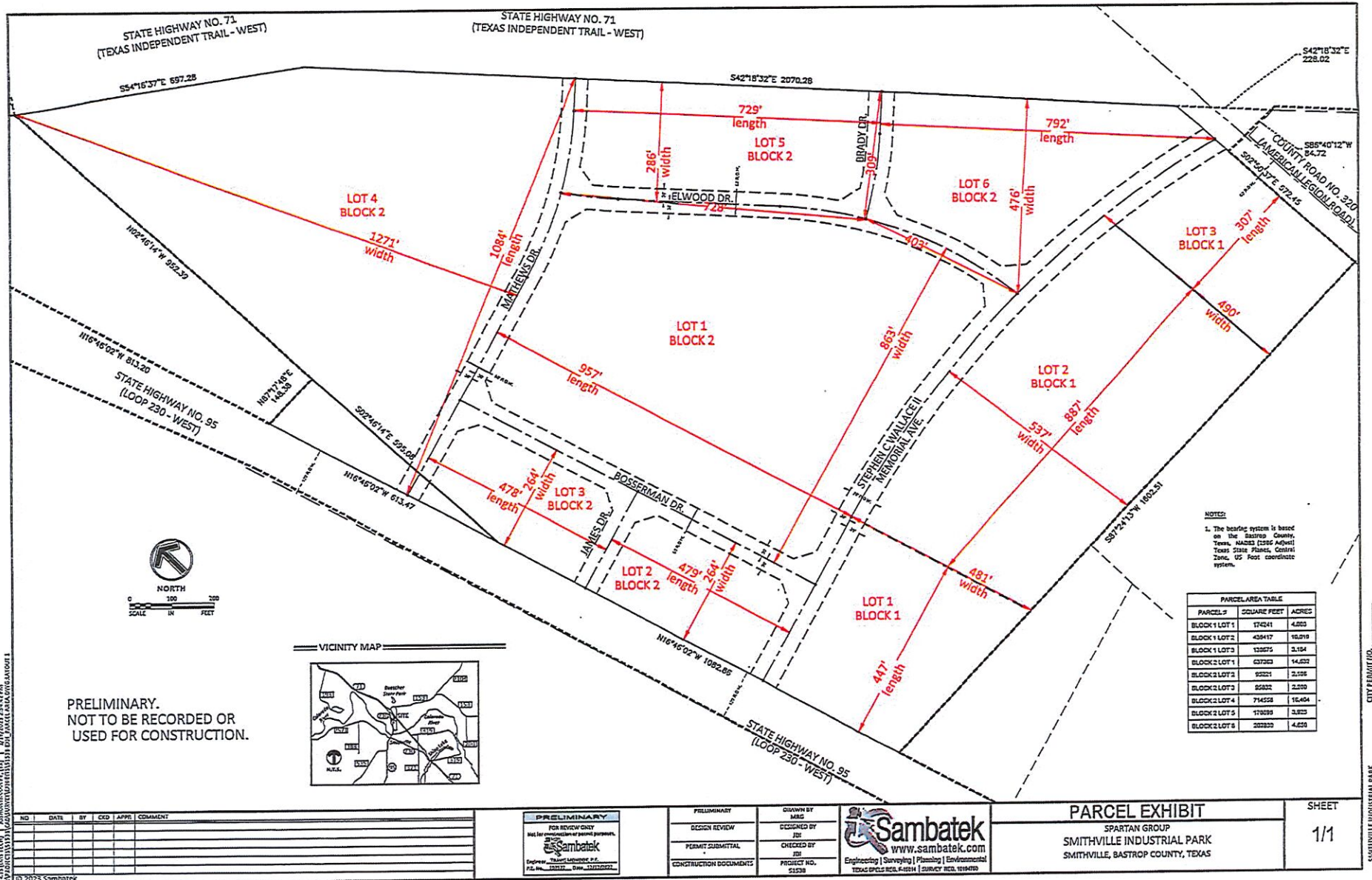
Other Comments:

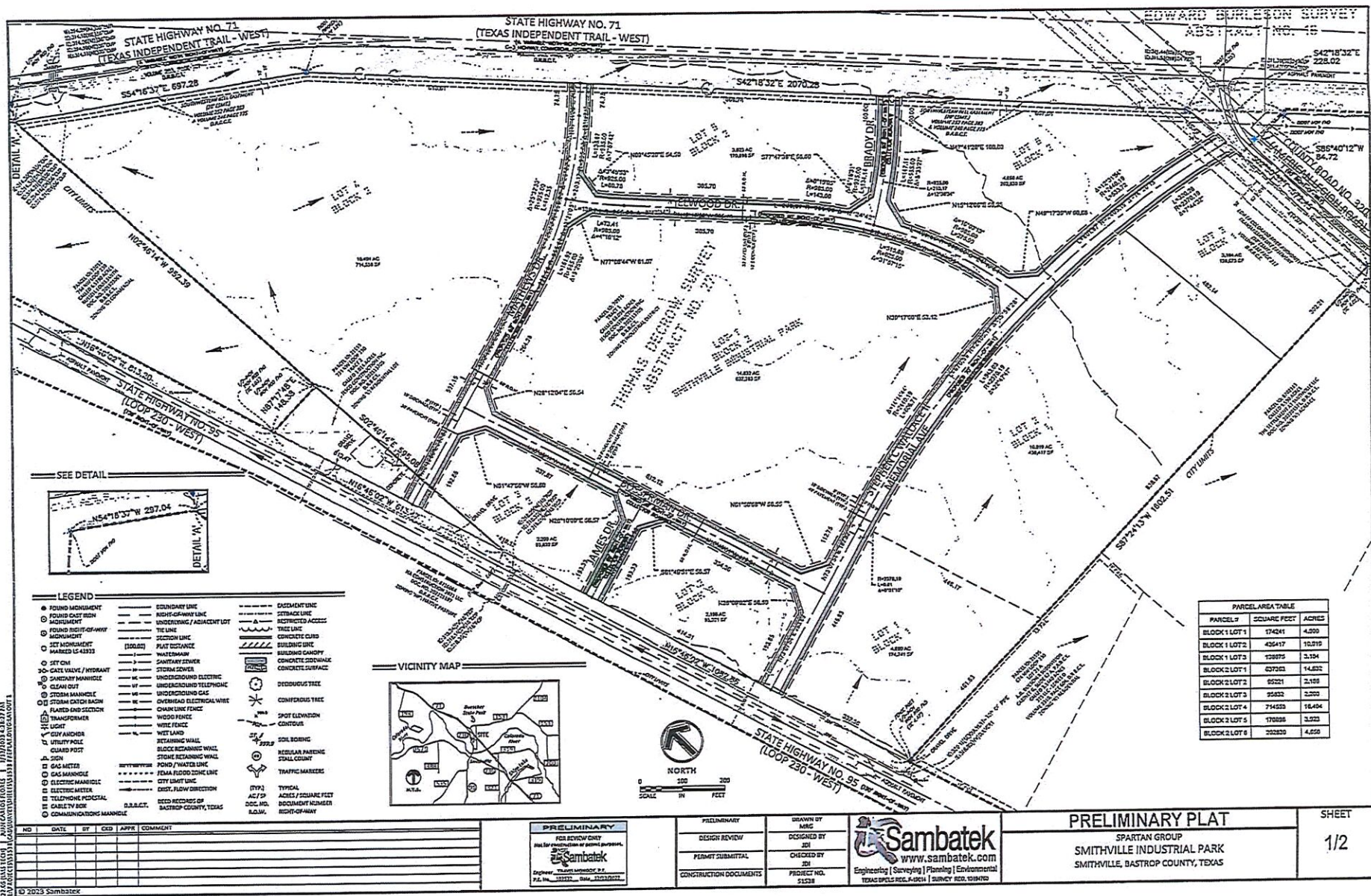
We thank you for the your consideration with this request, and we will be present to answer questions at the P & Z meeting and city council meeting

Signature: 

Print Name: Anthony Jaecqoo

Date: 1-18-23





CITY MANAGER, CITY OF SMITHVILLE DATE

maximum length of water flow on paved streets to live mammals (page 201). The area will remain open to all sewers and curb inlets shall be approved by the City Building Inspector and/or the City administration.

	2/2
--	-----

SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Subdivision Ordinance, Article 3, "Minimum Design Standards", Sections 1-7 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies																																
				YES	NO																															
Section 1 - Streets	1.1	1	GENERALLY: Unless otherwise approved by the administration, provisions must be made for the extension of arterials; collector streets shall be provided for circulation of traffic through the subdivision; and adequate local streets provided to accommodate the subdivision.	YES																																
	1.2	2	ALIGNMENT: All arterials and the collector streets shall be continuous or in alignment with existing streets, unless variations are deemed advisable by the administration after consideration of recommendations by the Building Inspector and/or administration. Curvilinear streets shall be allowed. Off-center street intersections shall not be approved.	YES																																
	1.3	3	GRADES: Arterials shall have a maximum grade of five (5) percent for a maximum continuous distance of two hundred (200) feet. All streets must have a minimum grade of at least one-half (1/2) of one (1) percent. Centerline grade changes with an algebraic difference of more than two (2) percent shall be connected with vertical curves of sufficient length to provide a minimum of six hundred (600) feet sight distance on arterials and four hundred (400) feet sight distance on collector streets and local streets. All vertical curves must be of such length so as to provide comfortable flow of traffic. Wherever a cross slope is necessary or desirable from one curb to the opposite curb, such cross slopes shall not be less than one-tenth (0.1) inch in one (1) foot nor more than one-half (1/2) inch in one (1) foot.	YES																																
	1.4	4	BASE: Arterials shall have a ten (10) inch compacted base constructed of crushed stone. Collector streets shall have a six (6) inch compacted base of crushed stone, and local streets shall have a six (6) inch compacted base of crushed stone or gravel. All crushed stone must meet standards established in Item 215 of the current Texas Highway Department Standard Specifications for Road and Bridge Construction. Gravel shall meet the standards specified by the Building Inspector. All street bases shall be constructed on a subgrade approved by the Building Inspector before base material is placed. Standard methods of compaction of base shall be used, and base material shall be applied and compacted in two (2) courses. Street bases shall be approved by the Building Inspector before a surface course is applied.	YES																																
	1.5	5	WIDTHS: Street widths shall be consistent with Table 1 below. <table><tr><th colspan="4">TABLE 1 SUBDIVISION STREET STANDARDS</th></tr><tr><th>STREET TYPE</th><th>R-O-W WIDTH</th><th>PAVEMENT WIDTH¹</th><th>CURB AND GUTTER REQUIRED²</th></tr><tr><td>Divided Highway (4 lanes)</td><td>200'</td><td>2 x 48</td><td>No</td></tr><tr><td>Highway, 4-Lane Undivided</td><td>150'</td><td>80'</td><td>No</td></tr><tr><td>Arterial</td><td>90'</td><td>64'</td><td>Yes</td></tr><tr><td>Major collector</td><td>70'</td><td>40'</td><td>Yes</td></tr><tr><td>Collector</td><td>60'</td><td>30'</td><td>Yes</td></tr><tr><td>Local</td><td>60'</td><td>28'</td><td>Yes</td></tr></table>	TABLE 1 SUBDIVISION STREET STANDARDS				STREET TYPE	R-O-W WIDTH	PAVEMENT WIDTH ¹	CURB AND GUTTER REQUIRED ²	Divided Highway (4 lanes)	200'	2 x 48	No	Highway, 4-Lane Undivided	150'	80'	No	Arterial	90'	64'	Yes	Major collector	70'	40'	Yes	Collector	60'	30'	Yes	Local	60'	28'	Yes	YES
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SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Subdivision Ordinance, Article 3, "Minimum Design Standards", Sections 1-7 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies	
				YES	NO
Section 1 - Streets	1.6	6	SURFACE: Surfacing of all streets shall be mandatory, and must be completed and inspected by the Building Inspector before streets are accepted for maintenance by the City. The minimum acceptable surface for arterials is two (2) inches of rock asphalt or hot mix asphaltic concrete, either hot or cold lay; for collector streets and residential streets one one-half (1 ½) inch of rock asphalt or hot mix asphaltic concrete. The type of surface course to be used shall be designated by the Building Inspector. All street construction shall be performed by a bonded contractor who has filed a faithful performance bond for the City.	YES	
	1.7	7	INTERSECTIONS: Arterials shall have a minimum radius of the centerline of one thousand, nine hundred ten (1,910) feet; collector streets shall have a minimum radius at the centerline of nine hundred fifty-five (955) feet; local streets shall have a minimum radius at the centerline of five hundred (500) feet, unless in special circumstances the commission approves a local street with a smaller minimum radius.	YES	
	1.8	8	CONTINUITY: The system of streets designated for the subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivisions; and where other than adjacent connections are platted, must in general be reasonable projection of streets in the nearest subdivided tracts, and must be contained to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. Reserve strips of land controlling access to or egress from other property or to or from any street or alley or having the effect of restricting or damaging the adjoining property for subdivision purposes or which will not be taxable or accessible for special improvements shall not be permitted in any subdivision unless such reserve strips are conveyed to the City in fee simple.	YES	
	1.9	9	DEAD ENDS: Dead ends courts or places may be permitted where the form or contour of the land makes it difficult to plat with connecting streets; however, except in unusual cases, no dead end streets will be approved unless such dead end streets are provided to connect with future streets in adjacent land. Such courts or places shall provide proper access to all lots and shall generally not exceed four hundred (400) feet in length and a turn around shall be provided at the closed end, with an outside radius or at least sixty (60) feet to the face of the curb and minimum radius of seventy (70) feet to the property line.	YES	
Section - 2	N/A	10	STREET POSTS AND MARKERS: The City shall pay the cost of purchasing and installing street posts and markers at each street intersection.	YES	
Section - 3	N/A	11	ALLEYS: Alleys or loading courts shall be provided in business blocks. Alleys need not be provided in residential blocks unless they are specifically required by the commission. Where alleys are required in residential blocks, the width of such alleys is optional, but in no case may the width of such an alley be less than twenty (20) feet. All alleys shall be brought to an established grade approved by the Building Inspector and/or City administration, and based with six (6) inches or compacted road gravel.	YES	

SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Subdivision Ordinance, Article 3, "Minimum Design Standards", Sections 1-7 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies	
				YES	NO
Section - 4	N/A	12	BLOCKS: In general, intersecting streets, determining block lengths, shall be provided at such intervals as to serve cross traffic adequately, and to meet existing streets or customary subdivision practices in the neighborhood. Where no existing plats control, the blocks shall be not more than six hundred (600) feet in length nor less than three hundred (300) feet in length except in unusual cases. In an unusual case where a block is allowed to be more than six hundred (600) feet long a connecting sidewalk four (4) feet wide and located on a four (4) foot dedicated easement may be required across the middle portion of such block for pedestrian use. Block widths shall not exceed three hundred (300) feet nor be less than two hundred forty (240) feet, except in unusual cases. Will Require Variance Request For Block Width > 300 feet.		X Block width > 300'
Section - 5	N/A	13	CURB AND GUTTER: Curb and gutter shall be required to be constructed on all streets and avenues. Radial curb and gutter shall be constructed at each corner block to which curb and gutter is constructed. Lay down curbs shall be constructed across all alley intersections. All curb and gutter and all lay down curbs shall be constructed in accordance with the plans and specifications on file in the office of the Building Inspector and shall be constructed upon a compact base of minimum depth of four (4) inches and extending at least 6 inches (6") behind the back of the curb. All concrete used shall be Class B as now specified by the Texas Highway Department, Item 403.8. Valley gutters are required and shall be paved with concrete meeting Texas Highway Department Specifications for Class A concrete. All materials shall meet the specifications of the City.	YES	
Section - 6	N/A	14	SIDEWALKS: Generally, residential sidewalks shall be required on both sides of the street; shall not be less than four (4) feet in width, parallel to and not more than two (2) feet above or below the adjacent curb grade; and shall be located one (1) foot inside the dedicated street line and situated wholly within the dedicated street. Sidewalks abutting business property shall have a minimum width of ten (10) feet. Parkways, the area between curbs and the right-of-way line, shall be excavated or filled to a grade parallel with the longitudinal street grade, and the ground elevation at the right-of-way line shall be not more than two (2) feet, nor less than three (3) inches above the elevation of the top of the adjacent curb. Landing walks of a width not less than eighteen (18) inches may be installed abutting the rear of the curb.	YES	
Section - 7	7.1	15	DRAINAGE REQUIRED: Structures for drainage shall be constructed in such locations and of such size to adequately serve the subdivision and the contributing drainage area.	YES	

SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Subdivision Ordinance, Article 3, "Minimum Design Standards", Sections 1-7 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies	
				YES	NO
Section - 7	7.2	16	<p>DRAINAGE DITCHES: Before the approval of the final plat, the developer and/or owner of the subdivision shall:</p> <p>a. Enclose all existing open drainage ditches in concrete or corrugated metal structures of such size as will adequately serve the subdivision and adjacent drainage area; or</p> <p>b. Make an escrow deposit with the City Secretary of sufficient funds to perform such work upon the understanding that such work will be done by him within eleven (11) months following the approval of the final plat, or the City will be authorized to use said escrow deposit to perform work; or</p> <p>c. Furnish a bond to the City Secretary, payable to the City in an amount sufficient to perform such work as determined by the City Building Inspector, conditioned that he will have the work done according to specifications within eleven (11) months following the approval of the final plat.</p>	YES	
	7.3	17	<p>STORM SEWERS AND CURB INLETS: Storm sewers shall be provided and curb inlets located as to properly drain all streets and intersections. Sufficient curb inlets shall be provided so as to limit the maximum length of water flow on paved streets to five hundred (500) feet. The size and location of all sewers and curb inlets shall be approved by the City Building Inspector and/or the City administration.</p>	YES	

Administrative Approvals:

DENIED: _____

ACCEPTED: _____



Jack Page
Jack Page - Building Inspector

1/9/23
Date:

Robert Tamble
Robert Tamble - City Manager

1/9/23
Date:

SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Chapter 10 of Subdivision Ordinance, Article 2, Section 2.1, 2.2, and 2.3 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies	
				YES	NO
Section 2.1 - Submission	N/A	1	The subdivider shall submit five (5) prints of a preliminary plat of any proposed subdivision to the City Secretary for review by the City Manager and the City Building Official and for transmission to the planning and zoning commission for their approval before the preparation of the final plat for record.	YES	
		2	The preliminary plat shall be prepared by a registered professional engineer or registered public surveyor, shall bear his seal, and shall be drawn to a scale of one hundred (100) feet to the inch.	YES	
Section 2.2 - Contents	a	3	The names of the owner and/or subdivider, the registered engineer, or the licensed state land surveyor responsible for the survey or design of the plat.	YES	
	b	4	The proposed name of the subdivision, which shall not be so similar to that of an existing subdivision as to cause confusion, and names of adjacent subdivisions.	YES	
	c	5	Location of boundary lines and width and location of platted streets and alleys within, or adjacent to, the property for a distance of five hundred (500) feet;	YES	
		6	Physical features of the property, including location of watercourses, ravines, bridges, culverts, present structures and other features pertinent to subdivision; and location of any existing utilities with size of sewer and water mains.	YES	
		7	The outline of wooded areas and the location of important individual trees is required.	YES	
		8	Topographical information with contour lines at two (2) foot intervals or closer shall be shown. Such information may be presented by separate plat filed with the subdivision plat if an overlay is also provided.	YES	
		9	The acreage of the property is to be indicated.	YES	
	d	10	The flow of drainage with arrows sufficient to show predicted path. An explanation and depiction shall be attached to show outflow and inflow availability on high flow areas. Adjoining property where inflow originates or outflow exists must be attached to insure compliance with drainage or excessive run-off factors. No plat shall be considered for approval unless these drainage flows are attached.	YES	
	e	11	All zoning designations applicable to the land to be subdivided and the boundaries of such zoning districts.	YES	
	f	12	The City limit line, extraterritorial jurisdiction boundary, or other political boundaries that pass through the land to be subdivided.	YES	
	g	13	The locations, rights-of-way, widths, names, and classifications of the proposed streets, roads, alleys, and other features and their location in relation to platted streets and alleys in adjacent subdivisions shall be shown. If there are no adjacent subdivisions, then a map, which may be made on small scale, must be presented showing the outline and ownership of adjacent properties, location and distance to the nearest subdivisions, and how the streets, alleys, or highways in the subdivision offered for record may connect with those in the newest subdivisions. Proposed streets shall not be shown over lands of adjacent owners unless written agreements covering this condition are presented with the plat.	YES	

SMITHVILLE INDUSTRIAL PARK

Preliminary Plat Submittal Requirements / Checklist

Per Chapter 10 of Subdivision Ordinance, Article 2, Section 2.1, 2.2, and 2.3 - The preliminary plat shall show, contain, or be accompanied by the following:

Sec	Para	Item #	Description	Complies	
				YES	NO
Section 2.2 - Contents	h	14	The lot depth and the lot width at the street right-of-way line and, if different, at the building line for all lots.	YES	
	i	15	A statement, as to type and width of grading, pavements, or surfacing proposed by the developer, shall be placed on the plat over the developer's signature.	YES	
	j	16	A designation shall be shown of the proposed uses of land within the subdivision; that is, the type of residential use, location of business or industrial sites, and sites for churches, schools, parks or other special uses.	YES	
	k	17	A north arrow, scale and date.	YES	
	l	18	A key map showing the subdivision in relation to major streets in all directions to a distance of at least one (1) mile shall be included on the plat.	YES	
	m	19	A copy of proposed deed restrictions or private covenants, if any, must accompany the preliminary plat and are subject to approval by the City Council.	YES	
Section 2.3 - Certification	N/A	20	<p>The following certificates and signatures shall be placed on the preliminary plat:</p> <p>_____ Engineer / Surveyor Date</p> <p>_____ Building Inspector Date</p> <p>Approval for Preparation of Final Plat:</p> <p>_____ City Manager, City of Smithville Date</p>	YES	

Preliminary Plat must also comply with Article 3 - "Minimum Design Standards", Sections 1-7

Administrative Approvals:

DENIED: _____

ACCEPTED: ☒

Jack Page
Jack Page - Building Inspector

1/9/23
Date:

Robert Tamble
Robert Tamble - City Manager

1/9/23
Date:

MAYOR
SHARON FOERSTER
MAYOR PROTEM
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01/18/2023

Dear Property Owner/Current Resident,

Your address is within 200' of one or more of the following proposed agenda items. This notice is to inform you that The City of Smithville Planning and Zoning Commission will hold a Public Hearing on February 07, 2023, at 6:00 p.m. in the Council Chambers located at 317 Main Street, Smithville, TX for:

Discussion and action on a block width greater than 300' based on unusual case and/or special conditions variance request for the proposed preliminary plat for the Smithville Industrial Park located at Property ID 70936, A27 Decrow, Thomas, Acres 68.094, property owner Jesco Construction Inc., Agent Glen Synnott & Discussion and Action on a preliminary plat for the Smithville Industrial Park located at Property ID 70936, A27 Decrow, Thomas, Acres 68.094, property owner Jesco Construction Inc., Agent Glen Synnott.

The Commission will hear all citizens' concerns for or against the variance and replat. A recommendation will be given at the City Council meeting by the Planning and Zoning Commission. The City Council will hold a public hearing and Council meeting to discuss and seek action on February 13, 2023, at 6:00 p.m. Please check the city website for any updates about this meeting.

Please follow us on our YouTube Page:

www.youtube.com/channel/UCN7rJz0wVks4zWV9EvKch5w). You can also go to the City's website and click the link on the Planning & Zoning page to access our YouTube page. We will go live at 6:00 p.m. so that you can view the live meeting. **If you have any questions or concerns, please reach out to Tracie Dzenowski at 512-237-3282 ext. 2101 and check the City's website for any updates about this meeting.**

Thank you,

Tracie Dzenowski

Planning and Zoning Commission: Brian Riewe, Caroline Noya, Nancy Catherman, Garrett Gutierrez & Monica Poss.

