



## Planning and Zoning Commission

Monday, April 28, 2025 at 5:30 PM

Breckenridge City Offices Commission Chambers  
105 North Rose Avenue  
Breckenridge, Texas 76424

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### AGENDA

#### CALL TO ORDER

#### APPROVAL OF MINUTES

1. Consider approval of the March 24, 2025, meeting minutes as recorded.

#### PUBLIC HEARING

2. Conduct a public hearing regarding a request to replat the property located at 1200 W. 2nd (currently legally described as Mountain Heights Addition, Block 5, Lots 1, 2, & 3) into two lots. The owner plans to place a mobile home on the north lot.
3. Conduct a public hearing regarding an amendment to the zoning ordinance to specify permissible residential uses for recreational vehicles within the City of Breckenridge.

#### SCHEDULED AGENDA ITEMS

4. Consider and make recommendation on request to replat the property currently legally described as Mountain Heights Addition, Block 5, Lots 1, 2, & 3 into two lots. The property owner plans to place a mobile home on the north lot.
5. Consider recommending cancellation of the approved replat to the property known as 105 N. Rose (legally described as Lots 1, 2, 3, and the East half of Lot 4, Block 7, Original Town of Breckenridge) and property known as 317 W. Elm, (legally described as Lots 5, 6 and the West half of Lot 4, Block 7, Original Town of Breckenridge.)
6. Consider and make recommendations on Ordinance 2025-07 amending Chapter 22 "Zoning" of the Breckenridge Code of Ordinances.

#### ADJOURN

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas at 5:00 P.M., Friday, April 25, 2025.

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Jessica Sutter, TRMC City Secretary

This facility is wheelchair accessible, and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254)559-8287 or FAX (254)559-7322 for further information.

Removed from the City Offices bulletin board at \_\_\_\_\_ on \_\_\_\_\_ by \_\_\_\_\_.



## Planning and Zoning Commission

Tuesday, March 24, 2025, at 5:30 PM  
 Breckenridge City Offices Commission Chambers  
 105 North Rose Avenue  
 Breckenridge, Texas 76424

### MINUTES

#### PRESENT

COMMISSIONER PLACE 1  
 COMMISSIONER, PLACE 2  
 COMMISSIONER PLACE 3  
 COMMISSIONER PLACE 4  
 COMMISSIONER PLACE 6

LES STRICKLAND  
 ERIC BRENNAN  
 CORY WIMBERLY  
 JB SPARKS  
 RAUL DURAN

CITY MANAGER  
 CITY SECRETARY  
 FIRE CHIEF/CODE ENFORCEMENT  
 FIRE/CODE SECRETARY

CYNTHIA NORTHROP  
 JESSICA SUTTER  
 MALCOLM BUFKIN  
 CHRISTI TIDROW

#### ABSENT

COMMISSIONER PLACE 5  
 COMMISSIONER PLACE 7

GENOA GOAD  
 BLAINE REATHERFORD

#### CALL TO ORDER

JB Sparks called the meeting to order at 5:30 p.m.

#### APPROVAL OF MINUTES

1. Consider approval of the February 24, 2025, meeting minutes as recorded.

Commissioner Brennan made a motion to approve the February 24, 2025, meeting minutes as presented. Commissioner Duran seconded the motion. The motion passed unanimously.

**PUBLIC HEARING**

Commissioner Sparks opened the Public Hearing at 5:31 p.m.

2. Conduct a Public Hearing regarding a request to replat the property located at 612 W. Wheeler and 614 W. Wheeler (currently legally described as Brown Addition, Block 4, Lot 6 and Brown Addition, Block 4, Lot 5) request to replat the properties into one lot. The property owner plans to build a single-family home across the two lots.

No Speaker

Commissioner Sparks closed the Public Hearing at 5:32 p.m.

**SCHEDULED AGENDA ITEMS**

3. Consider and make recommendation on request to replat the property located at 612 W. Wheeler and 614 W. Wheeler - currently legally described as Brown Addition, Block 4, Lot 6 and Brown Addition, Block 4, Lot 5 into one lot. The property owner intends to build a single-family home on the lot.

Commissioner Duran made a motion to approve the replat to the property located at 612 W. Wheeler and 614 W. Wheeler as presented. Commissioner Strickland seconded the motion. The motion passed unanimously.

**ADJOURN**

The meeting adjourned at 5:35 p.m.

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**JB Sparks, Commissioner Place 4**

**ATTEST:**

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**Jessica Sutter, City Secretary**



## BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

**Subject:** Consider and make recommendation on request to replat the property currently legally described as Mountain Heights Addition, Block 5, Lots 1, 2, & 3 into two lots. The property owner plans to place a mobile home on the north lot.

**Department:** Administration

**Staff Contact:** Cynthia Northrop

**Title:** City Manager

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### **BACKGROUND INFORMATION:**

The property in question consists of three lots, with a mobile home on the south half of the lots. The owner plans to place a mobile home on the north lot.

### **FINANCIAL IMPACT:**

N/a

### **STAFF RECOMMENDATION:**

Consider recommendation of the replat as presented.











## BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

**Subject:** Consider recommending cancellation of the approved replat to the property known as 105 N. Rose (legally described as Lots 1, 2, 3, and the East half of Lot 4, Block 7, Original Town of Breckenridge) and property known as 317 W. Elm, (legally described as Lots 5, 6 and the West half of Lot 4, Block 7, Original Town of Breckenridge.)

**Department:** Administration

**Staff Contact:** Cynthia Northrop

**Title:** City Manager

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**BACKGROUND INFORMATION:**

P&Z approved a replat on February 24, 2025, and the City Commission approved the same replat on March 4, 2025. The property owner has not recorded the replat and has requested that the City's approval of the replat be cancelled. The owner would like to proceed with alternate plans for property development.

**FINANCIAL IMPACT:**

n/a

**STAFF RECOMMENDATION:**

Consider approval of cancellation of the replat as presented.



## METES AND BOUNDS DESCRIPTION 0.69 ACRE TRACT

All that certain 0.69 acre tract or parcel of land situated in the City of Breckenridge, Texas in the northeast quarter of the Lunatic Asylum Lands Section Number 9, grantee D.W. Hullum, Abstract Number 86, patent filed 12 June 1877, and recorded in volume B page 386 of the Deed Records of the County of Stephens, State of Texas, and said tract being part of Tract No. 3 as described in Deed to Steven Wayne Whitmire, filed 28 August 2024, and recorded in volume 2263 page 492 of the Official Public Records of said Stephens County, and being all of a tract as described in deed to City of Breckenridge, Texas, filed 15 May 1998, and recorded in volume 1374 page 119 of said official public records, and said tract being all of a tract as described in deed to City of Breckenridge, Texas, filed 04 January 2001, and recorded in volume 1568 page 277 of said official public records, and said tract being all of Lots 1, 2, 3, 4, 5, and 6 of Block 7 of the Original Town of Breckenridge, dated May 1878, and recorded in volume C page 34 of the deed records, said plat now located in Slide 91B, and being more particularly described as follows;

**BEGINNING** for the northwest corner of the tract being described herein at a found iron rod with plastic cap marked "5560", same being the northwest corner of said Block 7, said rod being at the intersection of the south line of West Elm Street, and the east line of North McAmis Street, and said rod also having a North Central Texas State Plane Coordinate of N:6958273.07 E:1843634.60;

**THENCE:** South 89 degrees 52 minutes 57 seconds East, with the north line of said Block 7, and with the south line of said Elm Street, and passing at 60.22 feet a set 1/2 inch rebar and continuing on said course, and passing at 125.22 feet a found iron rod with plastic cap marked "4015" and continuing on said course a total distance of 300.00 to a found iron rod with brass cap for the northeast corner of this tract, same being the northeast corner of said Block 7, said rod being on the west line of South Rose Avenue;

**THENCE:** South 00 degrees 01 minutes 09 seconds West, with the east line of said block 7, and the west line of said Rose Avenue, a distance of 100.00 feet to a set 1/2 inch rebar for the southeast corner of this tract, said rebar being on the north line of a platted 15 foot wide alley;

**THENCE:** North 89 degrees 54 minutes 34 seconds West, with the north line of said alley, and passing at 175.00 feet a found iron rod with plastic cap marked "4015" and continuing on said course, a total distance of 300.00 feet to a found iron rod with plastic cap marked "5560" for the southwest corner of this tract, said rod being on the west line of said Block 7, said rod being on the east line of said McAmis Avenue, from said rod a found MAG nail being the northwest corner of Lot 7 of said Block 7 bears South 00 degrees 01 minutes 08 seconds West, a distance 16.29 feet;

**THENCE:** North 00 degrees 01 minutes 09 seconds East, with the west line of said Block 7, and the east line of said McAmis Street, a distance of 100.14 feet to the **POINT OF BEGINNING** and containing 0.69 acres of land.

NAD83 Grid Bearings and Distances reflect surface measurements

### OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Steven Wayne Whitmire** does hereby adopt this plat designating the herein described property as Lots 1R and 2R, Block 7, being a **Replat** of all of Lots 1, 2, 3, 4, 5, and 6, of Block 7 of the Original Town of Breckenridge, County of Stephens, State of Texas, and do hereby adopt this plat dedication to the public for public use forever the streets, alleys, parks, water courses, drains, easements, rights-of-way, and other public places shown on the attached plat.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Breckenridge, Stephens County, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

Authorized Signature of Owners

Printed Name

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of the office this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

Notary Public,  
State of Texas

Commission Expires: \_\_\_\_\_

### OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **The City of Breckenridge** does hereby adopt this plat designating the herein described property as Lots 1R and 2R, Block 7, being a **Replat** of all of Lots 1, 2, 3, 4, 5, and 6, of Block 7 of the Original Town of Breckenridge, County of Stephens, State of Texas, and do hereby adopt this plat dedication to the public for public use forever the streets, alleys, parks, water courses, drains, easements, rights-of-way, and other public places shown on the attached plat.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Breckenridge, Stephens County, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

Authorized Signature of Owner

Printed Name

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of the office this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

Notary Public,  
State of Texas

Commission Expires: \_\_\_\_\_

### APPROVALS:

Recommended for Final Approval

City Manager \_\_\_\_\_ Date \_\_\_\_\_

Mayor of the City of Breckenridge \_\_\_\_\_ Date \_\_\_\_\_

State of Texas  
County of Stephens

### ATTEST:

I hereby certify that the foregoing plat was approved by the City Council of the City of Breckenridge on the \_\_\_\_\_, day of \_\_\_\_\_, 2025.

This approval shall be invalid, unless the approved plat of said subdivision is recorded in the office of County Clerk of Stephens County, Texas within thirty (30) days from the date of final approval. The said subdivision shall be subject to all requirements of the Platting Ordinance of the City of Breckenridge.

Witness my hand this \_\_\_\_\_, day of \_\_\_\_\_, 2025.

City Secretary

State of Texas  
County of Stephens

I hereby certify that the foregoing plat was filed for record in my office at

\_\_\_\_\_ o'clock, \_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2025 in Cabinet \_\_\_\_\_,

Slide \_\_\_\_\_, of the Plat Records of Stephens County, Texas.

Stephens County Clerk

### SURVEYORS CERTIFICATION:

To the best of my knowledge and belief, this map or plat is a true representation of an actual upon the ground survey made under my direct supervision.

All monuments have been found or set as shown hereon.



**Eric Brennan, RPLS**  
Texas Registered Professional  
Land Surveyor No. 5560  
for and on behalf of Owen  
Surveying Company

### REPLAT

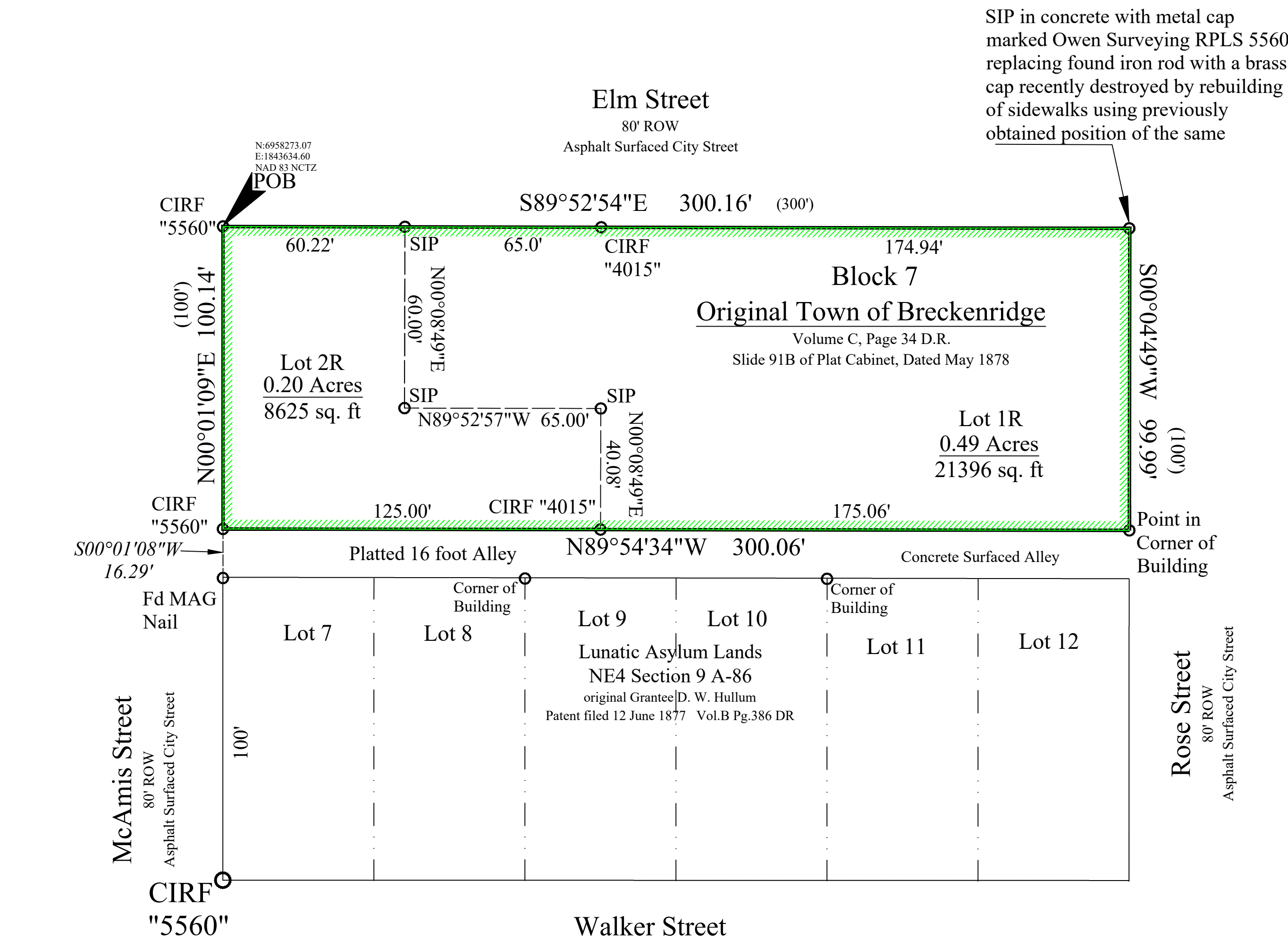
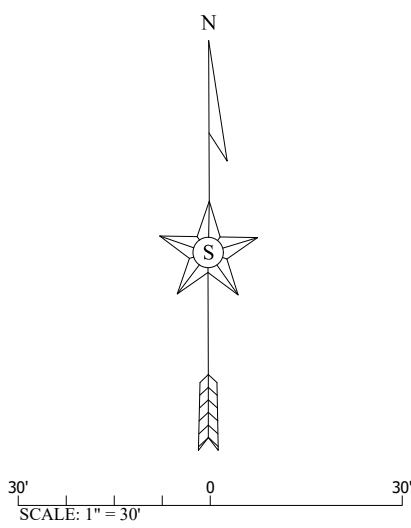
For Lot 1R and 2R being a **Replat** of  
Lots 1, 2, 3, 4, 5 and 6 of Block 7 of the  
Original Town of Breckenridge,  
County of Stephens, State of Texas

**OWEN SURVEYING CO.**

FIRM #10069000 WWW.OWENSURVEYING.COM  
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424  
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

SUBDIVISION PLAT: STEPHENS COUNTY  
DRAWN BY: CH CHECKED BY: EB

Scale: 1" = 30' Date: 31 January 2025 Print Number B - 526RP



### BASIS OF BEARING:

NAD 83 Texas North Central Zone  
Grid Bearings

### SURVEY NOTES:

- This survey is made subject to any rights that may exist in adjoining land owners to any portion of the subject property that may constitute accretion, the length of time any fence has been located on the subject property or adjoining property, conflicts in interest, any enforceable rights of adjoining owners and any claims of adverse possession.
- Adjoining tract data is for informational purposes only and does not represent a complete survey of those lands. Possible conflicts in adjoining property lines may arise from a current survey of those parcels. This plat represents a survey of the boundaries and improvements of the parcels cited in request for survey. This plat does not represent a complete survey of adjoining lands.
- The surveyor has made no investigation or independent search for lease lines, easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that a current title search may disclose.
- Coordinates shown hereon are for general locative purposes only and are not the controlling feature for the position shown hereon.

### Proprietary Assets Notice:

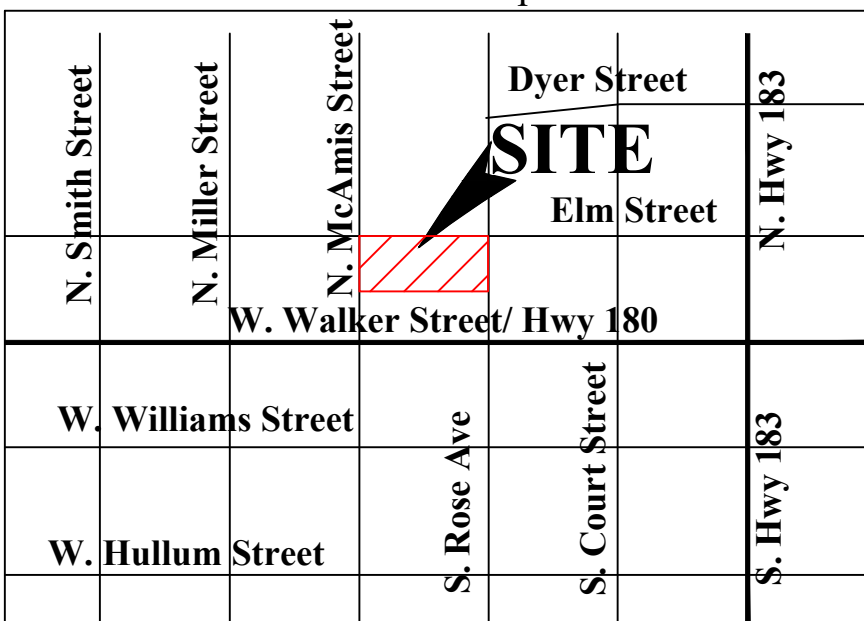
This plat and its accompanying field notes, which have been digitally saved, are the exclusive proprietary assets of this surveyor and Owen Surveying Company and therefore all rights for its use are hereby reserved. Any alteration or changes to the original digital copy which is not authorized in writing by this surveyor and Owen Surveying Company is strictly prohibited. Any Alteration to any digital copy of said plat or field notes shall make the unauthorized copy null and void. This surveyor and Owen Surveying Company are not liable for any document that has been altered by any means from its original which was signed, approved and provided by this surveyor and company to its customer. This surveyor and Owen Surveying reserve the right to seek independent legal redress and demand damages for any individual or company making any unauthorized alterations or changes to the original document or any person or company intentionally making use of a document that is known to have unauthorized alterations. If any person becomes aware or has knowledge of any unauthorized use or alteration of this plat or field notes, then that person shall promptly notify this surveyor or Owen Surveying of such unauthorized use or alteration or that person shall become liable for the unauthorized use.

Legend  
SIP = Set 1/2 inch Rebar  
with plastic cap  
marked 5560  
FIR= Found iron rod

### Intention of Plat

It is the intention of this plat and desirous of the owners of the lands shown hereon, by this plat do establish a new line between the parties of the City of Breckenridge and Steven Wayne Whitmire. By this plat both the aforementioned parties agree that the line between Lot 1R and 2R shall be the common boundary between the aforementioned said parties, with the City of Breckenridge to be the owner of Lot 1R and Steven Wayne Whitmire to be the owner of Lot 2R.

### Location Map NTS



**Property Owners:**  
City of Breckenridge  
105 N. Rose Ave  
Breckenridge, TX 76424

Steven Wayne Whitmire  
2452 US HWY 183 South  
Breckenridge, TX 76424

**Deed References:**  
SWDVL  
Steven Wayne Whitmire  
20 August 2024  
Vol.2263 Pg.492 OPR  
Tract No.3  
(Lots 5 & 6 and W/2 Lot 4)

GWD  
City of Breckenridge  
15 May 1998  
Vol. 1374 Pg. 119 DR  
(Lots 1 & 2 and E/2 Lot 3)

WD  
City of Breckenridge  
04 January 2001  
Vol. 1568 Pg. 277 DR  
(Lots E/2 Lot 4 and W/2 3)









## BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

**Subject:** Consider and make recommendations on Ordinance 2025-07 amending Chapter 22 "Zoning" of the Breckenridge Code of Ordinances.

**Department:** Administration

**Staff Contact:** Cynthia Northrop

**Title:** City Manager

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### **BACKGROUND INFORMATION:**

The intention of our ordinance, as is common in most cities, is not to allow people to live in Recreational Vehicles in areas zoned residential. Our ordinance currently addresses this in Chapter 20 (Traffic) under parking (Chapter 20, Section 51) where it addresses RV storage, parking, or maintaining on a driveway, side yard, front yard for a continuous period of more than twenty-four hours. In the past, with limited Code Enforcement, there has been an increase of RV's being set up on vacant lots used as a residence or placed in backyards and appear to be used as residences. This update will serve to clarify our ordinance to include in our zoning ordinance that an RV could not be used as a residence in a residential zoned area.

### **FINANCIAL IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Consider approval of the recommended Ordinance 2025-07 as presented.

## ORDINANCE NO. 25-00

**AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS AMENDING CHAPTER 22 “ZONING” OF THE BRECKENRIDGE CODE OF ORDINANCES BY ADDING SECTION 22-8 “RECREATIONAL VEHICLES” TO REGULATE THE USE OF RECREATIONAL VEHICLES AS RESIDENCES WITHIN THE CITY; BY REVISING THE DEFINITION OF “RECREATIONAL VEHICLE” INCLUDED IN SECTION 22-11; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Breckenridge, Texas (the “City”) is a home-rule city operating pursuant to its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution;

**WHEREAS**, the City has the power to adopt ordinances “necessary to protect health, life, and property” within the City, as long as those ordinances are not inconsistent with State law, pursuant to Section 3.2 of the Charter;

**WHEREAS**, Section 211.003(a) of the Texas Local Government Code provides that a city “may regulate...the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes”;

**WHEREAS**, pursuant to this authority, the City Commission of the City (the “City Commission”) has adopted Chapter 22 “Zoning” of the Breckenridge Code of Ordinances;

**WHEREAS**, City staff has recommended that Chapter 22 be amended to prohibit the use of recreational vehicles for residences outside of permitted recreational vehicle parks;

**WHEREAS**, the Planning and Zoning Commission of the City (“P&Z”) held a public hearing regarding this amendment on April 28, 2025 and has recommended that the City Commission approve this change;

**WHEREAS**, the City Commission held a public hearing on May 6, 2025 and has given reasonable consideration, among other things, to the recommendation of P&Z, the compatibility of the proposed amendment with the City’s comprehensive plan and zoning ordinance, and whether the proposed amendment would result in a logical and orderly pattern of development in the City, and finds that the requested amendment should be adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS THAT:**

**I. Incorporation of Premises.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**II. Addition of Section 22-8.** Chapter 22 “Zoning” of the Breckenridge Code of Ordinances is hereby amended by adding Section 22-8 “Recreational vehicles” to read in its entirety as follows, and all other sections and provisions of said Chapter shall remain in full force and effect:



**Sec. 22-8. Recreational vehicles.**

It shall be unlawful for any person, firm, or corporation to park, or permit the parking of, a recreational vehicle on any lot or tract of land within the City if the recreational vehicle is being used or occupied as a residence, unless the recreational vehicle is located within a permitted recreational vehicle park.

**III. Amendment of Section 22-11.** Chapter 22 “Zoning”, Section 22-11 “Use definitions” of the Breckenridge Code of Ordinances is hereby amended by replacing the definition of “recreational vehicle” with the definition below, and all other sections and provisions of said Section shall remain in full force and effect:

*Recreational vehicle* includes boats, boat trailers, travel trailers, pickup campers and coaches (designed to be mounted upon automotive vehicles), motorized dwellings, tent trailers, utility trailers, livestock trailers, personal watercraft and the like, as well as cases or boxes used for storage or transporting such vehicles, whether occupied by such vehicles or not.

**IV. Repeal.** Any prior ordinances or ordinance provisions are hereby repealed to the extent they are in conflict with the terms of this Ordinance. Any remaining provisions of said ordinances shall remain in full force and effect.

**V. Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Breckenridge hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

**VI. Effective Date.** This Ordinance shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED on this the 6<sup>th</sup> day of May 2025.

ATTEST:

\_\_\_\_\_  
Bob Sims, Mayor

\_\_\_\_\_  
Jessica Sutter, City Secretary

S E A L