



PLANNING BOARD MEETING

Tuesday, August 27, 2024 at 5:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

AGENDA

Planning Board will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the Planning Board of the City of Port Lavaca, Texas, will hold a regular meeting Tuesday, August 27, 2024 beginning at 5:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

CITY OF PORT LAVACA is inviting you to a scheduled Zoom meeting.

Topic: Planning Board Meeting - August 2024

Time: Aug 27, 2024 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81686739542?pwd=glwaYvuscnk61LbFt5gWaquDNwBXa7.1>

Meeting ID: 816 8673 9542

Passcode: 367171

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

1. To consider a Variance to the Ordinance Section 12-24(d)(10) for Interior Lot Boundary Line Setback Requirements. The property is described as Block 5, Lot 5-6 of the Lynnhaven Subdivision (111 Bonham St.).
2. To consider a request for a Minor Re-Plat for Block 5, Lot 5-6 of the Lynnhaven Subdivision (109-111 Bonham St.). Parcel ID# 18848.

COMMENTS FROM THE PUBLIC

** (Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).*

ADJOURN**CERTIFICATION OF POSTING NOTICE**

This is to certify that the above notice of a regular meeting of The Planning Board of The City of Port Lavaca, scheduled for **Tuesday, August 27, 2024**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, August 23, 2024**.

DerrickSmith, *Director of Development Services*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: To consider a Variance to the Ordinance Section 12-24(d)(10) for Interior Lot Boundary Line Setback Requirements. The property is described as Block 5, Lot 5-6 of the Lynnhaven Subdivision (111 Bonham St.).

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: August 27, 2024 **AGENDA ITEM** _____

DATE: 08/21/2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider a Variance to Ordinance Section 12-24(d)(10) for Interior Lot Boundary Line Setback Requirements. The property is described as Block 5, Lot 5-6 of the Lynnhaven Subdivision (111 Bonham St.).

Chapter 12, Article II, Section 12-24. – Building setbacks.

In accordance with Section 12-24(d)(10), the Lynnhaven Subdivision requires a five (5) foot setback for interior lot lines. The staircase provided for the 2nd floor of the garage apartment at 111 Bonham St. encroaches into the required side yard by 2.13 feet and lessens the encroachment to .69 feet as shown on the attached proposed minor re-plat. According to the Calhoun County Appraisal District Summary, the main dwelling and garage were built in 1965. The city does not have any building permit records for this property. Therefore, we cannot verify when the staircase was built and if the setbacks were approved at the time of construction.

Staff Recommendation: Approval

When considering whether to grant a variance, the Board must make specific findings that (1) it meets the intent of the ordinance and substantial justice will be provided to the applicant; (2) the variance is not contrary to public interest; and (3) that due to special conditions, literal enforcement of the ordinance would result in an unnecessary hardship to the property owner.

It is the staff's opinion that the garage and staircase were both approved by the city for construction. Therefore, it is the staff's recommendation to approve the request.

Attachments:

- Request for Variance Form
- Calhoun County Appraisal District Summary
- Calhoun County Appraisal District Parcel Image
- Site Plan
- Current Deed
- Current Picture

Property Details		
Account		
Property ID:	18848	Geographic ID: S0200-00050-0004-00
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	111 NULL BONHAM (GARAGE APT) ST NULL, TX 77979	
Map ID:	S0200-00050-0005-00	Mapsco:
Legal Description:	LYNNHAVEN (PORT LAVACA), BLOCK 5, LOT 5,6	
Abstract/Subdivision:	S0200	
Neighborhood:	(1375) LYNNHAVEN AREA	
Owner		
Owner ID:	89059	
Name:	ATCHISON JACOB	
Agent:		
Mailing Address:	16403 HILLVIEW PASS DR SAN ANTONIO, TX 78247-4451	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	





City of Port Lavaca
Request for Variance

Item 1.

Planning Board Review

Date: 8/27/2024

Time: 5:30 PM

Location: 202 N Virginia
St. Port Lavaca, TX 77979

ZOOM link: TBD

Date: 08/15/2024

Applicant Name: Michael Williams, RPLS on behalf of Jacob Atchison

Property ID or Address for variance: 109 & 111 Bonham Street Port Lavaca, Texas

Variance being requested: Variance request to the ordinance Sec. 12-24 Building Serbacks

Reason for request:

109 Bonham Street:

Requesting variance for a portion of awning that encroaches over the side setback by 4.5'. this was a walkway awning between the garage and the main residence.

111 Bonham Street:

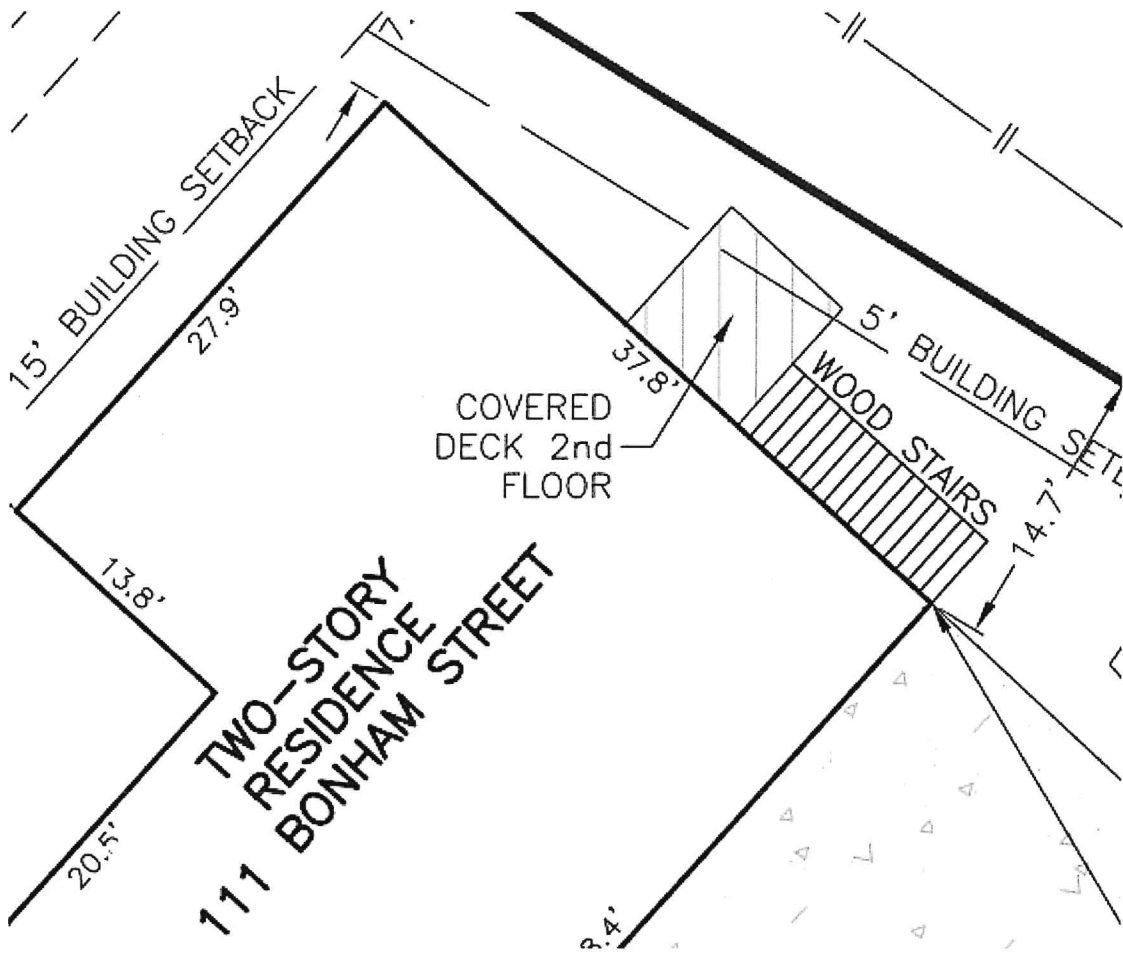
Requesting a variance for a portion of the second floor covered deck that encroaches over the side setback by a maximum of 2.13' varies to 0.69'. This is access to the upstairs residence.

Signature _____

Phone No. (830) 699-6640

RECEIVED

AUG 15 2024



0.402 ACRES

THE STATE OF TEXAS}
THE COUNTY OF CALHOUN}

BEING a 0.402-acre tract of land situated in the City of Port Lavaca, Calhoun County, Texas being Lots 5 & 6, Block 5 of the Lynnhaven Subdivision Replat according to the established map or plat thereof as recorded in Volume Z, Page 108 (Slide 91-A&B) of the Plat Records, Calhoun County, Texas and being that same tract of land described by General Warranty Deed with Vendor's Lien in favor of Third Party dated May 1, 2009, conveyed from Ty C. Harriss and wife, Melody Lou Harriss to Jacob Atchison as recorded in Instrument No. 116396 of the Official Public Records, Calhoun County, Texas, said 0.402-acre tract being particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" steel rebar with plastic cap stamped "G&W" along the northwest line of Bonham Street (a 60-foot Right-of-Way) marking the south corner of the aforesaid Lot 5, Block 5 and being the east corner of Lot 4, Block 5 of the aforesaid Lynnhaven Subdivision Replat for the south corner of the herein described tract;

THENCE, North 64°41'56" West (North 64°13'06" West), departing the northwest right-of-way line of said Bonham Street, with the common line between said Lots 4 & 5, Block 5, a distance of 110.34 (110.00) feet to a found 1/2" steel rebar with plastic cap stamped "G&W" marking a common corner between Lots 4, 5, 18, & 19, Block 5 of said Lynnhaven Subdivision Replat for the west corner of the herein described tract;

THENCE, North 41°55'24" East (North 42°27'56" East), along the common line between Lots 5, 6, 17, & 18, Block 5 of said Lynnhaven Subdivision Replat, a distance of 160.26 (160.00) feet to a found 1/2" steel rebar with plastic cap stamped "G&W" marking the north corner of said Lot 6, Block 5, being along the southeast line of said Lot 17, Block 5, and being the west corner of Lot 7, Block 5 of said Lynnhaven Subdivision Replat for the north corner of the herein described tract;

THENCE, South 58°39'04" East (South 58°06'33" East), along the common line between said Lots 6 & 7, Block 5, a distance of 131.16 (130.84) feet to a found 1/2" pipe along the northwest right-of-way line of said Bonham Street marking a common corner between said Lots 6 & 7, Block 5 for the east corner of the herein described tract;

THENCE, along the northwest right-of-way line of said Bonham Street and the southeast line of said Lot 6, Block 5, with a curve turning to the right having a radius of 254.94 feet, an arc length of 44.79 feet, and a delta angle of 10°03'56", with a chord bearing of South 53°38'39" West, and a chord length of 44.73 feet to a point along the northwest right-of-way line of said Bonham Street marking a point of reverse curvature to the left of the herein described tract;

THENCE, continuing along the northwest right-of-way line of said Bonham Street and the southeast line of said Lots 5 & 6, Block 5, with a reverse curve turning to the left having a radius of 299.98 feet, an arc length of 110.50 feet, and a delta angle of 21°06'21", with a chord bearing of South 49°18'29" West, and a chord length of 109.88 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds a 0.402-acre tract of land, more or less.

Basis of bearing is based on the Texas State Plane Coordinate System (NAD 83), South Central Zone (4204), Grid.

Reference is made to that Plat accompanying this Legal Description.

The foregoing legal description and accompanying survey plat were prepared from an actual survey made on the ground under my supervision in June, 2024 and are true and correct to the best of my knowledge and belief.

[Signature]
07/23/2024
True Line Construction Layout and Land Surveying
By: Michael K. Williams
Registered Professional Land Surveyor
Texas No. 6616





COMMUNICATION

SUBJECT: To consider a request for a Minor Re-Plat for Block 5, Lot 5-6 of the Lynnhaven Subdivision (109-111 Bonham St.). Parcel ID# 18848.

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: August 27, 2024 **AGENDA ITEM** _____

DATE: 08/22/2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider a request for a Minor Re-Plat for Block 5, Lot 5-6 of the Lynnhaven Subdivision (109-111 Bonham St.). Parcel ID# 18848.

Michael Williams, RPLS on behalf of Jacob Atchison is requesting a minor re-plat for 109-111 Bonham Street. The existing breezeway for the main structure is currently on both properties. Therefore, Mr. Williams is requesting approval to move the interior lot line in order for the breezeway to be six (6) inches from the property line. The minor re-plat request does not meet the requirements as set out in Section 12 – 24(d)(10) of the City of Port Lavaca’s Code of Ordinances. In accordance with our adopted residential code, projections are not allowed to project less than 2 feet of property lines.

Staff Recommendation: Denial

In order to comply with the adopted ordinances, it is the staff’s recommendation that the extension of the breezeway be removed from the house prior to approval.

Attachments:

- Calhoun County Appraisal District Summary
- Calhoun County Appraisal District Parcel Image
- 2021 IRC Table R302.1(1)
- Site Plan for Proposed Interior Lot Line
- Preliminary Re-Plat
- Current Deed
- Current Pictures

Property Details		
Account		
Property ID:	18848	Geographic ID: S0200-00050-0004-00
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	111 NULL BONHAM (GARAGE APT) ST NULL, TX 77979	
Map ID:	S0200-00050-0005-00	Mapsco:
Legal Description:	LYNNHAVEN (PORT LAVACA), BLOCK 5, LOT 5,6	
Abstract/Subdivision:	S0200	
Neighborhood:	(1375) LYNNHAVEN AREA	
Owner		
Owner ID:	89059	
Name:	ATCHISON JACOB	
Agent:		
Mailing Address:	16403 HILLVIEW PASS DR SAN ANTONIO, TX 78247-4451	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	



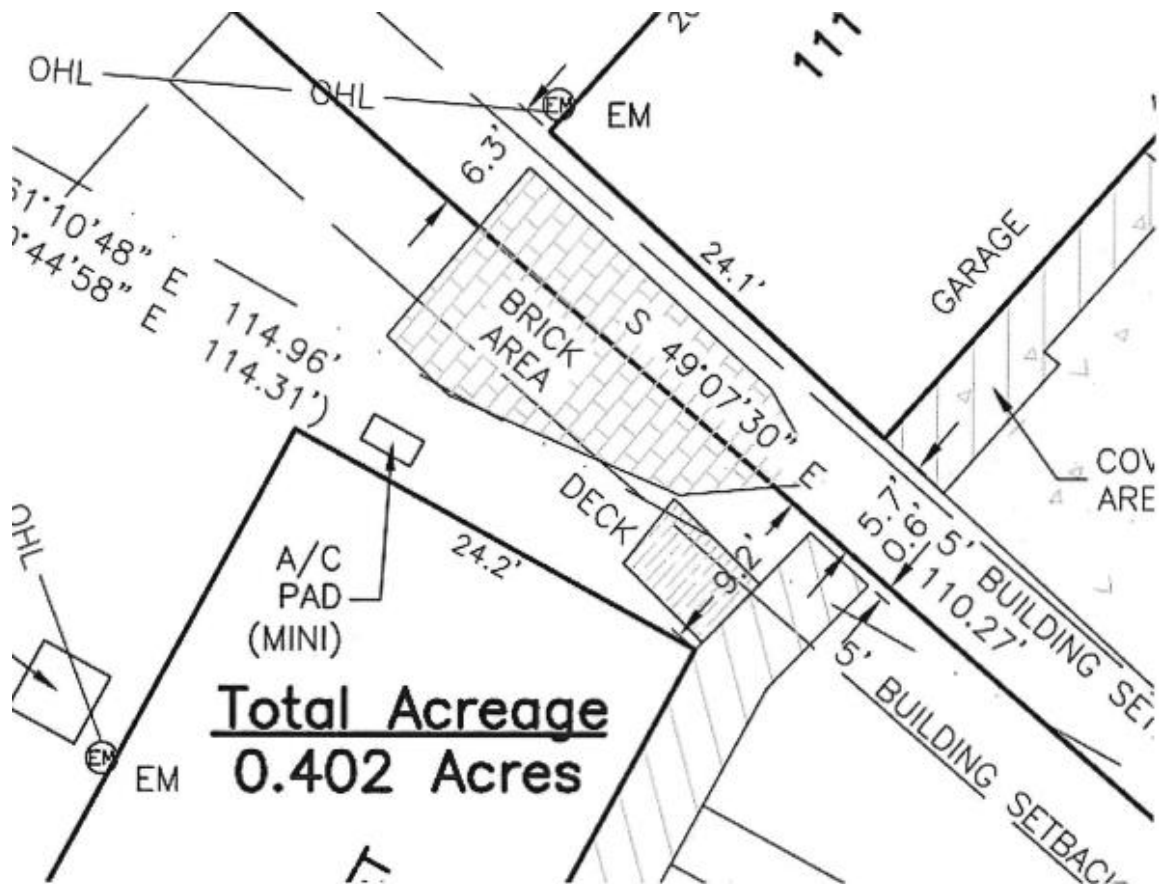
CITY OF PORT LAVACA

TABLE R302.1(1) EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood ^{a, b}	≥ 2 feet to < 5 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Openings in walls	Not allowed	NA	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8 mm.
NA = Not Applicable.

- a. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- b. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.



True Line
CONSTRUCTION LAYOUT AND LAND SURVEYING

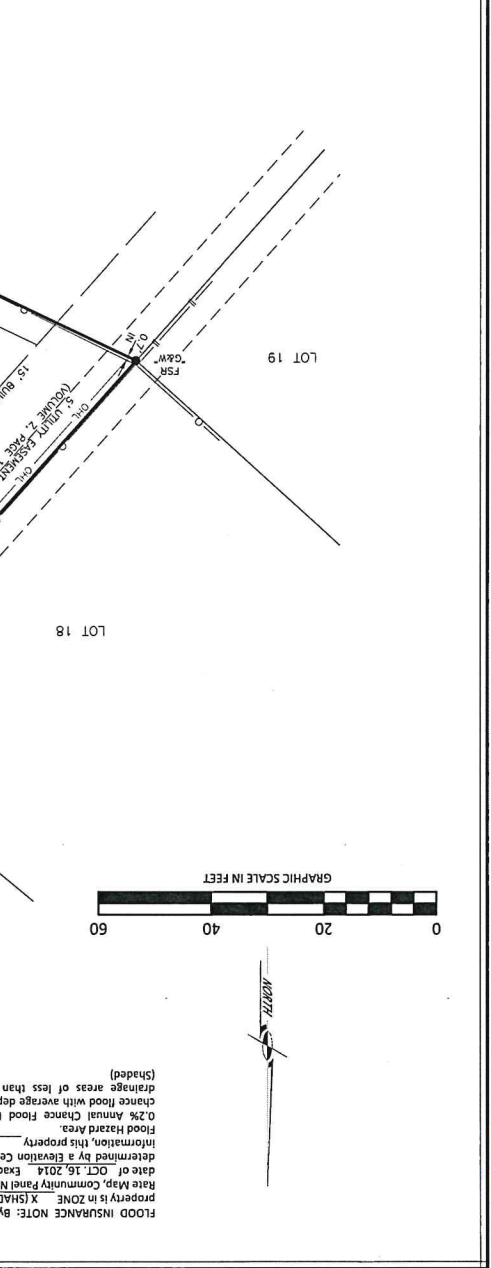
WWW.TRUELINELAYOUT.COM
804 N. Stone Street
Port Lavaca, Texas 78147
Phone: (351) 699-6640
TRUSTS Firm #10194229

SURVEYOR'S CERTIFICATE
STATE OF TEXAS
COUNTY OF CALHOUN

I, MICHAEL K. WILLIAMS, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Port Lavaca, Texas.

By: Michael K. Williams
Registered Public Surveyor No. 6616
07/23/2024

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	254.94	44.79	107.0356	S 53.38 39° W 44.73	109.88
C2	299.98	110.20	137.327	S 48.81 29° W 110.88	171.35
C3	299.98	171.35	137.327	N 45.34 08° E 211.81	299.98
C4	299.98	139.15	728.42	N 56.07 19° E 39.13	199.98



STATISTICAL DATA:

- GROSS AREA: 0.402 ACRES
- GROSS LOTS: 2 LOTS
- NET AREA: N/A
- DEDICATION: N/A
- STATISTICAL DATA: N/A

GENERAL NOTES:

1. BASIS OF BEARING IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD 83), SOUTH CENTRAL ZONE (4204), GRID.
2. LAND USE: RESIDENTIAL
3. ADDRESSES: LOT 6R, BLOCK 5 - 111 BONHAM STREET; LOT 5R, BLOCK 5 - 108 BONHAM STREET
4. BUILDING LINES: NO BUILDING SETBACK REQUIRED AS PER CITY OF PORT LAVACA ORDINANCE SECTION 42-131(B).
5. FOUND 1/2" STEEL REBAR (UNLESS OTHERWISE DESCRIBED): ALL 1/2" STEEL REBARS ARE SET WITH A BLUE PLASTIC CAP STAMPED "TLCR RPLS 6616" UNLESS OTHERWISE DESCRIBED.
6. FOUND 1/2" STEEL REBAR (UNLESS OTHERWISE DESCRIBED): FSR - FOUND 5/8" STEEL REBAR (UNLESS OTHERWISE DESCRIBED).
7. FOUND 1/2" STEEL REBAR (UNLESS OTHERWISE DESCRIBED): SSR - SET 1/2" STEEL REBAR

FINAL PLAT FOR
LYNNHAVEN SUBDIVISION REPEAT - RESUBDIVISION NO. 1
LOTS 5R & 6R, BLOCK 5

Legal Description:
BEING LOTS 5 & 6, BLOCK 5 OF THE LYNNHAVEN SUBDIVISION REPEAT ACCORDING TO THE ESTABLISHED MAP OR PLAT THEREOF AS RECORDED IN VOLUME 2, PAGE 108 (SLIDE 91 ABB) OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS.

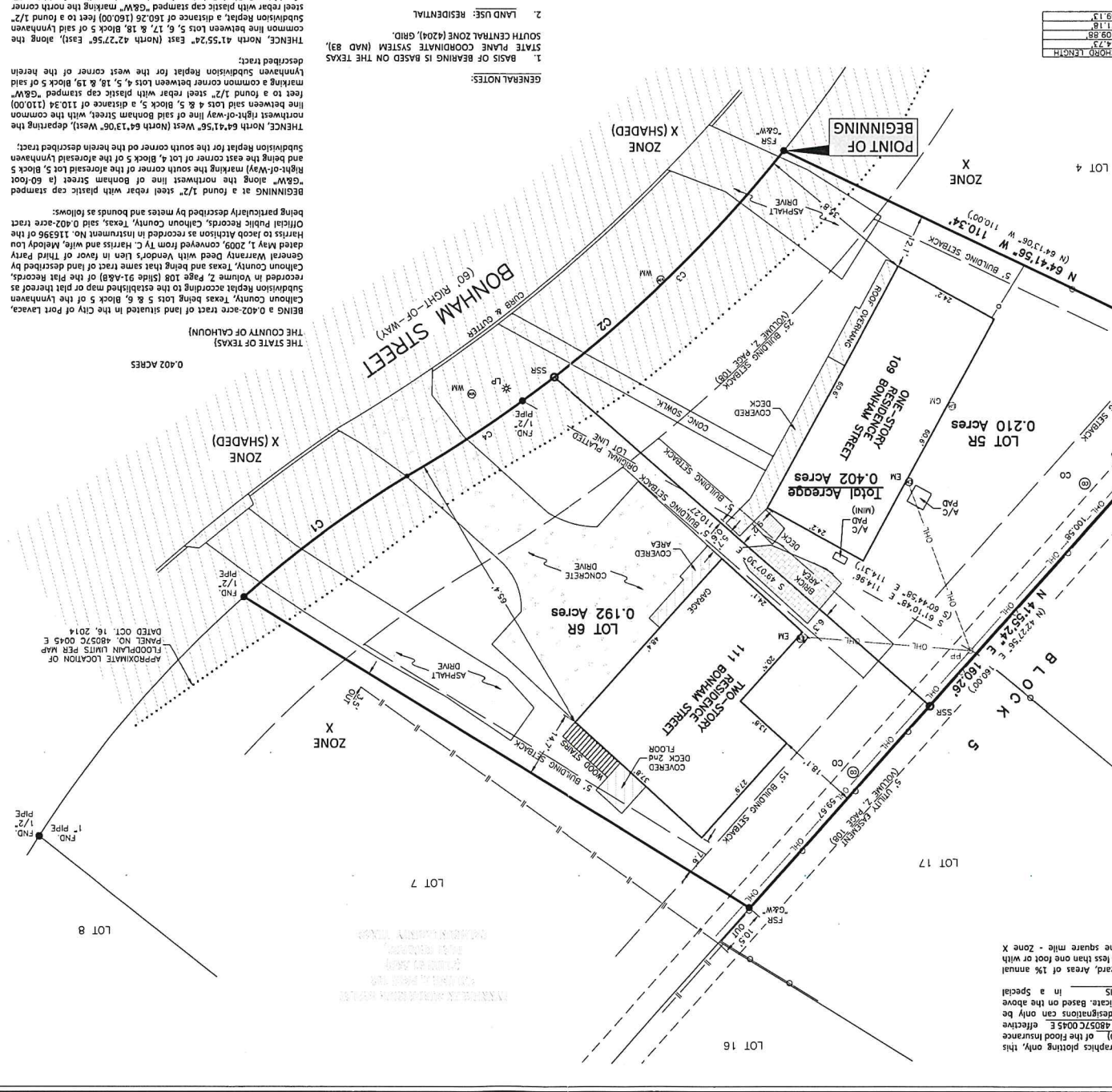
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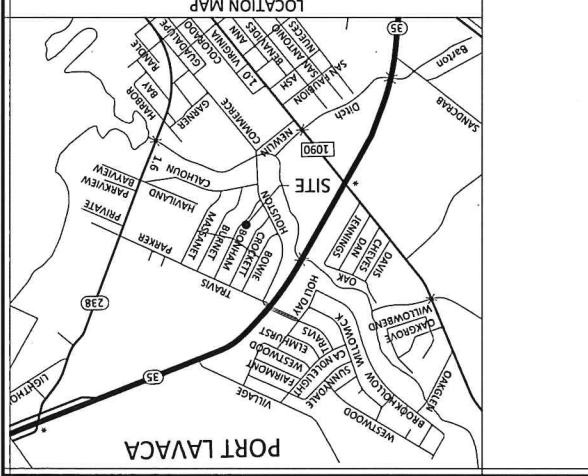
PROJECT: 3-1057
DRAWN BY: MKW
CHECKED BY: MKW
DATE: 06/28/2024
SHEET: 1 OF 1

No.	Revision	Date

STATE OF TEXAS
CITY SECRETARY'S CERTIFICATE
COUNTY OF CALHOUN
City of Port Lavaca, Calhoun County
City Secretary
I, ANNA GOODMAN, Clerk of County Court and County Clerk of Calhoun County, Texas, do hereby certify that the foregoing plat of the City of Port Lavaca, Texas, attached hereto, as filed for record in my office on the _____ day of _____, 20____, and was duly recorded on the _____ day of _____, 20____, in Volume _____ Page _____ of the Calhoun County Deed Records.

STATE OF TEXAS
CITY SECRETARY'S CERTIFICATE
COUNTY OF CALHOUN
City of Port Lavaca, Calhoun County
City Secretary
I, MANDY GRANT, City Secretary of the City of Port Lavaca, an incorporated City in Calhoun County, Texas, do hereby certify that the foregoing plat was approved by the City Council of said City as approved by law, and that the resolution appears of record in Volume _____ Page _____ of the Minutes of the City Council of Port Lavaca as kept in my office.

STATE OF TEXAS
CERTIFICATE OF OWNERSHIP & DEDICATION
COUNTY OF CALHOUN
JACOB ATCHISON
1603 HILLVIEW PASS DR.
SAN ANTONIO, TEXAS 78247
I (we), the undersigned owner(s) of the land shown on this plat, and designated herein as the LYNNHAVEN SUBDIVISION REPEAT - RESUBDIVISION NO. 1 to the City of Port Lavaca, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public, the streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.



ATLANTA: 10/15/2024 10:57:00 AM; 10/15/2024 10:57:00 AM; 10/15/2024 10:57:00 AM

0.402 ACRES

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THE COUNTY OF CALHOUN}

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[Signature]
07/23/2024
True Line Construction Layout and Land Surveying
By: Michael K. Williams
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