



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice★ (940) 626-4629 fax

## AGENDA

### Planning and Zoning Commission Regular Meeting\*

Tuesday, July 5, 2016, at 6:00 P.M.

City Hall Council Chambers

201 E. Walnut

#### Call to Order

- ITEM 1:** Consider and take appropriate action regarding approval of:
- April 5, 2016 Planning and Zoning Commission Meeting Minutes
  - May 3, 2016 Planning and Zoning Commission Meeting Minutes
  - June 7, 2016 Planning and Zoning Commission Meeting Minutes

#### Non Public Hearing Items:

- ITEM 2:** **V2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-03—Ronald Hubbard's request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 "Design Criteria," Section 104 "Easements," Subsection 104.1 "Utility Easements." Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 3' along the rear lot line of proposed Lot 1, Block 1, Eagle Drive Baptist Church Addition, being a 1.65-acre tract of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.
- ITEM 3:** **V2016-04** Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-04—Ronald Hubbard's request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 "Design Criteria," Section 104 "Easements," Subsection 104.1 "Utility Easements." Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 7.5' along the side lot line of proposed Lots 1 & 2, Block 1, Eagle Drive Baptist Church Addition (as diagrammed in the easement exhibits in Attachment 3 of the staff report), being a 1.65-acre tract (Lot 1) and a 3.61-acre tract (Lot 2) of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.
- .ITEM 4:** **PP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2016-03—Ronald Hubbard's request, on behalf of The Eagle Drive Baptist Church, to preliminary plat Lot 1 and Lot 2, Block 1, Eagle Drive Baptist Church Addition, being a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537,

and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

**ITEM 5:** **FP2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2016-03—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, to final plat Lot 1 and Lot 2, Block 1, Eagle Drive Baptist Church Addition, being a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

**ITEM 6:** New and/or future business items.

### **Adjournment**

Prepared and posted this the 1<sup>st</sup> day of July, 2016, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP  
Planning and Development Director

**\*NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**

**MINUTES**

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, April 5, 2016 in City Hall Council Chambers with the following in attendance:

**MEMBERS PRESENT:**

Cecil LeMond, Vice-Chairman  
Eddie Allen  
Terry Berube  
Curtis Creswell  
John Lanier  
Eileen Standridge

**MEMBERS ABSENT:**

William D. Edwards, Chairman

**OTHERS PRESENT:** Planning and Development Director Dedra Ragland, Legal Counsel Patricia Adams and GIS Analyst Ford McElroy, representing staff and Randy Neighbors and Chad Colley and Cary Hardin, representing the applicants and a host of residents from the South Decatur Addition neighborhood, representing the public.

**Vice-Chairman LeMond called the meeting to order at 6:00 p.m.**

**ITEM 1:** Consider and take appropriate action regarding approval of March 1, 2016 Planning and Zoning Commission Meeting Minutes.

**Commissioner Berube made a motion to approve the March 1, 2016 P&Z Commission Meeting Minutes. Commissioner Standridge seconded the motion. The motion passed 6-0, Chairman Edwards absent.**

**ITEM 2:** **ZC2016-03** Commission to hear and consider and take action to make a recommendation to City Council regarding Zoning Change Application 2016-03—Randy Neighbors request to change zoning from Single-Family-2 (SF-2) Zoning Designation to a Two-Family (2F) Zoning Designation on approximately 0.423 acres of land being legally described as Lot 2 and the north 23 feet of Lot 3, Block 51, South Decatur Addition, and approximately 0.07 acres to the centerline of S. Stratton, approximately 0.16 acres to the centerline of E. Hale St., and 0.03 acres to the centerline of an alley where adjacent to the site, which is also more commonly referred to as 600 E. Hale St., Decatur, Texas.

Planning and Development Director Ragland presented the staff report. Director Ragland explained that the reason for staff's recommendation for approval is based on the comprehensive plan medium density land use designation for the lot and the neighborhood. The Current Long Range Master Plan Land Use Map, amended in August 2006, identifies the subject site as being suitable for medium density residential, which allows for a gross density of 5.3 – 9.6 dwelling units/acre. Gross density is the number of dwelling units for each acre of land, including areas devoted to streets, parks, sidewalks, and other public rights-of-way. The property is approximately 0.423 acres and applicant is proposing to develop as two lots, with one duplex per lot; a proposed density of 4 dwelling units/acre. Director Ragland also explained the 200' notification requirements and 20% opposition rule. She also attempted to clarify the definition of spot zoning.

Several neighborhood residents asked to speak in opposition to the request:

Dena Silvers, 1003 S. Stratton

- The proposed density was of great concern to her. Two duplexes amounted to 4 apartments with 3 bedrooms per apartment; four families and four large driveway;
- The land use map goes from low to moderate;
- Walked the neighborhood and discovered that there were other residents that wanted the low-density integrity of the neighborhood to remain the same;
- Does not want to change the integrity of the neighborhood with duplexes.

Dennis Moffit, 900 S. Stratton

- Does not want this development. Does not want apartments of any kind.

Ron Silvers, 1003 Stratton

- Randy is a good guy and a great builder; however he does not want this in his backyard...literally;
- He built the house new 35-40 years ago. It is one of the "newer" homes. So the neighborhood is established;
- Land use map reflects medium density and low density south of Hale and he doesn't believe that Randy is talking about medium density;
- There was a single-family home located on the lot previously...would like for there to be a home on the lot again;
- Does not want this kind of project in the neighborhood;
- No doubt the duplexes will add value to Randy, but does not want this type of development to devalue his property;
- Single-family integrity should be maintained. There are other areas in towns where this type of development is suitable; and
- Petition was sent around to the neighbors and they received 80 signatures from neighbors that are opposed to the duplexes. He understands that the petition does not count towards the 20% opposition rule, but he wanted the Commission to know that there were others who also objected to this request.

James Bacon, 1001 S. College

- Has a P.O. Box. Did not receive notice but wanted to register his opposition to the zone change request.

James Luttrell, 1004 S. Stratton

- Questions concerning zoning to the street centerline and property line concerns. Director Ragland attempted to explain to Mr. Luttrell the reasons why we zone to the street centerline and why there were setback requirements from the property line and not the street centerline.

Angela Moffit, 900 S. Stratton

- Was in the air force 23 years ago, when she decided to move to Decatur, site unseen;
- She has witnessed the neighborhood go from "rags to riches;" and
- Requesting that the Commission leave neighborhood as it is.

John Beard, 1505 S. Stratton

- Concerned about this rezoning, if approved. Are we "opening up a can of worms?" What lots will be next?
- Does not like the proposal.

Danny Stokes, 1403 S. Stratton

- Raised 2 kids in this neighborhood and it is a lovely place to live; and
- Does not want apartments in the neighborhood.

Cody Ferguson, 1307 S. Stratton

- Purchased the house from original owner in a quiet neighborhood.
- There will be an increase in noise and traffic with 2 cars per unit and 4 unit per complex with 2 cars per unit will increase the noise and traffic.
- Does not want apartments in the neighborhood.

Susan Stokes, 1403 S. Stratton

- She has been a resident of this great neighborhood, which looks and feels like Mayberry, for 32 years, which she doesn't ever want to move from;
- It will no longer feel or look like Mayberry with the increase people per unit per acre; and
- Does not want the neighborhood to change.

Ben Aucoin, 803 S. Stratton

- Moved into this family friendly neighborhood a year ago to raise 4 year old son;
- Doesn't want increased traffic; and.
- The neighborhood is a happy and safe place to live, doesn't want it to change.

Penny Anderson, 802 S. Stratton

- Speaking on behalf of 80 year old mother who is opposed to the zoning change.

Becky Lowell, 800 S. Stratton

- Parents have lived in their house for 64 years and want the neighborhood to stay the same.

Melinda Woods, 300 E. Collum

- Own property in Decatur for over 30 years and
- Randy builds great structures but wants the neighborhood to stay single-family.

Applicant's response to the neighbor's concerns were presented as follows:

Randy Neighbors, 2103 Deer Park Rd

- Has been a resident of Decatur since 1986;
- He respects the opinions and input from everyone;
- He thanked the Planning and Zoning Commission for their time;
- The average property value for that area is \$95,000.00;
- The value of the duplexes will be \$250,000 or \$125,000 per unit;
- Lot is aesthetically pleasing due to its location next to an abandoned convenience store;
- Hale Street is currently a 4-lane thoroughfare.
- Adequate parking will be provided:
  - 2700 sq. ft. of parking in front
  - 2500 sq. ft. of parking in rear
- Current resident already park in the street;
- Enhanced safety with gated parking;
- Lease agreement will be very stringent; and
- Decatur needs high quality affordable housing.

However in light of opposition, Randy Neighbors withdrew the Zoning Change application.

**ITEM 3: PP2016-01** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2016-01—Todd Smutz’s request, on behalf of Retail Connection and Pilot Travel Center, LLC., to preliminary plat Lot 1, Block A, Pilot Travel Center Decatur, being a 11.4494-acre tract of land located in the G. Vigil Survey, Abstract No. 857, and as legally described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning and Development Director Ragland presented the staff report. Staff recommends approval.

**Commissioner Allen made a motion to approve Preliminary Plat Application 2016-01. Commissioner Berube seconded the motion. The motion passed 6-0, Chairman Edwards absent.**

**ITEM 4: FP2016-01** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2016-01—Todd Smutz’s request, on behalf of Retail Connection and Pilot Travel Center, LLC., to final plat Lot 1, Block A, Pilot Travel Center Decatur, being a 11.4494-acre tract of land located in the G. Vigil Survey, Abstract No. 857, and as legally described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

**Commissioner Creswell made a motion to approve Final Plat Application 2016-01. Commissioner Standridge seconded the motion. The motion passed 6-0, Chairman Edwards absent.**

**ITEM 5:** New and/or future business items.

Director Ragland stated that there was no new business to report. She stated that there were no applications submitted in March, so it is unlikely that there will be a May P&Z meeting.

The meeting adjourned at 6:45 p.m.

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Cecil LeMond, Vice-Chairman

ATTEST:

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Dedra Denée Ragland, Planning and Development Director

**MINUTES**

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, May 3, 2016 in City Hall Council Chambers with the following in attendance:

**MEMBERS PRESENT:**

Cecil LeMond, Vice-Chairman  
Eddie Allen  
John Lainer  
Eileen Standridge  
Curtis Creswell  
Terry Berube

**ABSENT:**

William D. Edwards, Chairman

**OTHERS PRESENT:** Planning and Development Director Dedra Ragland, and Legal Counsel Patricia Adams, representing the staff; and Juan Vasquez representing the applicant.

**Vice-Chairman LeMond called the meeting to order at 6:00 p.m.**

**ITEM 1:** Consider and take appropriate action regarding approval of April 5, 2016, Planning and Zoning Commission Meeting Minutes. (No meeting minutes available.)

**No action taken.**

**ITEM 2:** **PP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Preliminary Plat Application 2016-02— Juan Vasquez’s request, on behalf of Isham Properties, LTD and Discount Tire, to preliminary plat Lot 1, Block 1, Discount Tire Addition, being a 1.262-acre tract of land conveyed in deed to Isham Properties, LTD, as recorded in Volume 1346, Page 30 and being situated in the J.C. Bullock, Abstract No. 79, and as legally described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Director Ragland stated that this is the first step in the development of this project. Staff stated that the plat met the minimum requirements and recommended approval of the plat Application.

**Vice-Chairman LeMond made a motion to approve Replat Application RP2016-02. Commissioner Berube seconded the motion. The motion passed 6-0, Chairman Edwards absent.**

**ITEM 3:** New and/or future business items.

The next meeting is June 7, 2016, at 6:00 p.m.

**The meeting adjourned at 6:14 p.m.**

\_\_\_\_\_  
Cecil LeMond, Vice-Chairman

ATTEST:

\_\_\_\_\_  
Dedra Denée Ragland, Planning Director

## MINUTES

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 6:00 p.m., Tuesday, June 7, 2016 in City Hall Council Chambers with the following in attendance:

**MEMBERS PRESENT:**

John Lainer  
Eileen Standridge  
Curtis Creswell  
Terry Berube

**ABSENT:**

William D. Edwards, Chairman  
Cecil LeMond, Vice-Chairman  
Eddie Allen

**OTHERS PRESENT:** Planning and Development Director Dedra Ragland, Legal Counsel Patricia Adams and Development Services Coordinator Codi Delcambre, representing the staff; and Judge Stephen Wren and M.D. Herrijgers representing the applicant.

**Commissioner Berube called the meeting to order at 6:11 p.m.**

Appointment of Acting Chairman in the absence of the Chairman and Vice-Chairman:

**Commissioner Creswell made a motion to nominate Terry Berube as Temporary Chairman. Commissioner Lainer seconded the motion. The motion passed 6-0.**

**ITEM 1:** Consider and take appropriate action regarding approval of:

- a. April 5, 2016 Planning and Zoning Commission Meeting Minutes and
- b. May 3, 2016 Planning and Zoning Commission Meeting Minutes

*(April and May's meeting minutes unavailable.)*

***No action taken.***

**ITEM 2:** **FP2016-02** Commission to hear and consider and take action to make a recommendation to City Council regarding Final Plat Application 2016-02—Stephen and LaDonna Wren's request to final plat Lot 1, Block 1, Wren Acres, being a 2.226-acre tract of land in the S. Isaacs Survey, Abstract Number 454, and as legally described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

Planning Director Ragland presented the staff report. Staff recommends approval.

**Commissioner Creswell made a motion to approve Final Plat Application FP2016-02. Commissioner Berube seconded the motion. The motion passed 4-0, Chairman Edwards, Vice-Chairman LeMond and Commissioner Allen absent.**

**ITEM 3:** New and/or future business items.

The next meeting is July 5, 2016, at 6:00 p.m.

**The meeting adjourned at 6:22 p.m.**

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Terry Berube, Acting Chairman

ATTEST:

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Dedra Denée Ragland, Planning Director



**STAFF REPORT**

*July 5, 2016 - Planning & Zoning Commission Meeting*

**TO:** Planning & Zoning Commissioners

**CASE:** V2016-03

**FROM:** Dedra Ragland, Planning Director

**APPLICANT:** Eagle Drive Baptist Church

**DATE:** June 29, 2016

**REQUEST:** Utility Easement Variance  
Proposed Lot 1, Block 1, Eagle Drive Baptist Church Addition

**Case Notes:**

Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-03—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 “Design Criteria,” Section 104 “Easements,” Subsection 104.1 “Utility Easements.” Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 3’ along the rear lot line where adjacent to the accessory structure of proposed Lot 1, Block 1, Eagle Drive Baptist Church Addition, being a 1.65-acre tract of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

**Legality:**

According to the Decatur Design Standards, where specific topographic or other conditions make variance from these standards necessary in order to achieve the best overall design, the Planning Director upon recommendation from the City Engineer and Public Works Director may modify these standards (§101.7). The Planning and Zoning Commission may recommend and the City Council may authorize a variance from these standards when, in its opinion, extraordinary hardship will result from requiring strict compliance.

**Analysis:**

Per the following excerpts from Section 104 “Easements” of the Decatur Design Standards, easements shall be required as follows:

**EASEMENTS**

**104.1 Utility Easements.** Utility easements shall be provided on subdivision plats when the following criteria indicate that an easement is required:

1. Where not adjacent to a public right-of-way, easements at least fifteen (15) feet wide for utility construction, service and maintenance shall be provided where necessary in locations approved by the City, and
2. Easements at least fifteen (15) feet wide for utility construction, service and maintenance shall be provided for lots which have frontage along state highways, and

3. Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and along side lot lines, where necessary, for utilities such as electric, telephone and gas, and
4. Easements having greater width dimensions may also be required along or across lots where engineering design or special conditions make it necessary for the installation of utilities outside public right-of-ways.

The accessory structure (detached garage) was built approximately in 1983. There were no professional planner or building inspectors on staff at the time the garage was constructed. At the time the garage was constructed, and if a permit was issued, the City should have checked the zoning regulations for compliance. The property should have been platted and the accessory structures should have been required to meet the setback and subsequently, easement requirements. This did not occur. The garage sits on a concrete foundation and would be impractical to move or demolish. The applicant is attempting to get the property in compliance prior to the property being sold. The easement is required as a result of the platting but there are currently no utilities located in the proposed easement. Should the property develop further, any installation of additional utilities would connect to the existing utilities or within the public rights-of way.

The Public Works Director does support the variance request. Please refer to Attachment 3.

This application is being processed concurrently with V2016-04, PP2016-03 and FP2016-03.

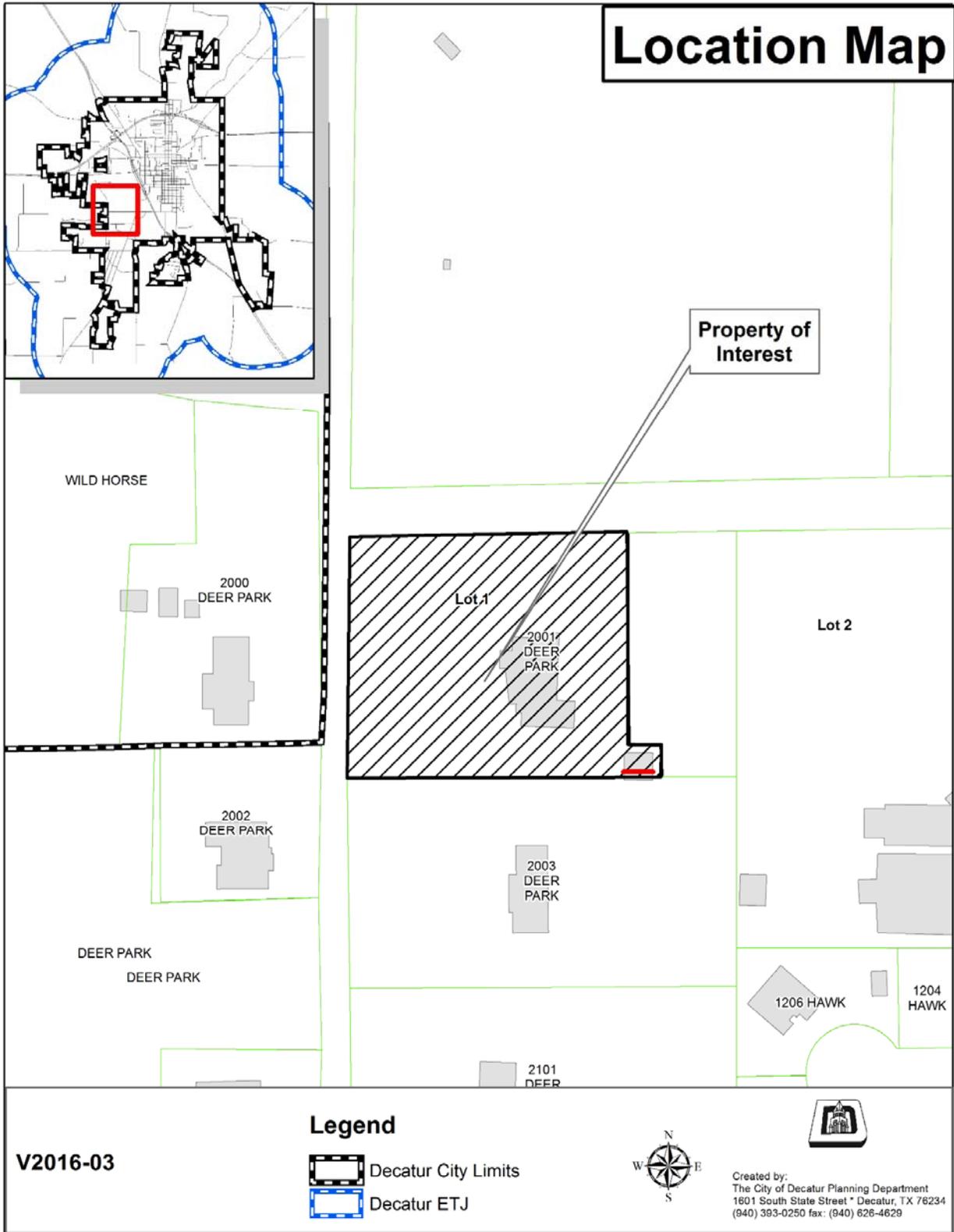
**Recommendation:**

Staff recommends approval of the easement variance request.

**Attachments:**

1. Location Map
2. Application and Letter from Applicant requesting variance
3. Easement Variance Exhibits

Attachment 1  
**Location Map**



# Application and Letter from Applicant Requesting Variance

**CITY OF DECATUR DEVELOPMENT SERVICES UNIVERSAL APPLICATION**

*Check box to indicate application type* *Incomplete applications will be rejected*

<input type="checkbox"/> Annexation Petition	<input type="checkbox"/> Gas Well Development Plat	<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Amending Plat	<input type="checkbox"/> Plat Extension-Final or Preliminary	<input checked="" type="checkbox"/> Subdivision Variance
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Conveyance Instrument	<input type="checkbox"/> Replat	<input type="checkbox"/> Zoning Variance (ZBA)
<input type="checkbox"/> Design Standards Variance	<input type="checkbox"/> ROW Use Agreement	<input type="checkbox"/> Vacation Plat
<input type="checkbox"/> Final Plat	<input type="checkbox"/> ROW Abandonment/ Closing	<input type="checkbox"/> Other _____

**Application Requirements:** Signed application form, application fees, Copy and filing fees, Proof of Ownership (Recorded Deed or current tax statements), required # of plats / plans, signed checklist and a PDF of all documentation.

**PROJECT INFORMATION:**  Residential  Commercial Is this property platted?  Yes  No

*If this property is not platted, submit a survey with complete metes and bounds description sealed by a licensed surveyor*

Project Name: Eagle Drive Baptist Church Addition Total Acres: 4.26 Ac

Project Address (Location): 4.26 ac of land out of the David M. Parcel(s) Tax ID R #: 000012485  
(LOT, BLOCK & SUBDIVISION OR SURVEY WITH METES & BOUNDS DESCRIPTION SEALED BY A LICENSED SURVEYOR)

Parent Project Name/Number: \_\_\_\_\_ Parcel(s) Tax ID GEO #: A0537.9019.01

Brief Description of Project: Variation of setbacks ETJ  Yes

Please state the identity of any individual(s), or other entities that presently hold a lien upon the real estate which is the subject of this request: \_\_\_\_\_ *Lien holder/mortgagee must also sign plat for filing of record.*

Existing Use: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_ # of Existing Lots: 1 # of Existing Units: \_\_\_\_\_

Proposed Use: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ # of Proposed Lots: 2 Proposed Units: \_\_\_\_\_

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**APPLICANT INFORMATION:** Please circle your preferred method of contact.

Applicant / Company: Eagle Drive Baptist Church Email: \_\_\_\_\_

Address: 1301 W. Eagle Drive Phone: 940-627-6698 Fax: \_\_\_\_\_

City: Decatur State: Texas Zip: 76234

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Property Owner: Eagle Drive Baptist Church Email: \_\_\_\_\_

Address: 1301 W. Eagle Drive Phone: 940-627-6698 Fax: \_\_\_\_\_

City: Decatur State: Texas Zip: 76234

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Key Contact/Company: Ronald Hubbard Email: \_\_\_\_\_

Address: 593 CR 3141 Phone: 940-393-3839 Fax: \_\_\_\_\_

City: Decatur State: Texas Zip: 76234

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**(MUST BE SIGNED FOR ALL APPLICATIONS)** - Letter of authorization required if signature is other than property owner and a letter of authorization is required from lienholder/mortgagee, if applicable.

I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of the owner of said property; and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Darry Bibb  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
SIGNATURE OF LIEN HOLDER

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**PLAT WAIVER (MUST BE SIGNED FOR ALL PRELIMINARY, FINAL & REPLATS)**

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government Code.

Darry Bibb  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
SIGNATURE OF LIEN HOLDER

Known to me to be the person(s) whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed, and in the capacity stated. Given under my hand and seal of office on this 21 day of May 2016.

Code Delcamino  
Notary Public

NOTARY PUBLIC  
MY COMMISSION EXPIRES  
March 3, 2017

*For Departmental Use Only*

Case#: V2016-03

Project Mgr: DDR

Total Fee(s): 75.00 <sup>ACT</sup>

Payment Method: CH

Submittal Date: 06/14/16

Accepted By: DDR



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State St ★ P.O. Box 1299 ★ Decatur, TX 76234 ★ www.decatortx.org



## Design Standards Application Checklist

CITY OF DECATUR  
DEVELOPMENT SERVICES

### General Requirements:

- A universal application form and the appropriate fees.
- A letter of explanation/justification.
- Submit a total of five (5) copies of site plan (if applicable) for the property. These copies should be individually folded with drawing side out.
- A location map clearly indicating the site in relation to adjacent streets, distance to nearest intersection and other landmarks.
- Submit one (1) copy of proof of ownership (recorded property deed or current year tax statements).
- Submit documentation on any and all liens and lien holders of property.
- One (1) CD-ROM containing the general required documents in Adobe PDF format.
- I have reviewed the checklist and all submittals for completeness and accuracy. If application submittal is determined to be incomplete, additional fees may be assessed.

Bamy Bibb  
Signature

5-24-16  
Date

### Content of the Letter of explanation/justification for a Zoning Variance:

I understand that I am applying for a variance from the Zoning Ordinance of the City of Decatur and that this variance can only be granted if I prove hardship by meeting four of the conditions below. I also understand that financial or self-induced hardship cannot be considered for granting a variance. Below I explain exactly how I meet these four conditions.

1. The requested variance does not violate the intent and spirit of the ordinance:  
Existing detached garage built around 1983  
Permanent storage shed for lawn/church supplies that we weren't aware didn't meet code. Built approx. 2006.
2. Special conditions of restricted area, shape, topography or physical features exist that are peculiar to the subject parcel of land and are not applicable to the other parcels of land in the same zoning district:  
Existing buildings
3. The hardship is in no way the result of the applicant's action:  
Condition out of our control
4. The interpretation of the provisions in this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions:  
It could deprive us the use of existing buildings



# EAGLE DRIVE

*Baptist Church*

**To the P&Z and City Council for the City of Decatur, Texas:**

We are writing this letter to request a variance for the Eagle Drive Baptist Church Addition for the purpose of a replat for the selling of existing land and property that belongs to Eagle Drive Baptist Church. Our goal in the replat is to gain more land from the original survey of Eagle Drive Baptist Church. We currently own the land and property from 1301 West Eagle Drive along with 2001 Deer Park.

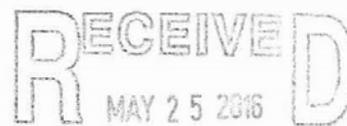
The request is for an existing building that's located on the property of 2001 Deer Park. The detached garage has been in existence since approximately 1983. We are also requesting a variance for the permanent storage shed which houses lawn and maintenance supplies for Eagle Drive Baptist Church. We were unaware that the building did not meet current specifications for updated codes when the building was put in place in approximately 2006. We would appreciate the variance of these existing structures or else it would hinder us from using existing buildings for much needed items.

Thank you,

A handwritten signature in black ink that reads "Pastor Chris Thorne".

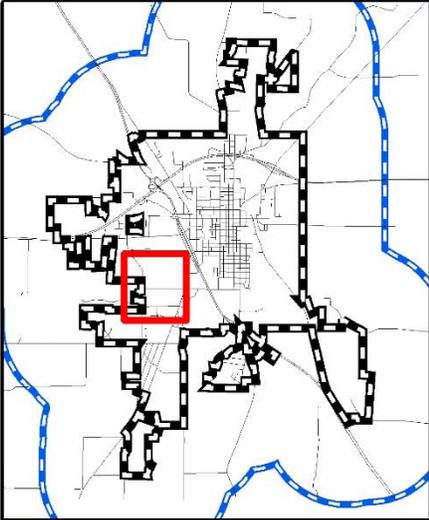
Pastor Chris Thorne

Eagle Drive Baptist Church

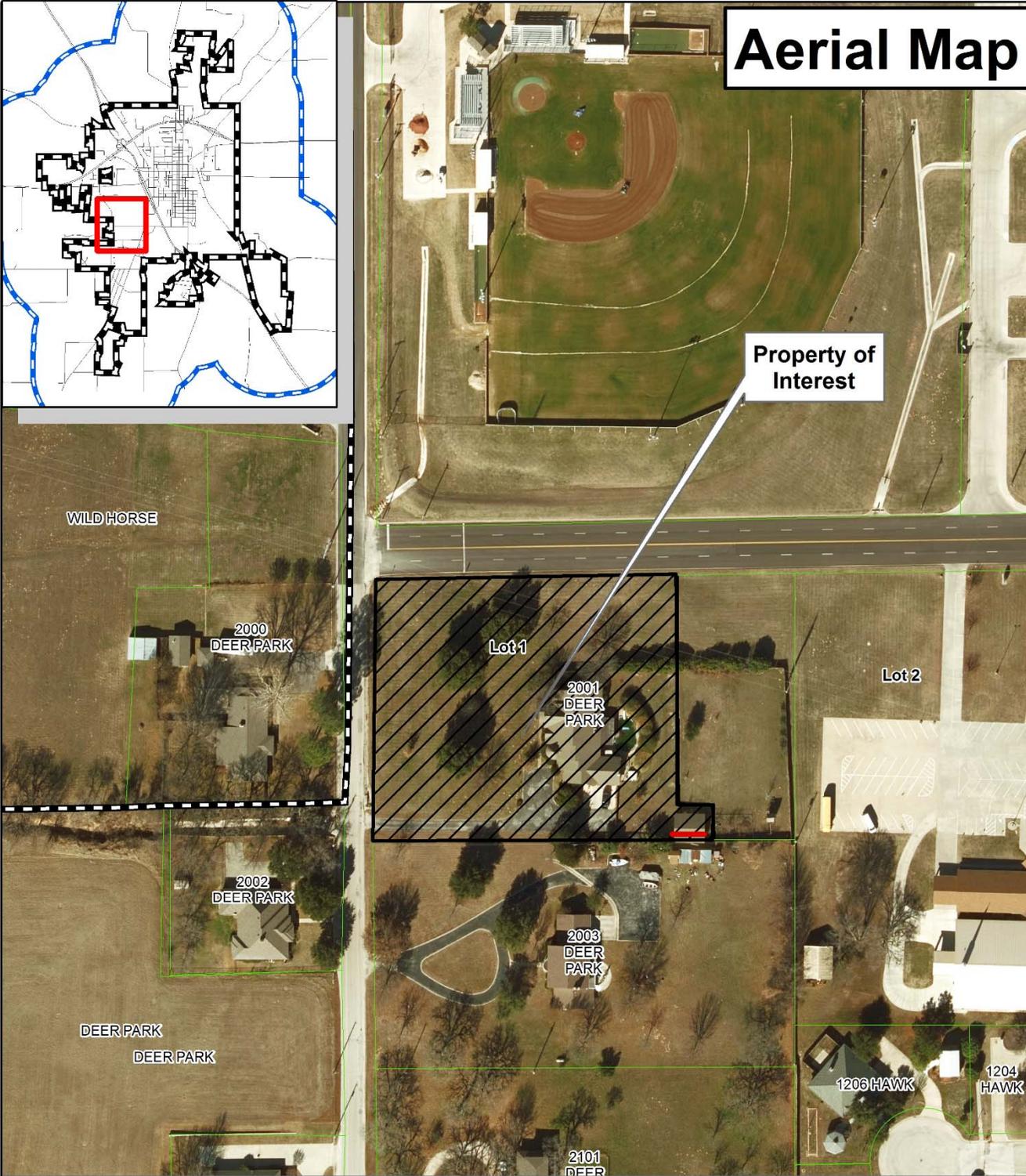


CITY OF DECATUR  
DEVELOPMENT SERVICES

Attachment 3  
**Easement Variance Exhibit**



**Aerial Map**



**V2016-03**

**Legend**

- Decatur City Limits
- Decatur ETJ

Created by:  
 The City of Decatur Planning Department  
 1601 South State Street \* Decatur, TX 76234  
 (940) 393-0250 fax: (940) 626-4629







## STAFF REPORT

*July 5, 2016 - Planning & Zoning Commission Meeting*

**TO:** Planning & Zoning Commissioners

**CASE:** V2016-04

**FROM:** Dedra Ragland, Planning Director

**APPLICANT:** Eagle Drive Baptist Church

**DATE:** June 29, 2016

**REQUEST:** Utility Easement Variance  
Proposed Lots 1 & 2, Block 1,  
Eagle Drive Baptist Church  
Addition

### Case Notes:

Commission to hear and consider and take action to make a recommendation to City Council regarding Variance Application 2016-04—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, for a variance to the Decatur Design Standards, Chapter 1 “Design Criteria,” Section 104 “Easements,” Subsection 104.1 “Utility Easements.” Specifically, applicant is requesting a reduction from the ten (10) feet wide easement requirement on either side of all rear lot lines and along the side lot lines for utilities such as electric, telephone and gas to 7.5’ along the side lot line of proposed Lots 1 & 2, Block 1, Eagle Drive Baptist Church Addition (as diagrammed in the easement exhibits in Attachment 3 of this staff report), being a 1.65-acre tract (Lot 1) and a 3.61-acre tract (Lot 2) of a 5.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas.

### Legality:

According to the Decatur Design Standards, where specific topographic or other conditions make variance from these standards necessary in order to achieve the best overall design, the Planning Director upon recommendation from the City Engineer and Public Works Director may modify these standards (§101.7). The Planning and Zoning Commission may recommend and the City Council may authorize a variance from these standards when, in its opinion, extraordinary hardship will result from requiring strict compliance.

### Analysis:

Per the following excerpts from Section 104 “Easements” of the Decatur Design Standards, easements shall be required as follows:

### EASEMENTS

**104.1 Utility Easements.** Utility easements shall be provided on subdivision plats when the following criteria indicate that an easement is required:

1. Where not adjacent to a public right-of-way, easements at least fifteen (15) feet wide for utility construction, service and maintenance shall be provided where necessary in locations approved by the City, and

2. Easements at least fifteen (15) feet wide for utility construction, service and maintenance shall be provided for lots which have frontage along state highways, and
3. Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and along side lot lines, where necessary, for utilities such as electric, telephone and gas, and
4. Easements having greater width dimensions may also be required along or across lots where engineering design or special conditions make it necessary for the installation of utilities outside public right-of-ways.

The shed was permitted in 2006 and at that time, the City should have checked the zoning regulations for compliance. The property should have been platted and the accessory structures should have been required to meet the setback and subsequently, easement requirements. This did not occur. The shed sits on a concrete foundation and would be impractical to move or demolish. The applicant is attempting to get the property in compliance prior to the property being sold. The 7.5' easement on either side of the property line between proposed Lots 1 and 2 (as diagrammed in the easement exhibits in Attachment 3) is required as a result of the platting but there are currently no utilities located in the proposed easement. Should the property develop further, any installation of additional utilities would connect to the existing utilities within the public rights-of way.

The Public Works Director does support the variance request. Please refer to Attachment 3.

This application is being processed concurrently with V2016-03, PP2016-03 and FP2016-03.

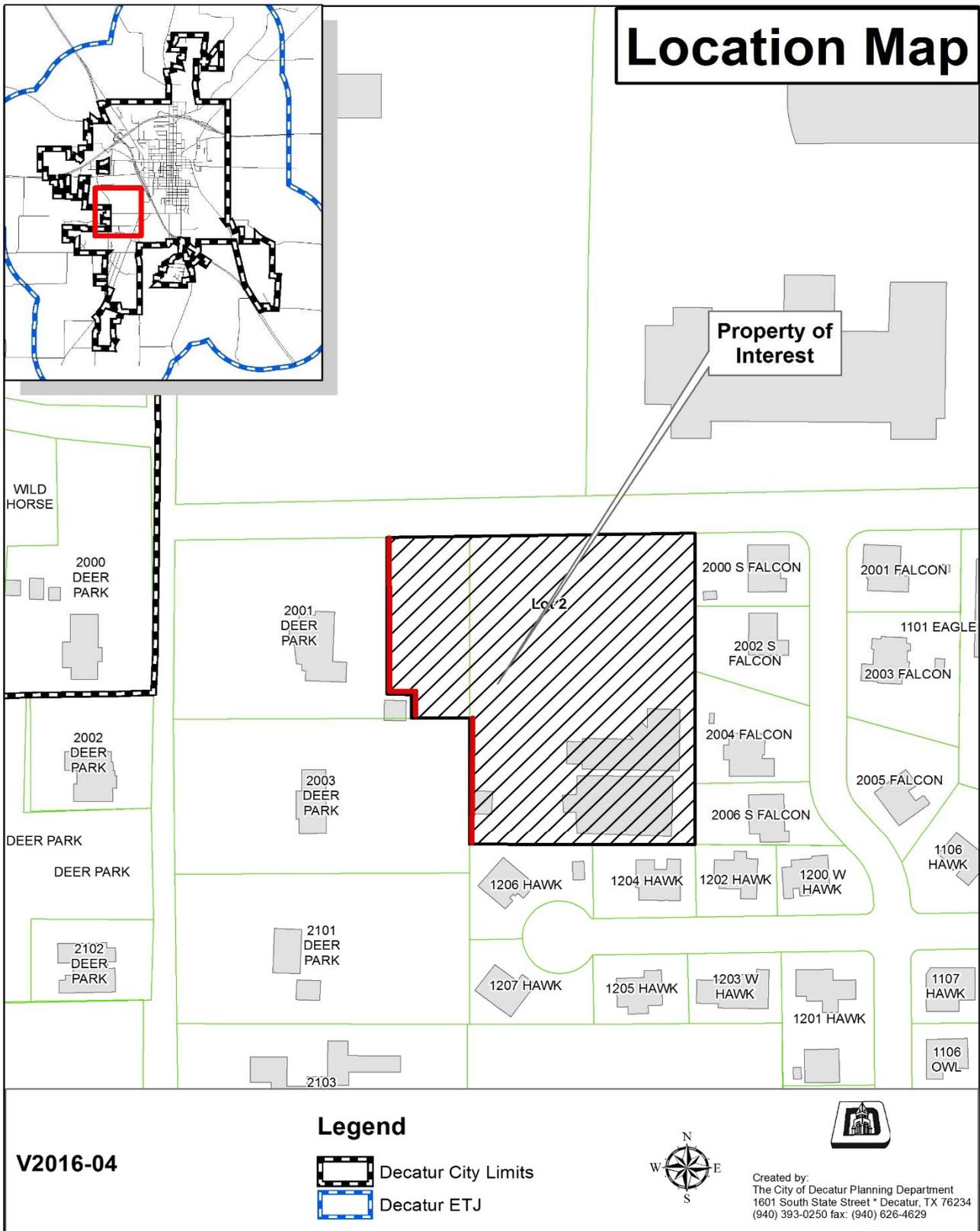
**Recommendation:**

Staff recommends approval of the easement variance request.

**Attachments:**

1. Location Map
2. Application and Letter from Applicant requesting variance
3. Easement Variance Exhibits

Attachment 1  
**Location Map**



# Application and Letter from Applicant Requesting Variance

**CITY OF DECATUR DEVELOPMENT SERVICES UNIVERSAL APPLICATION**

*Check box to indicate application type* *Incomplete applications will be rejected*

<input type="checkbox"/> Annexation Petition	<input type="checkbox"/> Gas Well Development Plat	<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Amending Plat	<input type="checkbox"/> Plat Extension-Final or Preliminary	<input checked="" type="checkbox"/> Subdivision Variance
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Conveyance Instrument	<input type="checkbox"/> Replat	<input checked="" type="checkbox"/> Zoning Variance (ZBA)
<input type="checkbox"/> Design Standards Variance	<input type="checkbox"/> ROW Use Agreement	<input type="checkbox"/> Vacation Plat
<input type="checkbox"/> Final Plat	<input type="checkbox"/> ROW Abandonment/ Closing	<input type="checkbox"/> Other _____

**Application Requirements:** Signed application form, application fees, Copy and filing fees, Proof of Ownership (Recorded Deed or current tax statements), required # of plats / plans, signed checklist and a PDF of all documentation.

**PROJECT INFORMATION:**  Residential  Commercial Is this property platted?  Yes  No  
 If this property is not platted, submit a survey with complete metes and bounds description sealed by a licensed surveyor

Project Name: Eagle Drive Baptist Church Addition Total Acres: 4.26 Ac  
 Project Address (Location): 4.26 ac. of land at Otter David M<sup>SR</sup>s Parcel(s) Tax ID R #: 000012485  
(LOT, BLOCK & SUBDIVISION OR SURVEY WITH METES & BOUNDS DESCRIPTION SEALED BY A LICENSED SURVEYOR)  
 Parent Project Name/Number: \_\_\_\_\_ Parcel(s) Tax ID GEO #: A0537.9019.01  
 Brief Description of Project: Variation of setbacks ETJ  Yes

Please state the identity of any individual(s), or other entities that presently hold a lien upon the real estate which is the subject of this request: \_\_\_\_\_ Lien holder/mortgagee must also sign plat for filing of record.

Existing Use: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_ # of Existing Lots: 1 # of Existing Units: \_\_\_\_\_  
 Proposed Use: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ # of Proposed Lots: 2 Proposed Units: \_\_\_\_\_

---

**APPLICANT INFORMATION:** Please circle your preferred method of contact.

Applicant / Company: Eagle Drive Baptist Church Email: \_\_\_\_\_  
 Address: 1301 W. Eagle Drive Phone: 940-627-6698 Fax: \_\_\_\_\_  
 City: Decatur State: Texas Zip: 76234

---

Property Owner: Eagle Drive Baptist Church Email: \_\_\_\_\_  
 Address: 1301 W. Eagle Drive Phone: 940-627-6698 Fax: \_\_\_\_\_  
 City: Decatur State: Texas Zip: 76234

---

Key Contact/Company: Ronald Hubbard Email: \_\_\_\_\_  
 Address: 593 CR 3141 Phone: 940-393-3839 Fax: \_\_\_\_\_  
 City: Decatur State: Texas Zip: 76234

---

**(MUST BE SIGNED FOR ALL APPLICATIONS)** - Letter of authorization required if signature is other than property owner and a letter of authorization is required from lienholder/mortgagee, if applicable.  
 I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized agent of the owner of said property; and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.

Darry Bibb \_\_\_\_\_  
 SIGNATURE OF PROPERTY OWNER SIGNATURE OF LIEN HOLDER

**PLAT WAIVER (MUST BE SIGNED FOR ALL PRELIMINARY, FINAL & REPLATS)**

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government Code.

Darry Bibb \_\_\_\_\_  
 SIGNATURE OF PROPERTY OWNER SIGNATURE OF LIEN HOLDER

Known to me to be the person(s) whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity herein stated. Given under my hand and seal of office on this 21 day of May 2016 at Decatur, Texas

Cody Delcamino  
 Notary Public

MY COMMISSION EXPIRES  
March 3, 2017

**For Departmental Use Only**

Case#: V2016-04

Project Mgr: DDR

Total Fee(s): 75.00<sup>ACT</sup>

Payment Method: CK

Submittal Date: 06/14/16

Accepted By: DDR



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State St ★ P.O. Box 1299 ★ Decatur, TX 76234 ★ www.decatortx.org



## Design Standards Application Checklist

CITY OF DECATUR  
DEVELOPMENT SERVICES

### General Requirements:

- A universal application form and the appropriate fees.
- A letter of explanation/justification.
- Submit a total of five (5) copies of site plan (if applicable) for the property. These copies should be individually folded with drawing side out.
- A location map clearly indicating the site in relation to adjacent streets, distance to nearest intersection and other landmarks.
- Submit one (1) copy of proof of ownership (recorded property deed or current year tax statements).
- Submit documentation on any and all liens and lien holders of property.
- One (1) CD-ROM containing the general required documents in Adobe PDF format.
- I have reviewed the checklist and all submittals for completeness and accuracy. If application submittal is determined to be incomplete, additional fees may be assessed.

Bamy Bibb  
Signature

5-24-16  
Date

### Content of the Letter of explanation/justification for a Zoning Variance:

I understand that I am applying for a variance from the Zoning Ordinance of the City of Decatur and that this variance can only be granted if I prove hardship by meeting four of the conditions below. I also understand that financial or self-induced hardship cannot be considered for granting a variance. Below I explain exactly how I meet these four conditions.

1. The requested variance does not violate the intent and spirit of the ordinance:  
Existing detached garage built around 1983  
Permanent storage shed for lawn/church supplies that we weren't aware didn't meet code. Built approx. 2006.
2. Special conditions of restricted area, shape, topography or physical features exist that are peculiar to the subject parcel of land and are not applicable to the other parcels of land in the same zoning district:  
Existing buildings
3. The hardship is in no way the result of the applicant's action:  
Condition out of our control
4. The interpretation of the provisions in this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions:  
It could deprive us the use of existing buildings



# EAGLE DRIVE

*Baptist Church*

**To the P&Z and City Council for the City of Decatur, Texas:**

We are writing this letter to request a variance for the Eagle Drive Baptist Church Addition for the purpose of a replat for the selling of existing land and property that belongs to Eagle Drive Baptist Church. Our goal in the replat is to gain more land from the original survey of Eagle Drive Baptist Church. We currently own the land and property from 1301 West Eagle Drive along with 2001 Deer Park.

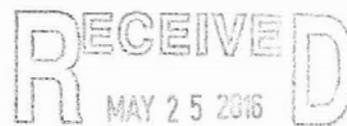
The request is for an existing building that's located on the property of 2001 Deer Park. The detached garage has been in existence since approximately 1983. We are also requesting a variance for the permanent storage shed which houses lawn and maintenance supplies for Eagle Drive Baptist Church. We were unaware that the building did not meet current specifications for updated codes when the building was put in place in approximately 2006. We would appreciate the variance of these existing structures or else it would hinder us from using existing buildings for much needed items.

Thank you,

A handwritten signature in black ink that reads "Pastor Chris Thorne".

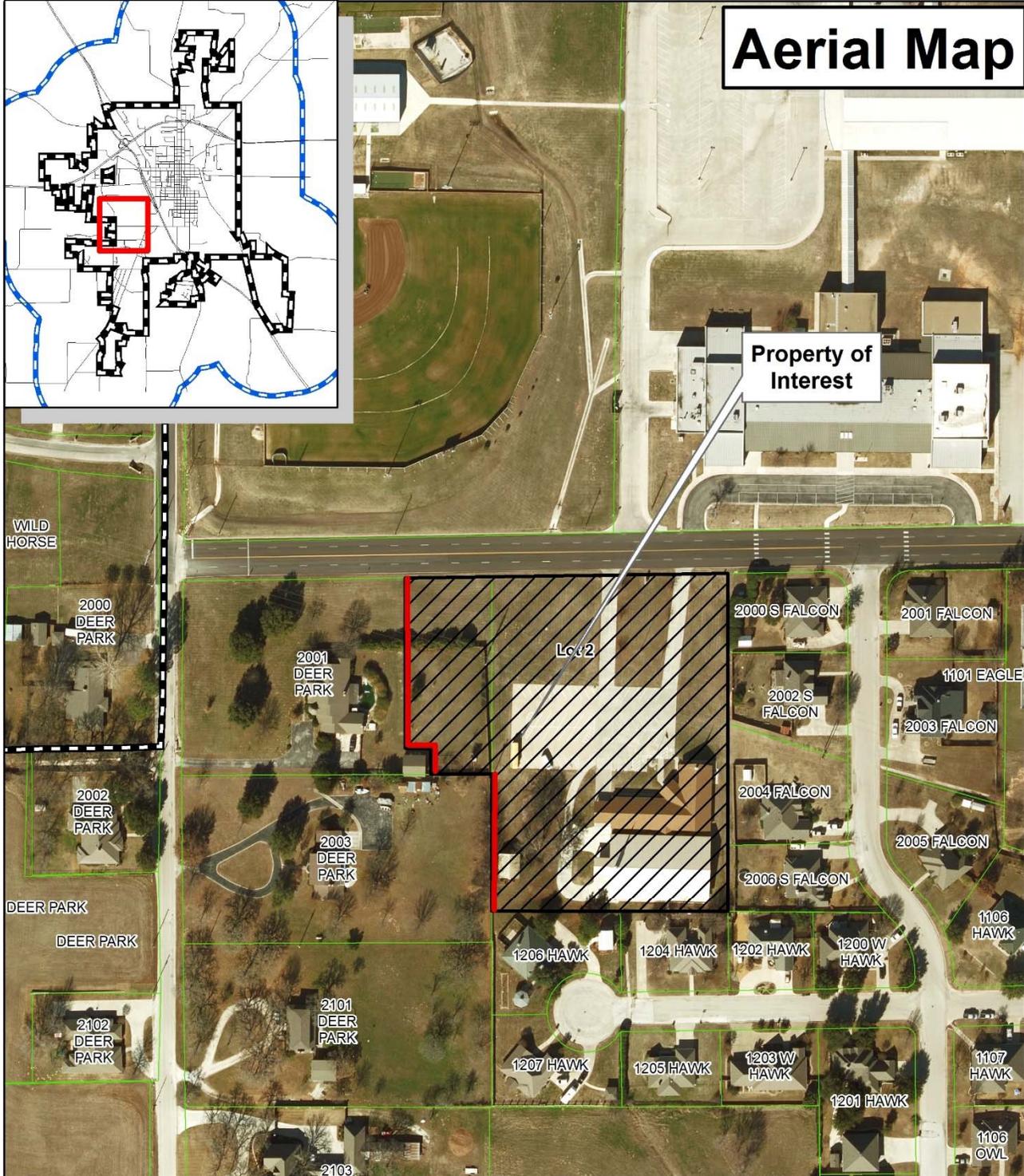
Pastor Chris Thorne

Eagle Drive Baptist Church



CITY OF DECATUR  
DEVELOPMENT SERVICES

Attachment 3  
**Easement Variance Exhibit**



**Aerial Map**

**Property of Interest**

**V2016-04**

- Legend**
-  Decatur City Limits
  -  Decatur ETJ



Created by:  
 The City of Decatur Planning Department  
 1601 South State Street \* Decatur, TX 76234  
 (940) 393-0250 fax: (940) 626-4629



GRAPHIC SCALE 1" = 30'



VICINITY MAP TO 3026

**GRADING AND ELEVATION RESTRICTIONS**  
NO CONSTRUCTION OR FILLING WITHOUT THE WRITTEN APPROVAL OF THE CITY OF DECATUR SHALL BE ALLOWED WITHIN A GRADING DISTRICT AND THEREAFTER AFTER CERTAIN ENGINEERING PLANS AND SPECIFICATIONS HAVE BEEN REVIEWED AND APPROVED BY THE CITY ENGINEER OR HIS DEPUTY. THE CITY ENGINEER SHALL HAVE THE RIGHT TO ALL TYPES OF PROPOSED CONSTRUCTION INCLUDING A PARTY TO THE PROJECT. GRADING CONSTRUCTION IS PERMITTED, ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF ONE (1) FOOT ABOVE THE 100-YEAR FLOOD ELEVATION.

**UTILITY EASEMENTS RESTRICTIONS**  
NO PUBLIC UTILITY INCLUDING THE CITY OF DECATUR, SHALL HAVE THE RIGHT TO REMOVE ALL OR PART OF ANY BUILDING, FENCE, TREE, SHRUB, OR OTHER GROWTH OR IMPROVEMENTS WHICH IN ANY WAY INTERFERE OR OBSTRUCT WITH THE CONSTRUCTION, MAINTENANCE, OR OPERATION OF ITS RESPECTIVE SYSTEM OR ANY OF THE GROUNDWORK OR PLANT AND ANY PUBLIC UTILITY, INCLUDING THE CITY OF DECATUR, SHALL HAVE THE RIGHT TO ALL TYPES OF PROPOSED CONSTRUCTION INCLUDING MAINTENANCE AND REPAIRS TO OR REMOVAL OF ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF ANY TYPE OF PERMITS OR PERMISSION OF ANYONE.

**PUBLIC OPEN SPACE EASEMENT RESTRICTIONS**  
NO STRUCTURE, OBJECT OR PLANT OF ANY TYPE MAY DISTRACT FROM OR OBSTRUCT THE VIEW FROM A HEIGHT OF TEN (10) FEET ABOVE THE TOP OF CURB, INCLUDING BUT NOT LIMITED TO SIGNAGE, FENCES, WALLS, TREES, SHRUBS, OR TREES, ETC., IN THE PUBLIC OPEN SPACE EASEMENT AS SHOWN ON THE PLAN.

**LANDSCAPE RESTRICTIONS**  
LANDSCAPE SHALL BE STRICTLY MAINTAINED AS LANDSCAPED, OPEN GREEN SPACES ONLY AND SHALL REMAIN OPEN AND UNOCCUPIED BY ANY BUILDING OR OTHER STRUCTURE, INCLUDING BUT NOT LIMITED TO SIGNAGE, FENCES, WALLS, TREES, SHRUBS, OR TREES, ETC., IN THE PUBLIC OPEN SPACE EASEMENT AS SHOWN ON THE PLAN.

**OFFICE RESTRICTIONS**  
OFFICE BUILDINGS ARE STRICTLY PROHIBITED AS LANDSCAPED, OPEN GREEN SPACES ONLY AND SHALL NEVER ALLOW INSTALLATION OF ANY BUILDING OR OTHER STRUCTURE, INCLUDING BUT NOT LIMITED TO SIGNAGE, FENCES, WALLS, TREES, SHRUBS, OR TREES, ETC., IN THE PUBLIC OPEN SPACE EASEMENT AS SHOWN ON THE PLAN.

**GREEN SPACE RESTRICTIONS**  
GREEN SPACE AREAS ARE STRICTLY MAINTAINED AS LANDSCAPED, OPEN GREEN SPACES ONLY AND SHALL NEVER ALLOW INSTALLATION OF ANY BUILDING OR OTHER STRUCTURE, INCLUDING BUT NOT LIMITED TO SIGNAGE, FENCES, WALLS, TREES, SHRUBS, OR TREES, ETC., IN THE PUBLIC OPEN SPACE EASEMENT AS SHOWN ON THE PLAN.

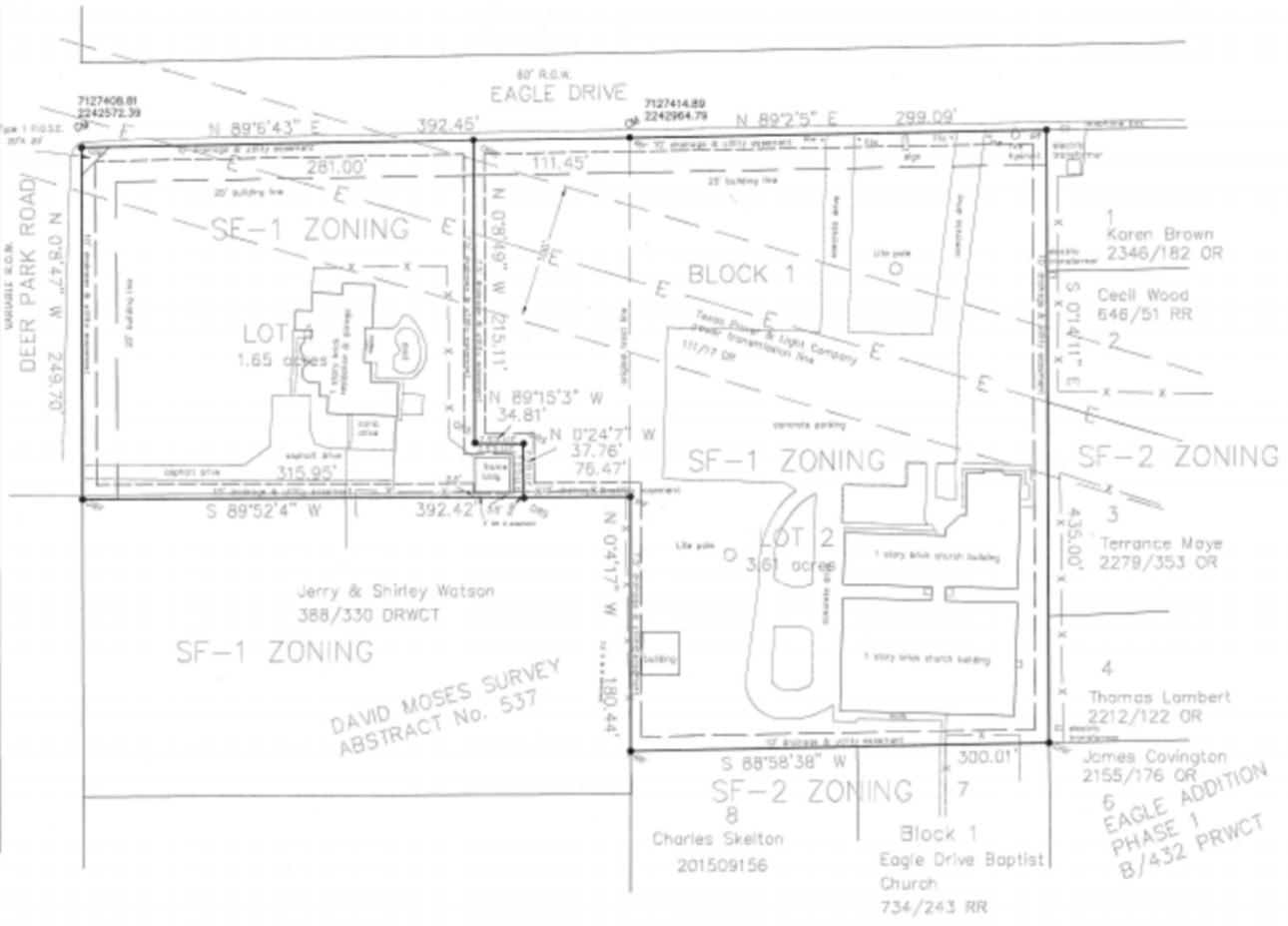
In reference to Map # 48457C300 D of the Flood Insurance Rate Maps (FIRM), dated December 16, 2011, the subject property is considered to be in Zone A, within the 100 year Flood Plain.

Owner:  
Eagle Drive Baptist Church  
Cory Blum Trustee  
Marilyn Shaw Trustee  
P.O. Box 857  
Decatur, Texas 76234  
(817) 363-3624

Underwriter:  
Leland Roberts  
577 N. State  
Decatur, Texas 76234  
(214) 561-7822

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, THIS PLAN WAS ONLY APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DECATUR, TEXAS.  
BY: \_\_\_\_\_ CHAIRMAN  
ATTEST: \_\_\_\_\_ PLANNING DIRECTOR  
THE CITY COUNCIL OF DECATUR, TEXAS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, HAS APPROVED TO ADOPT THIS PLAN AND APPROVE IT FOR PLACING OF RECORDS.  
BY: \_\_\_\_\_ MAYOR  
ATTEST: \_\_\_\_\_ CITY SECRETARY

MEASUREMENTS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, BASED UPON THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.9997222. DISTANCES SHOWN ARE BASED ON CURVED MEASUREMENTS.



PRELIMINARY PLAT OF:

Lot 1 and Lot 2, Block 1, EAGLE DRIVE BAPTIST CHURCH ADDITION, an addition to the City of Decatur, Wise County, Texas, being 5.26 acres of land out of the DAVID MOSES SURVEY, ABSTRACT No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, Wise County, Texas.

T.S.P.L.S. GEN. RULES OF PROCEDURES AND PRACTICES §663.15 (c) PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

STATE OF TEXAS §  
COUNTY OF WISE §

WE, THE UNDERSIGNED, TRUSTEES OF THE LAND SHOWN ON THIS PLAT WITH THE AREA DESCRIBED BY METES AND BOUNDARIES AS FOLLOWS:  
Being all that certain tract or parcel of land out of the David Moses Survey, Abstract No. 537, Wise County, Texas, being all that certain ceded 3.00 acre tract as deeded to Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas, and all that certain ceded 2.27 acres as deeded to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, Wise County, Texas, described to wit: Beginning at an iron stake found for corner to the south line of Eagle Drive at the northeast corner of Eagle Addition, Phase 1, according to the plat recorded in Volume 432, Plat Records, Wise County, Texas;

Thence with the west line of Block 1, Eagle Addition, South 071°41'11" E 429.00 feet to a capped iron stake each for corner of the southeast corner of Lot 4 and the northeast corner of Lot 7 and the northeast corner of Lot 6;  
Thence with the north line of Block 1, South 88°58'38" West 300.01 feet to an iron stake found for corner at the northeast corner of Lot 5 and being in the west line of a tract as deeded to Jerry and Shirley Watson in Volume 380, Page 330, Deed Records, Wise County, Texas;  
Thence with the east line of said Watson tract, North 00°47'17" West 182.44 feet to an iron stake found for corner of the northeast corner of said Watson tract and the southeast corner of that certain tract as deeded to the Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, Wise County, Texas;  
Thence with the north line of said Watson tract and the south line of said church tract, South 88°58'38" West 392.43 feet to a capped iron stake found for corner at the southwest corner of said Watson tract and the southeast corner of said church tract and being in the west line of Deer Park Road;  
Thence with the west line of said church tract and the east line of Deer Park Road, North 00°02'43" West 249.70 feet to a capped iron stake found for corner of the northeast corner of said church tract and the south line of Eagle Drive;  
Thence with the north line of said church tract and the south line of Eagle Drive, North 82°04'43" East 302.40 feet to an iron stake found for corner;  
Thence with the south line of said Eagle Drive, North 89°22'08" East 299.08 feet to the Point of Beginning, containing 5.26 acres of land, more or less,  
AND DESCRIBED HEREIN AS LOT 1 AND LOT 2, BLOCK 1, EAGLE DRIVE BAPTIST CHURCH ADDITION TO THE CITY OF DECATUR, WISE COUNTY, TEXAS, AND WHOSE NAME IS SUBMITTED HEREIN, HEREBY DEED TO THE USE OF THE PUBLIC FOR ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINAGE, EASEMENTS, RIGHTS-OF-WAY AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONVEYANCE THEREON EXPRESSED.

TRUSTEE \_\_\_\_\_  
TRUSTEE \_\_\_\_\_  
DATE: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF WISE §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONVEYANCES THEREIN STATED.

ONION UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ COUNTY, TEXAS.

Great Roberts, Underwriter  
STATE OF TEXAS §  
COUNTY OF WISE §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT ACKNOWLEDGES THAT HE AGREES WITH THE DEVELOPMENT AS SHOWN.

SHOWN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ COUNTY, TEXAS.

STATE OF TEXAS §  
COUNTY OF WISE §

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR  
DATE: \_\_\_\_\_

AREA DRAWN: 544 FT 2 IN  
SURVEY DATE: 7/11/11  
DRAWING SCALE: 1" = 30'  
TEXAS CERT. AUTH. # 40944-04  
PREPARED BY: EDWARDS SURVEYING, L.L.C.



EDWARKIS SURVEYS, L.L.C.  
TEXAS A GEORGIA PROFESSIONAL LAND SURVEYING  
TEXAS LICENSED STATE LAND SURVEYING  
CERTIFIED PROFESSIONAL SURVEYING  
GEORGIA LICENSED  
P.O. BOX 88  
508 WEST WINDMILL CIRCLE  
DECATUR, WISE COUNTY, TEXAS 76234  
PHONE: (817) 363-3624  
FAX: (817) 363-3624

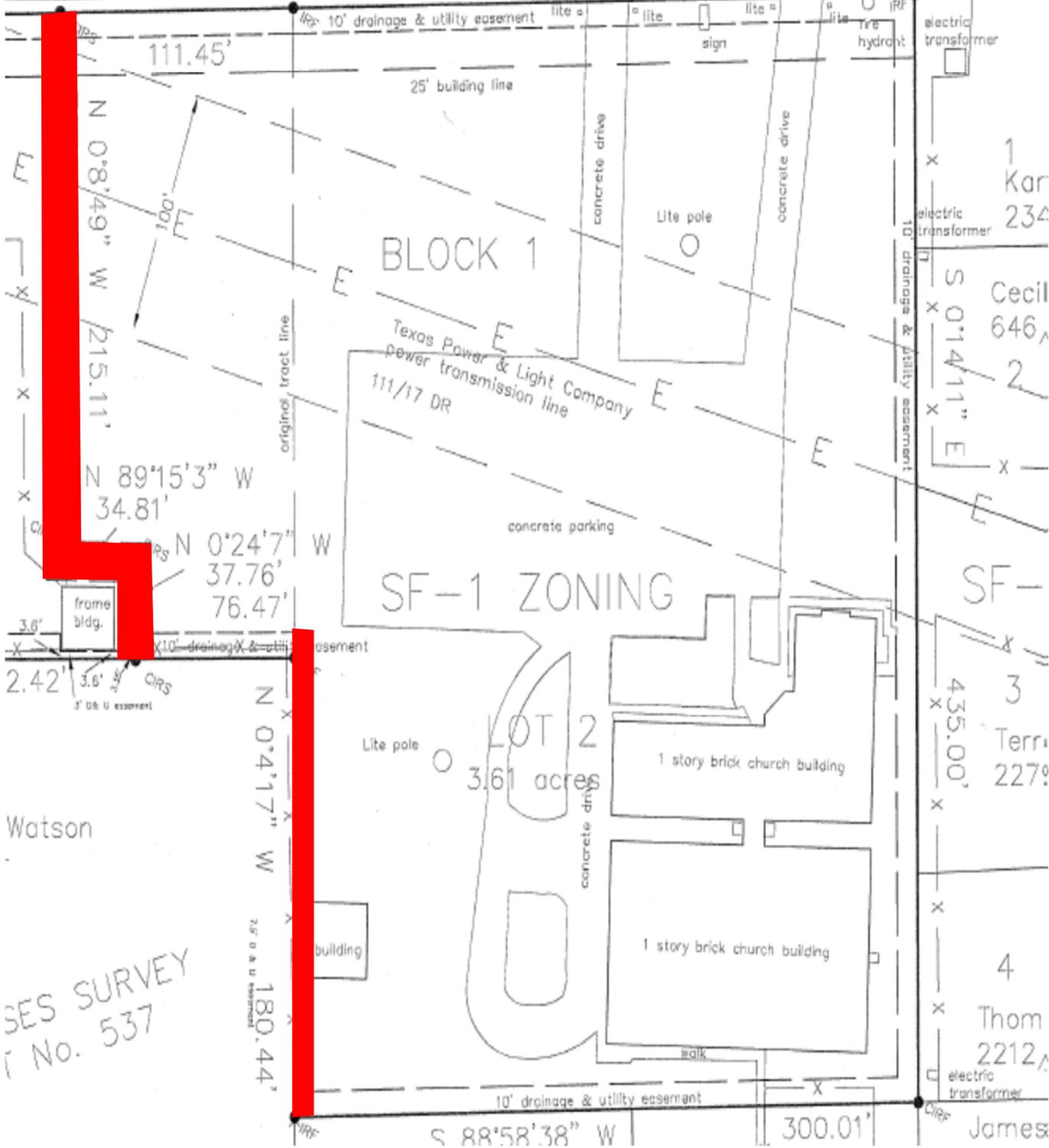
Lot 1 and Lot 2, Block 1,  
EAGLE DRIVE BAPTIST CHURCH ADDITION

60' R.O.W.  
EAGLE DRIVE

7127414.89  
2242964.79

N 89°2'5" E 299.09'

2.45'



N 0°8'49" W 215.11'  
 N 89°15'3" W 34.81'  
 N 0°24'7" W 37.76'  
 76.47'  
 3.6'  
 2.42'  
 3.6'  
 10' drainage & utility easement

BLOCK 1

SF-1 ZONING

LOT 2  
3.61 acres

Watson

RESURVEY  
No. 537

1 Kar 234  
electric transformer

Cecil 646, 2  
S 0°14'11" E

3 Terr 227  
435.00'

4 Thom 2212  
electric transformer

James



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

## STAFF REPORT

July 5, 2016 – Planning & Zoning Commission Meeting

**TO:** Planning & Zoning Commissioners

**CASE:** PP2016-03

**FROM:** Dedra D. Ragland, AICP, Planning Director

**APPLICANT:** Eagle Drive Baptist Church

**DATE:** June 29, 2016

**REQUEST:** Final Plat Application

### Case Notes:

Hear staff report and consider taking action to make a recommendation to City Council regarding Preliminary Plat Application 2016-03—Ronald Hubbard’s request, on behalf of The Eagle Drive Baptist Church, to final plat Lot 1 and Lot 2, Block 1, Eagle Drive Baptist Church Addition, being a 4.26-acre tract of land out of the David Moses Survey, Abstract No. 537, and being the same tracts of land as deeded to Trustees of Decatur Baptist Temple in Volume 409, Page 379, Real Records, Wise County, Texas and to Eagle Drive Baptist Church in Volume 1838, Page 598, Official Records, and as more completely described by metes and bounds on the plat exhibit in the staff report, City of Decatur, Wise County, Texas..

### Legality:

This property can be legally platted in accordance with Section 212 of the *Texas Local Government Code*.

### Issues:

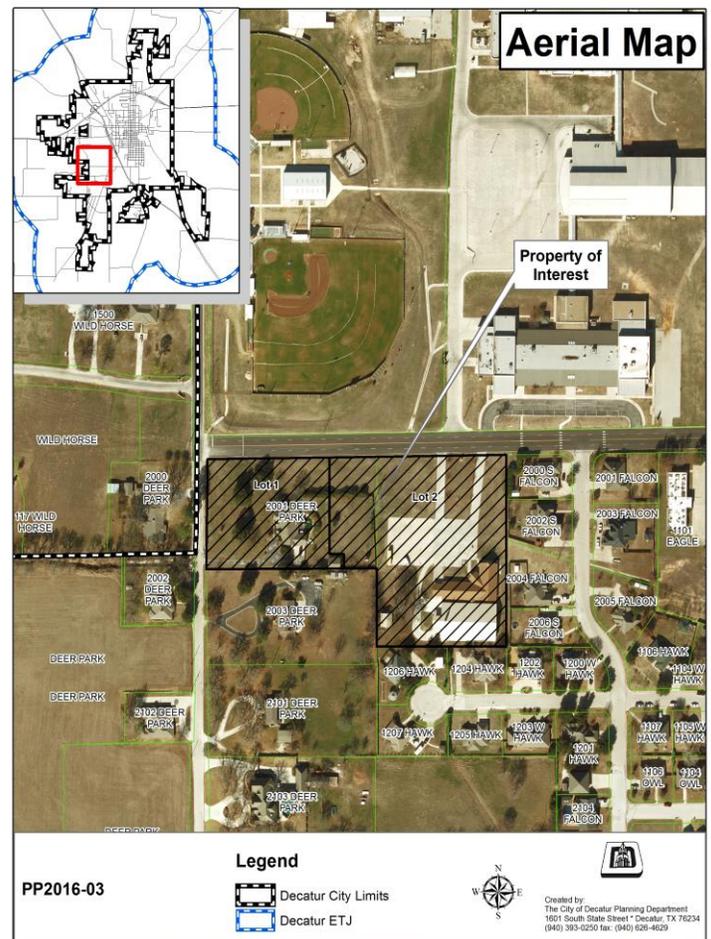
None.

### Recommendation:

If the easement variances (V2016-03 and V2016-04) are approved, the preliminary plat will meet the minimum requirements of the City of Decatur’s Zoning Ordinance, Subdivision Regulations and the Design Standards. Staff recommends approval.

### Attachment:

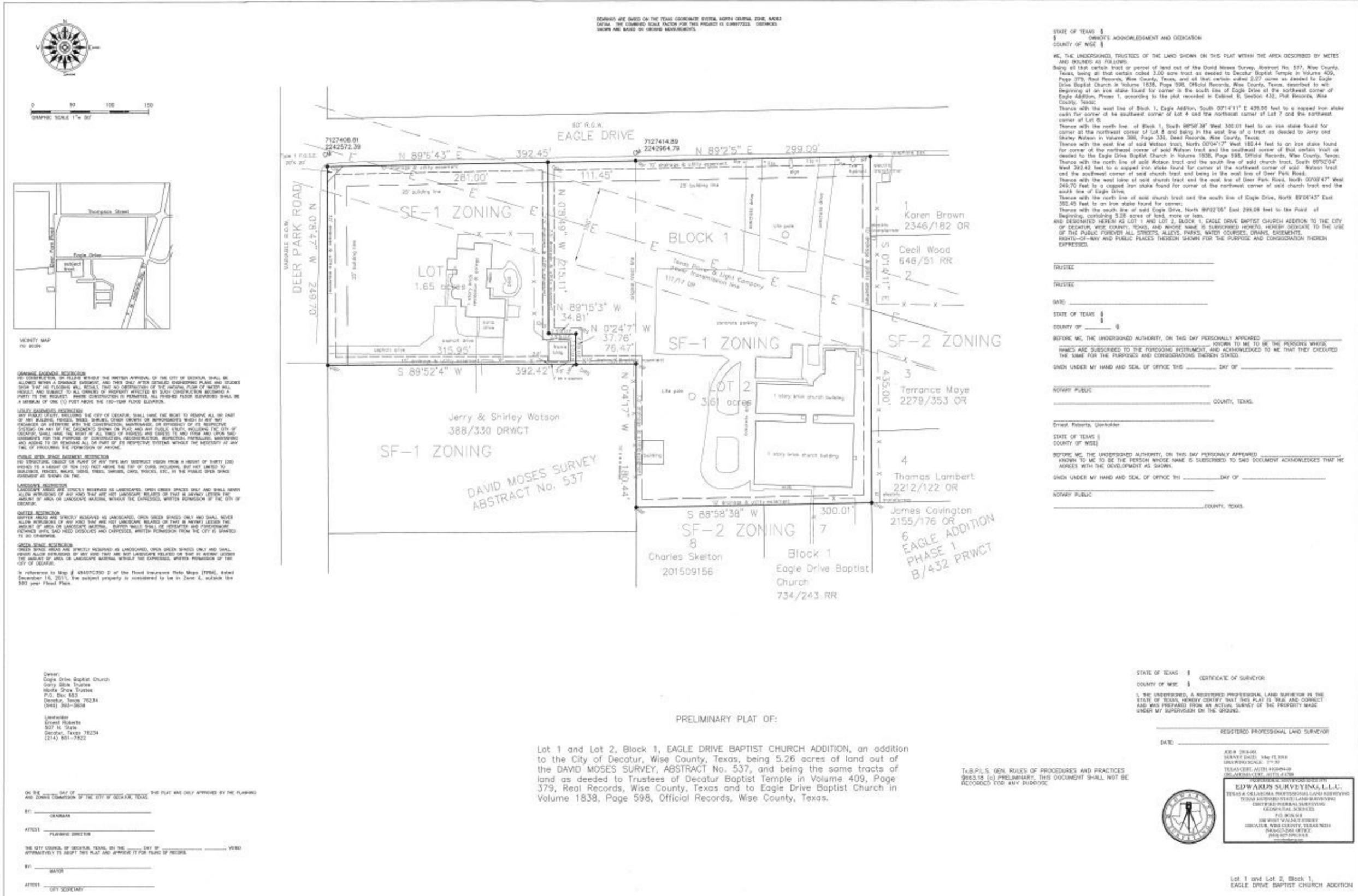
- 1. Preliminary Plat Exhibit



## LOCATION MAP

# ATTACHMENT 1

## Preliminary Plat Exhibit





# ATTACHMENT 1

## Final Plat Exhibit

