



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

AGENDA
PLANNING AND ZONING COMMISSION
REGULAR SESSION
TUESDAY, AUGUST 12, 2014 -- 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in regular session at 6:00 p.m., Tuesday, August 12, 2014 in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on August 8, 2014 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Citizen Comments – limited to 3 minutes each

Rules for Citizen's Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our appointed officials, we request that if you wish to speak, that you please follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Commission the same respect and courtesy that you would like to be shown.
- c. Limit remarks to three (3) minutes per citizen during Item 3.
- d. Citizen comments may be deferred to a specific Business Item set forth in Sections 4, 5 and 6 below if such comments pertain to such Business Item.

*NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

4. Business Items

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a) A petition by Gary A. Mallett, 21401 Fairview Circle, for variances to Ordinance 13-122008, Section 8, General Provisions, 8.4., Fences, Walls and Plants, for a wooden split rail fence over two (2) foot in height constructed forward of the front plane of the residence and further located within the right-of-way:

- i) 8.4.4 – Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.

- ii) 8.4.11 – Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure.

5. Public Hearings

The Planning and Zoning Commission will conduct a Public Hearing to receive input on the following:

- a) A petition by Gary A. Mallett, 21401 Fairview Circle, for variances to Ordinance 13-122008, Section 8, General Provisions, 8.4., Fences, Walls and Plants, for a wooden split rail fence over two (2) foot in height constructed forward of the front plane of the residence and further located within the right-of-way:

- iii) 8.4.4 – Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.

- iv) 8.4.11 – Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure.

6. Business Items (continued)

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a) A petition by Gary A. Mallett, 21401 Fairview Circle, for variances to Ordinance 13-122008, Section 8, General Provisions, 8.4., Fences, Walls and Plants, for a wooden split rail fence over two (2) foot in height constructed forward of the front plane of the residence and further located within the right-of-way:

- v) 8.4.4 – Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.

- vi) 8.4.11 – Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with

metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure.

- b) Request from Forest Waters Neighborhood Association for an entry sign for Forest Waters subdivision at Sumac Cove that is 58 inches by 58 inches in size.
- c) Request from the Waters Church for placement of a directional sign on the east side of the intersection of F.M. 3009 and Schoenthal Road
- d) Request from Bracken United Methodist Church for placement of temporary signs advertising their Pumpkin Patch event for a period of 41 days (September 21 through October 31, 2014) within the Garden Ridge city limits at the locations of the northeast corner of FM 2252 and FM 3009 and at 19831 FM 2252
- e) Reappointments/Appointments of Commissioners to Planning and Zoning Commission due to expiring terms of office in Places 2, 3 and 7 on Commission
- f) Garden Ridge Unified Development Ordinance

7. Administrative Items

The Commission may discuss, consider and/or take possible action on the following items:

- a) Approve or disapprove the minutes of the June 10, 2014 Regular meeting of the Planning and Zoning Commission
- b) Set date, time and location for next meeting.

8. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

The Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and

opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 10:00am on August 8, 2014 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary

Ordinance# 13-144008 City of Garden Ridge
 REC#: 00150634 6/23/2014 3:31 PM
 TRAN: 113 0000 P&Z VARIANCE FEES
 OPER: CASH TERM: 001
 REF#: 1144 JH
 VARIANCE MALLETT
 P&Z VARIANCE FILING 400.00
 TENDERED: 400.00 1 CHECK(S)
 APPLIED: 400.00
 CHANGE: 0.00

Planning and Zoning Form 2
APPLICATION FOR VARIANCE
 (Type or Print)

1. Date: _____ Case #: _____
2. Applicant Name: GARY A. MALLETT
 (First) (Middle) (Last)
3. Mailing Address: 21401 FAIRVIEW CR
 (Street)
GARDEN RIDGE, TX 78266
 (City) (State) (Zip)
 Phone: (214) 851-4611
4. Applicant's relationship to property:
 Sole owner () Part owner () Other; _____
 (Specify)
 (If not sole owner, furnish a notarized letter of authorization from all owners as attachment 1.)
5. Property location: 21401 FAIRVIEW CR
 (Street address or street front)
6. Legal description:
 Plat: Lot(s) 11 Block(s) UNIT 1
 Subdivision: FAIRVIEW ACRES
 Acreage: .75 (If acreage, provide separate metes and bounds description as attachment 2.)
 Property Deed recorded in Comal County Volume # 3 Page # 5
7. Cite City Ordinance number, page and paragraph from which variance is needed: B. 4.4 and B. 4.11
8. State what you want to do instead: SPLIT RAIL Fencing ALONG FRONT OF PROPERTY FROM ONE SIDE OF PROPERTY TO OTHER SIDE FOR RUSTIC, AESTHETIC PURPOSES.
9. Give reason why a variance should be granted (cost alone is not acceptable): Purely aesthetic reason - IT MAKES THE PROPERTY LOOK GOOD. IMPROVES THE LANDSCAPING AND VIEW OF THE PROPERTY. \$912 INVESTED.
10. If you are requesting a variance from City Ordinance 13 requirements, give a dimensioned map with north orientation, scaled 100 or 200 feet per inch, of the property to be rezoned showing all streets and parcels of land within 300 feet of the property as attachment 3. Key each adjoining land parcel to a list of current owners and addresses as attachment 4.
11. Give site plan showing location, dimensions and uses of existing or proposed structures, easements, water sources, fences, curb cuts, street and alley right-of-way lines within one foot of property for which variance is requested, on another map of larger scale, as attachment 5.

12. Identify any deed restrictions on agriculture, residential, business or other use. If none, so state: _____
None

13. The undersigned hereby requests that the variance identified in this application are granted, in accordance with Garden Ridge City Ordinance 13. I consent to the posting of hearing notices on the said property. I understand that the information provided herein might be used by the City of Garden Ridge for sending required notices to adjacent property owners, if required. I bear full responsibility and liability for any losses or costs incurred by the City, or others, caused by errors or omissions in this application.

14. Applicant Signature: *Gary A. Martin*

_____ Attachments:

1. Owner(s) letters of authorization, if applicable
2. Metes and Bounds description of property, if applicable
3. Map of property
4. List of adjacent property owners
5. Site plan
6. Check for variance fee per Garden Ridge City Ordinance 11.

----- CITY USE ONLY -----
 VARIANCE REQUEST

		Date
City Admin.:	Application received	_____
	Application verified	_____
	Fee received \$ _____ Check # _____	_____
	Application sent to P&Z	_____
P&Z:	Owners' acceptance of application	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
	Public hearing conducted, if required	_____
	P&Z decision on variance	_____
City Council:	P&Z recommendation to City Council	_____
	Notice to adjoining property owners, if required	_____
	Notice of public hearing, if required	_____
City Admin.:	Public hearing conducted, if required	_____
	Applicant notified of Council Decision	_____
	Zoning ordinance change published, if required	_____

Note:

While starting some research for a permit to have a drive way and work shop completed on our property at 21401 Faiview Cr, I learned that I needed a permit for a split rail fence on our property. I installed the split rail fence with the only intent to enhance to view of the house and property.

I learned that I didn't meet two city ordnances: city easement and fence material must be made of metal. The city has already laid a pipeline along the front of our property in the front yard. If the city needs access to the easement for any other purposes, I concede to remove any part of the split rail fence to gain access to the easement.

I understand a variance is necessary and this note is a part of that variance. I request the variance be approved. Again, I put up the fence for esthetic purposes only. Thank you for your time and consideration of a variance.

Gary A. Mallett, USAF Retired

21401 Fairview Cr

ALL BUILDING PROJECTS

The IRC and IBC require the following information be provided for all building permits

Permit # _____ (Office) **PERMIT APPLICATION** Attn: _____
 Date _____ New As-Built Remodel Residence (IRC) Business (IBC)

Check boxes for items to be permitted. Use **OTHER** for additional items. Check box for ELECTRICAL permit
 POOL SPA DECK FENCE (Is Fence a pool barrier? Yes No DRIVEWAY SIDEWALK
 PATIO ADD-ON OUTBUILDING OTHER (describe) _____

DATE RECEIVED _____ RETURN DATE _____ REASON _____

PROJECT ADDRESS 21401 FAIRVIEW CR IMPERVIOUS COVER _____ %

SUB-DIVISION _____ BLOCK # _____ LOT# 11 CORNER: Yes No

OWNER: GARY Cherie Mallett W# _____ H# (210) 651-4611

ADDRESS: 21401 Fairview CR CITY GARCON RIDGE STATE TX ZIP 78266

PRIMARY BUILDER SELF W# _____ C# _____
 LIC # _____ Expires: _____ SUP'S NAME: _____ C# _____

ADDRESS _____ CITY _____ ZIP _____

E-MAIL _____ FAX# _____

OTHER CONTRACTORS - FOUNDATION, PLUMBER, ELECTRICIAN, ETC.

TRADE #1/BUS NAME: _____ W# _____

ADDRESS _____ CITY _____ ZIP _____ SUP _____

LIC # _____ E-MAIL _____ C# _____

TRADE #2/BUS NAME: _____ W# _____

ADDRESS _____ CITY _____ ZIP _____ SUP _____

LIC # _____ E-MAIL _____ C# _____

TRADE #3/BUS NAME: _____ W# _____

ADDRESS _____ CITY _____ ZIP _____ SUP _____

LIC # _____ E-MAIL _____ C# _____

DESCRIBE SCOPE OF WORK (make drawing or rendition on separate page)

SPLIT Rail Fencing ALONG FRONT OF Property
From one side OF property TO other side
for ECSTATIC purposes.

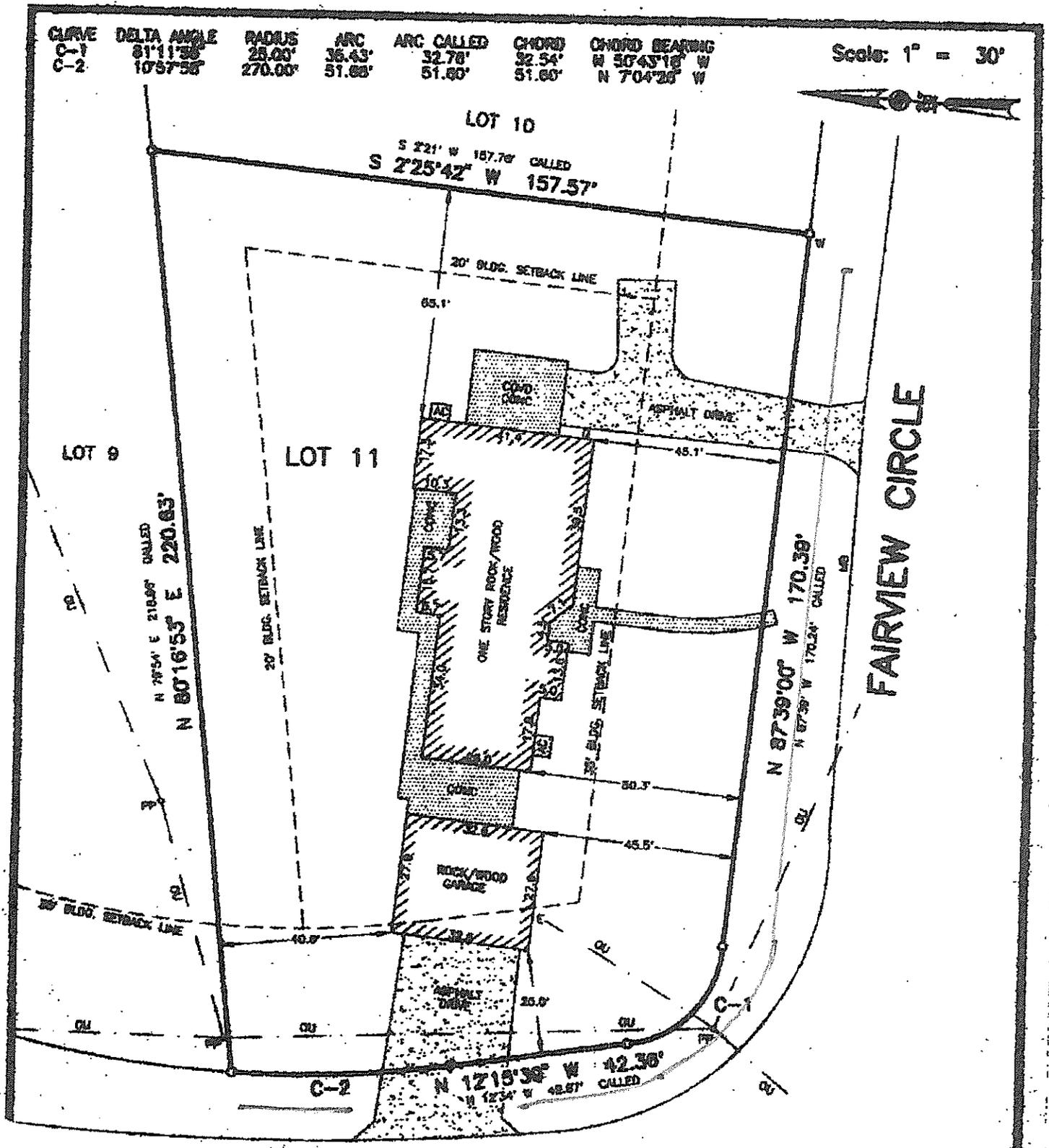
NOTE: Read rear side for additional information or requirements. Plans, drawings, etc., required for your project must be submitted with application. The builder must comply with City Ordinances and Codes. Site must be kept free of trash/debris throughout entire project. All projects require a FINAL inspection. Information provided must be legible.

Gary A. Mallett Applicant's Signature GARY A. Mallett Print Name _____ Processed By _____

NO WORK AT, OR MATERIALS DELIVERED TO, SITE BEFORE A PERMIT IS ISSUED!

CURVE	DELTA ANGLE	RADIUS	ARC	ARC CALLED	CHORD	CHORD BEARING
C-1	81°11'38"	25.00'	35.43'	32.78'	32.54'	N 50°43'18" W
C-2	10°57'55"	270.00'	51.68'	51.60'	51.60'	N 7°04'20" W

Scale: 1" = 30'



FAIRVIEW CIRCLE

LEGEND:

- W WATER METER
- E ELECTRIC METER
- G GAS METER
- P POWER POLE
- OU OVERHEAD UTILITIES
- M MANHOLE
- A/C AIR CONDITIONER
- R 1/2" IRON ROD FOUND
- P.I.C. NAIL SET

LOCATED IN FLOOD INSURANCE

Adjacent Neighbors to 21401 Fairview Circle

Jay and Joe Hamm	21400 Fairview Circle; Garden Ridge, Texas 78266
Nancy Butler	21751 Fairview Dr.; Garden Ridge, Texas 78266
Mark & Francis Wiggins	21712 Fairview Dr.; Garden Ridge, Texas 78266
Bradford & Carol Messer	21409 Fairview Circle; Garden Ridge, Texas 78266
Irene Stapper R Living Trust	21410 Fairview Circle; Garden Ridge, Texas 78266
Glenn & Lisa Mueller	21825 Fairview Dr.; Garden Ridge, Texas 78266

**SECTION 8
GENERAL PROVISIONS**

- 8.1. PLATS. All land uses, other than farm and ranch agriculture uses allowed under the Residential-Agriculture District shall be platted following procedures in City Ordinance #7, as amended, at time of the rezoning application. All lots less than ten (10) acres shall be platted prior to any new construction. All applications for a building permit to construct a new building, including accessory buildings, shall be accompanied by a plot plan prepared and certified by a registered engineer or land surveyor. The plot plan shall be drawn to scale with all dimensions showing accurately size, exact location of all new construction and a drainage plan related to adjacent lots.
- 8.2. FLOOD HAZARD AREAS. The use and development of all properties located within designated areas as identified and depicted on the official flood hazard map of the City shall be guided by and conform to the provisions of the Garden Ridge Flood Hazard Ordinance #36, as amended.
- 8.3. STRUCTURE HEIGHT WITHIN CITY.
- 8.3.1. No tower, pole or other artificial structure (except residential chimney and utility vents and certain broadcast reception antennas) may exceed the ridgeline of the largest building on a lot unless specifically authorized by City ordinance or written authorization from City Council.
- 8.4. FENCES, WALLS AND PLANTS.
- 8.4.1. Fences immediately surrounding individual trees or shrubs for wildlife exclusion are excepted from all but the height restrictions and repair requirements of this Ordinance.
- 8.4.2. Height of fences shall not exceed six (6) feet. Pedestrian gates- incorporated into a fence- which are forty (40) inches, or less, wide shall not exceed seven (7) feet in height including ornamentation. The support structures for the above pedestrian gates shall not exceed eight (8) feet in height inclusive of any ornamentation or fixtures. All other fence gates and support structures shall not exceed seven and one-half (7.5) feet in height including ornamentation or fixtures.
- 8.4.3. Fences shall be kept in good repair.
- 8.4.4. Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.
- 8.4.5. Support columns or posts for fences crossing drainage or utility easement shall be at least twelve (12) feet apart. They shall allow removal of the fence for passage through or improvement of the easement.
- 8.4.6. Fences in, or crossing, drainage easements shall not impede natural drainage. The property owner is responsible for keeping the drainage easement free flowing and clear of obstructing debris.
- 8.4.7. Barbed wire fence is prohibited in subdivisions and on lots smaller than ten (10) acres.
- 8.4.8. Electric fence is prohibited along lot lines within subdivisions unless used with a non-electric fence. Electrical fences must have warning signs at intervals no less than twenty (20) feet.
- 8.4.9. Side or rear fences facing any paved street shall be of metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block, wood or chain link. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal or wood may be used for gates in masonry fences.

- 8.4.10. Fences equal to, or less than, two (2) foot high constructed forward of the front plane of the residence shall be of metal, brick, stone or cement masonry matching that of the main structure. Gates shall be metal.
- 8.4.11. Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure. Such fence, including columns, shall not obstruct more than half of the view through the fence. Property fronting Farm to Market (FM) 2252 and FM 3009 may have solid fence (sheet metal is prohibited). Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences. Gates in metal fencing shall be of metal matching the design of the fence.
- 8.4.12. Perennial plants, shrubs or trees shall be placed in front of, and along the entire length of, any fence over two (2) foot high which faces a paved street and which -- exclusive of support columns or posts -- obstructs more than ten (10) percent of the view through the fence at heights over two (2) foot. Plants shall be in place within ninety (90) days of fence completion. Plants shall be at least 24 inches high when planted. Plants, at maturity, shall be capable of covering fifty (50) percent of the fence. The City may direct removal of the fence at owner's expense if plants are not in place within ninety (90) days of fence completion.
- 8.4.13. Fences on commercial and industrial property shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block or chain link. Commercial and industrial property, where it adjoins residential lots, shall have a rock or brick masonry, cement (fencecrete) or stucco finished cement block fence six (6) feet high. The City may require higher fences when recommended by the city engineer for abatement of visual or physical agent impact. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. No fence may be forward of the front plane of commercial or industrial structures when the property abuts residential lots. Gates and support structures, inclusive of ornamentation and fixtures, shall be of matching height and materials consistent with function. Metal may be used for gates in masonry fences.
- 8.4.14. Perimeter fencing for subdivisions shall be metal (sheet metal is prohibited), rock or brick masonry, cement (fencecrete) or stucco finished cement block. Masonry or cement fences must have an engineered concrete footing and be structurally bound with cement or mortar. Gates and support structures shall be of matching materials consistent with function. Metal may be used for gates in masonry fences.
- 8.4.15. Retaining walls shall be timber, concrete, concrete or brick masonry or stone. Cement block must have stucco, brick or stone facing. Retaining walls over three- (3) foot high must be structurally sound as determined by an engineer's evaluation.
- 8.4.16. Existing fences and walls must comply with this Ordinance at time of replacement or repair of over thirty (30) percent of the structure.
- 8.4.17. Subdivision entry way structures and gates shall be approved by the City as part of the subdivision plat review.
- 8.4.18. All automatic control gates shall have a clearly visible manual over-ride.
- 8.5. Landscaping is required for all areas disturbed by construction of new buildings and additions over 300 square feet. Landscaping shall be completed within one (1) year from the date of issuance of the Certificate of Occupancy, or final building approval.
- 8.5.1. Lawn areas must be planted with drought tolerant grasses or other drought tolerant ground cover vegetation. No more than twenty (20) percent of the landscape area can be in St. Augustine grass. On lots over 1.25 acres, ten (10) percent of the landscape area must be xeriscape. The use of





May 5, 2014

City of Garden Ridge

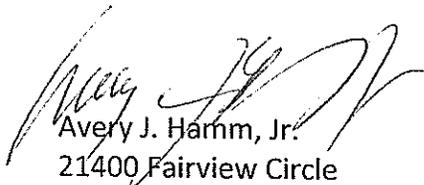
Dear Madam/Sir:

It has come to my attention that my across the street neighbors, Gary & Cherie Mallett, 21401 Fairview Circle, Garden Ridge, TX, have been instructed to remove their newly installed wooden fence as someone has reportedly found it to be objectionable. If I, as the across the street neighbor who sees it each day and don't find it objectionable, nobody should as I have a direct view of the fence.

There are much more objectionable sights in this neighborhood than this fence. These sights are and have been allowed to exist without objection.

If there are other reasons that the fence should be removed other than that which was stated then I have no suggestions to that end.

Sincerely,



Avery J. Hamm, Jr.
21400 Fairview Circle
Garden Ridge, TX 78266

July 30, 2014

City of Garden Ridge
ATTN: City Secretary
9400 Municipal Parkway
Garden Ridge, TX 78266-2600

Ref: Your Letter, Notice of Public Hearings, dated July 24 re petition by Gary A. Mallett

Dear Madam:

We are not certain that we will be able to attend the public hearing scheduled for August 12, 2014 since our sister is gravely ill and we may need to be away to attend her. Even if we were here, we would not be able to verbalize in a public setting as we can do in writing.

We strongly object to the approval of this petition to allow the continued existence of a wooden split rail fence.

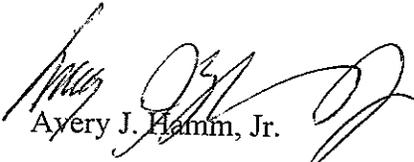
This fence was erected without prior approval of the City of Garden Ridge, on city right of way, and has been allowed to remain in violation of the two cited ordinances. This appears to be the way Mr. Mallett approaches compliance since he has a motor home and a large boat on his property in violation of other city ordinances which, as we understand, require that such items be placed on concrete, asphalt or gravel slabs.

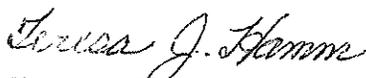
The appearance of his property is a disgrace and should be brought into compliance. We would challenge the city authorities to find any other property within the city that nears his in appearance. Yes, the Butler residence has some issues; however, the family, since the passing of Mr. Butler, has been attempting to remedy this situation.

We have not objected to the appearance of the Mallett property previously in an attempt to keep peace and be neighborly; however, this latest violation makes one wonder what else might be coming. Mr. Dave Thomas who previously owned the adjoining property has said that he lost several prospective sales because of the next door appearance and we are afraid if and when we or our successors decide to sell our property, how much will the across the street appearance devalue our property.

We would beg the commission to deny this variance and require the entire property to be brought in compliance.

Sincerely,


Ayery J. Hamm, Jr.


Teresa J. Hamm

July 31, 2014

City of Garden Ridge

Attn: City Secretary

9400 Merivale Parkway

Garden Ridge, TX 78266-2600

Re: Notice of Public Hearing, dated July 24

Dear Madam,

I will not be able to attend the hearing due to a prior commitment. Since I am 89 years old and live alone I do not want to make someone mad at me that live across the street.

I do not see why this matter had to be voted on. If it is a violation of the city ordinance that should be enough of a reason to deny the petition. The fact it is on city property should be enough for you to deny it. The fence is not very pretty to see every day that you pass by it or in your front yard. Due to my age, very soon my property will be for sale and it would not attract a

buyer -

Please consider these facts when it comes up for a vote -

Sincerely,

Irene L. Stappes

LEGAL NOTICE

NOTICE OF PUBLIC HEARING
CITY OF GARDEN RIDGE
PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Garden Ridge, Texas will conduct a public hearing on August 12, 2014 at 6:00 p.m. The public hearings will be held in the Garden Ridge City Hall Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

The purpose of the public hearing will be to consider:

- a) A petition by Gary A. Mallett, 21401 Fairview Circle, for variances to Ordinance 13-122008, Section 8, General Provisions, 8.4., Fences, Walls and Plants, for a wooden split rail fence over two (2) foot in height constructed forward of the front plane of the residence and further located within the right-of-way:
 - i. 8.4.4 – Fences shall not be within or across a City owned right-of-way, drainage channel or waterway.
 - ii. 8.4.11 – Fences over two (2) foot high and forward of the front plane of the residence shall be metal (sheet metal is prohibited) with metal, brick, rock, or cement masonry, columns or support structure matching that of the main structure.

The public is invited to attend and submit oral or written comments on this matter.

S/: Shelley Goodwin, TRMC
City Secretary

Sign for Sumac Cove Entrance to Forest Waters

Request approval of entry sign for the Sumac Cove portion of Forest Waters.

Sign to be made of redwood with 4x4 posts and 2x8 panels finished with two coats of Waterlox Marine Sealer and three coats of Waterlox Marine Finish. Letters are made of Poplar finished with two coats of Rust-oleum High Performance Primer and three coats of Rust-oleum High Performance Enamel in satin black. Capitals are 9 inches and small letters are 6 inches. See photo.

Overall height is approximately 58 inches, by 58 inches wide.

Gary Prescott 651-0960

For Forest Waters Neighborhood Association

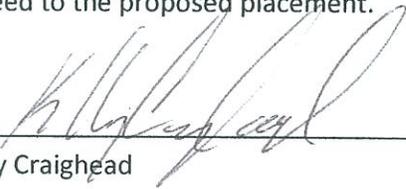


PHOTO IS APPROX 1 MILE

July 23, 2014

The Waters Church is proposing to the City of Garden Ridge the placement of a directional sign for the church at the corner of FM 3009 and Schoenthal. Please see attachment for detailed placement and size as per city ordinance.

Kelly Craighead, the representative of The Waters Church, and Dan Rittimann, property owner, have agreed to the proposed placement.



Kelly Craighead



Dan Rittimann

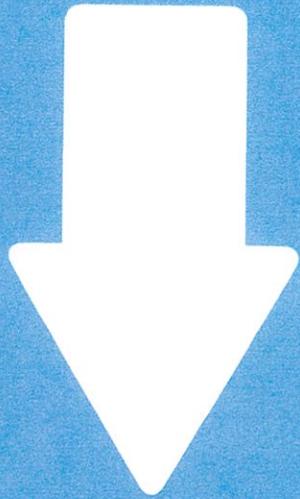
Please call @ 210 913 4602 for Kelly Craighead



This is the corner of 3009 S. Stewart Loop.

The sign will adhere to the ordinance. The top edge of the sign will be no higher than 6' from the ground. The perimeter of the sign will be a total of 14'. It'll be 4' x 3'

Bill [Signature]



COME THIRSTY

LEAVE REFRESHED



Senior Pastor
Chris Bistline

Associate Pastor
Jim Jacob

20377 FM 2252
San Antonio, TX 78266

Office
830-606-6717
Fax
830-606-2368
Preschool
830-624-1429

Email
Admin@bracken-umc.org

Website
www.bracken-umc.org

Administrative Assistant
Shelly Morgan

Youth & Contemporary
Worship Director
Gabe Rios

Preschool Director
Michelle DeLeo

Music Ministries
Director
Kathy Roden

Traditional Music Director
Linda Waite

Children's Ministry Director
Jessica Cantu

Bracken United Methodist Church

4 August 2014

Ms. Nancy Cain
City Administrator
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, Texas 78266

Subject: Placement of Pumpkin Patch signs for Bracken UMC

Dear Ms. Cain:

As Chairs of the 2014 Bracken UMC Pumpkin Patch, we are requesting approval from the City of Garden Ridge for the placement of promotional signs for this year's Pumpkin Patch. As in the years past, we will be placing the signs on or in the front of Church member's properties, with their permission. The signage will be up for forty-one (41) days, starting Saturday or Sunday the 20th/21st of September (our first delivery truck arrives on the 22nd).

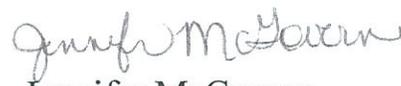
We will place a banner on the fence on the northeast corner of FM 2252 and FM 3009. This property is owned by Dennis Wetz. The banner will be placed next to the permanent Bracken UMC sign currently in place there.

A second Pumpkin shaped wooden sign will be placed in front of the home of Annette Hawkins at 19831 FM 2252. The third sign will be located in front of the home of Greg and Nancy Rathburn at 20218 FM 2252.

Thank you for your consideration of our request for the City's approval of the placement of these signs for our 2014 Pumpkin Patch.

Respectfully,


Steve Rice
2014 Pumpkin Patch Chair


Jennifer McGovern
2014 Pumpkin Patch Co-chair

PLANNING & ZONING COMMISSION MEMBERS

<u>PLACE</u>	<u>COMMISSIONER</u>	<u>TENURE</u>	
1	Harvey B. Bell 20502 Deer Garden Cove Home: (210) 451-7088 HBBELL@aol.com	Expires	9/30/2015
2	Kay Bower 8947 Garden Ridge Drive Home: (210) 650-8881 Fax: (210) 650-8882 kmail@satx.rr.com	Expires	9/30/2014
3	Samuel Stocks-Chair 21910 Deer Canyon Dr Home: (210) 651-9694 sstocks@satx.rr.com	Expires	9/30/2014
4	Frank Dansby-Vice Chair 22204 Via Posada Drive Home: (210) 651-4050 Cell: (210) 771-0115 dandwdist@aol.com	Expires	9/30/2015
5	David Heier 9185 Garden Ridge Dr. Home: (210) Cell: (210) david.heier@med.va.gov	Expires	9/30/2015
6	Shawn Willis 22119 Cristobal Dr. Home: (210) shawn.willis@acuform.com	Expires	9/30/2015
7	Kitty Owen 8420 Twisted Oaks Home: (210) 651-6200 Office: (210) 977-4747 kathryn.owen@us.af.mil	Expires	9/30/2014



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

**MINUTES OF PLANNING & ZONING COMMISSION
REGULAR SESSION
TUESDAY, JUNE 10, 2014**

Commissioners present:

Sam Stocks, Chairman
Kay Bower
Frank Dansby
David Heier
Kitty Owen
Shawn Willis

Commissioners Absent:

Harvey Bell

Also Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chairman called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00p.m. on Tuesday, June 10, 2014 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266

2. Citizen Comments – limited to 3 minutes each

Rules for Citizen’s Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we must request that if you wish to speak, that you follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Commission the same respect and courtesy that you expect to be shown to you.
- c. Limit remarks to three (3) minutes.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the

agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.

Bryan Lantzy, Trophy Oaks, stated he has concern with the rezoning from Residence-Agriculture District to Light Industrial District. He stated he feels FM 2252 between FM 3009 should be rezoned for retail development.

3. Public Hearings

The Planning and Zoning Commission will conduct Public Hearings to receive input on the following:

- a) **A petition by Garry Lugar and Richard Winkler for rezoning from Residence-Agriculture (RA) District to Light Industrial (LI) District:**
 - i. **2.52 acres of land, situated in the Vicente Micheli Survey No. 114, Abstract No. 383 in Comal County, Texas; being out of that certain 27.594 acre tract of land recorded in Volume 242, Page 143 of the Deed Records of Comal County, Texas and further located at 19080 Nacogdoches Loop, Garden Ridge, Texas**
 - ii. **4.98 acre tract of land in the City of Garden Ridge, Texas out of the Vicente Micheli Survey No. 114, Comal County, Texas and being out the Remainder of a 27.594 acre tract conveyed to Versielene Buehring in deed recorded in Volume 242, Page 143, Deed Records, Comal County, Texas and further located at 19080 Nacogdoches Loop**
- b) **A petition by Garry Lugar and Richard Winkler for variances to Ordinance 13-122008 for an office and shop for Winco Construction to be located at 19080 Nacogdoches Loop, Garden Ridge, Texas:**
 - i. **7.1.4.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.**
 - ii. **7.1.4.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided.**

Sam Stocks, Planning and Zoning Commission Chair, opened the public hearing at 6:05pm and asked if anyone wished to speak. (He took 3)a) and 3)b) together)

Mellick Sykes, Winco representative, stated the petition request is for rezoning from Residence-Agriculture District to Light Industrial District so they can build an office/shop on this property. He stated they have been located in Garden Ridge for 15 years on the property adjacent to this property. He pointed out where the property was located on the map and also stated the Fire Marshall approves the layout of the proposed construction on this property.

Diana Tillery, 19506 Windswept Cove, stated she knows the petition is for office and shop buildings, but she wanted to know if customers came to this location.

Mr. Sykes explained that the property would be used for office space and storage and that only employees would come to this location.

Catherine Harm, 9745 Trophy Oaks, stated she would like to see where this property is located and whether you can see it from the road. She also asked for a definition of what types of businesses are included in Light Industrial Zoning.

Mr. Sykes pointed out the property location on the City map and stated it would not be visible from the road. Kay Bower, Commissioner, read the definition of Light Industrial Zoning.

Diana Tillery, 19506 Windswept Cove, inquired about the entrance and any foreseen issues with traffic from this property.

Mr. Sykes stated the entrance would be off Nacogdoches Loop and traffic should be a minimum.

Karen Diaz, 2110 Gunther Rd., inquired to how the rezoning of this property will benefit Garden Ridge.

Mr. Sykes stated the rezoning of this property will allow this company that has been in Garden Ridge for 15 years to expand.

Kay Bower, Planning and Zoning Commissioner, inquired about the signage and lighting of the property.

Mr. Sykes stated there would not be any additional sign.

Robert Ervin, Winco representative, stated there will be a LED light attached to the building and no pole light. He also stated the new office space would have a Texas Rustic look and be similar to the current office space. He stated there will be a faux 20' water tower with the business name on it.

Kitty Owen, Planning and Zoning Commissioner, inquired about the trees.

Mr. Skyes stated there is a natural set back right now, which is more than a 40' set back. He also stated a tree study has been done and they are planning to protect the trees and feature a few trees.

Catherine Harm, 9745 Trophy Oaks, inquired to what the ordinance allows in regards the proposed 20' water tower.

Kay Bower, Planning and Zoning Commissioner, stated the ordinance allows 30' tower.

Catherine Harm, 9745 Trophy Oaks, inquired to the process if Winco sells this property.

Ross Fisher, City Attorney, stated if the new owners change the usage of the property then they will have to request a Special Use Permit and come before Planning and Zoning Commission and the City Council.

Tracey Blackwell, 9745 Trophy Oaks, stated currently you can drive down Nacogdoches Loop and see trash. She also inquired to the type of equipment that will be stored on the property.

Mr. Skyes stated the property is not visible from the road and the construction equipment is stored in the back.

Sam Stocks, Planning and Zoning Commission Chair, asked if anyone else wished to speak. No one did, so he closed the public hearing at 6:40pm.

4. Business Items

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a) **A petition by Garry Lugar and Richard Winkler for rezoning from Residence- Agriculture (RA) District to Light Industrial (LI) District**
 - i) **2.52 acres of land, situated in the Vicente Micheli Survey No. 114, Abstract No. 383 in Comal County, Texas; being out of that certain 27.594 acre tract of land recorded in Volume 242, Page 143 of the Deed Records of Comal County, Texas and further located at 19080 Nacogdoches Loop, Garden Ridge, Texas**
 - ii) **4.98 acre tract of land in the City of Garden Ridge, Texas out of the Vicente Micheli Survey No. 114, Comal County, Texas and being out the Remainder of a 27.594 acre tract conveyed to Versielene Buehring in deed recorded in Volume 242, Page 143, Deed Records, Comal County, Texas and further located at 19080 Nacogdoches Loop**

The Planning and Zoning Commission reviewed the paperwork. Kay Bower, Planning and Zoning Commissioner, stated she has a concern with the EAA overlay.

Motion: A motion was made by Commissioner Dansby, and seconded by Councilmember Heier, to recommend the City Council approve an petition by Garry Lugar and Richard Winkler for rezoning from Residence- Agriculture (RA) District to Light Industrial (LI) District for a 2.52 acres of land, situated in the Vicente Micheli Survey No. 114, Abstract No. 383 in Comal County, Texas; being out of that certain 27.594 acre tract of land recorded in Volume 242, Page 143 of the Deed Records of Comal County, Texas and further located at 19080 Nacogdoches Loop, Garden Ridge, Texas, and 4.98 acre tract of land in the City of Garden Ridge, Texas out of the Vicente Micheli Survey No. 114, Comal County, Texas and being out the Remainder of a 27.594 acre tract conveyed to Versielene Buehring in deed recorded in Volume 242, Page 143, Deed Records, Comal County, Texas and further located at 19080 Nacogdoches Loop . The Planning and Zoning Commission voted six (6) for, none (0) opposed. The motion carried unanimously.

- b) **A petition by Garry Lugar and Richard Winkler for variances to Ordinance 13-122008 for an office and shop for Winco Construction to be located at 19080 Nacogdoches Loop, Garden Ridge, Texas:**

- i) **7.1.4.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley.**

- ii) **7.1.4.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided.**

Motion: A motion was made by Commissioner Heier, and seconded by Councilmember Bower, to recommend the City Council approve an petition by Garry Lugar and Richard Winkler for a petition by Garry Lugar and Richard Winkler for variances to Ordinance 13-122008 for an office and shop for Winco Construction to be located at 19080 Nacogdoches Loop, Garden Ridge, Texas 7.1.4.3. – Side Yard: Paved alley rights-of-way of fifteen (15) feet width down each side property line shall provide access to the rear alley and 7.1.4.4. – Rear Yard: A paved alley right-of-way of fifteen (15) feet width shall run the length of the rear property line. When the rear yard backs on a RA or R District, a minimum of twenty-five (25) feet including alley right-of-way shall be provided. The Planning and Zoning Commission voted six (6) for, none (0) opposed. The motion carried unanimously.

c) Master Plan for Winco Contractor’s Office/Shop and equipment/construction material storage to be located at 19080 Nacogdoches Loop

The Planning and Zoning Commission discussed the equipment storage and the number of equipment pieces that would be stored on the property.

Mr. Sykes stated the equipment there would be up to 15 pieces of equipment, but they would be stored on the property that they are currently stored on.

Motion: A motion was made by Commissioner Heier, and seconded by Councilmember Bower, to recommend the City Council approval of Master Plan for Winco Contractor’s Office/Shop and equipment/construction material storage to be located at 19080 Nacogdoches Loop. The Planning and Zoning Commission voted six (6) for, none (0) opposed. The motion carried unanimously.

d) Garden Ridge Unified Development Ordinance

Nancy Cain, City Administrator, reported only 3 Commissioners submitted changes, which were forwarded to the City Attorney.

Ross Fisher, City Attorney, stated he is currently working on Land Use issues and once he is finished with those, he will bring a proposed Ordinance for their review.

The Planning and Zoning Commission requested receiving an electronic version in advance.

5. Administrative Items

The Commission may discuss, consider and/or take possible action on the following items:

a) Approve or disapprove the minutes of the April 8, 2014 Regular meeting of the Planning and Zoning Commission

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Owen, the Planning and Zoning Commission voted six (6) for and none (0) opposed, for the approval the minutes of May 13, 2014 meeting of the Planning and Zoning Commission, with changes. The motion carried unanimously.

b) Set date, time and location for next meeting.

Sam Stocks, Chairman, reported the next regular meeting will be scheduled for July 8, 2014 at 6:00 p.m., if necessary.

7. Adjournment

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Owen, the meeting was adjourned at 7:00 p.m.

Sam Stocks, Chairman

ATTEST:

Shelley Goodwin, TRMC
City Secretary