



The City of Liberty

Planning and Zoning Commission

Meeting ~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

April Gilliland
City Secretary
936-336-3684

Wednesday, August 11, 2021

12:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
President Tyler Jackson	☐	☐	☐	
Commission Member Ryan Daniel	☐	☐	☐	
Commission Member Rick Jenner	☐	☐	☐	
Commission Member Emily Cook	☐	☐	☐	
Commission Member Lindsay Lawrence	☐	☐	☐	
Commission Member Cody Abshier	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZEN'S FORUM

Citizen's Forum is reserved for members of the public who would like to address the Planning and Zoning Commission Members regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Commissioners may not deliberate or take any action during citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public's comments with a factual statement or clarification. The Commissioners may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

III. CONSENT AGENDA

All consent items listed are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commission Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Planning and Zoning Commission - Meeting - Jul 7, 2021 12:00 PM

IV. REGULAR AGENDA

A. Regular Session

1. Consider a request for a variance to the manufactured home ordinance

V. ADJOURN

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 5th day of August at 5:00 PM. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

April Gilliland

April Gilliland, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at 936-336-3684 or by Fax at 936-336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the Planning and Zoning Commission was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2021.



The City of Liberty

Planning and Zoning Commission

Meeting ~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

April Gilliland
City Secretary
936-336-3684

Wednesday, July 7, 2021

12:00 PM

City Council Chambers

I. CALL TO ORDER

The meeting was called to order on July 7, 2021 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 12:02 PM by Commission Member Ryan Daniel.

Attendee Name	Title	Status	Arrived
Tyler Jackson	President	Absent	
Ryan Daniel	Commission Member	Present	
Rick Jenner	Commission Member	Present	
Emily Cook	Commission Member	Present	
Lindsay Lawrence	Commission Member	Absent	
Cody Abshier	Commission Member	Present	
Chris Jarmon	Assistant City Manager	Present	
April Gilliland	City Secretary	Present	

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Emily Cook, Commission Member
SECONDER:	Rick Jenner, Commission Member
AYES:	Ryan Daniel, Rick Jenner, Emily Cook, Cody Abshier
ABSENT:	Tyler Jackson, Lindsay Lawrence

A. Minutes Approval

1. Planning and Zoning Commission - Meeting - Jun 2, 2021 12:00 PM

IV. REGULAR AGENDA

A. Regular Session

Minutes Acceptance: Minutes of Jul 7, 2021 12:00 PM (Minutes Approval)

1. Oath of Office to be administered to all Commission Members.
City Secretary April Gilliland issued the Oath of Office to all members of the planning and zoning commission.
2. Consider approving a replat of Lot 2 of the Fontenot Cove Subdivision.
Ellen English applied to replat her lot at 3918 E. Highway 90. The replat is necessary to incorporate a small tract of land into the existing property. With the replat, the size of the lot will increase from .3772 acres to .4115 acres. There are no changes being made to Lot 1.

Motion was made to approve the replat at 3918 E. Highway 90.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Jenner, Commission Member
SECONDER:	Emily Cook, Commission Member
AYES:	Ryan Daniel, Rick Jenner, Emily Cook, Cody Abshier
ABSENT:	Tyler Jackson, Lindsay Lawrence

3. Consider rezoning 201562 Highway 90 South to allow a manufactured home to be placed on the lot.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Emily Cook, Commission Member
SECONDER:	Cody Abshier, Commission Member
AYES:	Ryan Daniel, Rick Jenner, Emily Cook, Cody Abshier
ABSENT:	Tyler Jackson, Lindsay Lawrence

V. PRESENTATIONS / REPORTS

1. Commission Member and Staff Comments

Assistant City Manager Chris Jarmon passed out the Unified Development Ordinance adoption schedule and information in regards to the districts and purposes of the unified development ordinance. After review of the items passed out, P & Z members thought it would be a good idea to have some work sessions with other cities that have implemented a unified development ordinance and get their take on what to do and not to do. Members also want to know what problem are we trying to solve by implementing the unified development ordinance. Members also question on how strict do we want the rules to be and what middle ground is needed. The discussion ended with members wanting all information on the unified development ordinance be sent to them for review.

VI. ADJOURN

There being no further business before the Board, Commission Member Daniel adjourned the meeting at 12:47 p.m.

Tyler Jackson, President

ATTEST:

Minutes Acceptance: Minutes of Jul 7, 2021 12:00 PM (Minutes Approval)

April Gilliland, City Secretary



The City of Liberty
Planning and Zoning Commission
1829 Sam Houston
Liberty, TX 77575

4.A.1

Meeting: 08/11/21 12:00 PM

Department: Administration
Category: Manufactured Homes

P&Z ACTION (ID # 5176)

DOC ID: 5176

Department: Community Development

Subject: Variance Request

Background: Leslie Shivers owns the manufactured home park at 200 Industrial Place. Ms. Shivers is requesting a variance to the provision of the manufactured home ordinance that requires manufactured homes to be placed on a concrete foundation.

Ms. Shivers application is attached for your review.

Funding Source: n/a

Staff Recommendation: n/a

VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
 - a. A copy of the deed(s) to the subject property verifying legal ownership.
 - b. A Legible site plan or plot plan of the subject property.
 - c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): Leslie Shivers

Name of Agent, if applicable: _____

Phone Number: 936-334-4548

Fax Number: 936-336-3350

Mailing Address: 200 Industrial Road
Liberty, TX 77575

Property Data:

Street address: 200 Industrial Place

Legal Description: Property ID 117764 + 32795
Abshier Tract Block A, Lot 25
Abshier Tract Block A, Lot 2

Variance Request:

I/ We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Planning and Zoning commission and City Council of the City of Liberty consider the following variance request to the City of Liberty Code of Ordinances:
List brief description and ordinance(s)

6b - Foundation: The manufactured home must be placed on a permanent concrete foundation.

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Planning and Zoning Commission must make a finding of hardship. As noted in the instructions, ***you must attach a letter*** describing the reason for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Planning and Zoning Commission must determine that ***all*** of the following criteria are met. ***State how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.*** (Attach additional pages for multiple variance requests or if additional space is needed.)

1. The granting of the variance will not be detrimental to the public safety health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:

See Attached Letter

2. The granting of the variance is not based on a hardship which is self-imposed:

See Attached Letter

3. The hardship is not based solely on the cost of complying with the regulation:

See Attached Letter

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

See Attached Letter

Notice:

The City of Liberty does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions. A plat vacation and replat pursuant to Chapter 212, Texas Local Government Code may be required for such authority.

Signature(s) of Owner(s)/ Agent:

This is to certify that the information provided above is true and correct and that I am the owner of record of the property or the owner(s)' legally authorized agent.

Signature: Jessie Shivers Date: 7-21-21

Signature: _____ Date: _____

For Office Use Only

Submittal Date: _____

Planning and Zoning Meeting Date: _____

City Council Meeting Date: _____

Received By: _____

For Office Use Only

Planning & Zoning Approval/Denial: _____

City Council Approval/Denial: _____

SHIVERS MANUFACTURED HOME & RV PARK

200 Industrial Road Liberty, TX. 77575

936-346-4787

Leslie Shivers, Owner

Ronda Davis, Manager

07/21/2021

To Whom It May Concern:

We as the property owner and manager of the Shivers Manufactured Home Family Park are asking that the permanent concrete foundation ordinance be eliminated for our Park location on Industrial Road and Industrial Place. We have been open for 25 plus years and have never had a problem with houses settling to the point they have to be re leveled. Our property is all sand and has never flooded or even held water for any length of time after inches and inches of rain such as when Harvey or Imelda came upon us. If we had muddy property where water stood for days or houses were sinking I could understand the concrete foundation. This ordinance being eliminated is to benefit everyone in our park, as most of our residence have been there for 15 plus years and at some point would be buying new homes to replace their old homes, and this would make it impossible for them to do so. We keep our rent on the property low as our main goal when we opened our park was to help people in our community have a nice quite place to live that didn't cost and arm and leg. I pray that the City of Liberty officials and committee members will see this is going to hurt this little park in a lot of ways and remove this section of the ordinance for us.

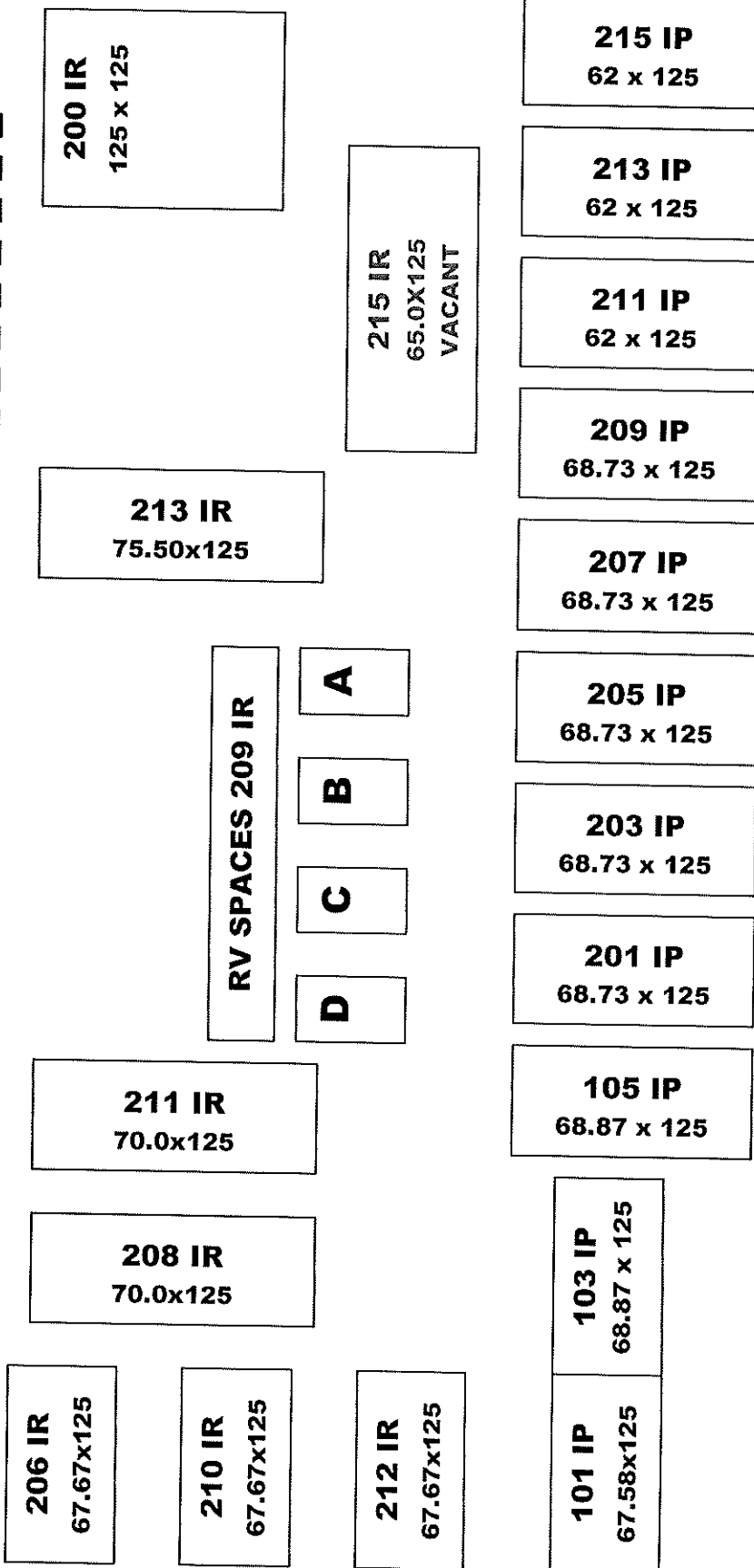
Thank You,



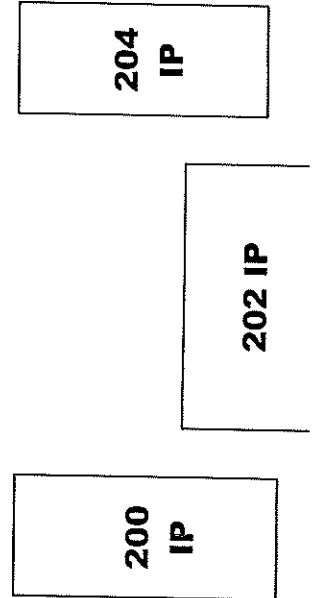
Leslie Shivers

SHIVERS MANUFACTURED HOME AND RV PARK

***** ROCK ROAD *****



INDUSTRIAL PLACE



I N D U S T R I A L R O A D