



The City of Liberty Planning & Zoning Commission

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

Meeting

~ Agenda ~

April Gilliland
City Secretary
936-336-3684

Wednesday, April 12, 2023

12:00 PM

City Council Chambers

The Planning and Zoning Commission of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

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				
Commission Member Janet Pavlock				

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

The 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 citizens' comments about 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. March 22, 2023

IV. REGULAR AGENDA

A. Regular Session

1. Consider approving a replat of Lot 32 of the Westwood Acres Subdivision

B. Work Session

1. Consider holding a work session to review lot sizes and setback requirements
2. Consider holding a work session to review accessory building requirements.

V. ADJOURNMENT**A. Motion To: 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 6th day of April, 2023 at 5:00 p.m. 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 Council 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 City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, ____.



The City of Liberty Planning & Zoning Commission

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

Meeting ~ Minutes ~

April Gilliland
City Secretary
936-336-3684

Wednesday, March 22, 2023

12:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on March 22, 2023 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 12:02 p.m. by Commission Member Emily Cook.

A.	Attendee Name	Present	Absent	Late	Arrived
	President Tyler Jackson		X		
	Commission Member Ryan Daniel		X		
	Commission Member Rick Jenner	X			
	Commission Member Emily Cook	X			
	Commission Member Lindsay Lawrence	X			
	Commission Member Cody Abshier		X		
	Commission Member Janet Pavlock	X			

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / CITIZENS FORUM

The 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 citizens' comments about 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.

Commission Member Cook welcomed guests and visitors in attendance, opening the floor for public comment to those individuals wishing to address the board. There were no comments.

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 motion was made by Commission Member Lawrence to approve all items on the consent agenda. The motion was seconded by Commission Member Pavlock. The motion passed 4 to 0.

A. Minutes Approval

1. February 22, 2023

IV. REGULAR AGENDA**A. Regular Session**

1. Consider approving a replat of Lot 2 of Outer Block 31 of the East Liberty Town League.

Ron McLain, registered agent for REM Funding LLC, has applied to replat a lot on Washington Avenue (LCAD Property ID 56958). The replat is necessary to turn one .5029-acre lot into two .2514-acre lots.

A motion was made by Commission Member Pavlock to approve the replat of lot 2, Outer Block 31 of the East Liberty Town League. The motion was seconded by Commission Member Jenner. The motion passed 4 to 0.

V. ADJOURNMENT**A. Motion To: Adjourn**

With no further business to discuss, Commission Member Cook adjourned the meeting at 12:12 p.m.

Emily Cook, Commission Member

ATTEST:

April Gilliland, City Secretary

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: April 12, 2023

Agenda Wording: Consider approving a replat of Lot 32 of the Westwood Acres Subdivision

Department: Community Development

Subject: Minor Plat

Background: Mark Sherley, on behalf of Patriot Group Holdings, LLC, has applied to replat a lot on Westwood Avenue (LCAD Property ID 74181). The replat is necessary to turn one .25-acre lot into two .125-acre lots. One lot will have access to Westwood and the other lot will have access to FM 563. Because the replatted lots do not meet the City's subdivision standards, the owner is requesting the following variances:

	REQUIRED	PROPOSED
LOT SIZE	6,000 sq ft	5,418 sq ft
LOT DEPTH	100 feet	70 feet

Funding Source: n/a

Staff Recommendation: Approval of the replat



PLAT APPLICATION

City of Liberty Community Development Department

1829 Sam Houston, Liberty, Texas 77575

Phone: 936-336-3684 | Fax: 936-336-9846 | Email: permits@cityofliberty.org

APPLICATION FOR

☒ *Minor Plat (2 or fewer lots) - \$300.00

☐ Preliminary Plat - \$100.00

☐ *Short Form Final Plat (4 or fewer lots) - \$300.00

☐ *Final Plat - \$300.00

PROPERTY INFORMATION

Subdivision Name: Replat Lot 32 Westwood Acres

Address/Location: Westwood Ave @ FM 563

Lot(s): 2

Block(s): 1

of Acres: 0.25

of Lots: 2

of Units:

APPLICANT INFORMATION

Name: Mark L. Sherley

Company: Four Points Engineering & Surveying, LLC

Mailing Address: 83 East Greywing Circle

City: The Woodlands State: TX Zip: 77382

Email Address: fpsurveying@gmail.com Phone: 281-961-0714

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Name: John Villarreal

Company: Patriot Group Holdings, LLC

Mailing Address: 23930 Lost Spur

City: New Caney State: TX Zip: 77357

Email Address: cris.villarreal@live.com Phone: 281-772-8911

SIGNATURE


Owner's Signature

04.03.2023
Date


Applicant Signature

04.03.2023
Date

PLAT APPROVAL CHECKLIST

1. Title or name of plat, meridian north point, scale of map and vicinity/location map.
2. Definite legal description and identification of the tract being subdivided.
3. All block, lot and street boundary lines reference to Texas State Plane Coordinate System.
4. Building lines and easements.
5. Actual width of all streets, measured at right angles or radially, where curved, shown on map.
6. All necessary dimensions accurately displayed.
7. Names of all streets and adjoining subdivisions shown on map.
8. Flood zones and boundaries, if applicable, shown on map. Elevations for full subdivision.
9. Certificate of ownership signed, stamped and notarized.
10. Signature line for City official, and County official, approving the plat (signatures must be notarized).
11. Name, address, telephone, and fax number of engineer, surveyor, landscape architect, or land planner preparing the plat.
12. All legal restrictions and regulations placed on the approval of the plat shown clearly on map
13. All plats must conform to the city's subdivision ordinance
14. Plats must be 24 x 36 in size

FILING REQUIREMENTS

1. Three (3) copies of the plat printed on Mylar (must include original signature and stamp seal of the surveyor)
2. A tax certificate from the Liberty County Tax Office, indicating that no delinquent ad valorem taxes are owed, must be presented with the plat
3. * = Fee includes courthouse filing fee



Search Here:

Enter Address, Name, or ID



30°01'18"N 94°46'41"W

0 50 100ft

563

FM 563 Rd

563

Westwood Ave

Westwood

74146

74146

74148

74149

74150

74151

74152

74153

74154

74156

74158

74159

74160

74162

74163

74164

74165

74181

74182

74183

74184

74184

74190

180494

180494

74191

180495

180495

180495

262000

20636

(1 of 2)

Parcel Owner: PATRIOT GROUP HOLDINGS
LLC

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

Property Information

Property ID: 74181

Legal Acreage: 0.25

GEO ID: 007955-000031-009

Legal Description: WESTWOOD ACRES, LOT
32, ACRES .249

Tract or Lot: 32

Abstract Subdivision Code: 007955

Block:

Neighborhood Code: LISD01

School District: SLI

[Zoom to](#)



THIS IS TO CERTIFY THAT WE, _____, PRESIDENT AND _____, SECRETARY, OF PATRIOT GROUP HOLDINGS LLC OWNERS ARE THE LEGAL OWNERS OF THE LAND SHOWN ON THIS PLAT, BEING THE TRACT OF LAND AS CONVEYED TO US BY GENERAL WARRANTY DEED DATED DECEMBER 2, 2022 AND RECORDED IN CLERK FILE NO. 2022058269 OF THE RECORDS OF LIBERTY COUNTY, TEXAS AND DESIGNATED HEREIN AS _____ IN THE CITY OF LIBERTY, TEXAS

PRESIDENT

SECRETARY

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS THE _____ DAY OF _____, 2023

NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES: _____

BY: CHRIS JARMON, ASSISTANT CITY MANAGER

THE STATE OF TEXAS §
COUNTY OF LIBERTY §

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC, IN AND FOR _____COUNTY,

STATE OF _____

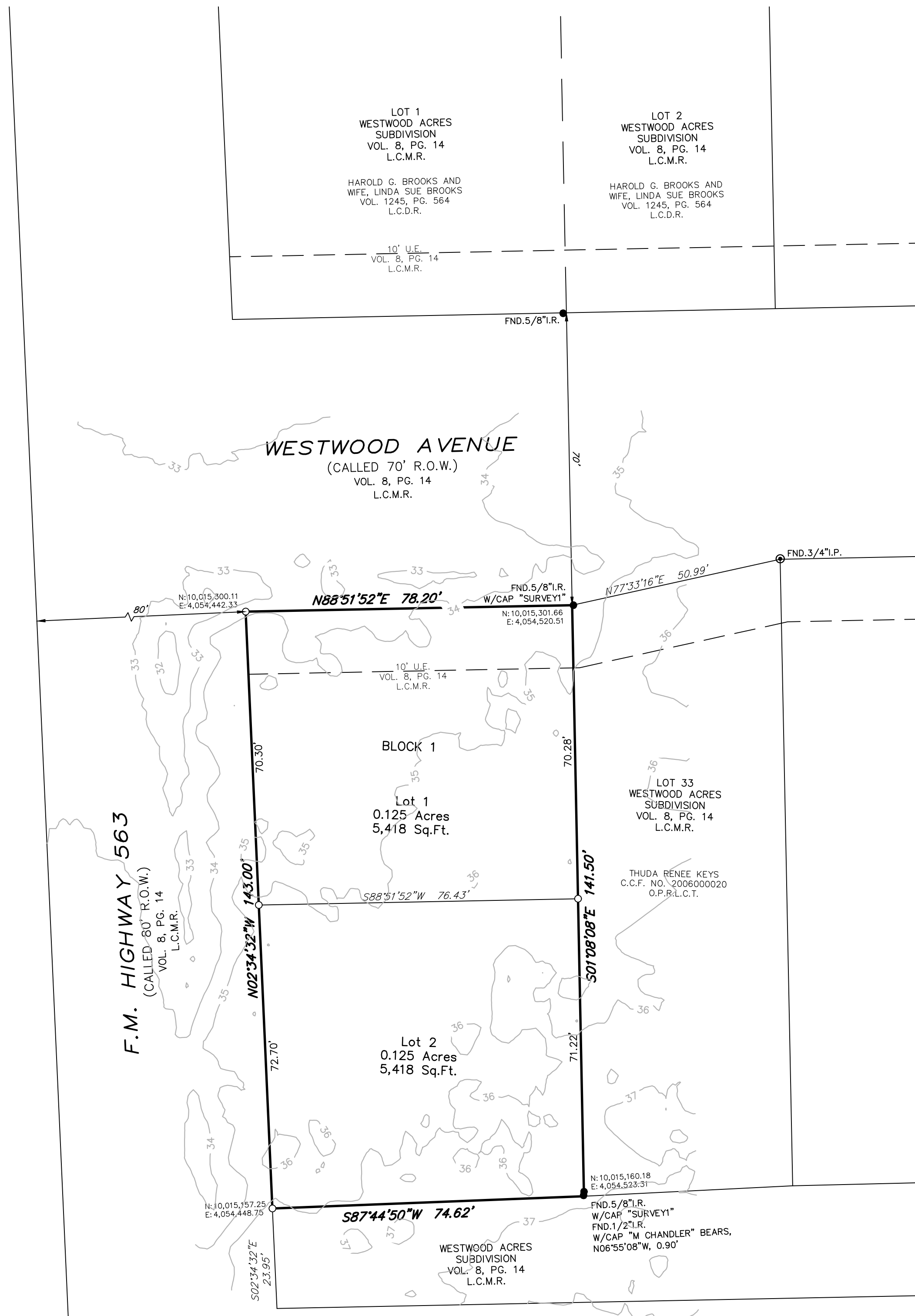
THE STATE OF TEXAS COUNTY OF LIBERTY

I, LEE H. CHAMBERS, COUNTY CLERK OF LIBERTY COUNTY, TEXAS DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2023, AT _____ O'CLOCK _____M. AND DULY RECORDED ON _____, 2023, AT _____ O'CLOCK _____M.. IN THE PLAT RECORDS OF LIBERTY COUNTY, TEXAS IN BOOK _____, PAGE _____.

WITNESS MY HAND AND SEAL AT LIBERTY, TEXAS, THIS THE DAY AND DATE LAST ABOVE WRITTEN.

LEE H. CHAMBERS
COUNTY CLERK, LIBERTY COUNTY, TEXAS

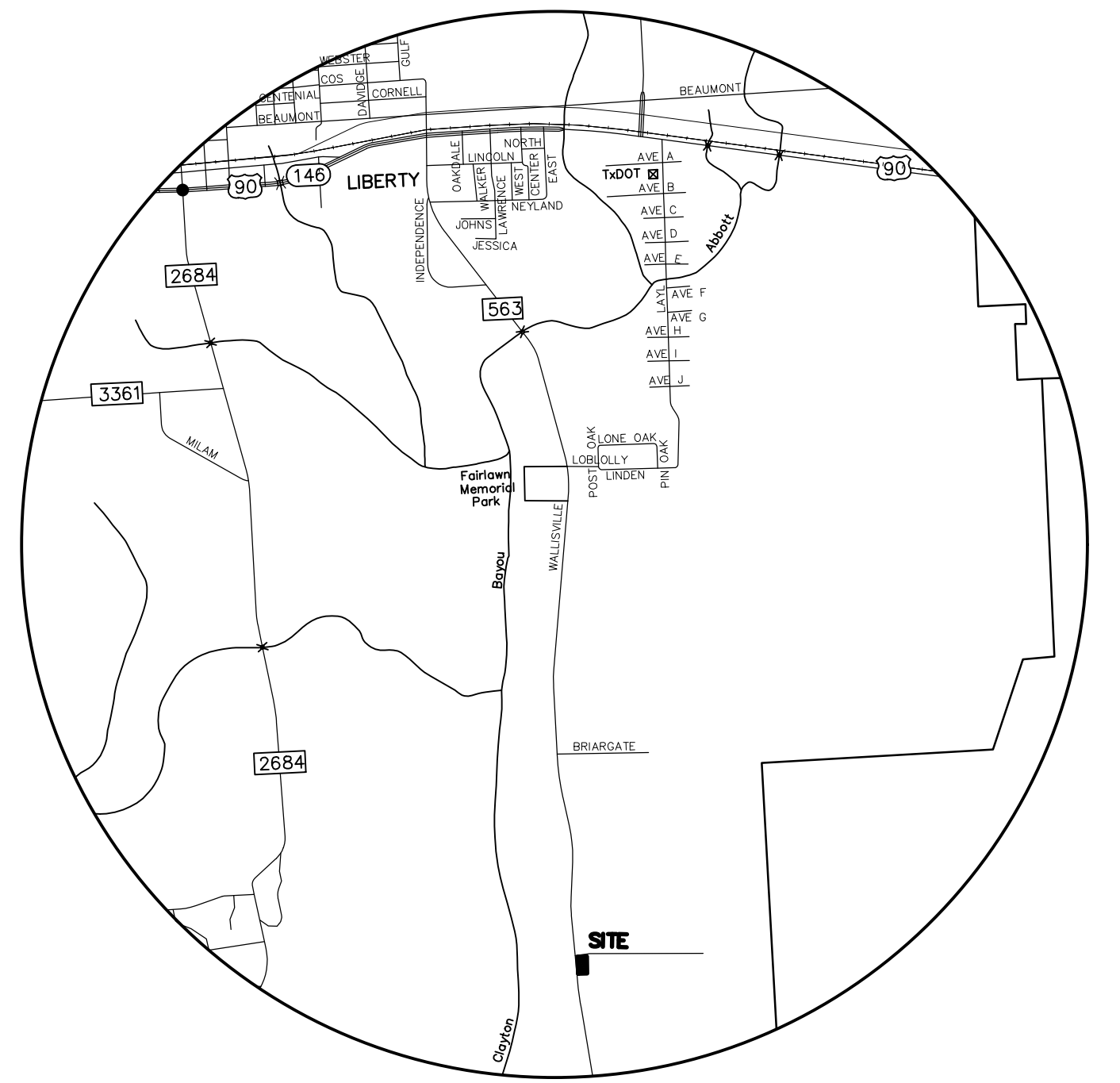
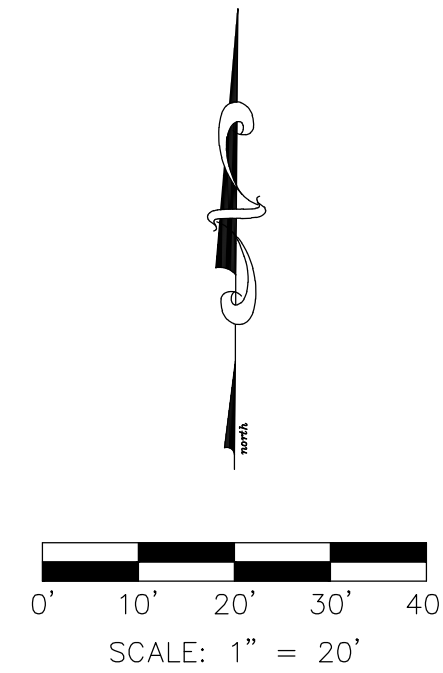
DEPUTY



KONWN ALL MEN BY THESE PRESENTS:

THAT I, MARK L. SHERLEY, DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH ALL SUBDIVISION AND LAND DEVELOPMENT ORDINANCES FOR THE CITY OF DAYTON, TEXAS

MARK L. SHERLEY, R.P.L.S.
TEXAS REGISTRATION NO. 5326



VICINTY MAP

LEGEND

B.L. = Building Line
C.C.F.N. = County Clerk's File Number
Fnd. = Found
I.R. = Iron Rod
I.P. = Iron Pipe
L.C.D.R. = Liberty County Deed Records
L.C.M.R. = Liberty County Map Records
R.L.C. = Records of Liberty County

GENERAL NOTES:

1. All bearings and coordinates shown hereon are referenced to the Texas Coordinate System, Central Zone (4203), North American Datum of 1983, 2001 adjustment.
2. The coordinates shown hereon are Texas Central Zone (No. 4203) state plane grid coordinate (NAD83).
3. All monuments set are 5/8-inch iron rods with cap stamped "Four Points RPLS 5326" unless other wise stated.

Floodplain Note:

Based on the Flood Insurance Rate Map No. 4291Cc420D, map revised date of January 19, 2018 indicates that tract lies within area zone:

"x"-(No Screen) areas determined of Minimal Flood Hazard.

In addition this map states "this map is for use in administering the national flood insurance program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside special flood hazard areas. Certain areas not in special flood hazard areas may be protected by flood control structures". The approximate limits of said zones as determined hereon are scaled from said map. This information is not intended to identify specific flood conditions.

MINOR PLAT
REPLAT - LOT 32
WESTWOOD ACRES
2 LOTS 1 BLOCK

A SUBDIVISION OF 0.250 OF ONE ACRE OF LAND
BEING ALL OF LOT 32 OF THE WESTWOOD ACRES SUBDIVISION
RECORDED IN VOLUME 8, PAGE 14
LIBERTY COUNTY MAP RECORDS
SITUATED IN THE
M.G. WHITE LEAGUE, ABSTRACT NO. 117
CITY OF LIBERTY, LIBERTY COUNTY, TEXAS

MARCH, 2023

OWNER:
PATRIOT GROUP HOLDINGS LLC
P.O. BOX 824
CROSBY, TEXAS 77532

SURVEYOR:



SURVEYING FIRM #10194048
83 E. GREYING CIR.
THE WOODLANDS, TEXAS 77382
(281) 961-0714 * fpsurveying@gmail.com

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: April 12, 2023

Agenda Wording: Consider holding a work session to review lot sizes and setback requirements

Department: Community Development

Subject: Lot Size

Background: Currently, the city's lot sizes vary based on the use of the property. The standard lot size for a residential lot is 6,000 square feet (60 x 100). The city is proposing lot size adjustments to better meet the demands of developers and to foster more economic growth.

Funding Source: n/a

Staff Recommendation: n/a

§ 10.02.122. Lot improvements.

(b)

Lot dimensions shall comply with the following minimum standards (see figure 5).

Figure 5. Minimum Lot Requirements							
Residential Type	Minimum Lot Areas	Minimum Lot Dimensions		Front Setback	Side Yard	Back Yard	
		Inside Lot	Corner Lot				Outside Side Yard/Corner Lot
Accessory structures	6,000 SF	60'(W) 100'(D)	75'(W) 100'(D)	20'	3'	3'	10'
Manufactured home	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	20'	7.5'	10'	10'
Standard single-family residential detached	6,000 SF	60'(W) 100'(D)	75'(W) 100'(D)	20'	7.5' 15'***	10'	10'
Duplex	11,500 SF (see footnote B)	105'(W) 110'(D)	120'(W) 110'(D)	20'	7.5' 15'***	10'	10'
Townhouse or garden apartments	2,000 SF	20'(W) 100'(D)	35'(W) 100'(D)	5'	N/A	10'	10'
Patio homes	4,500 SF	45'(W) 100'(D)	55'(W) 100'(D)	5'	10'	10'	10'
Apartment complexes (5 or more dwelling units)	8,000 SF	80'(W) 100'(D)	95'(W) 100'(D)	5'	N/A	10'	10'
Commercial type	6,500 SF	65'(W) 100'(D)	80'(W) 100'(D)	5'	N/A	10'	10'

*Exception - Corner lots are required to be larger.

**W =Width; D = Depth; width is measured at the front setback line.

***Structure cannot be any closer than fifteen (15) feet to adjacent structures (e.g. house or business building).

Footnote A: Five (5) feet or (15'***) side yard is required for unit(s) adjacent to single-family residence, manufactured/mobile home, or duplex unit.

Footnote B: Lot for duplex residential unit (two (2) dwellings).

Footnote C: Accessory structures may only be installed in the side or rear yard.

§ 10.02.122. Lot improvements.

(b)

Lot dimensions shall comply with the following minimum standards (see figure 5).

Figure 5. Minimum Lot Requirements

Residential Type	Minimum Lot Areas	Minimum Lot Dimensions		Front Setback	Side Yard	Back Yard	Outside Side Yard/Corner Lot
		Inside Lot	Corner Lot				
Accessory structures	6,000 <u>5,000</u> SF	60 <u>50</u> '(W) 100'(D)	75 <u>65</u> '(W) 100'(D)	20'	3'	3'	10'
Manufactured home	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	20'	7.5 <u>5</u> '	10'	10'
Standard single-family residential detached	6,000 <u>5,000</u> SF	60 <u>50</u> '(W) 100'(D)	75 <u>65</u> '(W) 100'(D)	20'	7.5 <u>5</u> ' 15 <u>10</u> '***	10'	10'
Duplex	11,500 <u>5,000</u> SF (see footnote B)	105 50 <u>40</u> '(W) 110 100 <u>100</u> '(D)	120 65 <u>55</u> '(W) 140 100 <u>100</u> '(D)	20'	7.5 <u>5</u> ' 15 <u>10</u> '***	10'	10'
Townhouse or garden apartments	2,000 SF	20'(W) 100'(D)	35'(W) 100'(D)	5'	N/A	10'	10'
Patio homes	4,500 <u>5,000</u> SF	45 <u>50</u> '(W) 100'(D)	55 <u>65</u> '(W) 100'(D)	5'	10 <u>5</u> '	10'	10'
Apartment complexes (5 or more dwelling units)	8,000 SF	80'(W) 100'(D)	95'(W) 100'(D)	5'	N/A	10'	10'
Commercial type	6,500 SF	65'(W) 100'(D)	80'(W) 100'(D)	5'	N/A	10'	10'

*Exception - Corner lots are required to be larger.

**W =Width; D = Depth; width is measured at the front setback line.

***Structure cannot be any closer than ten (10) ~~fifteen (15)~~ feet to adjacent structures (e.g. house or business building).

Footnote A: Five (5) feet or (~~15~~ 10'****) side yard is required for unit(s) adjacent to single-family residence, manufactured/mobile home, or duplex unit.

Footnote B: Lot for duplex residential unit (two (2) dwellings).

Footnote C: Accessory structures may only be installed in the side or rear yard.

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: April 12, 2023

Agenda Wording: Consider holding a work session to review accessory building requirements.

Department: Community Development

Subject: Accessory Buildings

Background: Currently, the city allows accessory buildings to be constructed on vacant lots as stand-alone structures. Staff is proposing to amend the code of ordinances to require a primary structure to be built before an accessory structure can be built.

Photos of stand-alone accessory structures will be provided.

Funding Source: n/a

Staff Recommendation: n/a

Beaumont

§ 28.02.003 **Allowable building types.**

(a) No accessory building shall be permitted in the absence of a main building.

(b) All main buildings shall be located on a permanent foundation, as defined by the chief building official of the city.

(Ordinance 09-007, sec. 1, adopted 2/24/09)

Dayton

Sec. 14.103.3 Accessory Use and Structure Standards

A. **Purpose.** The purpose of this Section is to establish minimum standards for accessory uses and structures that:

1.
 1. Advance the general welfare of the community;
 2. Enhance and protect the aesthetic interests of the community;
 3. Protect property values and lessening the impact that some accessory structures may have on residential properties; and
 4. Promote economic development by making the community a more desirable place to live, conduct business, and recreate.

B. **Generally.** An accessory use or structure may be established provided that it is associated with a primary use in the Use Category definitions in [Section 14.902, Definitions](#), and that it complies with the standards of this Section.

C. **Standards that Apply to All Accessory Uses and Structures.** The following standards shall apply to accessory uses and structures except as this Section or UDC indicate otherwise.

1.
 1. *Use.* An accessory use or structure may be established provided that it is associated with a primary use in the Use Category definitions in [Section 14.902, Definitions](#), and that it complies with the standards of this Section. No accessory structure may be used unless the primary structure also is being used.