



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, August 14, 2024

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 Barry Jones				
Commission Member David Reidland				
Commission Member Carson Leonard				
Commission Member Linda Spacek				
Commission Member Lauryn Lozano				
Commission Member Emily Cook				

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

- June 12, 2024

IV. REGULAR AGENDA

A. Regular Session

- 1. Oath of Office to be administered to appointed Board Members
- 2. Consider approving the Davis Estates Minor Plat.
- 3. Consider approving a temporary variance request for Freedom Church (422 US 90)
- 4. Consider approving a variance request for Matt Harris (1708 Webster)

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 9th day of August, 2024 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, June 12, 2024 12:00 PM City Council Chambers

I. CALL TO ORDER

This meeting was called to order on June 12, 2024 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 12:00 p.m. by President Tyler Jackson.

Table with 5 columns: Attendee Name, Present, Absent, Late, Arrived. Rows include President Tyler Jackson, Commission Member Emily Cook, Commission Member Lindsay Lawrence, Commission Member Barry Jones, and Commission Member Lauryn Lozano.

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.

President Jackson 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 Cook. The motion passed 4 to 0.

A. Minutes Approval

- 1. May 8, 2024

IV. REGULAR AGENDA

A. Regular Session

- 1. Consider approving a variance request for the lot located at 2223 MLK

Joseph Harden owns the lot located at 2223 MLK. The lot is 3,520 square feet in size and Mr. Harden is proposing to build a shed to store his tractor. However, section 10.02.122 of the Code of Ordinances requires an accessory structure to be built on a lot no smaller than 5,000 square feet.

The owner is requesting a variance to build a shed on a lot that is smaller than the code allows:

REQUIRED PROPOSE		
D		
LOT SIZE	5,000 sq ft	3,520 sq ft

A motion was made by Commission Member Cook to approve the variance request for the lot located at 2223 MLK. The motion was seconded by Commission Member Jones. The motion passed 4 to 0.

B. Work Session

- 1. Review and discuss the conceptual plan for the subdivision proposed by the Behrens Land Group.

This subdivision was originally presented to the Planning Commission on 5-8-2024. Since that time, the developer has presented the city with a conceptual layout of the subdivision. The Assistant City Manager passed out a conceptual layout of the subdivision that was given to the City for review and discussion. The proposed subdivision will have .74 acres of park space, 3.7 acres of detention/open space, 9.7 acres of lake detention space at the entrance of the subdivision, along with 9 cul-de-sacs, front entrance off of Beaumont Road along with a second access point off of Tanner Street with 160 lots for homes.

V. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, President Jackson adjourned the meeting at 12:24 p.m.

Tyler Jackson, President

ATTEST:

April Gilliland, City Secretary

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: August 14, 2024

Agenda Wording: Oath of Office to be administered to appointed Board Members

Department: Community Development

Subject: Oath of Office

Background: Oath of Office will be administered to newly appointed/re-appointed Planning and Zoning Commission Members.

Funding Source: n/a

Staff Recommendation: n/a

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: August 14, 2024

Agenda Wording: Consider approving the Davis Estates Minor Plat.

Department: Community Development

Subject: Minor Plat

Background: R.J. Fuselier & Associates, on behalf of Marcus Davis, has applied to replat one lot into two lots at 1699 FM 160 (LCAD Property ID 11496). Lot 1 will be approximately 1.3 acres and Lot 2 will be approximately 0.68 acres. Both lots will have access to and frontage on FM 160.

Funding Source: n/a

Staff Recommendation: Approve the minor plat.



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: Davis - Estates

Address/Location: 1699 FM 160 Rd N

Lot(s): 2

Block(s): _____

of Acres: 2

of Lots: 2

of Units: 2

APPLICANT INFORMATION

Name: Marcus Davis

Company: _____

Mailing Address: 1699 FM 160 Rd

City: Liberty

State: TX

Zip: 77575

Email Address: a.volkots@gmail.com

Phone: 936-391-1048

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Name: _____

Company: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Email Address: _____

Phone: _____

SIGNATURE

Owner's Signature

7/29/2024

Date

Applicant Signature

7/29/2024

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. Plats must be 24 x 36 in size
14. All plats must conform to the city's subdivision ordinance
15. No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing state, county or city highway, street or road.

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

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: August 14, 2024

Agenda Wording: Consider approving a temporary variance request for Freedom Church (422 US 90)

Department: Community Development

Subject: Variance Request

Background: Freedom Church is currently building a new 7,700 square foot sanctuary at 422 US 90. As part of this project, Freedom Church plans to construct 40 new parking spaces and current regulations require all newly constructed parking lots to be paved with concrete or asphalt.

Freedom Church is requesting a temporary variance in order to construct the 40 new parking spaces with rock/limestone instead of concrete or asphalt. Freedom Church has indicated that these parking spaces will be paved once they begin "Phase 2" of their construction plans.

Funding Source: n/a

Staff Recommendation: Approval of the variance

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): Freedom Church of Liberty County

Name of Agent, if applicable: _____

Phone Number: 409-382-0222

Fax Number: _____

Mailing Address: 98 Tracie Dr, Dayton, TX 77535

Property Data:

Street address: 422 US-90, Liberty, TX 77575

Legal Description: LIBERTY INNER BLOCKS, BLOCK 93, LOT 1-4; BLOCK 108, LOT 1-4;
BLOCK 202, LOT 1 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)

We are requesting a variance of extention to the parking lot requirement being paved with asphalt or concrete and that we would be able to use the existing rock / limestone as our parking lot.

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:

This variance does not impact public safety on any level.

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

The granting of this variance would be based on the pre-existing conditioning of property.

The granting of variance is only until Phase 2 of construction at which the parking lot would be asphalted or concreted.

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

The existing lot was covered with rock base and used as a lot for mobile home sales. The lot contains

3-5 inches of rock and was used specifically as a lot for parking and as a lay down yard for heavy equipment.


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:

Because the suggested lot was used historically as parking and a lay down yard, we believe that would be sufficient cause to allow for the variance to be granted. The current overgrowth is due to years of or not being used. As with our building pad, by simply removing the overgrowth, the existing lot is revealed.

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:  Date: 07-23-2024

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: _____



July 23, 2024

RE: FREEDOM CHURCH VARIANCE APPLICATION

To Whom It May Concern:

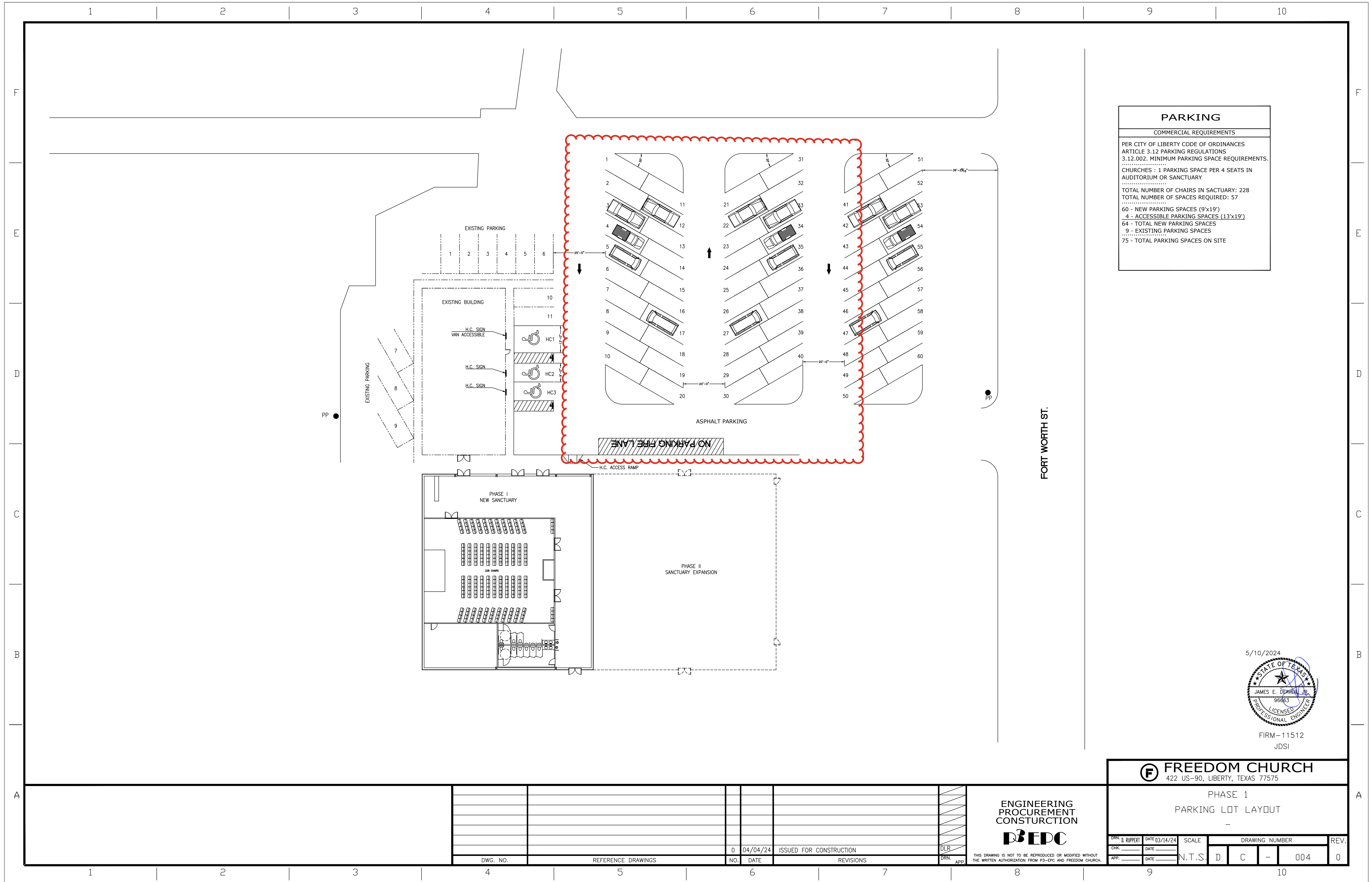
We are requesting a variance of extension to the parking lot requirement being paved with asphalt or concrete. This existing property has a 2-story building as well as an existing warehouse. The property was previously owned by many businesses and the area in Exhibit A has been used for a laydown yard, mobile homes, housed tractor trailers, as well as various other pieces of heavy equipment. Thus, the property was paved with rock / limestone that runs close to 6 inches deep.

We are proposing using the existing rock/limestone as our parking lot until Phase 2 of our construction, the extension of the building from 7,500 sq. ft. to 15,000 sq. ft., is completed. At that time, we will pave/concrete the parking lot as the construction will then be completed.

We have an attached soil sample report. The report shows the 3 locations. The first inch or so is where the grass has grown over the existing rock/limestone. Rock / limestone goes down to about 6 inches. We are proposing removing the top layer of grass to expose the rock / limestone that will be used as the parking lot surface. Again, we are not asking for this requirement to be deleted / voided, we are only asking that it be extended to Phase 2 of our building plan. There is an existing parking surface that has been overgrown with grass that we would like to use.

Regards,

Deborah Ruppert
P3-EPC
Email: Deborah@powerof3.us
Cell: 713-302-1454



PARKING	
COMMERCIAL REQUIREMENTS	
PER CITY OF LIBERTY CODE OF ORDINANCES	
ARTICLE 3.12 PARKING REGULATIONS	
3.12.002. MINIMUM PARKING SPACE REQUIREMENTS.	
CHURCHES : 1 PARKING SPACE PER 4 SEATS IN	
AUDITORIUM OR SANCTUARY	
TOTAL NUMBER OF CHAIRS IN SACTUARY: 228	
TOTAL NUMBER OF SPACES REQUIRED: 57	
60 - NEW PARKING SPACES (9'x19')	
4 - ACCESSIBLE PARKING SPACES (13'x19')	
64 - TOTAL NEW PARKING SPACES	
9 - EXISTING PARKING SPACES	
75 - TOTAL PARKING SPACES ON SITE	

5/10/2024
 STATE OF TEXAS
 JAMES E. DEWELL JR.
 96663
 LICENSED PROFESSIONAL ENGINEER
 FIRM - 11512
 JDSI

F FREEDOM CHURCH
 422 US-90, LIBERTY, TEXAS 77575

PHASE 1
 PARKING LOT LAYOUT

DRN: D. RUPPERT	DATE 03/14/24	SCALE	DRAWING NUMBER	REV.
CHK:	DATE			
APP:	DATE	N.T.S.	D C - 004	0

ENGINEERING
 PROCUREMENT
 CONSTRUCTION
EPCC

THIS DRAWING IS NOT TO BE REPRODUCED OR MODIFIED WITHOUT THE WRITTEN AUTHORIZATION FROM EPCC AND FREEDOM CHURCH.

DWG. NO.	REFERENCE DRAWINGS	NO.	DATE	ISSUED FOR CONSTRUCTION	REVISIONS	DRN.	APP.
		0	04/04/24	ISSUED FOR CONSTRUCTION		DJR	



BORING LOCATION PLAN

**Freedom Church – New Campus
422 US-90
Liberty, Texas
24G003**

Boring Log B-1

PACS
Construction Laboratories, Inc.
 8464 North Sam Houston Parkway West
 Houston, Texas 77064
 P: 713-681-6606 F: 713-681-6608

CLIENT
 Freedom Church
 Liberty, Texas

PROJECT NAME
 Freedom Church - New Campus
 422 US-90 - Liberty, Texas

Project No.
 24G003
Date Drilled
 4-30-24

ELEVATION (feet)	DEPTH (feet)	SYMBOL	STRATIGRAPHY	SAMPLES	POCKET PENETROMETER (tsf)	SPT N-VALUE (bpf)	DRY UNIT WEIGHT (pcf)	NATURAL MOISTURE CONTENT (%)	ATTERBERG LIMITS (%)			PERCENT PASSING NO. 200 SIEVE	UNCONFINED COMPRESSION (tsf)	STRAIN AT FAILURE (%)	CONFINING PRESSURE (psi)	OTHER TESTS
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
	0		Approx. Surface Elevation: Existing Grade													
			FILL: SANDY SILTY CLAY (CL-ML) firm, slight plasticity, gray and brown, with shell and roots		0.5			20	19	14	5					
			FAT CLAY w/ SAND (CH) firm to stiff, high plasticity, gray and brown - becomes brown below 4 feet		1.0		98	24					0.7	11	0	
	5		LEAN CLAY w/ SAND (CL) very stiff, gray, brown, and yellowish brown		1.0		100	25	51	16	35	80	1.1	13	0	
			SANDY SILTY CLAY (CL-ML) firm, slight plasticity, gray		4.0			21								
			SANDY SILTY CLAY (CL-ML) firm, slight plasticity, gray		0.5			20	24	18	6	60				
	10		SILTY SAND (SM) medium dense, non-plastic, gray			11		27	NP	NP	NP	14				
			POORLY-GRADED SAND w/ SILT (SP-SM) medium dense, non-plastic, brown			17										
	15															
								21	NP	NP	NP	7				
	20		Boring Terminated at 20 feet													
	25															

Water Observations

Groundwater was initially observed during dry drilling at a depth of approx 13 feet; At the completion of drilling, the water level remained at 13 feet.

General Notes

1. Dry augered to 20 feet
2. Hammer Type: Cat Head and Rope
3. Abandonment: Borehole backfilled with soil cuttings

Boring Log B-2

PACS
Construction Laboratories, Inc.
 8464 North Sam Houston Parkway West
 Houston, Texas 77064
 P: 713-681-6606 F: 713-681-6608

CLIENT
 Freedom Church
 Liberty, Texas

PROJECT NAME
 Freedom Church - New Campus
 422 US-90 - Liberty, Texas

Project No.
 24G003
Date Drilled
 4-30-24

ELEVATION (feet)	DEPTH (feet)	SYMBOL	STRATIGRAPHY	SAMPLES	POCKET PENETROMETER (tsf)	SPT N-VALUE (bpf)	DRY UNIT WEIGHT (pcf)	NATURAL MOISTURE CONTENT (%)	ATTERBERG LIMITS (%)			PERCENT PASSING NO. 200 SIEVE	UNCONFINED COMPRESSION (tsf)	STRAIN AT FAILURE (%)	CONFINING PRESSURE (psi)	OTHER TESTS
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
	0		Approx. Surface Elevation: Existing Grade													
	0		FILL: SANDY SILTY CLAY (CL-ML) firm, slight plasticity, brown and dark brown, with shell and roots		0.5		106	18	18	13	5	0.5	12	0		
	5		FAT CLAY w/ SAND (CH) firm to stiff, very high plasticity, gray and brown		1.0		100	23	57	16	41	75	0.8	6	0	
	5		LEAN CLAY w/ SAND (CL) very stiff, high plasticity, brown, yellowish brown, and light brown		1.5		96	29				1.4	14	0		
	10		SANDY SILTY CLAY (CL-ML) soft, slight plasticity, gray, with sand pockets		0.5		97	20				0.3	1	0		
	10		POORLY-GRADED SAND w/ SILT (SP-SM) medium dense, non-plastic, grayish brown			12		22	NP	NP	NP	11				
	15		- becomes brown below 13 feet			18										
	20		POORLY-GRADE SAND (SP) non-plastic, brown					23	NP	NP	NP	3				
	20		Boring Terminated at 20 feet													

Water Observations

Groundwater was initially observed during dry drilling at a depth of approx 13 feet; At the completion of drilling, the water level was observed at a depth of approx 9 feet

General Notes

1. Dry augered to 20 feet
2. Hammer Type: Cat Head and Rope
3. Abandonment: Borehole backfilled with soil cuttings

Boring Log B-3

PACS
Construction Laboratories, Inc.
 8464 North Sam Houston Parkway West
 Houston, Texas 77064
 P: 713-681-6606 F: 713-681-6608

CLIENT
 Freedom Church
 Liberty, Texas







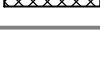
PROJECT NAME
 Freedom Church - New Campus
 422 US-90 - Liberty, Texas

Project No.
 24G003
Date Drilled
 4-30-24
















ELEVATION (feet)	DEPTH (feet)	SYMBOL	STRATIGRAPHY	SAMPLES	POCKET PENETROMETER (tsf)	SPT N-VALUE (bpf)	DRY UNIT WEIGHT (pcf)	NATURAL MOISTURE CONTENT (%)	ATTERBERG LIMITS (%)			PERCENT PASSING NO. 200 SIEVE	UNCONFINED COMPRESSION (tsf)	STRAIN AT FAILURE (%)	CONFINING PRESSURE (psi)	OTHER TESTS
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
	0		Approx. Surface Elevation: Existing Grade													
			FILL: SANDY SILT (ML) very stiff, slight plasticity, brown, with shell and roots		4.5+			14	19	17	2					
			FAT CLAY w/ SAND (CH) firm to very stiff, very high plasticity, gray and brown		1.0		85	34	69	27	42	0.7	14	0		
	5		Boring Terminated at 5 feet		3.0											

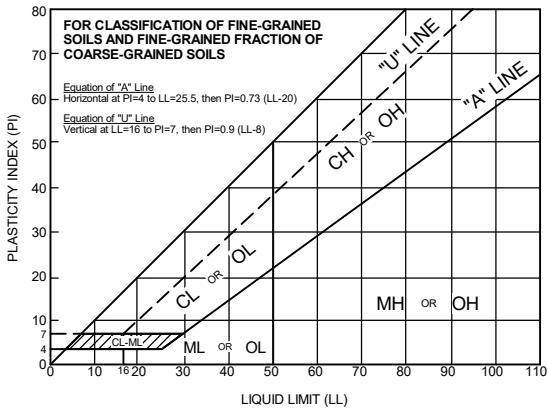
<p>Water Observations Groundwater was not observed during dry drilling</p>	<p>General Notes 1. Dry augered to 5 feet 2. Hammer Type: N/A 3. Abandonment: Borehole backfilled with soil cuttings</p>
--	--

GENERAL NOTES (Key to Soil Symbols and Terms)

SAMPLE TYPES  Auger Cuttings  Standard Penetration Test  Shelby Tube	<table border="1"> <thead> <tr> <th colspan="2">RELATIVE DENSITY OF COARSE-GRAINED SOILS</th> <th colspan="3">CONSISTENCY OF FINE-GRAINED SOILS</th> </tr> <tr> <th>RELATIVE DENSITY</th> <th>N-VALUE (BLOWS/FOOT*)</th> <th>CONSISTENCY</th> <th>BLOWS/FOOT*</th> <th>COMPRESSIVE STRENGTH (TSF)</th> </tr> </thead> <tbody> <tr> <td>VERY LOOSE</td> <td>0 - 3</td> <td>VERY SOFT</td> <td>WOH - 2</td> <td>0 - 0.25</td> </tr> <tr> <td>LOOSE</td> <td>4 - 10</td> <td>SOFT</td> <td>2 - 4</td> <td>0.25 - 0.50</td> </tr> <tr> <td>MEDIUM DENSE</td> <td>11 - 30</td> <td>FIRM</td> <td>4 - 8</td> <td>0.50 - 1.0</td> </tr> <tr> <td>DENSE</td> <td>31 - 50</td> <td>STIFF</td> <td>8 - 15</td> <td>1.0 - 2.0</td> </tr> <tr> <td>VERY DENSE</td> <td>OVER 50</td> <td>VERY STIFF</td> <td>15 - 30</td> <td>2.0 - 4.0</td> </tr> <tr> <td></td> <td></td> <td>HARD</td> <td>OVER 30</td> <td>OVER 4.0</td> </tr> </tbody> </table> <p>* NUMBER OF BLOWS OF 140 LB HAMMER FALLING 30 INCHES TO DRIVE A 2 INCH O.D. (1-3/8 INCH I.D.) SPLIT-BARREL SAMPLER THE LAST 12 INCHES OF AN 18-INCH DRIVE (ASTM-1586 STANDARD PEN. TEST). * WOH = WEIGHT OF HAMMER</p>	RELATIVE DENSITY OF COARSE-GRAINED SOILS		CONSISTENCY OF FINE-GRAINED SOILS			RELATIVE DENSITY	N-VALUE (BLOWS/FOOT*)	CONSISTENCY	BLOWS/FOOT*	COMPRESSIVE STRENGTH (TSF)	VERY LOOSE	0 - 3	VERY SOFT	WOH - 2	0 - 0.25	LOOSE	4 - 10	SOFT	2 - 4	0.25 - 0.50	MEDIUM DENSE	11 - 30	FIRM	4 - 8	0.50 - 1.0	DENSE	31 - 50	STIFF	8 - 15	1.0 - 2.0	VERY DENSE	OVER 50	VERY STIFF	15 - 30	2.0 - 4.0			HARD	OVER 30	OVER 4.0	<table border="1"> <thead> <tr> <th colspan="2">PLASTICITY DESCRIPTION</th> </tr> <tr> <th>TERM</th> <th>PLASTICITY INDEX</th> </tr> </thead> <tbody> <tr> <td>NONE</td> <td>0 - 4</td> </tr> <tr> <td>SLIGHT</td> <td>5 - 10</td> </tr> <tr> <td>MEDIUM</td> <td>11 - 20</td> </tr> <tr> <td>HIGH</td> <td>21 - 40</td> </tr> <tr> <td>VERY HIGH</td> <td>OVER 40</td> </tr> </tbody> </table>	PLASTICITY DESCRIPTION		TERM	PLASTICITY INDEX	NONE	0 - 4	SLIGHT	5 - 10	MEDIUM	11 - 20	HIGH	21 - 40	VERY HIGH	OVER 40
		RELATIVE DENSITY OF COARSE-GRAINED SOILS		CONSISTENCY OF FINE-GRAINED SOILS																																																				
RELATIVE DENSITY	N-VALUE (BLOWS/FOOT*)	CONSISTENCY	BLOWS/FOOT*	COMPRESSIVE STRENGTH (TSF)																																																				
VERY LOOSE	0 - 3	VERY SOFT	WOH - 2	0 - 0.25																																																				
LOOSE	4 - 10	SOFT	2 - 4	0.25 - 0.50																																																				
MEDIUM DENSE	11 - 30	FIRM	4 - 8	0.50 - 1.0																																																				
DENSE	31 - 50	STIFF	8 - 15	1.0 - 2.0																																																				
VERY DENSE	OVER 50	VERY STIFF	15 - 30	2.0 - 4.0																																																				
		HARD	OVER 30	OVER 4.0																																																				
PLASTICITY DESCRIPTION																																																								
TERM	PLASTICITY INDEX																																																							
NONE	0 - 4																																																							
SLIGHT	5 - 10																																																							
MEDIUM	11 - 20																																																							
HIGH	21 - 40																																																							
VERY HIGH	OVER 40																																																							
OTHER MATERIAL SYMBOLS  Asphalt  Fill  Concrete  Other																																																								

UNIFIED SOIL CLASSIFICATION SYSTEM

MATERIAL TYPES	CRITERIA FOR ASSIGNING SOIL GROUP NAMES			GROUP SYMBOL	SOIL GROUP NAMES & LEGEND	
COARSE-GRAINED SOILS >50% RETAINED ON NO. 200 SIEVE	GRAVELS >50% OF COARSE FRACTION RETAINED ON NO 4. SIEVE	CLEAN GRAVELS <5% FINES	$Cu \geq 4$ AND $1 \leq Cc \leq 3$	GW	WELL-GRADED GRAVEL	
			$Cu < 4$ AND/OR $1 > Cc > 3$	GP	POORLY-GRADED GRAVEL	
		GRAVELS WITH FINES >12% FINES	FINES CLASSIFY AS ML OR MH	GM	SILTY GRAVEL	
			FINES CLASSIFY AS CL OR CH	GC	CLAYEY GRAVEL	
	SANDS >50% OF COARSE FRACTION PASSES ON NO 4. SIEVE	CLEAN SANDS <5% FINES	$Cu \geq 6$ AND $1 \leq Cc \leq 3$	SW	WELL-GRADED SAND	
			$Cu < 6$ AND/OR $1 > Cc > 3$	SP	POORLY-GRADED SAND	
SANDS AND FINES >12% FINES		FINES CLASSIFY AS ML OR MH	SM	SILTY SAND		
		FINES CLASSIFY AS CL OR CH	SC	CLAYEY SAND		
FINE-GRAINED SOILS >50% PASSES NO. 200 SIEVE	SILTS AND CLAYS LIQUID LIMIT < 50	INORGANIC	$PI > 7$ AND PLOTS \geq "A" LINE	CL	LEAN CLAY	
			$PI > 7$ AND PLOTS \geq "A" LINE	CL	SANDY LEAN CLAY	
			$PI < 4$ AND PLOTS < "A" LINE	ML	SILT	
	SILTS AND CLAYS LIQUID LIMIT > 50	INORGANIC	PI PLOTS \geq "A" LINE	CH	FAT CLAY	
			PI PLOTS < "A" LINE	MH	ELASTIC SILT	
			ORGANIC	OH	ORGANIC CLAY OR SILT	
HIGHLY ORGANIC SOILS	PRIMARILY ORGANIC MATTER, DARK IN COLOR, AND ORGANIC ODOR			PT	PEAT	



SOIL CLASSIFICATION

Soil classification is based on the Unified Soil Classification System (as presented in ASTM D2487). Coarse-grained soils have more than 50% of their dry weight retained on a #200 sieve; their principal descriptors are: boulders, cobbles, gravel or sand. Coarse-grained soils are described on the basis of their in-place RELATIVE DENSITY.

Fine-grained soils have less than 50% of their dry weight retained on a #200 sieve; they are described as clays if they plot above the "A" line and silts if the plot below the "A" line; they are further described as low or high plasticity, depending upon their liquid limit (below or above 50). Clays are defined on the basis of their CONSISTENCY. Silts are defined on the basis of their in-place RELATIVE DENSITY.

Figure 6

CITY OF LIBERTY

Planning & Zoning Commission Agenda Item Form

Meeting Date: August 14, 2024

Agenda Wording: Consider approving a variance request for Matt Harris (1708 Webster)

Department: Community Development

Subject: Variance Request

Background: Matt Harris plans to construct a new house at 1708 Webster. Current city regulations require newly constructed single-family homes to be at least 10 feet from another structure.

Mr. Harris is requesting a variance to this regulation in order to build his project less than 10 feet from an existing carport.

Funding Source: n/a

Staff Recommendation: Approval of the variance

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): Paul Henry and Linda Jamison

Name of Agent, if applicable: Matt Harris and or Luke Harris / Pelco Builders, LLC

Phone Number: C: 936-391-0020 O: 936-336-3368

Fax Number: 888/299-2474 Email: Matt@pelcobuilders.com

Mailing Address: 2720 Beaumont Ave; Liberty, TX 77575

Property Data:

Street address: 1708 Webster; Liberty, TX 77575

Legal Description Legal description of land:

All that certain lot, tractor parcel of land located in Liberty County, Texas and particularly described as Lots Nos. One (1), Two (2) and Three (3) on a plat of a subdivision of Lots Nos. One (1) and Four (4) in Inner Block No. Twelve (12) of the City of Liberty, as known and designated on the map or plat of said city of Liberty; said plat of said subdivision being of record in the Map Records of Liberty County, Texas, in Volume 1, Page 82 to which record reference is here made for all purposes. The land hereby described by metes and bounds as follow:

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)

Division 5	Requirements for Improvements, Reservations and Designs
	Paragraph 10.02.122 Lot Improvements Sub Note ***States that a Structure cannot be any closer than (10) feet to adjacent structures (e.g. house of business building).
	We would like an exception granted to enable us to erect a brick veneer structure within 8'-2" of the existing an open frame carport.

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:

The variance will help the neighbor from incurring the expense of moving the carport.

It does not effect public safety, welfare or injurious to surrounding property.

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

The property was purchased with the intent of not forcing the neighbor to remove the carport.

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

Their would be no cost by the Owner to comply with the regulation however it would shift an unnecessary cost and burden to the neighbor.



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:

This circumstance is unique to this property and not a common occurrence.

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:  Date: 8-8-2024
Signature:  Date: 8-8-2024

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: _____

DESIGNATION OF AGENT FORM

This form designates Matt or Luke Harris/Pelco Builders, LLC as my/our duly authorized agent, to act on my/our behalf in request in a variance involving the property described below. I am also submitting a copy of the deed(s) to the subject property as evidence of my ownership.

Property Address: 1708 Webster; Liberty, TX 77575

Legal Description: Lots 1, 2, 3 Inner Block Twelve of the City of Liberty; Volumn1, Page 82

Signature of Owner:  Date: 8-8-2024

Printed Name: Paul Henry & Linda Jamison

Signature of Agent:  Date: 8-8-2024

Printed Name: Matthew Harris & Luke Harris

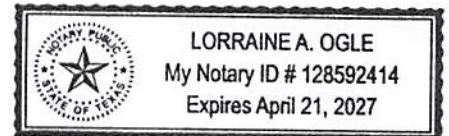
Notary Statement:

SWORN TO AND SUBSCRIBED before me this the 8th day of August, 2024



Notary Public in and for Liberty County, Tex

My Commission Expires: _____

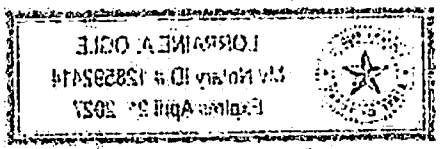


Repeat page for multiple owners or agents

Handwritten text at the top of the page, possibly a title or header.

Main body of handwritten text, appearing to be a list or series of notes.

Handwritten text in the lower middle section, possibly a signature or additional notes.



§ 10.02.122. Lot improvements.

- (a) The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with all local regulations and in providing driveway access to buildings on the lots from an approved street.
- (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	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	20'	3'	3'	10'
Manufactured home	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	20'	5'	10'	10'
Standard single-family residential detached	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	20'	5' 10'***	10'	10'
Duplex	5,000 SF (see footnote B)	50'(W) 100'(D)	65'(W) 100'(D)	20'	5' 10'***	10'	10'
Townhouse or garden apartments	2,000 SF	20'(W) 100'(D)	35'(W) 100'(D)	5'	N/A	10'	10'
Patio homes garden homes	5,000 SF	50'(W) 100'(D)	65'(W) 100'(D)	5'	5'	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) feet to adjacent structures (e.g. house or business building).

Footnote A: Five (5) feet or (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).

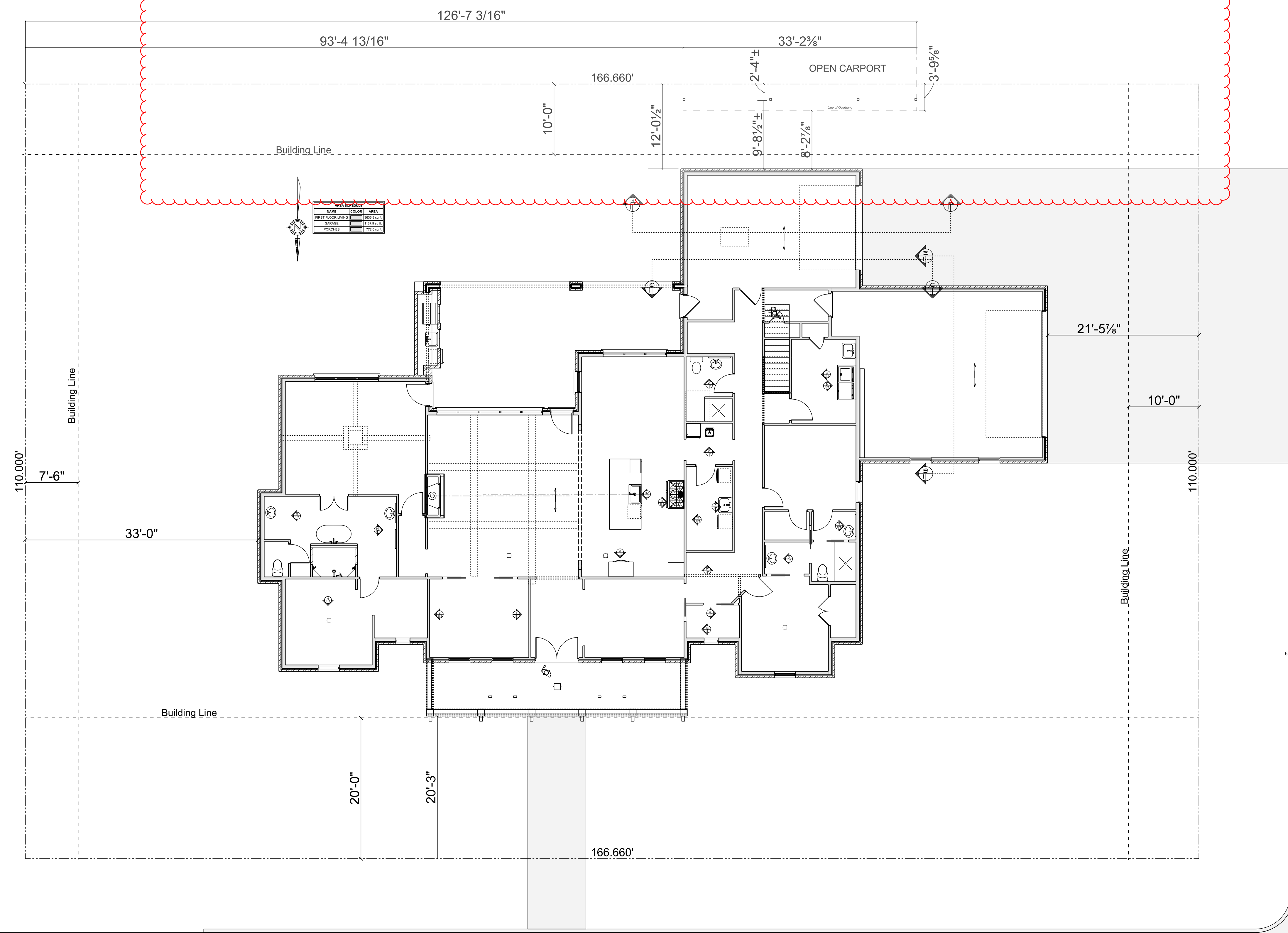
Footnote C: Accessory structures may only be installed in the side or rear yard.

- (c) The following requirements (table A) establish minimum parking space requirements and standards for various subdivision and land use types.

TABLE A

Land Use	Parking Spaces
Single-family unit	1.5/unit
Duplex unit	1.5/unit
Triplex unit	1.5/unit
Fourplex unit	1.5/unit

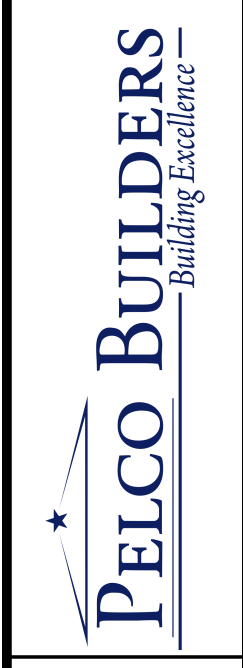
Legal description of land:
 All that certain lot, tractor parcel of land located in Liberty County, Texas and particularly described as Lots Nos. One (1), Two (2) and Three (3) on a plat of a subdivision of Lots Nos. One (1) and Four (4) in Inner Block No. Twelve (12) of the City of Liberty, as known and designated on the map or plat of said city of Liberty, said plat of said subdivision being of record in the Map Records of Liberty County, Texas, in Volume 1, Page 82 in which record reference is here made for all purposes. The land hereby described by maps and bounds as follows:
 BEGINNING at the Northwest corner of Inner Block No. 12, the same being the Northwest corner of Lot No. 1 of Block No. 12 as known and designated on the map or plat of the City of Liberty;
 THENCE East along the North line of said Lot No. 1, Inner Block 12 a distance of 166.66 feet to a point for corner, the same being the northeast corner of said Lot No. 1 of Block No. 12;
 THENCE South along the East line of said Lot No. 1, Inner Block No. 12 a distance of 110 feet to a point for corner;
 THENCE West along a line parallel to the North and South lines of said Lot No. 1, Inner Block No. 12, a distance of 166.66 feet to a point for corner in the west line of said Lot No. 1, Inner Block No. 12;
 THENCE North along the west line of said Lot No. 1, Inner Block No. 12, a distance of 110 feet to the place of beginning.



C-1 SITE PLAN

SCALE: 1" = 15'
 DRAWN BY: LUKE HARRIS
 DATE: Thursday, August 8, 2024

Pelco Builders, LLC
 2720 Beaumont Avenue
 Liberty
 Texas
 77575
 PHONE: (936) 346-3965
 FAX: (936) 346-7046
 MOBILE: (936) 346-7046
 lharris@pelcobuilders.com



Linda & Paul
 PHONE:
 FAX:
 MOBILE: