



City of Abilene

Board of Adjustment Agenda

Notice is hereby given of a meeting of the Board of Adjustment of City of Abilene to be held on January 12, 2021, at 8:30 a.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on December 8, 2020

AGENDA ITEMS

2. **BA-2021-01:** Receive a Report and Hold a Discussion and Public Hearing on a request from Ameritex Homes, agent Daniel Zarate, to seek a ten (10) foot variance from the minimum lot width of 60 feet for 1402, 1414, 1422, 1426, 1442 Plum Street. Additionally the applicants are seeking a six (6) foot variance from the minimum 15 foot exterior street side setback for 1402 Plum Street.

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 8th day of January, 2021, at 2:30 p.m

Shawna Atkinson, TRMC
City Secretary

BOARD OF ADJUSTMENT REGULAR MEETING MINUTES

December 8, 2020

8:30 a.m.

**BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. Scott Hay, Chairman
Mr. Robert Beermann
Mr. Mark Odle
Mr. Jon Loudermilk, Alternate
Mr. Bob Thomas, Alternate

Member Absent: Col. Morton Langholtz, Vice-Chairman
Mr. Roger Huber, Secretary

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Ms. Kelley Messer, First Assistant City Attorney
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Jared Smith, Planner II
Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Tommy Roberts Mr. Scott Senter
Mr. Bryce Stickney Mr. Chase Denis
Mr. Eddie Magee

CALL TO ORDER

Mr. Hay called the meeting to order at 8:30 a.m. and Ms. Melissa Farr recorded the minutes. A quorum of members was present, and the meeting proceeded.

MINUTES

Mr. Odle made the motion to **approve** the minutes of the previous meeting, which was held on November 10, 2020. Mr. Loudermilk seconded the motion. The vote to **approve** minutes was carried by five (5) with none in opposition.

AYES: Beermann, Odle, Loudermilk, Thomas, Hay

NAYS: None

AGENDA ITEMS

BA-2020-03: Receive a Report and Hold a Discussion and Public Hearing on a request from owner Yi-Chien Lien, agent Lamar Outdoor, to seek a Special Exception to allow an offsite

advertising billboard within Agricultural Open Space (AO) Zoning. Legal description being 12.94 Acres out of C. A. Donovan original survey in the City of Abilene, Taylor County, Texas

Mr. Jared Smith presented this request. The applicant is requesting to construct a two-sided offsite advertising sign which will be 300 square feet in area. These two sides will be oriented towards east and west bound traffic along Antilley Road. The proposed height of this sign will be 35-feet at the highest point. Additionally, they intend to have the eastern facing side of the sign to be digital while the western face of the sign will be static.

Mr. Hay opened the public hearing. Speaking in favor was Mr. Tommy Roberts of Lamar Advertising. Mr. Roberts explained Antilley Road is the only conforming location for the area. He provided handouts, which explained the proposed lighting control system and showed the exact location for the sign.

Lamar Advertising operates two sizes of digital signs in Abilene. They try to place digital signs at intersections, which are approximately 200 feet from the intersection. Mr. Roberts was amenable to the approval of 300 square feet, if the Board was unwilling to grant approval for the 12 X 25, or 378 square feet maximum request. He shared that the size of the board could actually be smaller, due to the budget affected by the pandemic, but his presentation represented what the sign could be at the largest size implementation.

Mr. Scott Senter also spoke in favor of this request. He stated it would help generate income for the owner of the land. He also projected the sign would make the area feel more promotional, which may attract other institutions such as a bank, investment office, etc.

Mr. Chase Denis spoke in opposition of this request. He is a resident in the area. Seeing no one else present and desiring to be heard, Mr. Hay closed the public hearing.

Property owners within 200 feet of the request were notified. There were no (0) responses received in favor, with eleven (11) in opposition.

Discussion included:

- Special conditions of this piece of property
- Using the signage for public service announcements and the location as being a high-traffic area to receive the information
- The uncertainty of future development and if the sign would affect projects, or not

PLANNING STAFF RECOMMENDATION: Staff recommends denial.

Mr. Beermann moved to approve this request based upon the discussion between the Board and the applicant. The approval is to allow signage up to the maximum requested dimensions, 378 or 360 (whatever they prefer), with the condition to include wrapping the pole base with rock for aesthetics. Mr. Thomas seconded the motion. The motion to **approve** this Special Exception prevailed by the following vote:

AYES: Beermann, Odle, Loudermilk, Thomas, Hay
NAYS: None

ADJOURNMENT

There being no further business, Mr. Beermann moved to adjourn the meeting. The Board of Adjustment meeting was adjourned at 9:42 a.m.

Approved: _____, Chair

BA-2021-01

STAFF REPORT



REQUEST: The applicant requests approval of five (5) lot width variances of 10-feet from the minimum lot width of 60-foot in Single-Family Residential (RS-6) District, for 1402, 1414, 1422, 1426 and 1442 Plum Street and one (1) 6-foot variance from the minimum 15-foot exterior street side setback in RS-6, for 1402 Plum Street.

AGENT/OWNER:

Owner: Ameritex Homes

Agent: Daniel Zarate

HEARING DATE: January 12, 2021

LOCATION: 1402, 1414, 1422, 1426, & 1442 Plum Street

LEGAL DESCRIPTION(S):

- 1402 Plum Street: The South 50 feet of the East 150 feet in Block H of the McNairys subdivision of Abilene
- 1414 Plum Street: The North 50 feet of the South 150 feet of the East 140 feet in Block H of the McNairy's subdivision of Abilene
- 1422 Plum Street: The South 50 feet of the North 100 feet of the East 150 feet in Block H of the McNairy's subdivision of Abilene
- 1426 Plum Street: Abilene North 50 feet of the East 150 feet in Block H of the McNairy's subdivision of Abilene
- 1442 Plum Street: The South 50 feet of the North 150 feet of the East 150 feet in Block I of the McNairy's subdivision of Abilene

ZONING CLASSIFICATION:

The subject property is currently zoned as Single-Family Residential (RS-6) District and located within the Neighborhood Empowerment Zone (NEZ).

BACKGROUND: The 1400 block of Plum Street is a segment of the Carver neighborhood, an older, centrally-located neighborhood with a mixture of residential and commercial zoning districts. This neighborhood has slowly declined since the 1970's with many single-family residences neglected, condemned, and consequently demolished leaving a large number of vacant and scattered "lots", many of which are not platted. These five (5) unplatted lots are portions of Block H and Block I of the McNairy Subdivision filed 1885. Blocks H and I are currently zoned as RS-6 which requires a minimum lot width of 60-foot and minimum lot depth of 100-foot. These five (5) lots are 50-foot in width and 150-foot in depth.

North 14th Street is a local street with an unusually large right-of-way buffer. The street extends along the south side of 1402 Plum Street and has a 22.5-foot public right-of-way on either side of the street. A standard local street has a 10-foot public right-of-way on each side of the street. Originally this

street was platted to allow for horse-drawn carriages and a right-of-way large enough for such carriages to turn around.

DEVELOPMENT STANDARDS:

Land Development Code Section 2.3.2.10 concerning Table 2-2 Site Layout and Building Requirements For Residential Zoning Districts

- RS-6 district minimum lot width (ft): 60
- RS-6 district minimum exterior street side setback (ft): 15

APPLICATION REVIEW (VARIANCE REQUEST NO. 1)

Criteria for Approval 1.4.4.2 (d): A variance is used to modify the application of the Land Development Code [specifically, Chapters 2 and 4] as it applies to a specific piece of property. In reaching a decision on the variance request, the Board shall determine and make written findings that all of the following conditions are present:

1. **There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

There are fifteen (15) unplatted lots and five (5) single family residences within blocks H and I that extend along the westside of Plum Street, all of which are 50-foot in width and 150-foot in depth. The proponents are also building five (5) additional single family residences on the eastside of Plum St adjacent to these five (5) proposed residences. These lots share similar 50-foot lot width and 150-foot lot depth; however, they are platted lots. It is the opinion of staff that the strict application of this provision of this code may create inequity.

2. **That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.** It is the opinion of staff that due to the size of all the lots that extend along the face of these blocks, granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.

Existing Land Use		
North	RS-6	Mixture of Single-Family Residences/Vacant Land
South	RS-6	Mixture of Single-Family Residences/Vacant Land
East	RS-6	Mixture of Single-Family Residences/Vacant Land
West	RS-6	Mixture of Single-Family Residences/Vacant Land

3. **Granting the variance is consistent with the intent of Abilene's Land Development Code.**

It is the opinion of staff that granting the variance requests would be consistent with the Land Development Code in keeping with the uniformity of this neighborhood.

STAFF RECOMMENDATION (VARIANCE REQUEST NO. 1):

City staff recommends approving the requested 10-foot variance from the minimum 60-foot lot width required within RS-6 zoning.

APPLICATION REVIEW (VARIANCE REQUEST NO. 2)

Criteria for Approval 1.4.4.2 (d): A variance is used to modify the application of the Land Development Code [specifically, Chapters 2 and 4] as it applies to a specific piece of property. In reaching a decision on the variance request, the Board shall determine and make written findings that all of the following conditions are present:

- 1. **There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

The 22.5-foot margin of public right-of-way of North 14th Street that extends along the southern exterior side of 1402 Plum Street is broader than the requirements of a standard local street. Additionally, a typical RS-6 corner lot residence should be located at least 25-foot from the face of the curb. If this variance is approved, the proposed residence will be located at least 28.5-foot from the face of the curb along North 14th Street. Therefore, it is the opinion of staff that the strict application of the provisions of this code will create an undue hardship upon the applicant.

- 2. **That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.**

It is the opinion of staff that the granting of this variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.

	Zoning	Existing Land Use
North	RS-6	Vacant Land
South	RS-6	Unpermitted Building
East	RS-6	Vacant Land
West	RS-6	Single Family Residence

- 3. **Granting the variance is consistent with the intent of Abilene’s Land Development Code.**

It is the opinion of staff that granting the variance is consistent with the intent of Abilene’s Land Development Code.

STAFF RECOMMENDATION (VARIANCE REQUEST NO. 2):

City staff recommends approving the requested 6-foot variance from the minimum 15-foot exterior streetside setback required within a RS-6 district.

NOTIFICATION: The Planning Services Division sent, with a certificate of mailing, a notice of this requested variances to the applicant and to owners of all property within a 200-foot radius of this subject property:

Owner	Situs	Response
AMERITEX HOMES LLC	1431 PLUM ST	
AMERITEX HOMES LLC	1426 PLUM ST	
AMERITEX HOMES LLC	1422 PLUM ST	
AMERITEX HOMES LLC	1401 PLUM ST	
AMERITEX HOMES LLC	1402 PLUM ST	
AMERITEX HOMES LLC	1414 PLUM ST	
AMERITEX HOMES LLC	1435 PLUM ST	
AMERITEX HOMES LLC	1439 PLUM ST	
AMERITEX HOMES LLC	1442 PLUM ST	
AMERITEX HOMES LLC	1445 PLUM ST	
BELL LORENZO ET AL	1473 MESQUITE ST	
BELL LORENZO ET AL	1453 MESQUITE ST	
BELL LORENZO ET AL	1477 MESQUITE ST	
CARRION MAURINE	1333 PLUM ST	
CARRION MAURINE	1325 PLUM ST	
CHAMBERS SHARON ANN	1434 PLUM ST	
COLLIER MARY	1449 MESQUITE ST	
CULBERSON JAMES D &	742 N 14TH ST	
GRAGIOLA A P	1410 PLUM ST	
GRAY JIMMY L	1502 PLUM ST	
HIGGINS ROBERT W	1341 PLUM ST	
HIGGINS ROBERT W	1425 PLUM ST	
HIGGINS ROBERT WARREN	620 N 14TH ST	
JOHNSON BOB WAYNE	1341 MESQUITE ST	
KRUZZ HOLDINGS LLC	1436 PLUM ST	
MEDLOCK QUINNY & MARY	1441 MESQUITE ST	
MUNOZ ARMANDO	1425 MESQUITE ST	
ORTIZ PETRA	1317 MESQUITE ST	
PORTLOCK WALTER	738 N 14TH ST	Opposed
RALSTON ROBERTA	1510 PLUM ST	
RHODES W B & ISABELLA	1501 MESQUITE ST	
ROSALES YSIDRO & DOMINGA	1501 PLUM ST	
SIMS DOUGLAS	1433 MESQUITE ST	
TERRELL BILLY DON &	1517 PLUM ST	
THOMAS BILLY GENE	1446 PLUM ST	
THOMAS JAMES WILLIAM ET AL	1456 PLUM ST	
TURNERHILL MILTON AS TR ET AL	1417 PLUM ST	
WILLIAMS STEVE	1342 PLUM ST	
WILLIAMS STEVE	1326 PLUM ST	
WOODARD STEVEN K	1409 PLUM ST	

ATTACHMENTS:

- Application
- Presentation

OWNER AND/OR AGENT AUTHORIZATIONOwner Name: Ameritex HomesAddress: 14643 Dallas Parkway Suite 1050City, State, Zip: Dallas, TX 75254

Fax: _____

Phone: 469-378-0304Email: daniel.zarate@ameritexhomes.comAgent Name: Daniel ZarateAddress: 14643 Dallas Parkway Suite 1050City, State, Zip: Dallas, TX 75254

Fax: _____

Phone: 469-378-0304Email daniel.zarate@ameritexhomes.com

"I am the property owner, and I certify that the information included in this application is true to the best of my knowledge.

(Name) Daniel Zarate will act as my agent before the Board of Adjustment."

Witness my hand this day, of December 4 2020

☐

Special Exceptions

☒

Variance

☐

Appeal

What is the specific nature of the request?

We are requesting to allow for the official dividing of lots that were previously unofficially divided in 1885. These lots are currently 50' x 150' which does not work with current RS-6 zoning of 60'. We are also requesting a variance for 1402 Plum side yard setback to allow for a 9' side setback for the street side setback.

Project Address: 1402, 1414, 1422, 1426, and 1442 Plum StNo. of lots: 5Acreage: 0.85Legal Description (Use attachment if necessary): See Attached documentCurrent Zoning: RS-6

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Daniel ZarateDate: 12/4/20**FOR OFFICE USE ONLY**Received: 12/8/2020Fee: \$ 400. WAIVED

Receipt No.: _____

Case No.: BA-2021-1Reviewed By: NW

DEC 8 AM 10:45

Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary. (Or provide site plan/plot plan)

1. Fully describe the unique, special circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent. (This CANNOT be solely caused by the applicant.)

We purchased 5 lots in the McNairy subdivision which was platted and recorded on volume I, Page 637 in Taylor County deed
records in 1885. These lots were unofficially divided into 50' lots and sold to us as such. We are requesting a variance to Zoning
Section 2.3.2.5 Residential Single-Family (RS-6) District 6 which states lots must be a minimum of 60' wide, 100' long, and 6000
square feet. The current configuration is 50' wide, 150' long, and 7500 square feet. (Continued on separate document)

2. If this application is for a special Exception to allow a carport in the front yard setback, please fill-in the diagram bellow.

House building material: ☐ Brick ☐ Stone ☐ Wood ☐ Other: _____

Carport Building Material: ☐ Similar to principal structure ☐ Metal ☐ Brick ☐ Stone ☐ Wood

☐ Other _____

The diagram illustrates the layout of a house and a carport relative to property lines and a street. At the top is a large rectangle labeled "House". Below it is a smaller rectangle labeled "Carport". The carport is positioned such that its front side is closer to the street than its side walls. To the left of the carport, a horizontal line is labeled "Distance from Side Property Line". To the right of the carport, another horizontal line is labeled "Distance from Side Property Line". Inside the carport rectangle, a horizontal line is labeled "Length" and a vertical line is labeled "Width". Below the carport, a vertical line extends down to a horizontal line representing the street, which is labeled "Distance from the Curb". At the bottom of the diagram, a horizontal line is labeled "Street Name".



December 4, 2020

In regards to variance request for 1402, 1414, 1422, 1426, and 1442 Plum St

Legal Descriptions:

1402 Plum Street, Abilene, TX 79601

South 50 feet of the East 150 feet of Block H, McNairy's Subdivision of Lot 2, Block 201, Original Town of Abilene, Taylor County, Texas, as shown by Plat recorded in Volume L, Page 637, Deed Records, Taylor County, Texas.

1414 Plum Street, Abilene, TX 79601

North 50 feet of the South 150 feet of the East 140 feet of Block H, McNairy's Subdivision of Lot 2, Block 201, Original Town of Abilene, Taylor County, Texas, as shown by Plat recorded in Volume L, Page 637, Deed Records, Taylor County, Texas.

1422 Plum Street, Abilene, TX 79601

South 50 feet of the North 100 feet of the East 150 feet of Block H, McNairy's Subdivision of Lot 2, Block 201, Original Town of Abilene, Taylor County, Texas, as shown by Plat recorded in Volume L, Page 637, Deed Records, Taylor County, Texas.

1426 Plum Street, Abilene, TX 79601

North 50 feet of the East 150 feet of Block H, McNairy's Subdivision of Lot 2, Block 201, Original Town of Abilene, Taylor County, Texas, as shown by Plat recorded in Volume L, Page 637, Deed Records, Taylor County, Texas.

1442 Plum Street, Abilene, TX 79601

The South 50 feet of the North 150 feet of the East 150 feet of Block I, McNairy's Subdivision of Lot 2, Block 201, City of Abilene, Taylor County, Texas as shown by Plat recorded in Volume L, Page 637, Deed Records, Taylor County, Texas.

Continued Variance details:

We are seeking a variance on 1402 Plum's street sideyard setback because the lot was originally unofficially platted as a 50' lot in 1885, but a side yard setback of 15' on the street side with an interior side setback of 6' results in 29' to build a home on. We are pushing our home all the way to the interior side setback to allow for safety over exiting and entering vehicles to the residence.

14643 Dallas Parkway Suite 1050
Dallas, TX 75254
(469) 225-9633
www.ameritexhomes.com

BOUNDARY SURVEY OF

THE PROPERTY LOCATED AT 1402 PLUM STREET, CITY OF ABILENE, TEXAS, BEING THE SOUTH 50' OF THE EAST 150' OF BLOCK 1 OF MCNAIRY'S SUBDIVISION OF LOT 2, BLOCK 201 OF THE ORIGINAL TOWN OF ABILENE, A SUBDIVISION IN TAYLOR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 632, DEED RECORDS, TAYLOR COUNTY, TEXAS.

PANEL NO.: 485450 EFFECTIVE DATE: 01-06-2012
FIRM NO.: 48441C 0228F ZONE: X

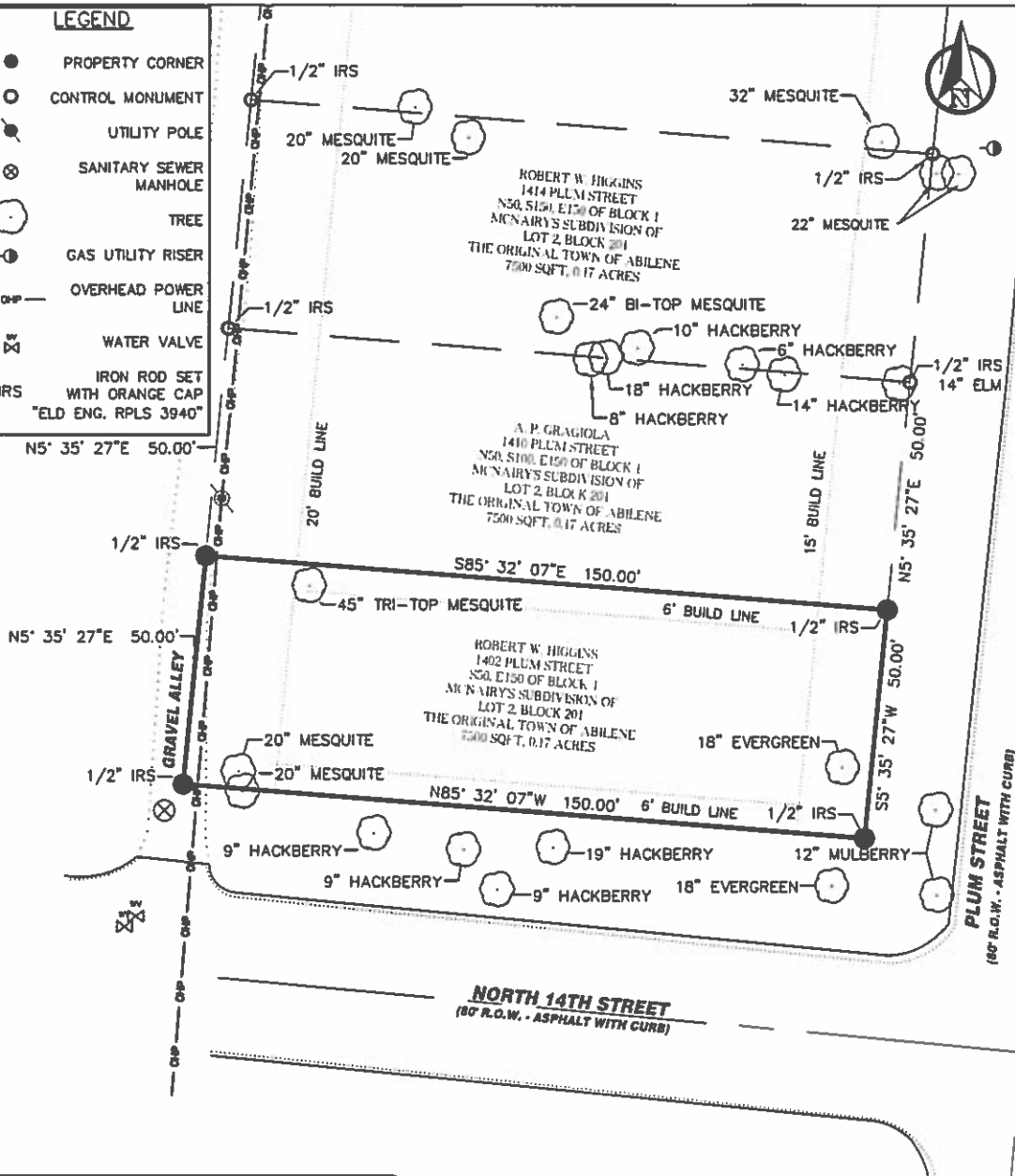
FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'S ACCURACY.

NOTES:

- PROPERTY SUBJECT TO TERMS, CONDITIONS AND EASEMENTS CONTAINED IN THE INSTRUMENT RECORDED IN VOL. 1, PG. 632
- ALL BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
- PROPERTY AS SHOWN IS BASED ON BEST AVAILABLE EVIDENCE USING IRON PINS FOUND, POSSESSION, DEEDS AND TAX RECORDS.

LEGEND

- PROPERTY CORNER
- CONTROL MONUMENT
- ⊙ UTILITY POLE
- ⊗ SANITARY SEWER MANHOLE
- TREE
- ⊙ GAS UTILITY RISER
- OP — OVERHEAD POWER LINE
- ⊗ WATER VALVE
- ⊙ IRON ROD SET WITH ORANGE CAP "ELD ENG. RPLS 3940"



SURVEY FOR:
AMERITEX HOMES

PROPERTY ADDRESS:
1402 PLUM STREET

PART OF MCNAIRY'S SUBDIVISION OF LOT 2,
BLK 201 OF THE ORIGINAL TOWN OF ABILENE

DATE OF FIELD WORK:
09-25-2020

PROJECT NO.:
AMH20-0330

ERIC L. DAVIS
ENGINEERING

120 E. MAIN
FORNEY, TEXAS 75126
972-564-0592
FIRM NO. 10194489

NOTE:

- BEARINGS FOR SURVEY ARE BASED ON GPS OBSERVATIONS
- BUILD LINES ARE ACCORDING TO THE CITY OF ABILENE, TEXAS



PROPERTY SUBJECT TO SUBDIVISION COVENANTS,
CONDITIONS AND RESTRICTIONS:

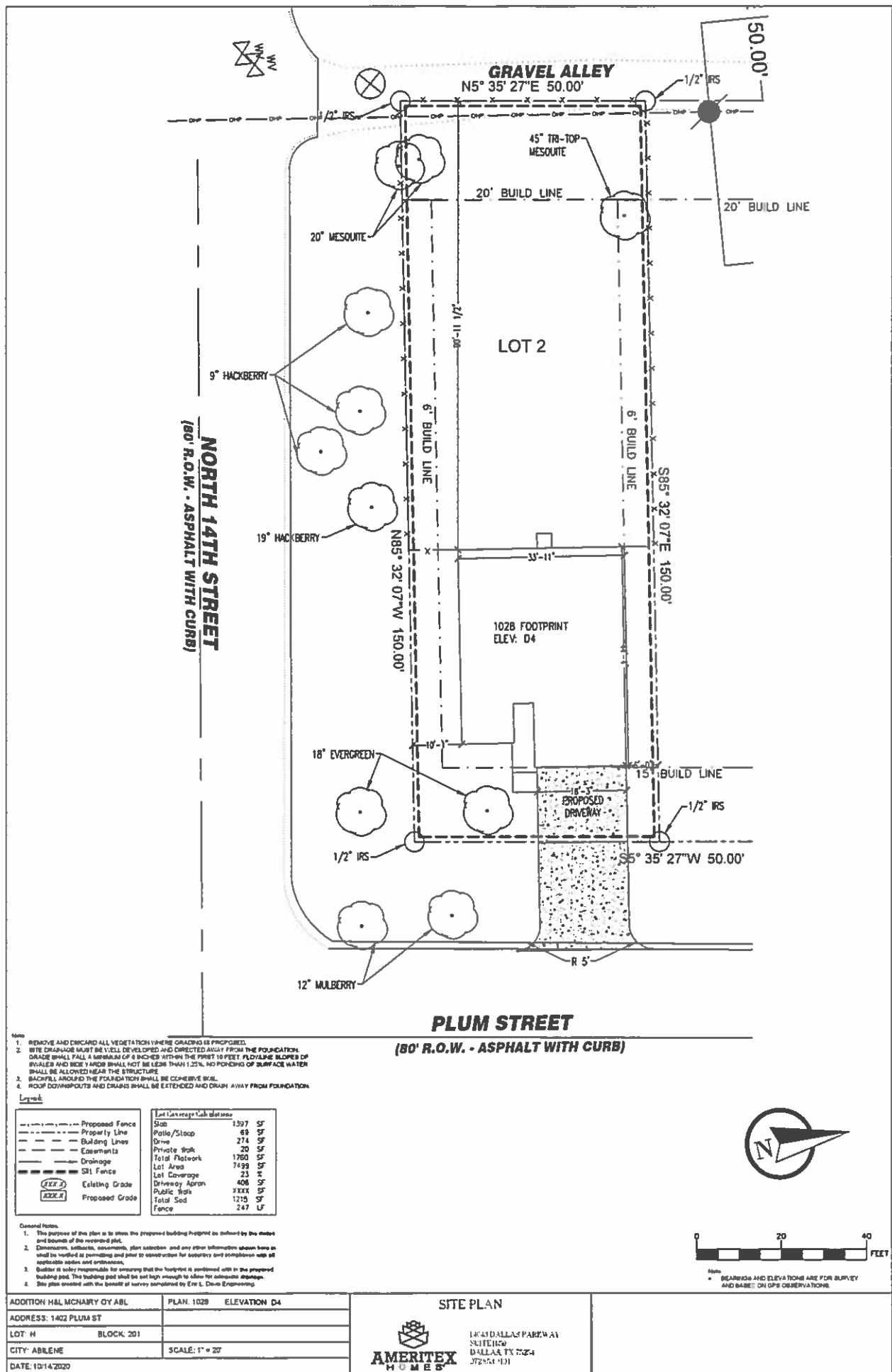
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY, SHOWING ANY IMPROVEMENTS FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY IS ONLY CERTIFIED AS TO BOUNDARY FOR THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT

GF: _____ OF _____
EFF: _____

10/5/2020

TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





BOUNDARY SURVEY OF

THE PROPERTY LOCATED AT 1414 PLUM STREET, CITY OF ABILENE, TEXAS, BEING THE NORTH 50' OF THE SOUTH 150' OF THE EAST 150' OF BLOCK 1, OF MCNAIRY'S SUBDIVISION OF LOT 2, BLOCK 201 OF THE ORIGINAL TOWN OF ABILENE, A SUBDIVISION IN TAYLOR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 637, DEED RECORDS, TAYLOR COUNTY, TEXAS.

PANEL NO: 485450 EFFECTIVE DATE: 01-06-2012

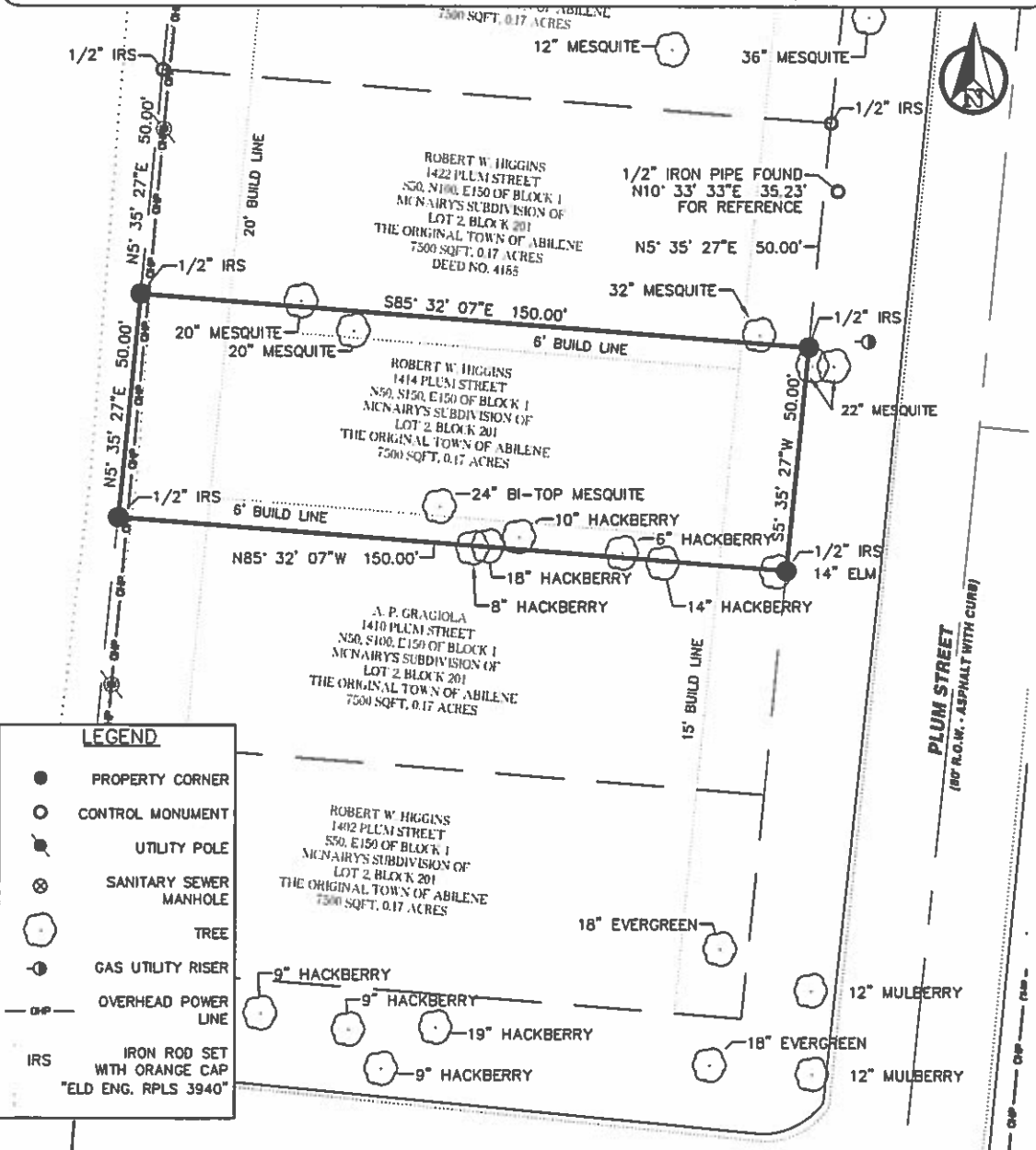
FIRM NO: 48441C 0228F

ZONE: X

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'S ACCURACY

NOTES:

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- ALL BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
- PROPERTY AS SHOWN IS BASED ON BEST AVAILABLE EVIDENCE USING IRON PINS FOUND, POSSESSION, DEEDS AND TAX RECORDS.



SURVEY FOR:

AMERITEX HOMES

PROPERTY ADDRESS:

1414 PLUM STREET

PART OF MCNAIRY'S SUBDIVISION OF LOT 2, BLK 201 OF THE ORIGINAL TOWN OF ABILENE

DATE OF FIELD WORK:

09-25-2020

PROJECT NO:

AMH20-0331

ERIC L. DAVIS
ENGINEERING



120 E. MAIN
FORNEY, TEXAS 75126
972-564-0592
FIRM NO. 101944E9

NOTE:

- BEARINGS FOR SURVEY ARE BASED ON GPS OBSERVATIONS
- BUILD LINES ARE ACCORDING TO THE CITY OF ABILENE, TEXAS

0 30 60 Feet

PROPERTY SUBJECT TO SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY, SHOWING ANY IMPROVEMENTS FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY IS ONLY CERTIFIED AS TO BOUNDARY FOR THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT.

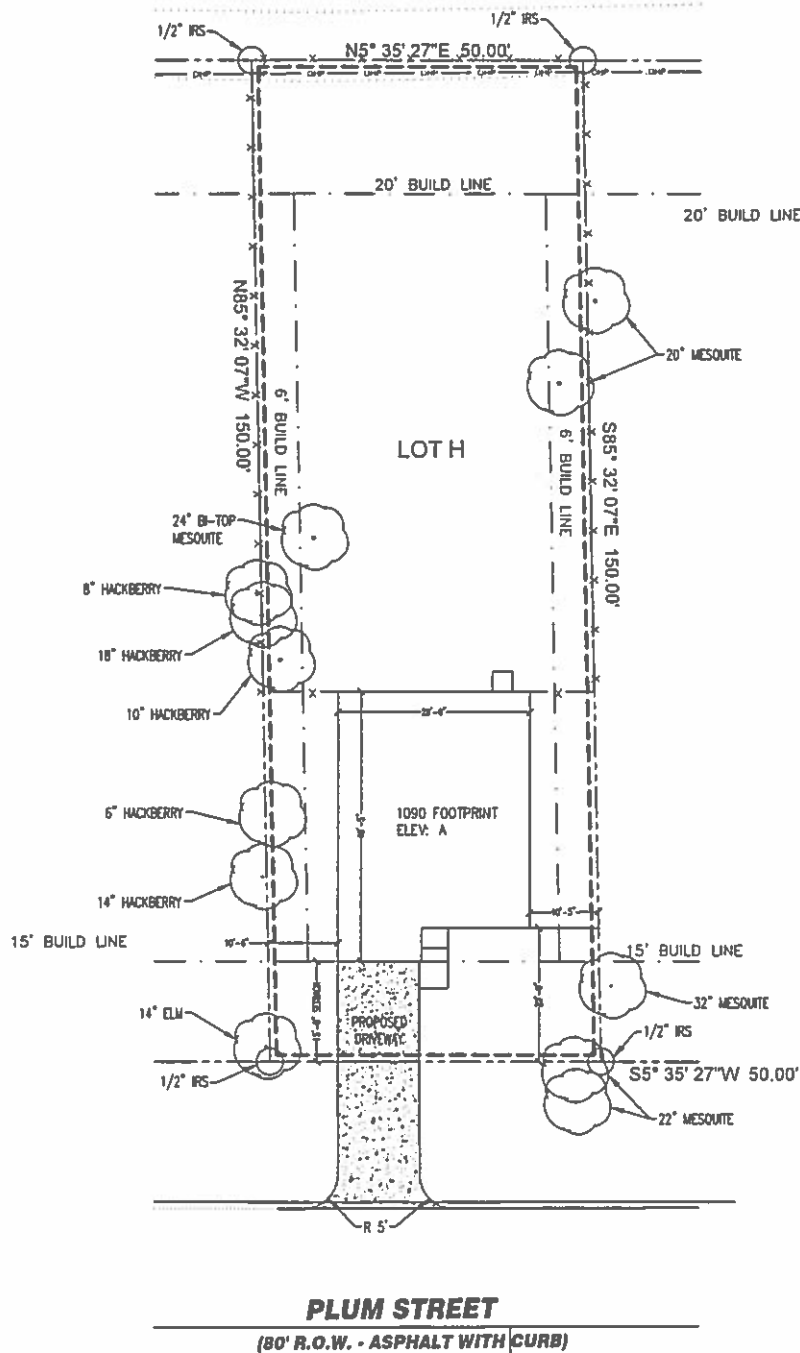
GF: _____ OF _____
EFF: _____

Tom A. Fidler

10/5/2020

TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





- Notes:**
1. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED.
 2. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. FLOWLINE SLOPES OF SWALES AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO PONDING OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
 3. BACKFILL AROUND THE FOUNDATION SHALL BE COMPACTIVE SOIL.
 4. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.

Legend:

--- Proposed Fence	Lot Coverage Calculations
--- Property Line	Slab 1090 SF
--- Building Lines	Patio/Stack 21 SF
--- Easements	Drive 185 SF
--- Drainage	Private Walk 25 SF
--- 30" Fence	Total Footprint 1321 SF
--- Existing Grade	Lot Area 7500 SF
--- Proposed Grade	Lot Coverage 18 %
	Driveway Apron 252 SF
	Public Walk 333 SF
	Total Sid 1459 SF
	Fence 280 LF

- General Notes:**
1. The purpose of this plan is to show the proposed building footprint as defined by the mass and layout of the residential plot.
 2. Dimensions, setbacks, easements, plan selection, and any other information shown here in shall be verified at permitting and prior to construction for accuracy and compliance with all applicable codes and ordinances.
 3. Builder is solely responsible for ensuring that the footprint is contained within the proposed building pad. The building pad shall be set high enough to allow for adequate drainage.
 4. This plan created with the benefit of survey completed by SMI L. Davis Engineering.

ADDITION: H&L MCNARY DT ABL	PLAN 1090	ELEVATION: H
ADDRESS: 1414 PLUM ST		
LOT: H	BLOCK: 201	
CITY: ABILENE	SCALE: 1" = 20'	
DATE: 10/15/2020		

SITE PLAN



BOUNDARY SURVEY OF

THE PROPERTY LOCATED AT 1422 PLUM STREET, CITY OF ABILENE, TEXAS, BEING THE SOUTH 50' OF THE NORTH 100' OF THE EAST 150' OF BLOCK 1, OF MCNAIRY'S SUBDIVISION OF LOT 2, BLOCK 201 OF THE ORIGINAL TOWN OF ABILENE, A SUBDIVISION IN TAYLOR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 637, DEED RECORDS, TAYLOR COUNTY, TEXAS.

PANEL NO.: 485450 EFFECTIVE DATE: 01-06-2012

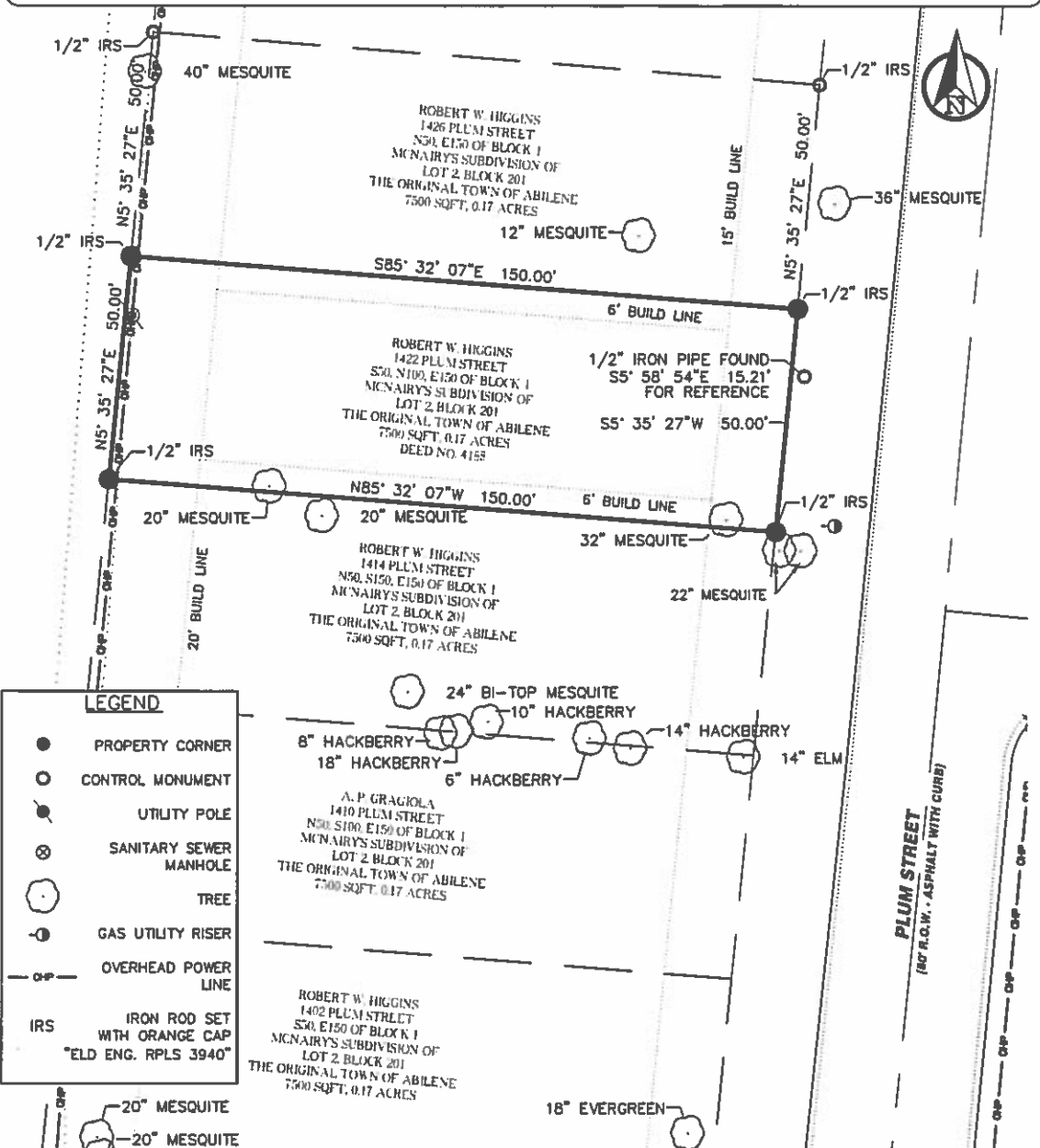
FIRM NO.: 48441C 0228F

ZONE: X

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'s ACCURACY

NOTES:

- PROPERTY SUBJECT TO TERMS, CONDITIONS AND EASEMENTS CONTAINED IN THE INSTRUMENT RECORDED IN VOL. 1, PG. 637
- ALL BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
- PROPERTY AS SHOWN IS BASED ON BEST AVAILABLE EVIDENCE USING IRON PINS FOUND, POSSESSION, DEEDS AND TAX RECORDS.



SURVEY FOR:

AMERITEX HOMES

PROPERTY ADDRESS:

1422 PLUM STREET

PART OF MCNAIRY'S SUBDIVISION OF LOT 2, BLK 201 OF THE ORIGINAL TOWN OF ABILENE

DATE OF FIELD WORK:

09-25-2020

PROJECT NO.:

AMH20-0332

ERIC L. DAVIS
ENGINEERING

120 E. MAIN
FORNEY, TEXAS 75126
972-564-0592
FIRM NO. 10194489

NOTE:

- BEARINGS FOR SURVEY ARE BASED ON GPS OBSERVATIONS
- BUILD LINES ARE ACCORDING TO THE CITY OF ABILENE, TEXAS

PROPERTY SUBJECT TO SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS:

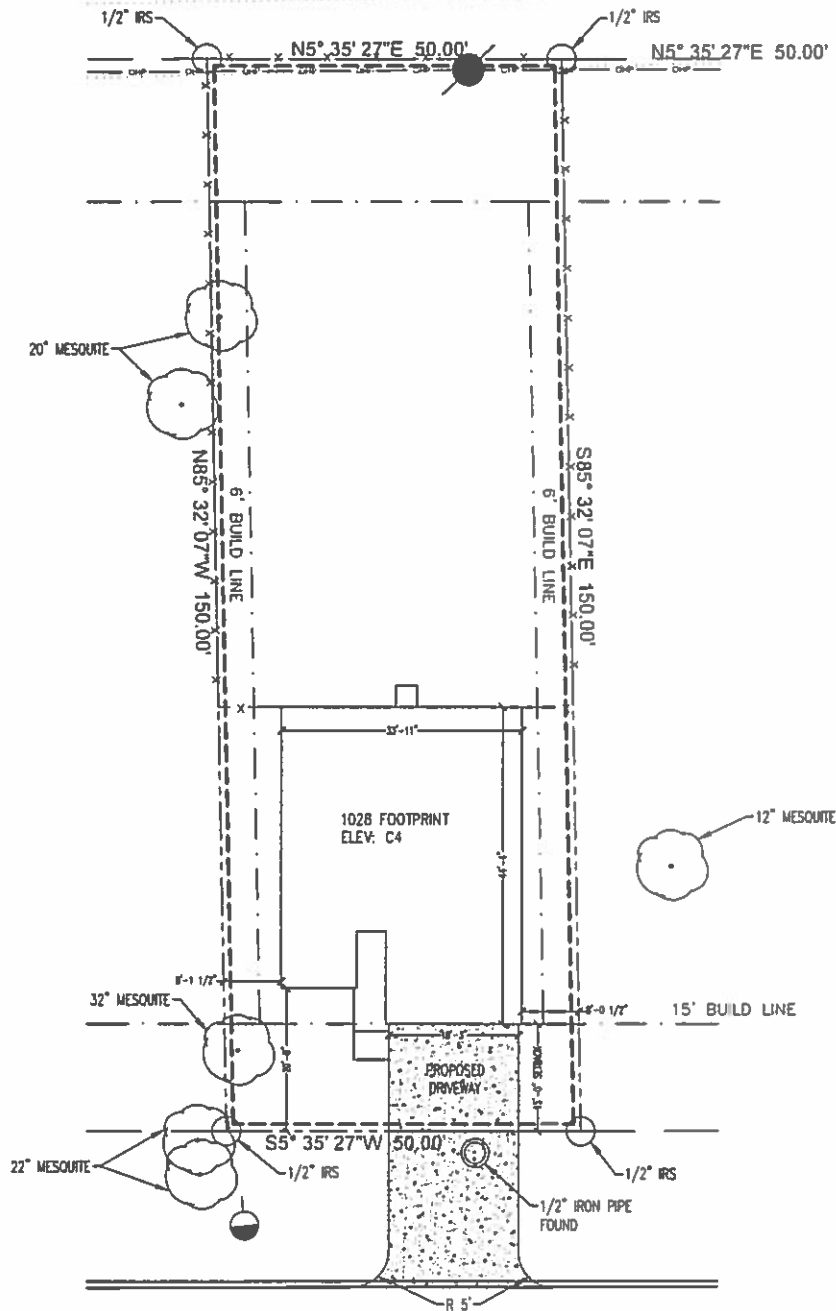
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY, SHOWING ANY IMPROVEMENTS FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY IS ONLY CERTIFIED AS TO BOUNDARY FOR THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT.

GF: _____ OF _____
EFF: _____

T. A. Fidler 10/5/2020

TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





PLUM STREET

(80' R.O.W. - ASPHALT WITH CURB)

Notes

1. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED.
2. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. DRAINAGE SHALL FALL A MINIMUM OF 8 INCHES WITHIN THE FIRST 10 FEET. FLATLAND SLOPES OF INVALES AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO POROSITY OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
3. BACKFILL AROUND THE FOUNDATION SHALL BE COMPACTIVE SOIL.
4. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.

Legend

Proposed Fence	Lot Coverage Calculations
Property Line	Slab 1397 SF
Building Lines	Patio/Stoop 69 SF
Drainage	Drive 274 SF
SH Fence	Private Walk 20 SF
Existing Grade	Total Flatwork 1760 SF
Proposed Grade	Lot Area 7500 SF
	Lot Coverage 21 %
	Driveway Apron 409 SF
	Public Walk XXXX SF
	Total Sod 1215 SF
	Fence 247 LF

General Notes

1. The purpose of this plan is to show the proposed building footprint as defined by the maker and bounds of the recorded plat.
2. Dimensions, setbacks, easements, plan setbacks, and any other information shown here is shall be verified at permitting and prior to construction for accuracy and compliance with all applicable codes and ordinances.
3. Builder is solely responsible for ensuring that the footprint is performed with in the proposed building pad. The building pad shall be set high enough to allow for adequate drainage.
4. Site plan created with the benefit of survey performed by Eric L. Davis Engineering.



Notes: BEARINGS AND ELEVATIONS ARE FOR SURVEY AND BASED ON GPS OBSERVATIONS.

ADDITION: H&L MCNAULY OF ABL	PLAN: 1028	ELEVATION: C4
ADDRESS: 1422 PLUM ST		
LOT: H	BLOCK: 201	
CITY: ABILENE	SCALE: 1" = 20'	
DATE: 10/15/2020		



SITE PLAN

1422 DALLAS PARK DR
SUITE 100
DALLAS, TX 75244
726-512114

BOUNDARY SURVEY OF

THE PROPERTY LOCATED AT 1426 PLUM STREET, CITY OF ABILENE, TEXAS, BEING THE NORTH 50' OF THE EAST 150' OF BLOCK 1, OF MCNAIRY'S SUBDIVISION OF LOT 2, BLOCK 201 OF THE ORIGINAL TOWN OF ABILENE, A SUBDIVISION IN TAYLOR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 637, DEED RECORDS, TAYLOR COUNTY, TEXAS.

PANEL NO.: 485450 EFFECTIVE DATE: 01-06-2012

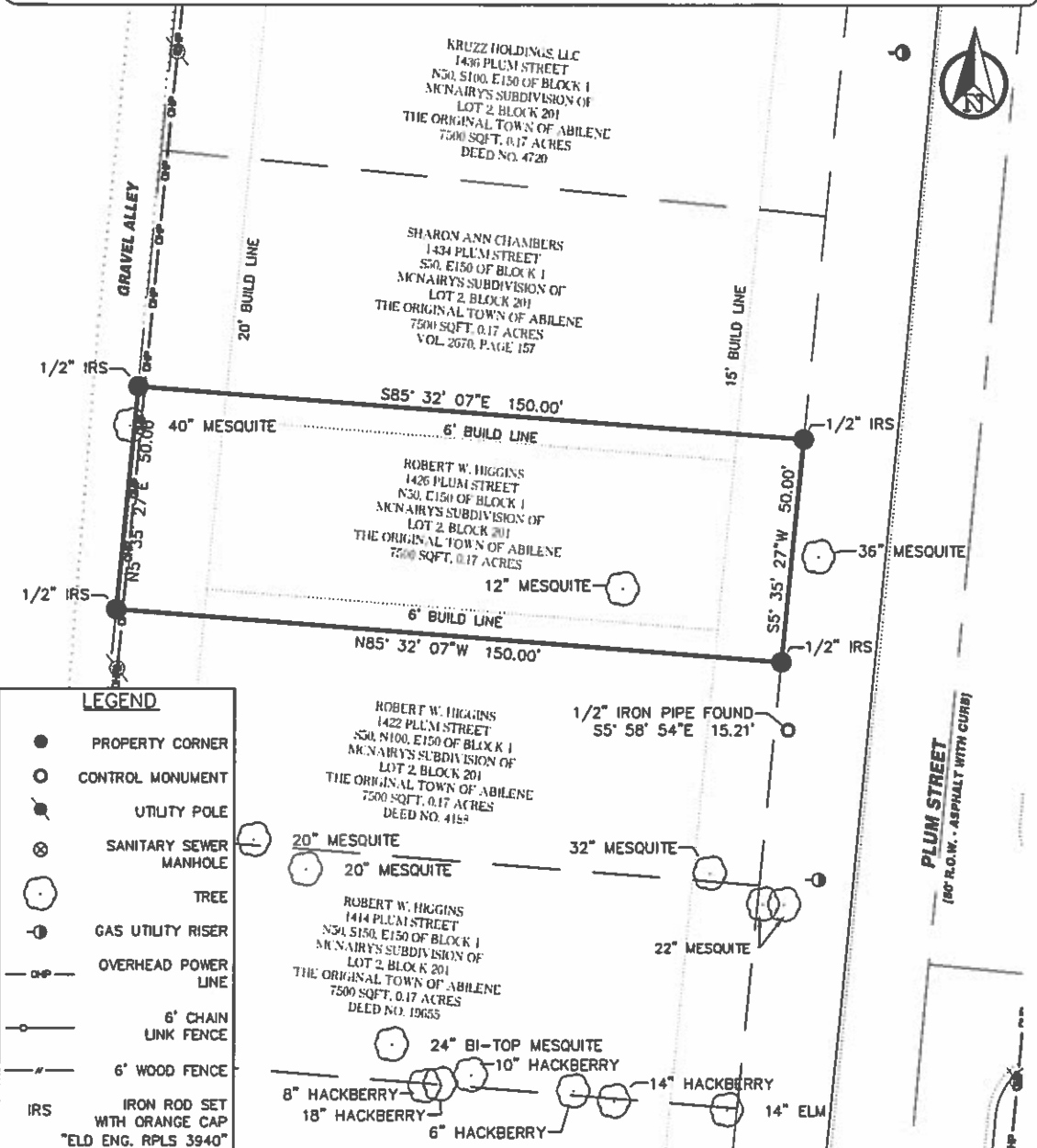
FIRM NO.: 48441C 0228F

ZONE: X

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NOTES:

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SURVEY FOR:

AMERITEX HOMES

PROPERTY ADDRESS:

1426 PLUM STREET

PART OF MCNAIRY'S SUBDIVISION OF LOT 2, BLK 201 OF THE ORIGINAL TOWN OF ABILENE

DATE OF FIELD WORK:

09-25-2020

PROJECT NO.:

AMH20-0333

ERIC L. DAVIS
ENGINEERING



120 E. MAIN
FORNEY, TEXAS 75126
972-564-0592
FIRM NO. 10194489

NOTE:

- BEARINGS FOR SURVEY ARE BASED ON GPS OBSERVATIONS
- BUILD LINES ARE ACCORDING TO THE CITY OF ABILENE, TEXAS

PROPERTY SUBJECT TO SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS:

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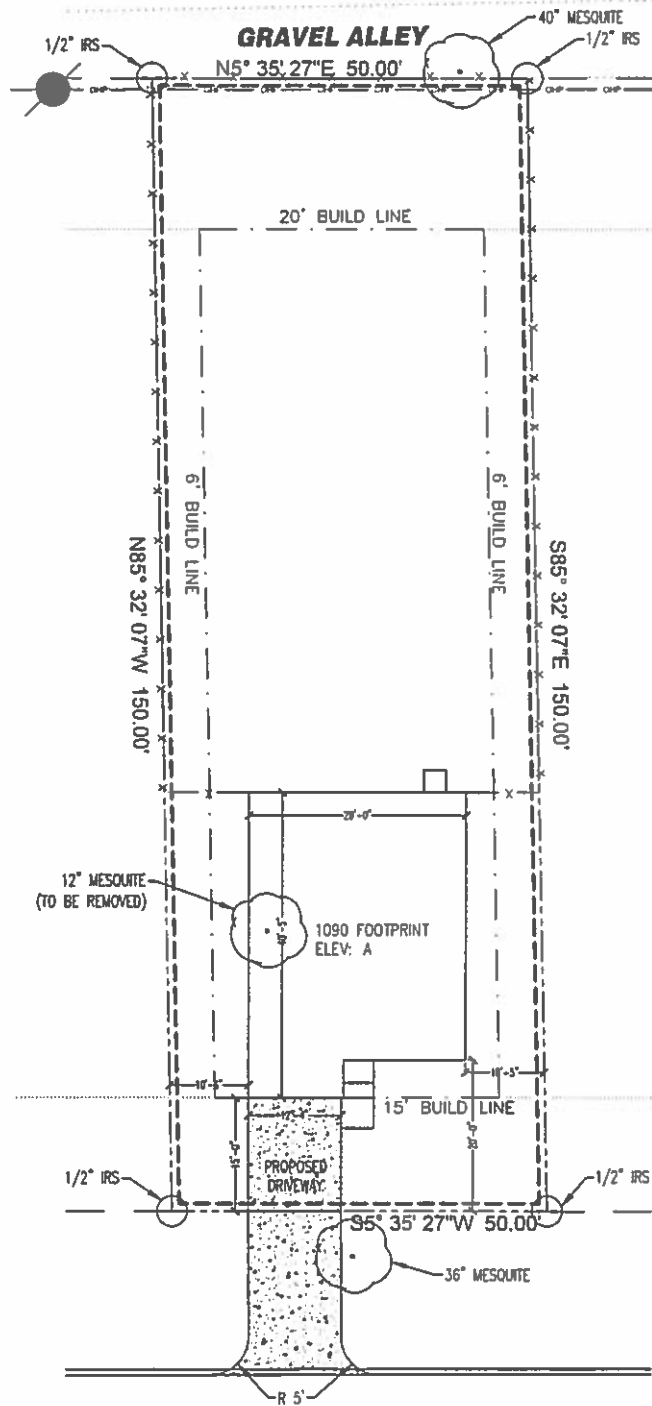
GF: _____ OF _____
EFF: _____

TOM A. FIDLER

10/1/2020

TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





- Notes**
1. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED.
 2. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. GRADE SHALL FALL A MINIMUM OF 8 INCHES WITHIN THE FIRST 10 FEET. FLOODLINE SLOPES OF DRAILS AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO PONDS OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
 3. BACKFILL AROUND THE FOUNDATION SHALL BE COHESIVE SOIL.
 4. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.

Legend	
	Proposed Fence
	Property Line
	Building Lines
	Covenants
	Drainage
	Silt Fence
	Existing Grade
	Proposed Grade

Lot Coverage Calculations	
Slab	1090 SF
Patio/Deck	21 SF
Drive	185 SF
Private Yards	25 SF
Total Paved	1321 SF
Lot Area	7500 SF
Lot Coverage	23 %
Driveway Apron	278 SF
Public Walk	111 SF
Total Sid	1458 SF
Fence	260 LF

- General Notes**
1. The purpose of this plan is to show the proposed building footprint as defined by the notes and bounds of the recorded plat.
 2. Dimensions, setbacks, easements, plan sections, and any other information shown here is to be verified at permitting and prior to construction for accuracy and compliance with all applicable codes and ordinances.
 3. Builder is solely responsible for ensuring that the footprint is consistent with the proposed building pad. This building pad shall be set high enough to allow for adequate drainage.
 4. This plan created with the benefit of survey furnished by Elm L. Davis Engineering.

ADDITION: H&L MCHARRY CRT ASL	PLAN: 1080	ELEVATION: H
ADDRESS: 1426 PLUM ST		
LOT: H	BLOCK: 201	
CITY: ABILENE	SCALE: 1" = 20'	
DATE: 10/15/2020		

PLUM STREET
(80' R.O.W. - ASPHALT WITH CURB)



Notes: BEARINGS AND ELEVATIONS ARE FOR SURVEY AND BASED ON GPS OBSERVATIONS.

AMERITEX HOMES

1426 DALLAS PARKWAY
SUITE 150
DALLAS, TX 75244
972-511-1111

BOUNDARY SURVEY OF

THE PROPERTY LOCATED AT 1442 PLUM STREET, CITY OF ABILENE, TEXAS, BEING THE SOUTH 50' OF THE NORTH 150' OF THE EAST 150' OF BLOCK 1, OF MCNAIRY'S SUBDIVISION OF LOT 2, BLOCK 201 OF THE ORIGINAL TOWN OF ABILENE, A SUBDIVISION IN TAYLOR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 637, DEED RECORDS, TAYLOR COUNTY, TEXAS.

PANEL NO.: 485450 EFFECTIVE DATE: 01-06-2012

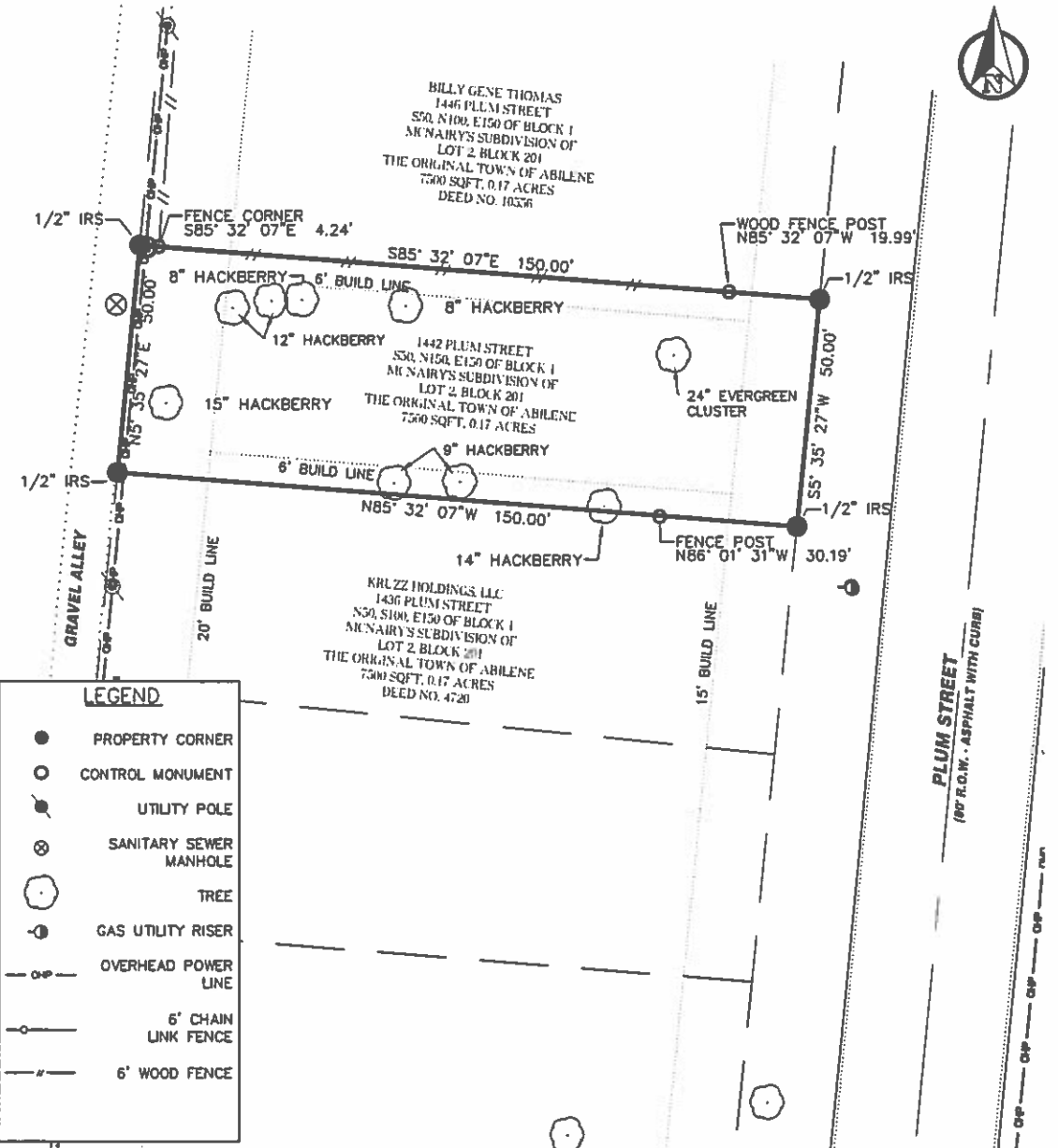
FIRM NO.: 48441C 0228F

ZONE: X

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LEGEND

- PROPERTY CORNER
- CONTROL MONUMENT
- ⊙ UTILITY POLE
- ⊗ SANITARY SEWER MANHOLE
- TREE
- ⊙ GAS UTILITY RISER
- OVERHEAD POWER LINE
- 6' CHAIN LINK FENCE
- 6' WOOD FENCE

SURVEY FOR:

AMERITEX HOMES

PROPERTY ADDRESS:

1442 PLUM STREET

PART OF MCNAIRY'S SUBDIVISION OF LOT 2, BLK 201 OF THE ORIGINAL TOWN OF ABILENE

DATE OF FIELD WORK:

09-25-2020

PROJECT NO.:

AMH20-0337

ERIC L. DAVIS
ENGINEERING



120 E. MAIN
FORNEY, TEXAS 75126
972-564-0592
FIRM NO. 10194489

NOTE:

- BEARINGS FOR SURVEY ARE BASED ON GPS OBSERVATIONS
- BUILD LINES ARE ACCORDING TO THE CITY OF ABILENE, TEXAS



PROPERTY SUBJECT TO SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS.

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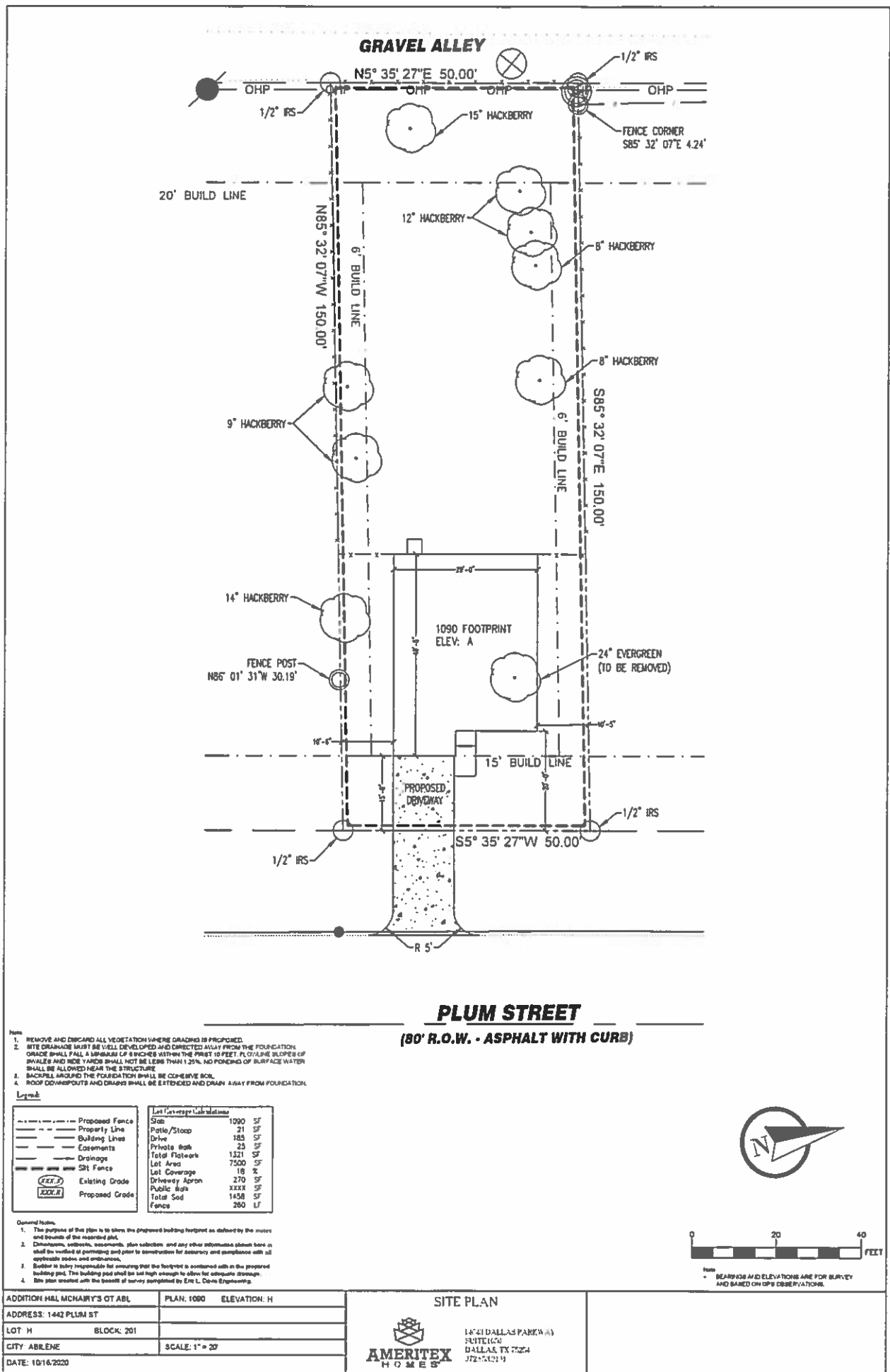
GF: _____ OF _____
EFF: _____

Tom A. Fidler

10/1/2020

TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





Please call (325) 676-6237 if you have any questions about this notice.

CASE #: BA-2021-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: PORTLOCK WALTER

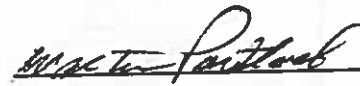
Address: 738 N 14TH ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 

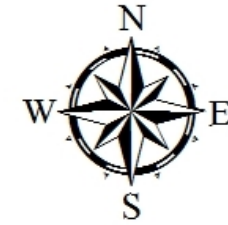
555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

VARIANCE REQUEST

Case: BA-2021-01
Owner: Ameritex Homes
Agent: Daniel Zarate
Request: (1) 10' variance from the minimum lot width of 60'
for 1402,1414,1422,1426, 1442 Plum St.
(2) 6' variance from the minimum 15' exterior
street side setback for 1402 Plum St.
Location: 1400 Block of Plum St.
Notification: 0 in Favor, 1 Opposed
Board of Adjustment: January 12, 2021



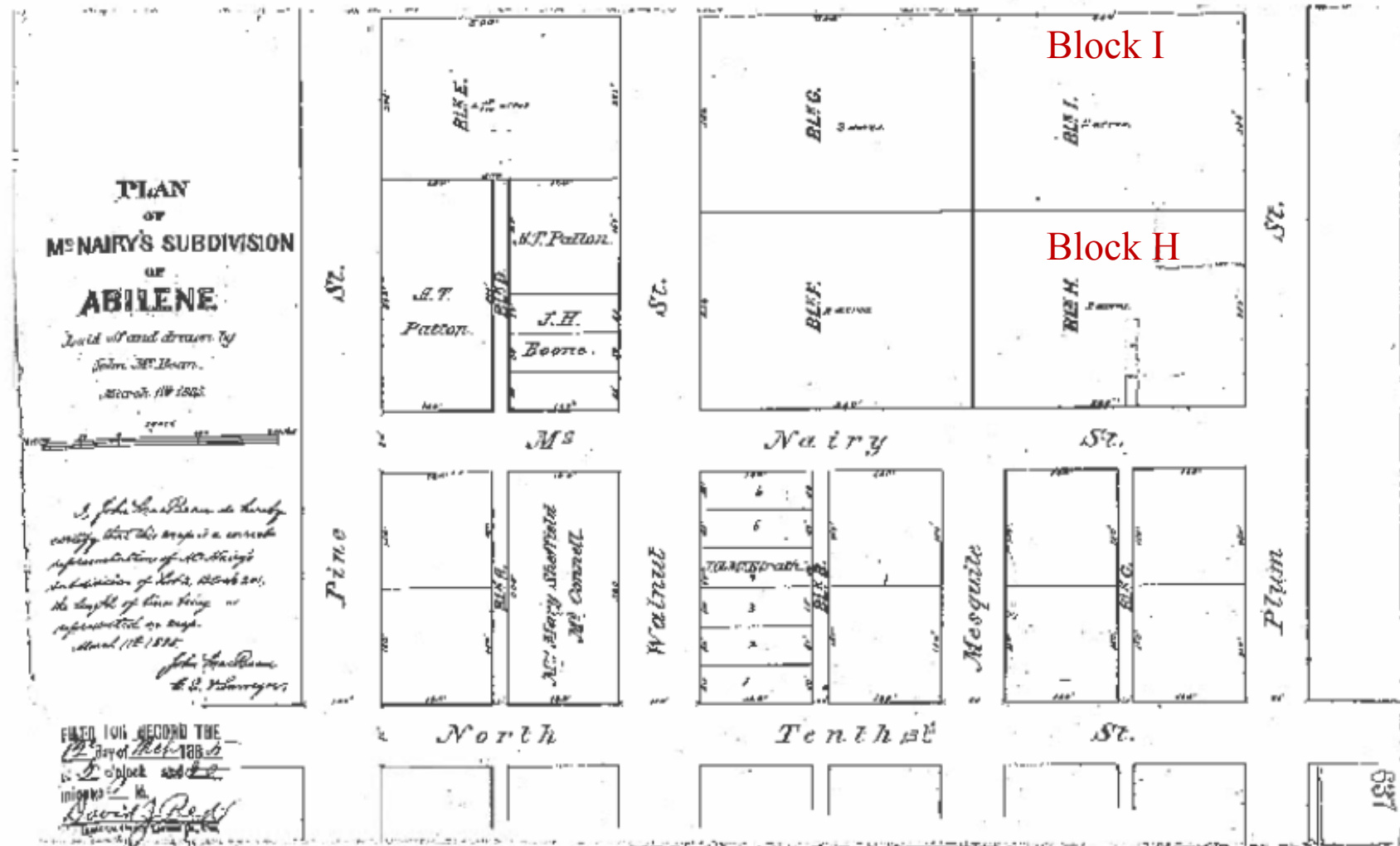


BA-2021-01



BA-2021-01 NOTIFICATION AREA MAP





➤ CARVER NEIGHBORHOOD STRATEGY AREA



FIGURE 4
LAND USE

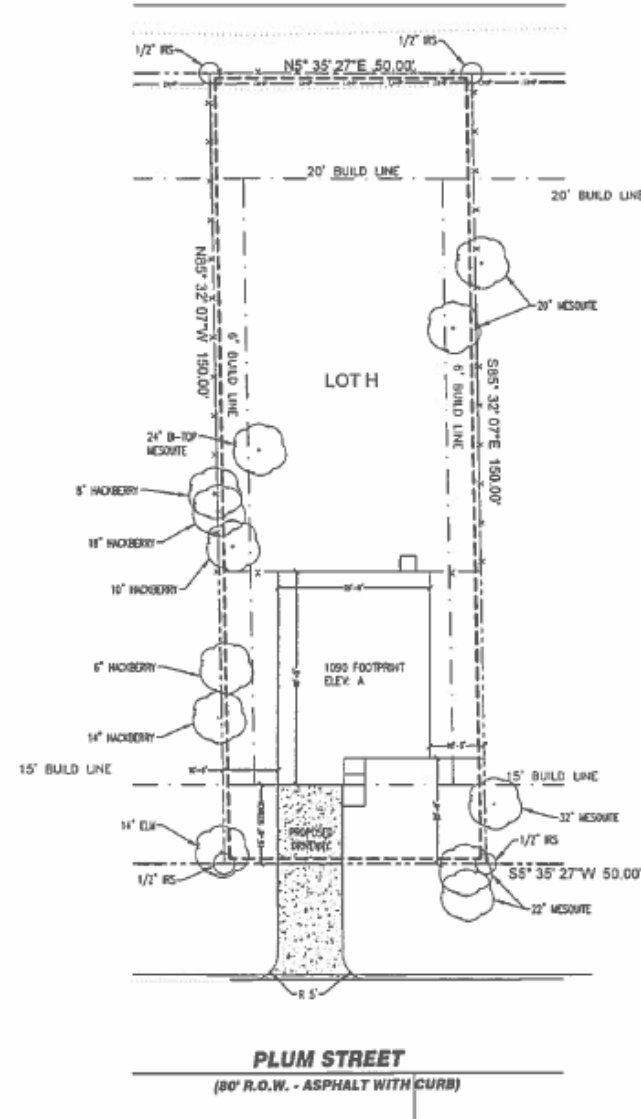


➤ CARVER NEIGHBORHOOD STRATEGY AREA



FIGURE 11
PROPOSED LAND USE





1. REACTIVE AND/OR EMERALD AND VIOLET TONER WHERE CHANGES ARE PROPOSED.
 2. WITHIN THE LOT, ALL NEW DEVELOPMENT AND EXISTING DEVELOPMENT SHALL BE PLANNED TO PROTECT THE PLANTATION.
 3. DRIVES SHALL BE A MINIMUM OF 4 FEET WIDE WITHIN THE PAVED STREET. PLANTING BUFFER OF
 4 FEET SHALL BE MAINTAINED. PLANTING SHALL NOT BE LESS THAN 12 IN. IN DIAMETER OF ANY AGE PLANT.
 4. PLANTING SHALL BE MAINTAINED NEAR THE STRUCTURE.
 5. SIGNAGE SHALL BE PLANNED TO BE MAINTAINED AND BE CONSIDERED AS A
 PART OF THE LOT DEVELOPMENT AND SHALL BE EXTENDED AND DRAWN AS A PART FROM THE LOT.

Legend	Lot Coverage Calculation
--- Proposed Fence	1090 SF
--- Property Line	21 SF
--- Building Lines	183 SF
--- Extension to	25 SF
--- Driveway	1121 SF
--- 10' x 10' Driveway	7500 SF
--- 10' x 10' Driveway	18
--- Existing Grade	211 SF
--- Proposed Grade	1414 SF
	1428 SF





BA-2021-01 VIEWS OF SUBJECT PROPERTY



- Reviewed Pursuant to Section 1.4.4.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?

