



**NOTICE OF MEETING
PLANNING & ZONING COMMISSION
OF MARBLE FALLS, TEXAS
Thursday, October 1, 2020 – 6:00 PM
TELEPHONIC MEETING
DIAL IN TO PARTICIPATE: 1-346-248-7799
MEETING ID: 991 0704 9462**

A quorum of the Marble Falls City Council and the Economic Development Corporation may be present.

Fred Zagst, Chairman	Mike Hodge, City Manager
Darlene Oostermeyer, Vice-Chairman	Caleb Kraenzel, Assistant City Manager
Angela Taylor, Commissioner	Valerie Kreger, Development Svs. Director
Greg Mills, Commissioner	Scarlet Moreno, Planner
Jason Coleman, Commissioner	Vacant, GIS Analyst
William "Dee" Haddock, Commissioner	Patty Akers, City Attorney
Tom Martin, Commissioner	Kristen Jones, Commission Secretary

In accordance with the order of the office of the Governor issued March 16, 2020, notice is hereby given that a meeting of the **Planning & Zoning Commission** of the City of Marble Falls, Texas will be held **Thursday, October 1, 2020 at 6:00 pm** in the **Lakeside Pavilion** located at **307 Buena Vista, Marble Falls, Texas**, and **telephonic participation** in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).

The public dial-in number to participate in the meeting is 1-346-248-7799

The meeting ID: 991 0704 9462

Passcode: 283495

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

1. CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM

2. CITIZEN/VISITOR COMMENTS. This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting.



3. REGULAR AGENDA. The Commission will individually consider and possibly take action on any or all of the following items:

A. Discussion and Action regarding approval of the minutes from the September 3, 2020 regular meeting.

B. Public Hearing, Discussion and Recommendation regarding a street abandonment of approximately 0.19-acre tract out of the Heathrow and Stonehenge Way unimproved right-of-way abutting Lot 108, Stonehenge West, City of Marble Falls, Burnet County, Texas. Case 2020-22-SC. (Eve Bornholt, owner, and Thomas & Susan Schultz, applicant)

C. Discussion on a preliminary draft of the Short-Term Rental ordinance. (City Staff)

4. UPDATES, ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

A. Update regarding City Council disposition on Planning and Zoning Commission items

B. Overview of the monthly Building Permit Summary and Construction Update:

1. September Building Report and Construction Update

C. Department and City Updates

D. Future Agenda Items

5. ADJOURNMENT

“The Planning & Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code including but not limited to, Section 321.3022 (Sales Tax Information).”

In compliance with the Americans for Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending the Commission Meetings. To better serve you, requests should be received 24 hours prior to the meeting, by contacting Kristen Jones, Development Services Technician at 830-798-7095.



Certificate of Posting Agenda Meeting Notice

I, Valerie Kreger, Development Services Director for the City of Marble Falls, Texas, certify this Meeting Notice was posted at the Marble Falls City Hall, in a place readily accessible to the general public at all times, on the 25th day of September, 2020, by 1:00 p.m. and remained posted thereafter for at least 72 continuous hours before the scheduled time of said meeting.



Valerie Kreger, AICP
Development Services Director



**Planning and Zoning Commission
Agenda Item Cover Memo
October 1, 2020**

Item 3.A.: Approval of Minutes
Presenter: Commission Secretary
Requested by: N/A
Case Number: N/A

SUMMARY

The Commission will consider approval of the minutes from the September 3, 2020, meeting.

(Minutes attached following this page)

**STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS**

On this 3rd day of September, 2020, the Planning and Zoning Commission convened at the Lakeside Pavilion and via telephone conference in response to COVID-19, having been posted as prescribed by law, with the following members present in accordance to-wit:

MEMBERS PRESENT:	Fred Zagst Darlene Oostermeyer Tom Martin Jason Coleman Angela Taylor	Chairman Vice-Chairman Commissioner Commissioner Commissioner
MEMBERS ABSENT:	Greg Mills William "Dee" Haddock	Commissioner Commissioner
STAFF PRESENT:	Caleb Kraenzel Scarlet Moreno Thomas Crane Mike Ingalsbe Kristen Jones	Assistant City Manager Planner Fire Marshal Building Official Development Service Technician
VISITORS:	Mark Mayfield	

- 1. CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM:** Vice-Chairman Oostermeyer called the meeting to order at 6:04 pm and declared a quorum of the Commission is present to conduct the meeting.
- 2. Citizens/Visitors comments to be heard for items not on the agenda:** This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting. There were no citizen/visitor comments.
- 3. REGULAR AGENDA:** The Commission will individually consider and possibly take action on any or all of the following items:
 - A. Discussion and Action** regarding approval of the minutes from the regular meeting on August 6, 2020. Commissioner Coleman requested to amend the minutes to show Valerie Kreger and Caleb Kraenzel presented and led the short-term rental workshop. Commissioner Martin made a motion to approve the amended minutes. Commissioner Taylor seconded the motion. The motion carried a 5-0 vote.
 - B. Public Hearing, Discussion and Recommendation** regarding abandonment of a 0.092-acre portion of the alley between Lots 3-6 and 7-9, Block 149, Marble Falls Original Township, and Lot 1-A, Childers Baseball Park, City of Marble Falls, Burnet County, Texas. Scarlet Moreno, Planner, addressed the Commission. Vice-Chairman Oostermeyer opened the public hearing and Mark Mayfield addressed the commission to thank them for their consideration. The public hearing was closed due to no additional comments or questions. Commissioner Martin made a motion to recommend approval of the alley abandonment. Commissioner Taylor seconded the motion. The motion carried a 5-0 vote.
- 4. UPDATES, ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**
 - A. Presentation and Discussion** regarding updates on previous Planning and Zoning Commission items and City Council disposition. *(City Staff)*

1. Development Code Edits

Scarlet Moreno, Planner, addressed the commission.

B. Presentation and Discussion regarding Development Services Department Updates. (*City Staff*)

1. Monthly Building Report and Construction Update

a) August Building Reports and Construction Update.

Scarlet Moreno, Planner, addressed the commission.

C. Presentation and Discussion regarding Department and City Updates.

D. Presentation and Discussion regarding Future Agenda Items

1. Thunder Rock Subdivision

Caleb Kraenzel, Assistant City Manager, addressed the commission.

5. ADJOURNMENT: There being no further items to discuss, there was a motion to adjourn the meeting and was seconded. The motion carried by a vote of 5 - 0 and the meeting was adjourned at 6:55 pm.

Fred Zagst, Chairman

Kristen Jones, Commission Secretary



**Planning and Zoning Commission
Agenda Item Cover Memo
October 1, 2020**

Item 3.B.: Public Hearing, Discussion and Recommendation regarding a street abandonment of approximately 0.19-acre tract out of the Heathrow and Stonehenge Way unimproved right-of-way abutting Lot 108, Stonehenge West, City of Marble Falls, Burnet County, Texas.

Presenter: Scarlet Moreno, Planner

Requested by: Eve Bornholt, owner, and Thomas & Susan Schultz, applicant

Case Number: 2020-22-SC

SUMMARY

This item is for consideration of a street abandonment of an approximately 0.19-acre tract out the Heathrow and Stonehenge Way unimproved right-of-way abutting Lot 108, Stonehenge West, City of Marble Falls, Burnet County, Texas.

The west 25' wide portion of Stonehenge at this intersection has been previously abandoned by Ordinance 2017-O-10A and replatted with Lot 308-A. The abandonment of the right-of-way is a term on the sale of the property to have a larger lot to construct a residential home. Due to the remaining width of 25 feet of right-of-way, this does not leave sufficient space to create a street. The minimum width for a local street is 26 feet. The southern portion of Heathrow adjacent to the Lot 108 dead ends into Lot 18 to the east. The southern portion of Heathrow to the west was previously abandoned with the western portion of Stonehenge by Ordinance 2017-O-10A and replatted with Lot 308-A. The northern portion of Heathrow was previously abandoned by Ordinance 2018-O-01D, as shown on the map on page 12.

The value of the requested abandonment area is \$9,643.04, as determined by City staff based on the Burnet County Appraisal District's assessed value of adjacent parcels. The applicant has submitted their own appraisal of the property of \$1,231.05. This amount is based on the factors detailed by applicant on page 16.

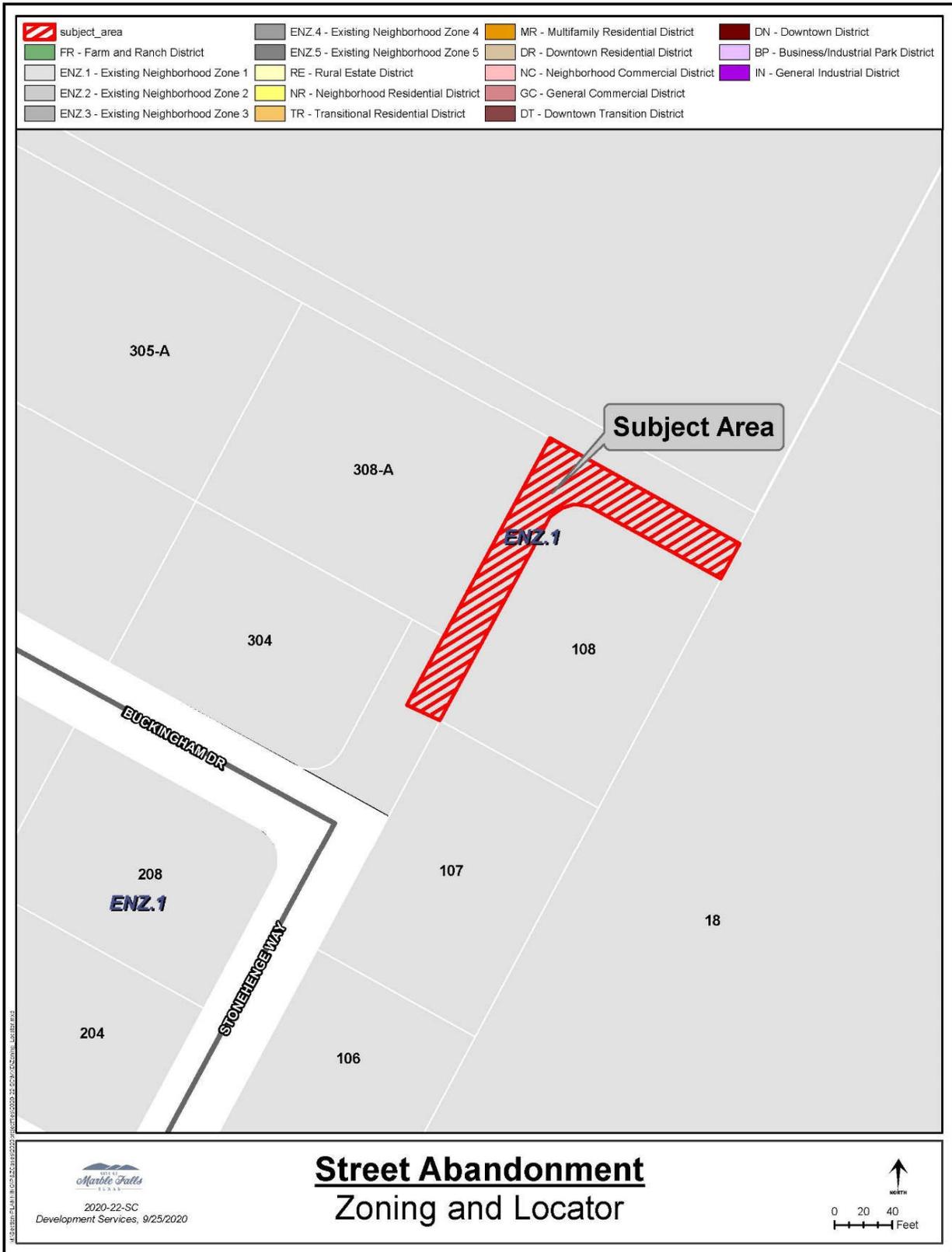
The applicant will be required to render payment for the subject area within 30 days of City Council approval and will be required to replat the subject area into the abutting lots within nine months of approval.

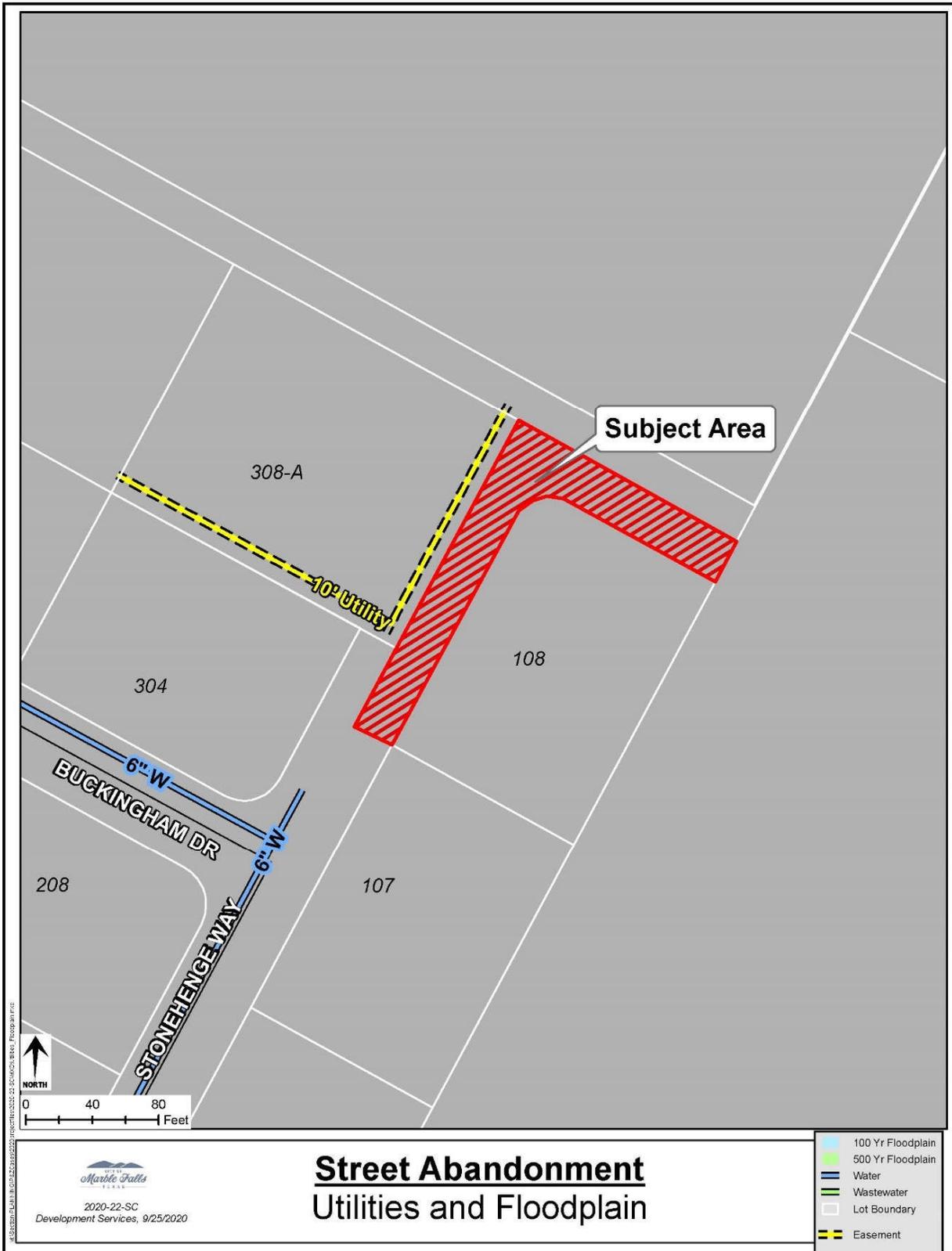
A total of nine (9) adjacent property owners within 200 feet of the Subject Area were mailed notification letters, including the public hearing dates and a pre-paid comment card for response supporting/opposing the proposed abandonments. At the time of packet distribution, three comment cards had been received in favor of the alley abandonment.

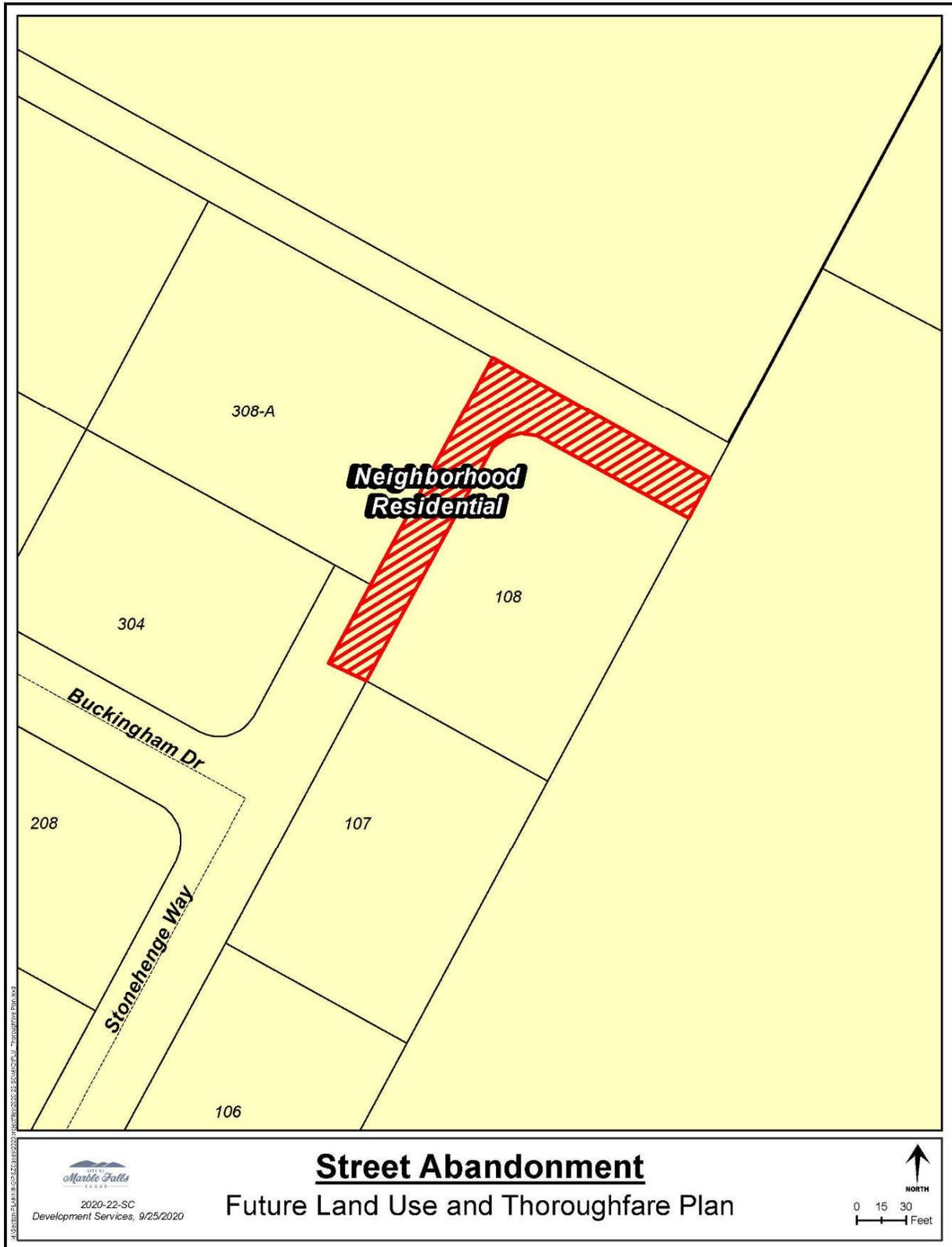
RECOMMENDATION

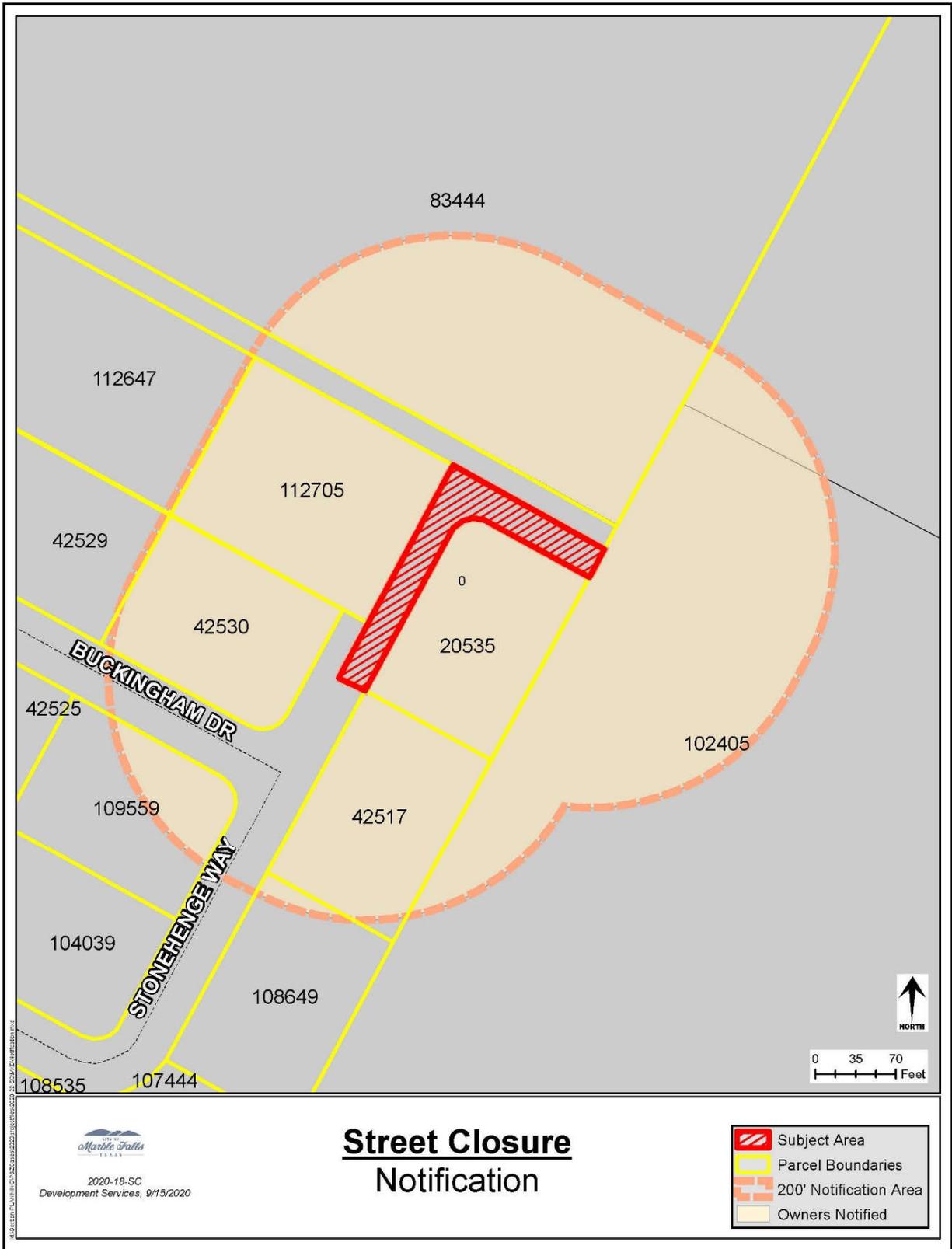
Recommend to the City Council approval of the requested abandonment of the alley as shown and described in the survey and metes and bounds, based on the location, the addition of the abandonment area to the Ad Valorem tax roll, and the limited use the alley

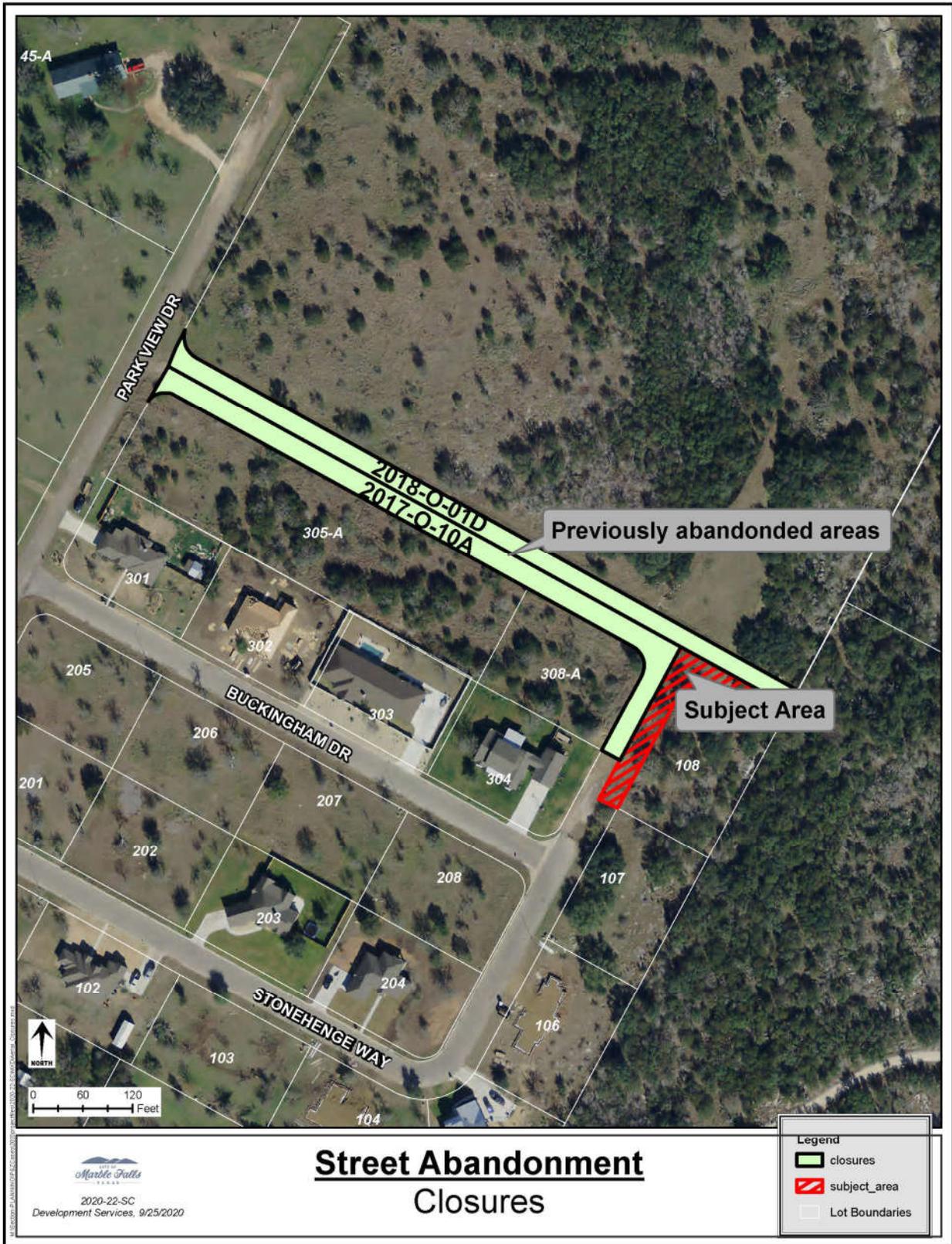


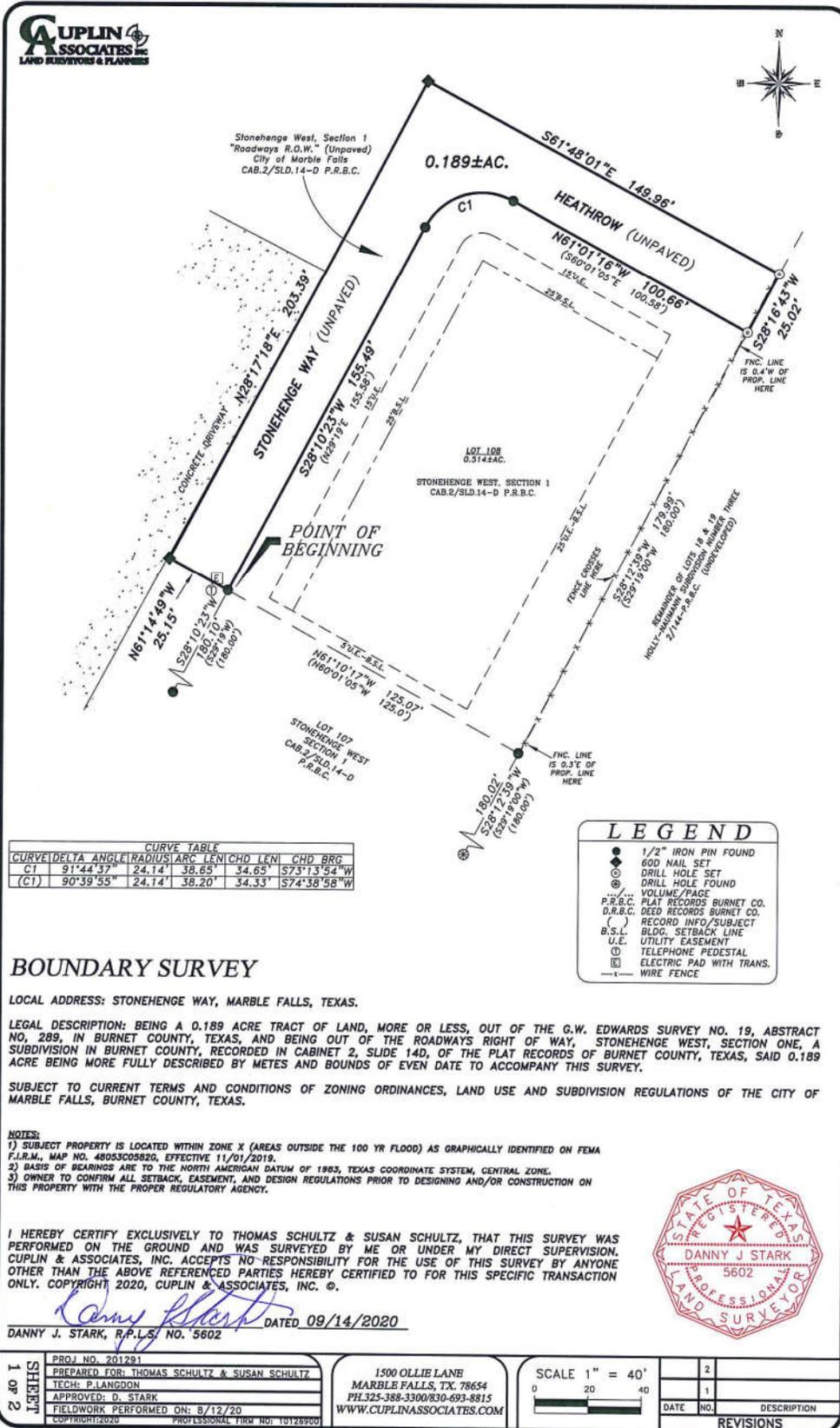












CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	ARC LEN	CHD LEN	CHD BRG
C1	91°44'37"	24.14'	38.65'	34.65'	S73°13'54"W
(C1)	90°39'55"	24.14'	38.20'	34.33'	S74°38'58"W

LEGEND	
●	1/2" IRON PIN FOUND
⊙	60D NAIL SET
⊕	DRILL HOLE SET
⊗	DRILL HOLE FOUND
⊕	VOLUME PAGE
P.R.B.C.	PLAT RECORDS BURNET CO.
D.R.B.C.	DEED RECORDS BURNET CO.
()	RECORD INFO/SUBJECT
B.S.L.	BLDG. SETBACK LINE
U.E.	UTILITY EASEMENT
Ⓣ	TELEPHONE PEDESTAL
Ⓜ	ELECTRIC PAD WITH TRANS.
—	WIRE FENCE

BOUNDARY SURVEY

LOCAL ADDRESS: STONEHENGE WAY, MARBLE FALLS, TEXAS.

LEGAL DESCRIPTION: BEING A 0.189 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE G.W. EDWARDS SURVEY NO. 19, ABSTRACT NO. 289, IN BURNET COUNTY, TEXAS, AND BEING OUT OF THE ROADWAYS RIGHT OF WAY, STONEHENGE WEST, SECTION ONE, A SUBDIVISION IN BURNET COUNTY, TEXAS, RECORDED IN CABINET 2, SLIDE 14D, OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, SAID 0.189 ACRE BEING MORE FULLY DESCRIBED BY METES AND BOUNDS OF EVEN DATE TO ACCOMPANY THIS SURVEY.

SUBJECT TO CURRENT TERMS AND CONDITIONS OF ZONING ORDINANCES, LAND USE AND SUBDIVISION REGULATIONS OF THE CITY OF MARBLE FALLS, BURNET COUNTY, TEXAS.

- NOTES:**
- 1) SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (AREAS OUTSIDE THE 100 YR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 48053C05820, EFFECTIVE 11/01/2019.
 - 2) BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.
 - 3) OWNER TO CONFIRM ALL SETBACK, EASEMENT, AND DESIGN REGULATIONS PRIOR TO DESIGNING AND/OR CONSTRUCTION ON THIS PROPERTY WITH THE PROPER REGULATORY AGENCY.

I HEREBY CERTIFY EXCLUSIVELY TO THOMAS SCHULTZ & SUSAN SCHULTZ, THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2020, CUPLIN & ASSOCIATES, INC. ©.

Danny J. Stark
DANNY J. STARK, R.P.L.S. NO. 5602 DATED 09/14/2020



SHEET 1 OF 2	PROJ. NO. 201291	1500 OLLIE LANE MARBLE FALLS, TX. 78654 PH. 325-388-3300/830-693-8815 WWW.CUPLINASSOCIATES.COM	SCALE 1" = 40'	2
	PREPARED FOR: THOMAS SCHULTZ & SUSAN SCHULTZ		0 20 40	1
	TECH: P. LANGDON			
	APPROVED: D. STARK			
	FIELDWORK PERFORMED ON: 8/12/20			
	COPYRIGHT 2020 PROFESSIONAL FIRM NO. 10129900			
				REVISIONS



CUPLIN & ASSOCIATES, Inc.
land surveyors & planners

Prepared For: Thomas and Susan Schultz
Project No. 201291
Date: 09/14/2020

BEING A 0.189 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE G.W. EDWARDS SURVEY NO. 19, ABSTRACT NO, 289, IN BURNET COUNTY, TEXAS, AND BEING OUT OF THE ROADWAY RIGHT-OF-WAY FOR STONEHENGE WAY AND HEATHROW, STONEHENGE WEST, SECTION ONE, A SUBDIVISION IN BURNET COUNTY, RECORDED IN CABINET 2, SLIDE 14D, OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, SAID 0.189 ACRE BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron pin found along the east right-of-way line of said Stonehenge Way, at the southwest corner of Lot 108 and at the northwest corner of Lot 107, both lots in said Stonehenge West subdivision, and being the southernmost Southeast corner hereof; **WHENCE** a 1/2" iron pin found along the east right-of-way of said Stonehenge Way, at the southwest corner of said Lot 107, at the northwest corner Lot 106 of said Stonehenge West subdivision, bears South 28°10'23" West, a distance of 180.10';

THENCE over and across the right-of-way of said Stonehenge Way and Heathrow, the following 3 courses and distances:

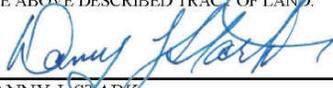
- 1) North 61°14'49" West, a distance of 25.15' to a 60D nail set at the Southeast corner hereof;
- 2) North 28°17'18" East, a distance of 203.39' to a 60D nail set at the Northwest corner hereof;
- 3) South 61°48'01" East, a distance of 149.96' to a drill hole set in the west line of a remainder of Lots 18 and 19, Holly-Naumann subdivision, Number Three, a subdivision in Burnet County, Recorded in Cabinet 1, Slide 81-C of the Plat Records of Burnet County, Texas, in the east right-of-way line of said Heathrow, and the northeast corner hereof;

THENCE South 28°16'43" West, along the west line of said remainder of said Lots 18 and 19, along the east right-of-way line of said Heathrow, and hereof, a distance of 25.02' to a drill hole set at the northeast corner of said Lot 108 and the easternmost southeast corner hereof, **WHENCE** a 1/2" iron pin found along the west line of said Lots 18 and 19, at the southeast corner of said Lot 108 and the northeast corner of said Lot 107, bears South 28°12'39" West, a distance of 180.10';

THENCE along the northern and western boundary lines of said Lot 108, and along the southern right-of-way line of said Heathrow and the eastern right-of-way line of said Stonehenge way, the following 3 courses and distances:

- 1) North 61°01'16" West, a distance of 100.66' to a 1/2" iron pin found at the Point of Curvature of a curve to the left;
- 2) Along said curve to the left having a delta angle of 91°44'37", an arc length of 38.65', a radius of 24.14', a chord bearing of South 73°13'54" West, and a chord length of 34.65' to a 1/2" iron rod found at the Point of tangency of same;
- 3) South 28°10'23" West, a distance of 155.49' to the **POINT OF BEGINNING**, and calculated to contain 0.189 acres.

I HEREBY CERTIFY EXCLUSIVELY TO THOMAS SCHULTZ & SUSAN SCHULTZ THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2020, CUPLIN & ASSOCIATES, INC. ©. BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. A PLAT OF SURVEY OF EVEN DATE WAS PREPARED AS IS INTENDED TO ACCOMPANY THE ABOVE DESCRIBED TRACT OF LAND.


DANNY J. STARK
Registered Professional Land Surveyor No. 5602

Dated: 09/14/2020





214 Stonehenge Way, Marble Falls TX 78654

ROW Area (sq ft)				8,233
	Sq Ft	Value	Weight	Weighted Value
BCAD Lot Value	8,233	\$ 1.50	50%	\$ 6,174.75
BCAD ROW Value	8,233	\$ 0.23	50%	\$ 946.80
	Weighted Market Value			\$ 7,121.55
Pave City ROW	1,071	\$ 5.50		\$ (5,890.50)
	Overall Net Value			\$ 1,231.05

Comments:

- 1) Since 50% of the ROW has already been sold, there is no additional future-use value (above the ROW value) for the city.
- 2) Since only 1 potential buyer for the remaining 50% ROW, 214 Stonehenge, we only used the 2 BCAD values and gave each equal weight. There is no "Free Market Value" since a 3rd party cannot purchase other than 214 Stonehenge.
- 3) Deducted cost to pave with concrete (1,071 sqft) the remaining *city-owned* portion of the ROW between the existing city street (asphalt) to the ROW to be purchased, as required by the City. This is an added private development expense since the city, at its expense, has not completed the existing road to the 214 Stonehenge lot and the city will retain ownership of this paved land.
- 4) We based our valuation on Burnet Central Appraisal District's values for both lot and right-of-way land types, as did the City.
- 5) Buyer is a licensed Real Estate Broker in Texas purchasing for personal primary residence.







**Planning and Zoning Commission
Agenda Cover Memo
October 1, 2020**

Item 4.B: Overview of the monthly Building Permit Summary and Construction Update
Presenter: Valerie Kreger, AICP, Director of Development Services
Requested by: Planning and Zoning Commission
Case Number: N/A

SUMMARY

Update the Commission about the building permits issued in the past month and other ongoing projects.

1. September Building Report and Construction Update

For a quick reference to some of the major permitted development projects in Marble Falls, you can refer to the 'Development Buzz' portion of our website at:

<http://marblefallstx.gov/541/Development-BUZZ>