

AGENDA

Planning and Zoning Commission Meeting
Decatur City Hall – 201 E. Walnut St., Decatur, TX

MONDAY, MARCH 30, 2026

SPECIAL MEETING 5:30 p.m.

IN PERSON AND VIA VIDEOCONFERENCE/TELECONFERENCE

General Agenda Comments

This is an in-person and videoconference meeting. Videoconferencing is being used to allow staff and members of the public to join the meeting in the following manner:

Anyone may join the meeting via videoconference at www.zoom.us/join or via telephone by calling **1-346-248-7799**; meeting ID **988 5813 2625**; and Password **069758**.

If you join the meeting via videoconferencing and want to address the Commission on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Commission. Virtual and in-person non-applicant speakers will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: planning@decaturtx.org before and during the meeting. Please provide your name, address, and the agenda item number.

CALL TO ORDER AND ANNOUNCE A QUORUM

ITEM 1: Consider and take appropriate action regarding the approval of the Planning and Zoning Commission Meeting Minutes from March 4, 2026.

PUBLIC HEARING ITEMS:

ITEM 2: ZC-26-0001 – Public hearing, discussion, and make a recommendation to the City Council regarding an ordinance rezoning approximately 1.067-acre tract of land in the Proctor Addition, in the J. Proctor Survey, Abstract Number 683, in the City of Decatur, Wise County, Texas, from Light Industrial (LI) to Single-Family (SF-2) Zoning District, also known as 600 E US Hwy 380 Business. **(Clifford Brannon, Property Owner)**

Open Public Hearing at: _____ Close Public Hearing at: _____

ITEM 3: SUP-26-0001. Public hearing, discussion, and make a recommendation to the City Council regarding an ordinance to amend Appendix “B,” “Zoning” of the Code of Ordinances of the City of Decatur, to grant a Specific Use Permit (SUP) to allow a convenience store with gasoline sales, in a Restricted Business (C-1) Zoning District, on an approximate 0.55-acre tract of land being legally described as Lot 15R, Block 1, Lipsey Addition, City of Decatur, Wise County, Texas, also known as 2806 S FM 51. **(Krishna Raj Joshi, Property Owner)**

Open Public Hearing at: _____ Close Public Hearing at: _____

ITEM 4: RP-26-0001. Consider and make a recommendation to the City Council regarding a request to Replat an approximate 0.61-acre parcel, described as Lot 1R, Block 111, South Decatur Addition, being a replat of Lots 1, 2, and 4, Block 111, South Decatur Addition, located in the City of Decatur, Wise County, Texas, also known as 1600 S College Street. **(Quint Burks, on behalf of Eric Kavicky, Property Owner)**

Open Public Hearing at: _____ Close Public Hearing at: _____

ITEM 5: RP-26-0002. Consider and make a recommendation to the City Council regarding a request to Replat Lots 11R1 and 11R2, Block J, Mrs. E.O. Cates Addition, being a replat of Lots 11 – 13, Block J, Mrs. E. O. Cates Addition, located in the City of Decatur, Wise County, Texas, also known as 201 and 203 S Cates Street. **(Cliff Spence, on behalf of Spence Residential Properties, LLC, property owner)**

Open Public Hearing at: _____ Close Public Hearing at: _____

NON-PUBLIC HEARING ITEM(S):

ITEM 6: FP-25-0013 – Consider and make a recommendation to the City Council regarding a Final Plat application for Block A, Lots 1-22, 1X, 2X; Block B, Lots 1-8, 1X; Block C, Lots 1-20, 1X; Block D, Lots 1-11, 1X; Block E, Lots 1-4, 1X; being 8.496 acres, part of David Moses Survey, Abst. No. 537, City of Decatur, Wise County, Texas, also known as 700 S Deer Park Road. **(Zheeno Rostam, Architechton, LLC, on behalf of Decatur Deer Run Investors, LLC, property owner)**
THIS APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT

CONSENT AGENDA:

ITEM 7: PP-25-0009 – Consider and make a recommendation to the City Council regarding a Preliminary Plat application of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J. B. Williams Survey, A-880, City of Decatur, Wise County, Texas, also known as 1904 W US Hwy 380 Business. **(Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner)**

ITEM 8: FP-25-0011 – Consider and make a recommendation to the City Council regarding a Final Plat application of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J. B. Williams Survey, A-880, City of Decatur, Wise County, Texas, also known as 1904 W US Hwy 380 Business. **(Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner)**

For Your Information Items:

ITEM 10: Discussion of future agenda, new business items, staff requests, and potential special-called meeting and/or workshop requests:

- a. As of the agenda posting, the Tuesday, April 7, 2026, meeting currently has three (3) Planning applications. The submittal deadline was March 9, 2026, at 5:00 p.m. (If there is a meeting, the meeting will be an in-person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)

Prepared and posted this on the 23rd day of March 2026, in accordance with Chapter 551, Texas Government Code.



Lisa Hannon
Planning Director

PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COMMISSIONERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING.

*NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE **UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**

MINUTES
PLANNING AND ZONING COMMISSION REGULAR MEETING
Wednesday, March 4, 2026, at 5:30 P.M.
REGULAR MEETING and VIA - VIDEOCONFERENCING

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 5:30 p.m., Wednesday, March 4, 2026, via in-person and videoconferencing with the following participating:

MEMBERS PRESENT:

Cecil LeMond, Chairman
 Mason Woodruff, Vice-Chairman
 John Lanier
 Samer Mohamed
 Melinda Wray
 Shelby Hicks

MEMBERS ABSENT:

Eileen Cross
 Brad Morgan (Alternate P&Z Commissioner)

OTHERS PRESENT: Planning Director Lisa Hannon, Development Services Director Wayne Smith, City Attorney Pam Liston, Assistant Planner Cheryl Fuss and Information Technology Technician Herandi Martinez representing the staff. Mir M Ali (online via Zoom), representing the applicant.

Chairman LeMond called the meeting to order at 5:30 p.m.

ITEM 1: Consider and take appropriate action regarding approval of the Planning and Zoning Commission Meeting Minutes from February 3, 2026.

Commissioner Lanier made a motion to approve the February 3, 2026, Planning and Zoning Commission Meeting Minutes. Commissioner Hicks seconded the motion. The motion carries 5-0, Commissioner Cross absent.

Non-Public Hearing Items:

ITEM 2: FP-25-0013 Consider and take action regarding a 30-day extension request for a Final Plat application for Block A, Lots 1-22, 1X, 2X; Block B, Lots 1-8, 1X; Block C, Lots 1-20, 1X; Block D, Lots 1-11, 1X; Block E, Lots 1-4, 1X; being 8.496 acres, part of David Moses Survey, Abst. No. 537, City of Decatur, Wise County, Texas, also known as 700 S Deer Park Road. **(30-day Extension Request) (Nouvelle Terrace Lofts Addition)**

Planning Director Hannon presented the staff report for FP-25-0013. She stated the applicant has submitted a 30-day extension request. Planning Director Hannon stated the applicant did not get everything completed to make the Preliminary and Final plats to match. She stated the Applicant has requested a 30-day extension and a special meeting will be required for March 30, 2026.

Staff recommends approval of the 30-day extension request.

Chairman LeMond asked if there is anyone from the Commissioners. There were none.

Chairman LeMond asked for a motion for FP-25-0013.

Vice-Chairman Woodruff made a motion to approve the 30-day extension request of Final Plat Application 25-0013. Commissioner Mohamed seconded the motion. The motion carries 5-0, Commissioner Cross absent.

ITEM 3: PP-25-0009 Consider and make a recommendation to the City Council regarding a Preliminary Plat application of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J. B. Williams Survey, A-880, City of Decatur, Wise County, Texas, also known as 1904 W US Hwy 380 Business. **(30-day Extension Request) (Cashen-Lusk Addition).**

Planning Director Hannon presented the staff report for PP-25-0009. She stated the Applicant has requested a 30-day extension and a special meeting will be required on March 30, 2026.

Staff recommends approval of the 30-day extension request.

Chairman LeMond asked if there is anyone from the Commissioners. There were none.

Chairman LeMond asked for a motion for PP-25-0009.

Commissioner Hicks made a motion to approve the 30-day extension request of Preliminary Plat Application 25-0009. Commissioner Wray seconded the motion. The motion carries 5-0, Commissioner Cross absent.

ITEM 4: FP-25-0011 Consider and make a recommendation to the City Council regarding a Final Plat application of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J. B. Williams Survey, A-880, City of Decatur, Wise County, Texas, also known as 1904 W US Hwy 380 Business. **(30-day Extension Request) (Cashen-Lusk Addition).**

Planning Director Hannon presented the staff report for FP-25-0011. She stated the Applicant has requested a 30-day extension and a special meeting will be required for March 30, 2026.

Staff recommends approval of the 30-day extension request.

Chairman LeMond asked if there is anyone from the Commissioners. There were none.

Chairman LeMond asked for a motion for FP-25-0011.

Commissioner Mohamed made a motion to approve the 30-day extension request of Final Plat Application 25-0011. Commissioner Lanier seconded the motion. The motion carries 5-0, Commissioner Cross absent.

Consent Agenda:

ITEM 5: PP-26-0001 Consider and take appropriate action regarding a Preliminary Plat application of Lot 1, Block 1, Brannon Addition, being a replat of part of Block 52, Proctor Addition in the J. Proctor Survey, Abstract Number 683, in the City of Decatur, Wise County, Texas, also known as 600 E US Hwy 380 Business. **(Clifford Brannon)**

ITEM 6: FP-26-0001 Consider and take appropriate action regarding a Final Plat application of Lot 1, Block 1, Brannon Addition, being a replat of part of Block 52, Proctor Addition in the J. Proctor Survey, Abstract Number 683, in the City of Decatur, Wise County, Texas, also known as 600 E US Hwy 380 Business. **(Clifford Brannon)**

Planning Director Hannon presented the staff report for PP-25-0008 and FP-26-0001.

Commissioner Lanier asked how the applicant will gain access onto the property.

Planning Director Hannon stated they have road frontage on Highway 380 Business. She said the applicant will have to obtain a permit through TxDOT.

Commissioner Lanier asked what happens if TxDOT does not grant the driveway permit.

Building Official Smith said the applicant has already been in touch with TxDOT.

Commissioner Hicks asked if the applicant would need to have a turn lane into the property.

Planning Director Hannon stated that it will be up to TxDOT. She said the property is proposed to be a single family residence.

City Attorney Liston stated since there was discussion, when the Commission is ready to approve, let's approve them one at a time.

Chairman LeMond asked if there are any other questions or comments. There were none, Chairman LeMond asked for a motion for PP-25-0008.

Commissioner Mohamed made a motion to recommend approval of Preliminary Plat 26-0001. Commissioner Hicks seconded the motion. The motion carries 5-0, Commissioner Cross absent.

Chairman LeMond asked if there are any questions or comments on FP-26-0001. There were none, Chairman LeMond asked for a motion for FP-26-0001.

Vie-Chairman Woodruff made a motion to recommend approval of Final Plat 26-0001. Commissioner Hicks seconded the motion. The motion carries 5-0, Commissioner Cross absent.

For Your Information Items:

ITEM 7: Discussion of future agenda, new business items, staff requests, and potential special-called meeting and/or workshop requests:

- a. If the 30-day extension requests are approved for Items 2, 3, and 4, a special meeting will be required on March 30, 2026.
- b. As of agenda posting, the Tuesday, April 7, 2026, meeting currently has four (4) Planning applications. The submittal deadline is March 9, 2026, at 5:00 p.m. (If there is a meeting, the meeting will be an in-person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)

Planning Director Hannon said there are approximately eight (8) planning applications for the special meeting on March 30, 2026, P&Z meeting. She said there are three (3) applications and there will be a regular meeting on April 7, 2026.

The meeting adjourned at 5:39 p.m.

Cecil LeMond, Chairman

ATTEST:

Minutes Prepared by:

Lisa Hannon, Planning Director

Cheryl Fuss, Assistant Planner



ZONING CHANGE STAFF REPORT

TO: Planning and Zoning Commission
 FROM: Lisa Hannon, Planning Director
 PUBLIC HEARING DATE: March 30, 2026
 RE: ZC-26-0001 – 600 E US Hwy 380 Bus

Applicant Request:

ZC-26-0001. Public hearing, discussion, and recommendation to the City Council regarding an ordinance rezoning approximately 1.067-acre tract of land in the Proctor Addition, in the J. Proctor Survey, Abstract Number 683, in the City of Decatur, Wise County, Texas, from Light Industrial (LI) to Single-Family (SF-2) Zoning District, also known as 600 E US Hwy 380 Business. **(Clifford Brannon, property owner)**

Summary of Applicant's Request:

Clifford Brannon, property owner, is requesting a zoning change for the property at 600 E US Hwy 380 Business, in order to construct a single-family dwelling.

Findings:

- Finding #1.** A comprehensive plan (CP) future land use amendment is required and is running concurrently with the rezoning application. The property is zoned Light Industrial (LI).
- Finding #2.** In order to develop the property as a single-family residence, rezoning is required.
- Finding #3.** Surrounding property zoning districts:

DIRECTION	EXISTING ZONING
North	Heavy Industrial (HI)
South	Light Industrial (LI)
East	Single-Family (SF-2)
West	Light Industrial (LI)
- Finding #4.** The Preliminary and Final Plat applications were approved by the Planning and Zoning Commission at the March 4 meeting and by the City Council at the March 23 meeting.

Conclusion(s):

- Conclusion #1:** The application is in order, and statutory requirements have been met.
- Conclusion #2:** The rezoning request is consistent with the City of Decatur 2050 Comprehensive Plan.
- Conclusion #3:** The comprehensive plan future land use amendment is running concurrently with the rezoning application.
- Conclusion #4:** Before any development may occur, the applicant will have to submit civil plans for public improvements and building permit applications.

Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the findings and conclusions of the staff report, the Development Services staff recommends approval of ZC-26-0001.

Attachments:

1. Aerial Map
2. Plat Exhibit
3. Existing Zoning Map
4. Proposed Zoning Map
5. Property Owner Notification Map
6. Existing site conditions

Exhibit "1"

Location/Aerial Map

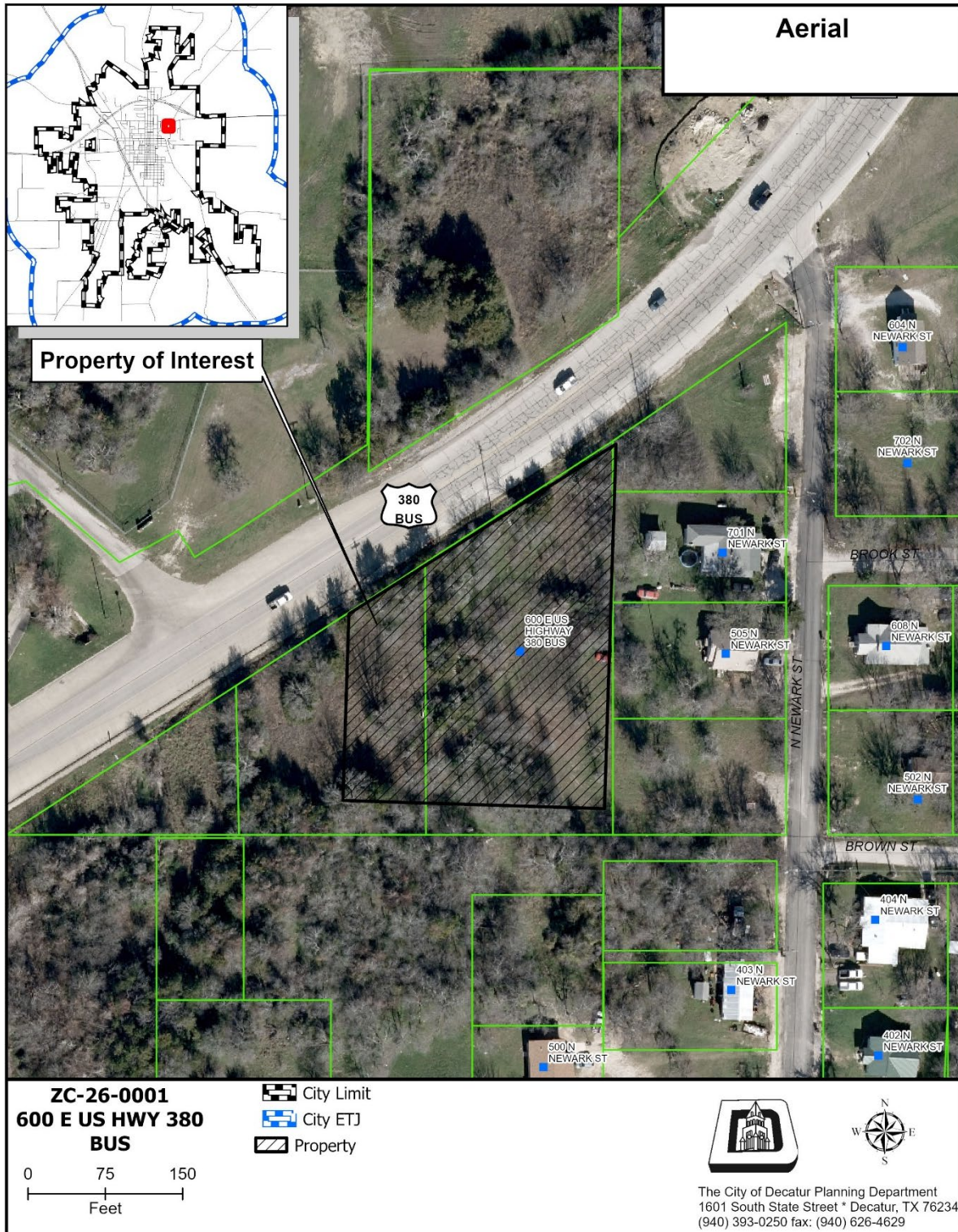


Exhibit "3" Existing Zoning Map

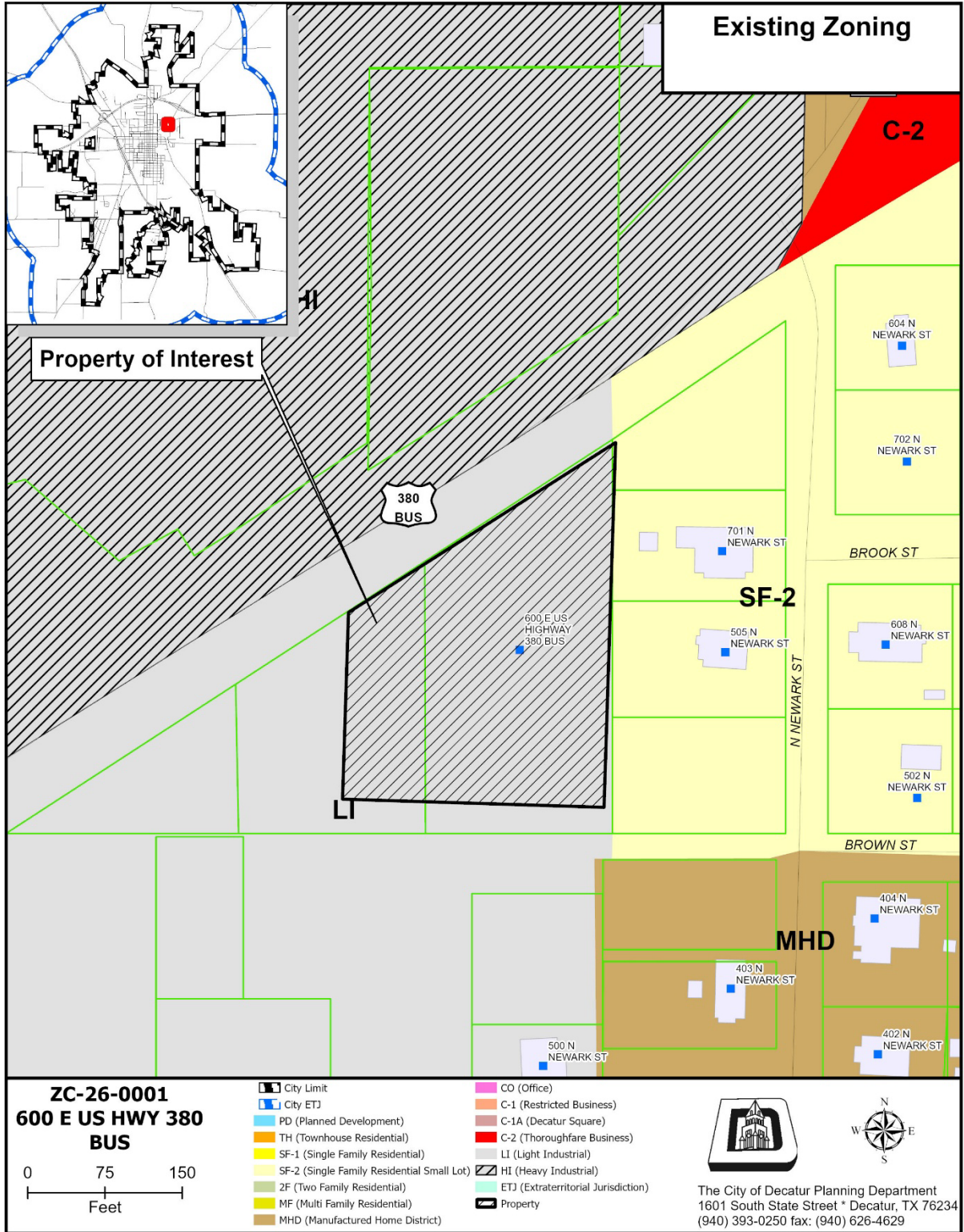


Exhibit "4" Proposed Zoning Map

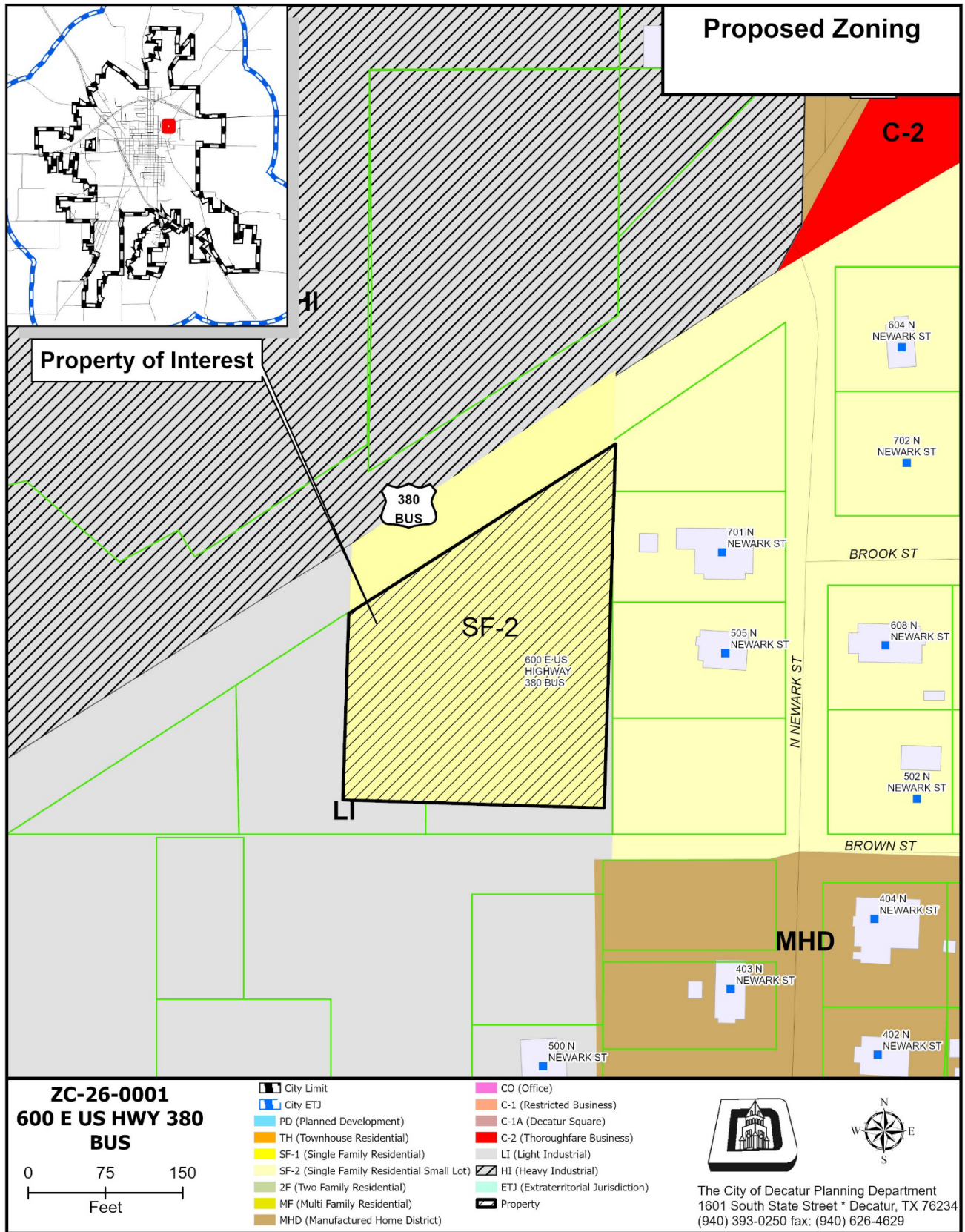
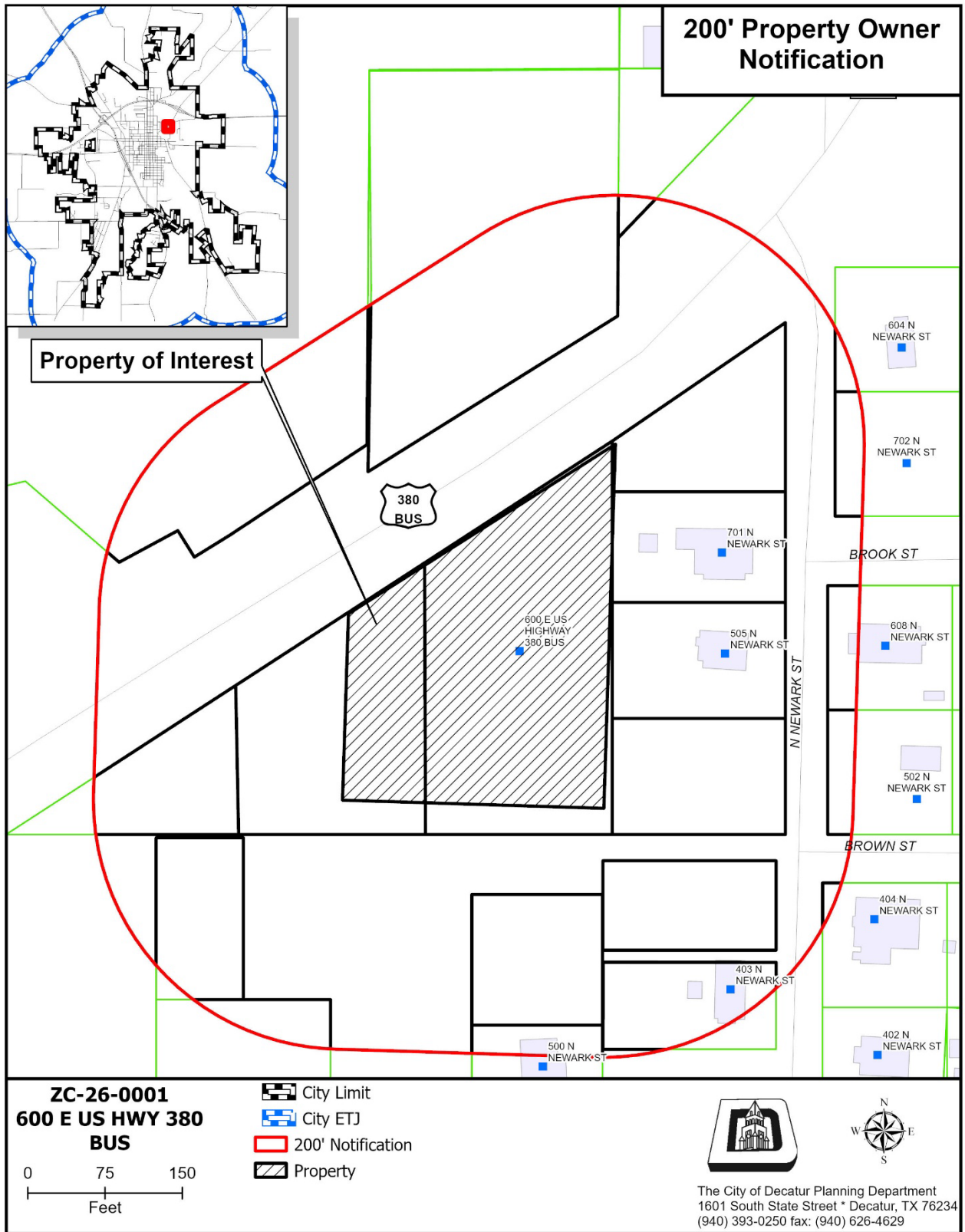


Exhibit "5"

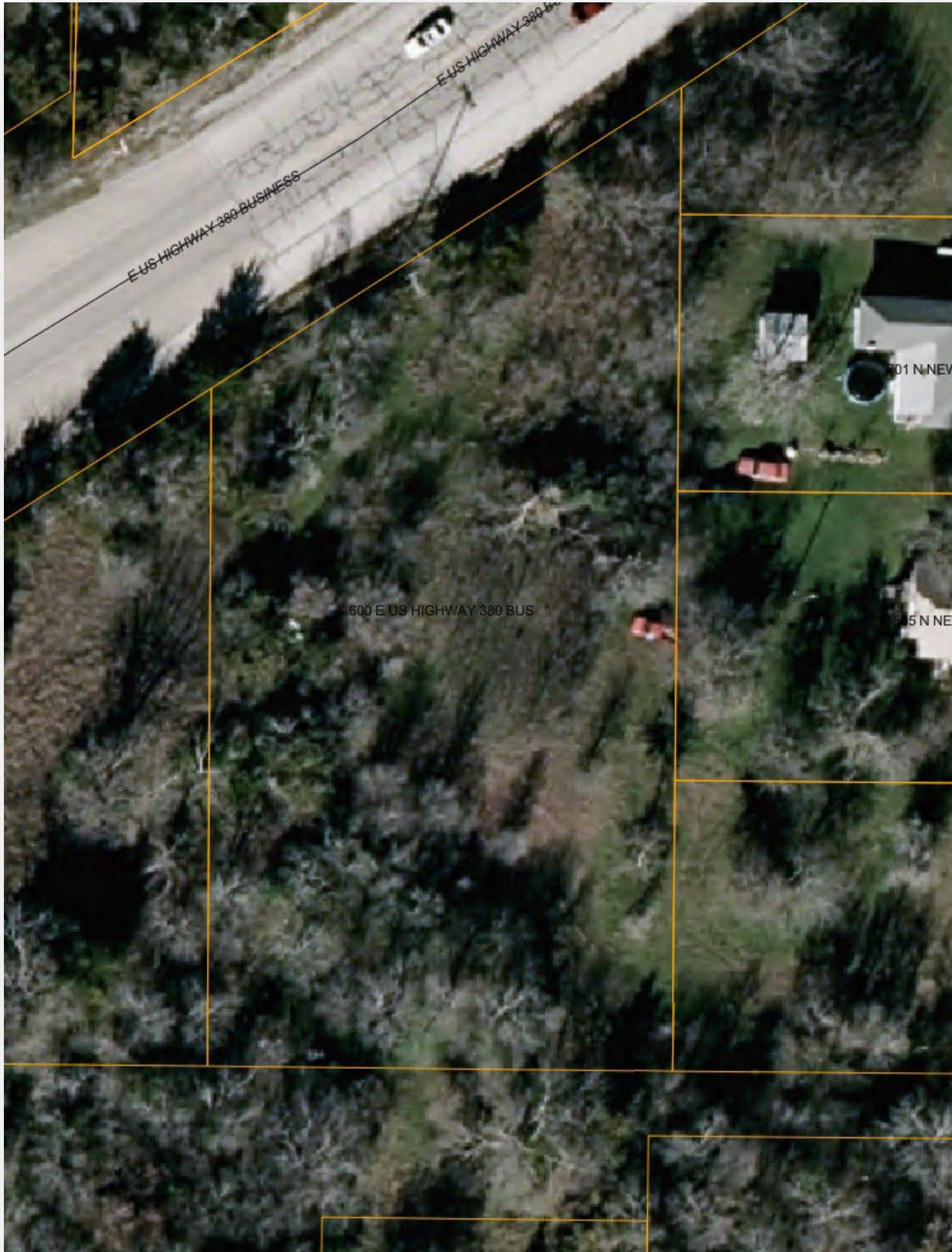
Property Owner Notification Map



Property Owner Notification Responses

**NO RESPONSES RECEIVED AS OF
MARCH 23, 2026**

Exhibit "6" Existing Site Conditions



**CITY OF DECATUR
ORDINANCE NUMBER 2026-XX-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS AMENDING APPENDIX B, "ZONING," OF THE CITY'S CODE OF ORDINANCES TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF DECATUR, TO APPROVE A ZONING CLASSIFICATION CHANGE FROM LI, LIGHT INDUSTRIAL ZONING DISTRICT TO SF-2, SINGLE-FAMILY RESIDENTIAL DISTRICT ON AN APPROXIMATE 1.067 ACRE TRACT OF LAND LOCATED AT 600 E US HWY 380 BUSINESS, DECATUR, TEXAS, PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE AMENDMENT TO THE OFFICIAL ZONING MAP; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) PER VIOLATION; DISPENSING WITH A CULPABLE MENTAL STATE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR SAVINGS, SEVERABILITY, AND AN EFFECTIVE DATE. (ZC-26-0001)

WHEREAS, the current zoning of the tract of land located at 600 E US Hwy 380 Business, legally described in **Exhibit A**, attached hereto (the "Property"), is in the LI, Light Industrial Zoning District; and

WHEREAS, application ZC-26-0001 has been properly made to amend Appendix B, "Zoning," of the City's Code of Ordinances, containing the Comprehensive Zoning Ordinance of the City of Decatur, Texas, to change the zoning classification on the Property from LI, Light Industrial Zoning District to SF-2, Single-Family Residential District, depicted in **Exhibit B**, and in conformance with the Compact Neighborhood (CN) designation in the Comprehensive Plan; and

WHEREAS, the Application has been properly heard by the Planning and Zoning Commission of the City of Decatur, Texas, as required by state law and the Zoning Ordinance of said City; and

WHEREAS, said Planning and Zoning Commission has recommended that the Application for the zoning classification change as requested be APPROVED; and

WHEREAS, the City Council finds that all legal notices, requirements, conditions, and prerequisites for the Application have been met and that the case is properly before the City Council; and

WHEREAS, the City Council, at a called public hearing, did consider all appropriate factors in determining whether to approve the Application; and

WHEREAS, the City Council finds that the requested zoning amendment is consistent with the Comprehensive Master Plan of the City, serves the health, safety, welfare, and aesthetic concerns of the public; is in the interest; and that the zoning change does not unreasonably invade the rights of adjacent property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS:

SECTION 1. Incorporation of Premises/Findings. That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing and public meetings, the City Council has concluded that the adoption of this Ordinance serves the best interests of the City of Decatur, Texas, serves the health, safety, welfare, and aesthetic concerns of the public, and is consistent with the City's Long Range Master Plan.

SECTION 2. Amendment to the Zoning Ordinance. That Application ZC-26-0001 is hereby approved. Appendix B, "Zoning", of the City's Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Decatur, Texas, is hereby amended to reflect the approval of the zoning classification change from Light Industrial (LI) Zoning District to Single-Family (SF-2) Residential District, on the Property located at 600 E US Hwy 380 Business, Decatur, Wise County, Texas, which is depicted and legally described in the attached **Exhibit A** and depicted in the attached **Exhibit B**, incorporated into and made a part hereof for all purposes.

SECTION 3. Amendment to Zoning Map. The Planning Director is hereby directed to correct the Official Zoning Map of the City of Decatur, Texas, to reflect the herein change approved by this Ordinance.

SECTION 4. Savings and Cumulative Repealer. This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except in those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim, or lawsuit which has been initiated or has arisen under or pursuant to such ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that ordinance, and for that purpose the ordinance shall remain in full force and effect. In addition, the use of the Property described in **Exhibit A** shall be subject to all applicable regulations contained in the Comprehensive Zoning Ordinance of the City of Decatur and all other applicable and pertinent ordinances of the City of Decatur, Texas, not directly in conflict with this Ordinance.

SECTION 5. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than five hundred (\$500.00). A culpable mental state shall not be required to prove an offense under

this Ordinance; this Ordinance dispenses with the requirement of a culpable mental state. Further, if the governing body of the City determines that a violation of this Ordinance creates a threat to public safety, the City may bring suit in District Court to enjoin such violation and may exercise all available remedies as allowed by law.

SECTION 7. Publication. The City Secretary of the City of Decatur is hereby directed to publish the Caption, Penalty, and Effective Date of this Ordinance as required by the Texas Local Government Code and City Charter.

SECTION 8. Effective Date. This Ordinance shall take effect on its final passage and publication, and it is so ordained.

PRESENTED ON FIRST READING THIS 27th DAY OF APRIL, 2026.

**PRESENTED ON SECOND READING AND APPROVED THIS 11TH DAY OF MAY, 2026,
BY A VOTE OF _____ AYES, _____ NAYS, _____ ABSTENTIONS, AT A
REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DECATUR,
TEXAS.**

APPROVED:

Eddie Allen, MAYOR

ATTEST:

Asucena Delgado, TRMC, CMC, CITY SECRETARY

APPROVED AS TO FORM:

Pamela H. Liston, CITY ATTORNEY

EXHIBIT A

APPROXIMATELY 1.067-ACRE TRACT OF LAND IN THE PROCTOR ADDITION, IN THE J. PROCTOR SURVEY, ABSTRACT NUMBER 683, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS.

Flat Notes:

Utility Easements Restriction (U.E.):
Any public utility, including the City of Decatur, Wise County, Texas, shall have the right to move and keep moved all or part of any building, fence, trees, shrubs, other growth or improvements which in any way encumber or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and any public utility, including the City of Decatur, Wise County, Texas, shall have the right at all times to ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Floodway Easement Restriction:
No construction, or filling without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction of the natural flow of water will result, and subject to all owners of property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) feet above the 100-year flood elevation.

Drainage Easement Restriction (D.E.):
No construction, or filling without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction of the natural flow of water will result, and subject to all owners of property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) feet above the 100-year flood elevation.

Landscape Restriction:
Landscape areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material without the expressed, written permission of the City of Decatur.

Buffer Restriction:
Buffer areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material. Buffer walls shall be heretofore and forevermore retained until said area is abandoned and expressed, written permission from the city is granted to do otherwise.

Green Space Restriction:
Green space areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material without the expressed, written permission of the City of Decatur.

Control Source:
Coordinate data and bearing source shown herein is based on the city control network. This data is relative to the Texas Coordinate System, NAD 83 North Central Texas Zone utilizing GPM monument T-11, Monument # 10'. Bearing control combined scale factor is 0.99987780. All distances and coordinates shown are based on feet-US definition.

Public Open Space Restriction (P.O.S.):
No structure, object, or plant of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the crown of the road, including, but not limited to, buildings, fences, walls, signs, trees, shrubs, cars, trucks, etc., in the public open space measured as shown on the plat.

According to a copy of the Flood Insurance Rate Map for Wise County, Texas and Incorporated Areas, Map Number 484970E05D D effective date December 18, 2011 no part of subject property appears to be in the 100 year flood zone, said property is in Zone "X".

All iron rods set are 1/2" iron rods with an orange plastic cap stamped MDH RPLN 0697.

Current Zoning: I1. Zoning change requested.

THE PLANNING AND ZONING COMMISSION OF DECATUR, WISE ON THE _____ DAY OF _____ 20____, HAS BY _____ DOG WITH AUTHORITY TO _____ SUBSEQUENT CONDITIONAL APPROVAL OF THIS PRELIMINARY PLAT SUBJECT TO CONDITIONS ENCLOSED IN HERETO OF THIS DATE.

BY: _____ CHAIRMAN
 ATTEST: _____ PLANNING DIRECTOR

THE CITY CLERK OF DECATUR, TEXAS, ON THE _____ DAY OF _____ 20____, HAS BY _____ DOG WITH AUTHORITY TO _____ SUBSEQUENT APPROVAL OF THIS PRELIMINARY PLAT SUBJECT TO CONDITIONS ENCLOSED IN HERETO OF THIS DATE.

BY: _____ CLERK
 ATTEST: _____ CITY SECRETARY

OWNER/DEVELOPER:
Clifford Brashers
2721 Hyde Drive
Lubbock, TX 79401
517-214-9161

STATE OF TEXAS CERTIFICATE OF SURVEY

COUNTY OF WISE

I, the undersigned, M.D. Hollister, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat or one or more sheets and the proper parts hereof, are a true and correct copy of the original as deposited on the ground.

"Furthermore, this document shall not be recorded for any purpose."

M.D. Hollister, R.L.S., 0647

DEED ACKNOWLEDGMENT AND DECLARATION

COUNTY OF WISE DEED ACKNOWLEDGMENT AND DECLARATION

Whereas Clifford Brashers, the owner of a 1.067 acre tract in the J. Proctor Survey, Abstract Number 683, in the City of Decatur, Wise County, Texas, being part of Block 62, Proctor Addition, and conveyed to Clifford Brashers, Abstract C. 1086, 614, 615, 616, Official Public Records, Wise County, Texas and being described by metes and bounds as follows:

BEFORE ME, a Notary Public in and for the State of Texas, on this _____ day of _____ 20____, personally appeared Clifford Brashers, the owner of said 1.067 acre tract, and acknowledged to me that he executed the foregoing instrument and the declaration hereon for the purposes and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 20____.

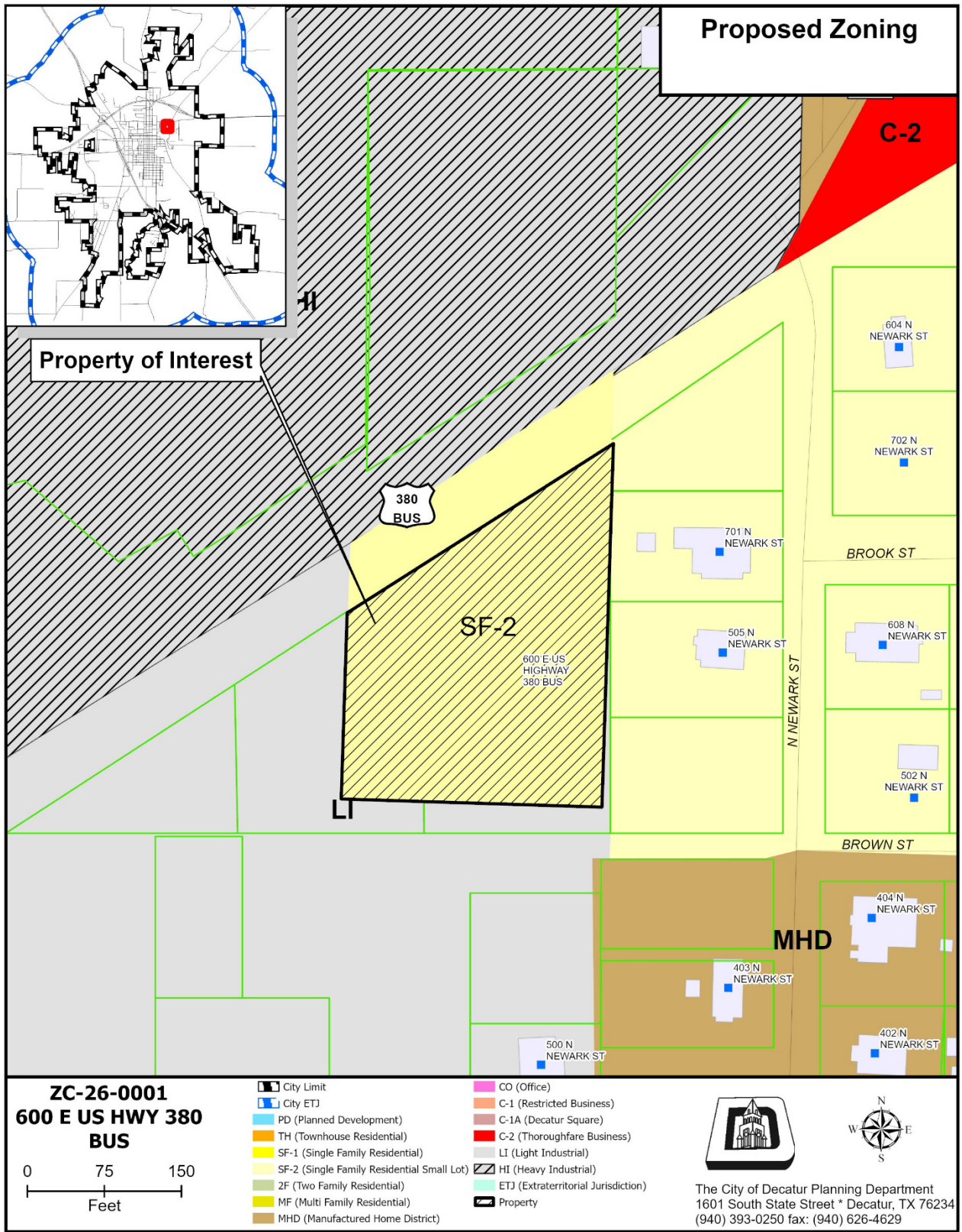
NOTARY PUBLIC, _____

MDH SURVEYING
348 FINDLEY-CREATION RD.
CHICO, TX 76431
940-641-5800
mdhsurveying@att.net
Texas Registration No. 0166260

PRELIMINARY PLAT
LOT 1, BLOCK 1
IRANNON ADDITION
CITY OF DECATUR, WISE COUNTY, TEXAS.

THIS IS A PRELIMINARY PLAT OF PART OF BLOCK 62, PROCTOR ADDITION, IN THE J. PROCTOR SURVEY, ABSTRACT NUMBER 683, IN THE CITY OF DECATUR, WISE COUNTY, TEXAS.

EXHIBIT B ZONING MAP





SPECIFIC USE PERMIT STAFF REPORT

TO: Planning and Zoning Commission
 FROM: Lisa Hannon, Planning Director
 PUBLIC HEARING DATE: March 30, 2026
 RE: SUP-26-0001 – 2806 S FM 51 – Convenience Store Gasoline Sales

Applicant Request:

SUP-26-0001 – Public hearing, discussion, and make a recommendation to the City Council regarding an ordinance to amend Appendix “B,” “Zoning,” of the Code of Ordinances of the City of Decatur, to grant a Specific Use Permit (SUP) to allow a Convenience Store with Gasoline Sales, in a Restricted Business (C-1) Zoning District, on an approximate 0.55-acre tract of land being legally described as Lot 15R, Block 1, Lipsey Addition, City of Decatur, Wise County, Texas, also known as 2806 S FM 51. **(Krishna Raj Joshi, property owner)**

Summary of Applicant’s Request:

Krishna Raj Joshi, property owner, has submitted an application for a Specific Use Permit to allow a convenience store with gasoline sales in a C-1, Restricted Business zoning district, located at 2806 S FM 51, Decatur, Texas.

Findings:

- Finding #1.** According to Article 5, Zoning Districts, Subsection 5.2.5, SUP, Specific Use Permit, the Planning and Zoning Commission may make a recommendation to the City Council to approve or deny the SUP request.
- Finding #2.** The property is zoned Restricted Business (C-1) zoning district. Per the City of Decatur’s Zoning Ordinance, Section 6.1.2, Table 7, Convenience Stores with gasoline sales are permitted with a Specific Use Permit in the C-1 Zoning District.
- Finding #3.** The proposed site plan shows sufficient parking for the use.
- Finding #4.** The replat application was approved by the City Council at the November 24, 2025, meeting.

Conclusion(s):

- Conclusion #1:** The application is in order, and statutory requirements have been met.
- Conclusion #2:** The Convenience Store use with gasoline sales is permitted with the SUP.
- Conclusion #3:** Platting has been approved.
- Conclusion #4:** Proper building permits will be required prior to the construction of the new building.

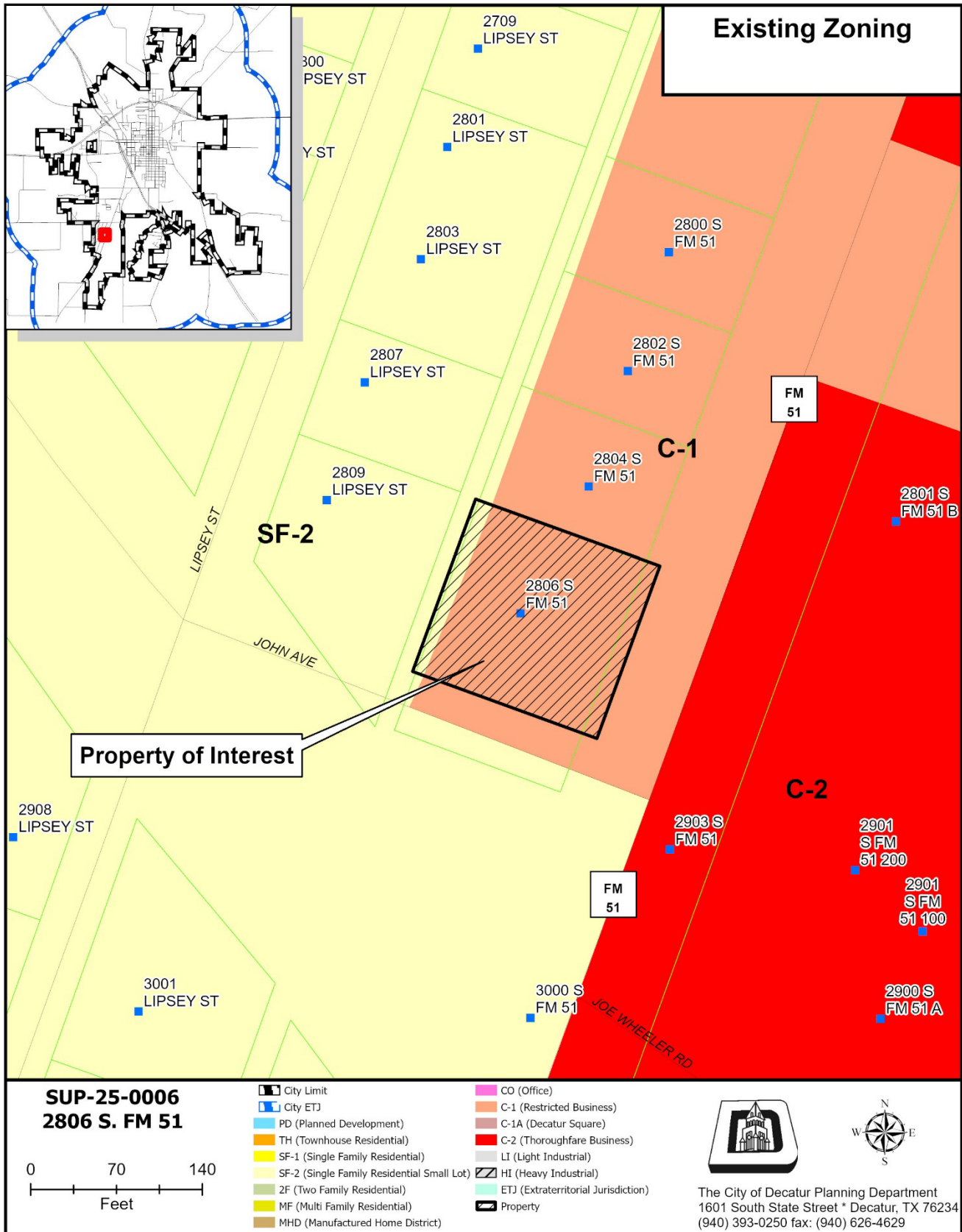
Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the Findings and Conclusions, Development Services staff recommends approval of SUP-26-0001.

Attachments:

1. Aerial Map
2. Zoning Map
3. Site Plan
4. Floor Plan
5. Property Owner Notification Map

EXHIBIT "2" ZONING MAP



PROPERTY OWNER NOTIFICATION RESPONSES

**RESPONSES RECEIVED AS OF
MARCH 23, 2026**

CITY OF DECATUR, TEXAS

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF DECATUR, TEXAS, AMENDING APPENDIX B, "ZONING", OF THE CITY'S CODE OF ORDINANCES TO AMEND THE COMPREHENSIVE ZONING ORDINANCE TO APPROVE A SPECIFIC USE PERMIT TO ALLOW A CONVENIENCE STORE WITH GASOLINE SALES, AT 2806 S FM 51, WHICH IS IN A RESTRICTED BUSINESS (C-1) ZONING DISTRICT, WHICH IS AN APPROXIMATELY 0.55 ACRE TRACT, LEGALLY DESCRIBED AS LOT 15R, BLOCK 1, LIPSEY ADDITION, CITY OF DECATUR, WISE COUNTY, TEXAS, IN ACCORDANCE WITH THE SITE PLAN, ATTACHED AS EXHIBIT B, AND FLOOR PLAN, ATTACHED AS EXHIBIT C; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT TO THE ZONING ORDINANCE; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) PER VIOLATION; DISPENSING WITH A CULPABLE MENTAL STATE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. (SUP-26-0001)

WHEREAS, the City of Decatur, Texas, ("City") is a home-rule city in the State of Texas organized pursuant to the Texas Constitution and the laws of the State of Texas; and

WHEREAS, the City Council of the City of Decatur, Texas, ("City Council") has authority over planning and zoning within the corporate boundaries of the City pursuant to Chapter 211 of the Texas Local Government Code; and

WHEREAS, there exists within the City a commercial lot located at 2806 S FM 51 ("Property") described in **Exhibit A** attached hereto, and an application has been filed, identified as SUP-26-0001, requesting a Specific Use Permit ("SUP") for gasoline sales at an approved convenience store to be located on the Property ("Application"); and

WHEREAS, the current zoning of the Property is C-1, Restricted Business District; and

WHEREAS, in the C-1 Districts, gasoline sales at an approved convenience store are allowed with a SUP issued by the City Council; and

WHEREAS, the Application for the SUP has been properly made to amend Appendix B, "Zoning," of the Code of Ordinances of the City of Decatur, Texas, ("Zoning Ordinance") requesting approval an SUP on the Property for a Detached Accessory Dwelling, in accordance with the site plan in **Exhibit B**, and the floor plan in **Exhibit C**, attached hereto; and

WHEREAS, the application has been properly heard by the Planning and Zoning Commission of the City of Decatur, Texas, as required by State statutes and the Zoning Ordinance of said City; and

WHEREAS, the Planning and Zoning Commission has recommended that the Application for the SUP be APPROVED; and

WHEREAS, the City Council finds that all legal notices, requirements, conditions, and prerequisites for the Application have been met and that the case is properly before the City Council; and

WHEREAS, the City Council, at a called public hearing, did consider all appropriate factors in determining whether to approve the Application amendment; and

WHEREAS, the City Council finds that the requested zoning amendment is consistent with the Comprehensive Master Plan of the City; serves the health, safety, welfare, and aesthetic concerns of the public; is in the public interest; and that the zoning change does not unreasonably invade the rights of adjacent property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS:

SECTION 1. Incorporation of Premises/Findings. That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. Amendment to Zoning Ordinance. That Application SUP-26-0001 is hereby approved. Appendix B, "Zoning," of the City's Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Decatur, Texas, is hereby amended to reflect the approval of a Specific Use Permit for **Gasoline Sales at an approved Convenience Store** on the property located at 2806 S FM 51, Decatur, Wise County, Texas, which is depicted and legally described in the attached **Exhibit A**, incorporated into and made a part hereof for all purposes, and in accordance with the site plan, attached as **Exhibit B**, and floor plan, attached as **Exhibit C**, incorporated into and made a part hereof for all purposes.

SECTION 3. Amendment to Zoning Map. The Planning Director is hereby directed to correct the Official Zoning Map of the City to reflect the change enacted by this Ordinance.

SECTION 4. Savings and Cumulative Repealer. This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except in those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim, or lawsuit which has been initiated or has arisen under or pursuant to such ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that ordinance, and for that purpose the ordinance shall remain in full force and effect. In addition, the use of the Property described in **Exhibit A** shall be subject to all applicable regulations contained in the Comprehensive Zoning Ordinance of the City of Decatur and all other applicable and pertinent ordinances of the City of Decatur, Texas, not directly in conflict with this Ordinance.

SECTION 5. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction,

in an amount not less than One Dollar (\$1.00) nor more than five hundred (\$500.00). A culpable mental state shall not be required to prove an offense under this Ordinance; this Ordinance dispenses with the requirement of a culpable mental state. Further, if the governing body of the City determines that a violation of this Ordinance creates a threat to public safety, the City may bring suit in District Court to enjoin such violation and may exercise all available remedies as allowed by law.

SECTION 7. Publication. The City Secretary of the City of Decatur is hereby directed to publish the Caption, Penalty, and Effective Date of this Ordinance as required by the Texas Local Government Code and City Charter.

SECTION 8. Effective Date. This Ordinance shall take effect on its final passage and publication, and it is so ordered.

SECTION 8. Effective Date. This Ordinance shall take effect on its final passage and publication in accordance with the law, and it is so ordered.

PRESENTED ON FIRST READING THIS 27th DAY OF APRIL, 2026,

PRESENTED ON SECOND READING AND APPROVED THIS 11th DAY OF MAY, 2026, BY A VOTE OF _____ AYES, _____ NAYS, _____ ABSTENTIONS, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS.

APPROVED:

Eddie Allen, MAYOR

ATTEST:

Asucena Garcia, TRMC, CITY SECRETARY

APPROVED AS TO CONTENT AND FORM:

Pam Liston, CITY ATTORNEY

EXHIBIT "B" Site Plan

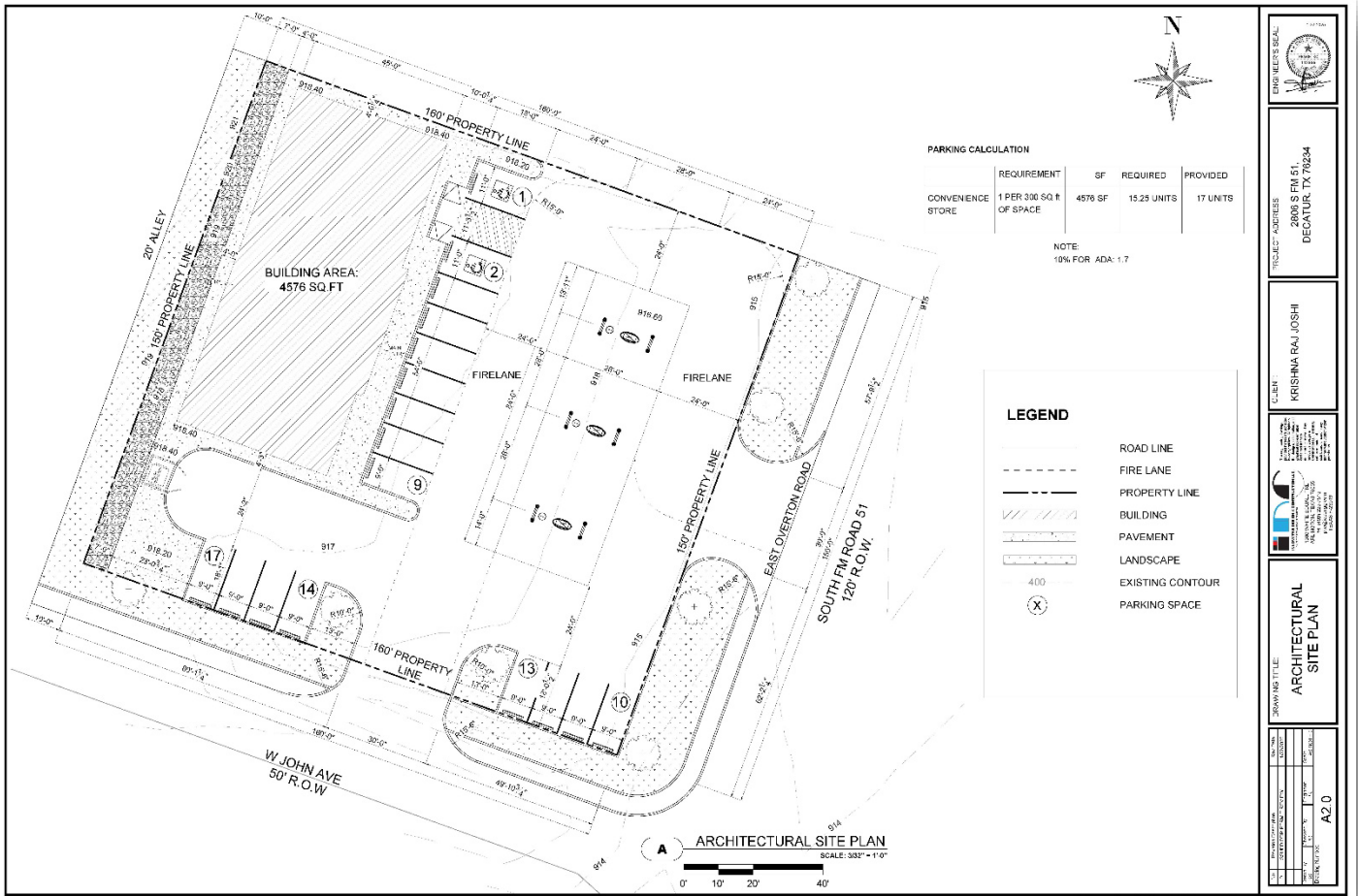
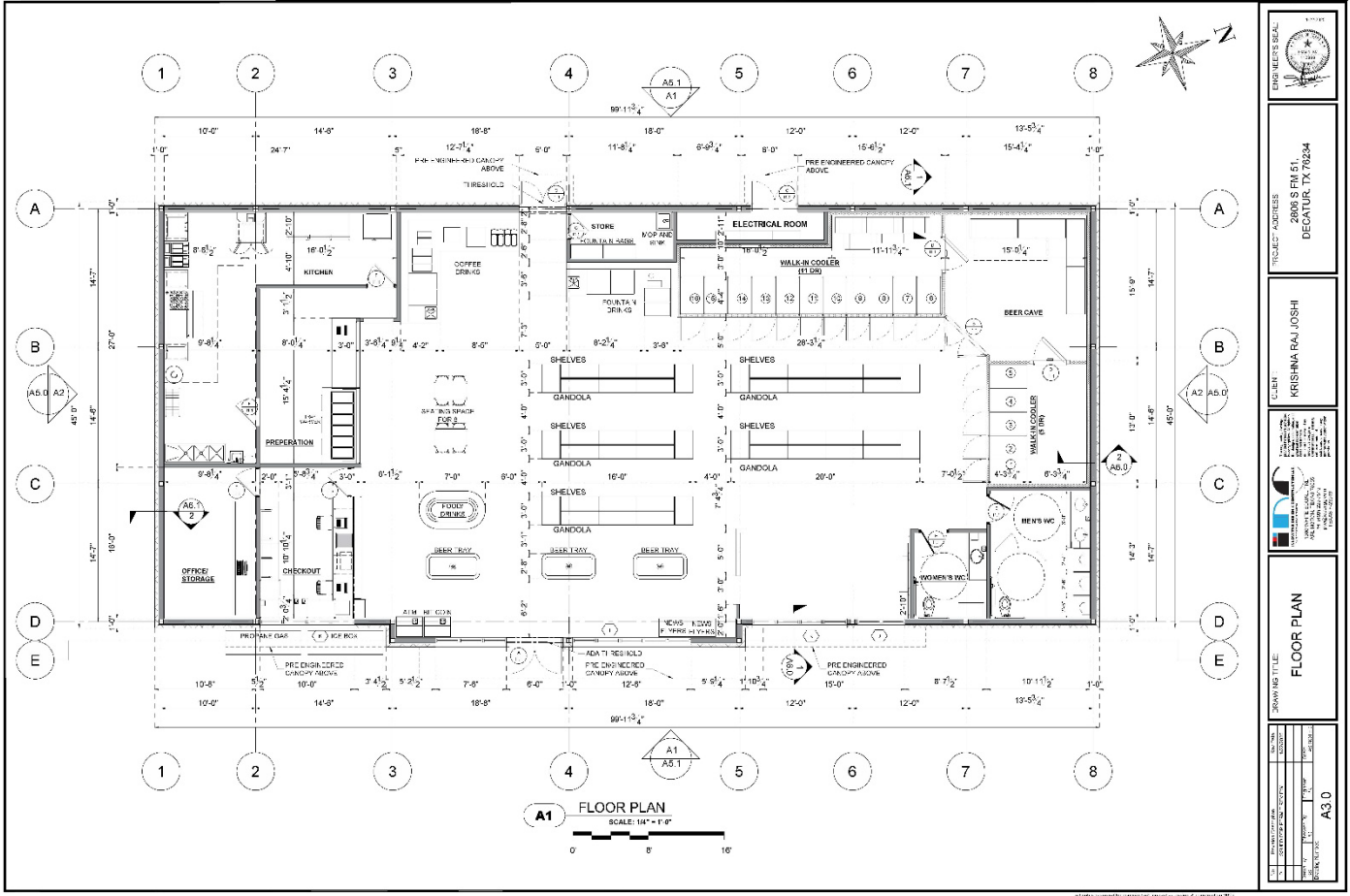


EXHIBIT "C"

Floor Plan





REPLAT STAFF REPORT

TO: Planning and Zoning Commission
FROM: Lisa Hannon, Planning Director
PUBLIC HEARING DATE: March 30, 2026
RE: RP-26-0001 – 1600 S College Street – Eric Kavicky

Applicant Request:

RP-26-0001 – Consider and take action regarding a request to Replat an approximate 0.61-acre parcel, described as Lot 1R, Block 111, South Decatur Addition, being a replat of Lots 1, 2, and 4, Block 111, South Decatur Addition, located in the City of Decatur, Wise County, Texas, also known as 1600 S College Street. **(Eric Kavicky, property owner)**

Summary of Applicant's Request:

Quint Burks, surveyor, on behalf of the property owner, Eric Kavicky, has submitted an application to replat the property at 1600 S College Street.

Findings:

- Finding #1.** According to the Texas Local Government Code (TLGC), Section 212, the property can be legally platted.
- Finding #2.** The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations, and the Design Standards.
- Finding #3.** The approval process for the replat is *ministerial*, meaning the decision to approve, approve with conditions, or deny the request cannot be arbitrary.
- Finding #4.** There is one nonconforming structure, a pool house, on the property, which will require a Special Exception.
- Finding #5.** The Special Exception application is running concurrently with the replatting process.
- Finding #6.** The Special Exceptions requests will be heard at the April 13, 2026, Board of Adjustments meeting.

Conclusion(s):

- Conclusion #1:** The application is in order, and statutory requirements have been met.
- Conclusion #2:** The pool structure on the property will require Special Exceptions for non-conforming setbacks.

Conditions of Approval:

- Condition #1:** Special Exception approvals for the pool house structure will need to be approved by the BOA before the plat is filed and recorded.

Staff Recommendations - based on the aforementioned findings & conclusions:

Development Services staff recommends approval of RP-26-0001, with the above-stated condition.

Attachments:

1. Aerial Map
2. Plat Exhibit
3. Property Owner Notification Map
4. Existing site conditions

Exhibit "1"

Location/Aerial Map

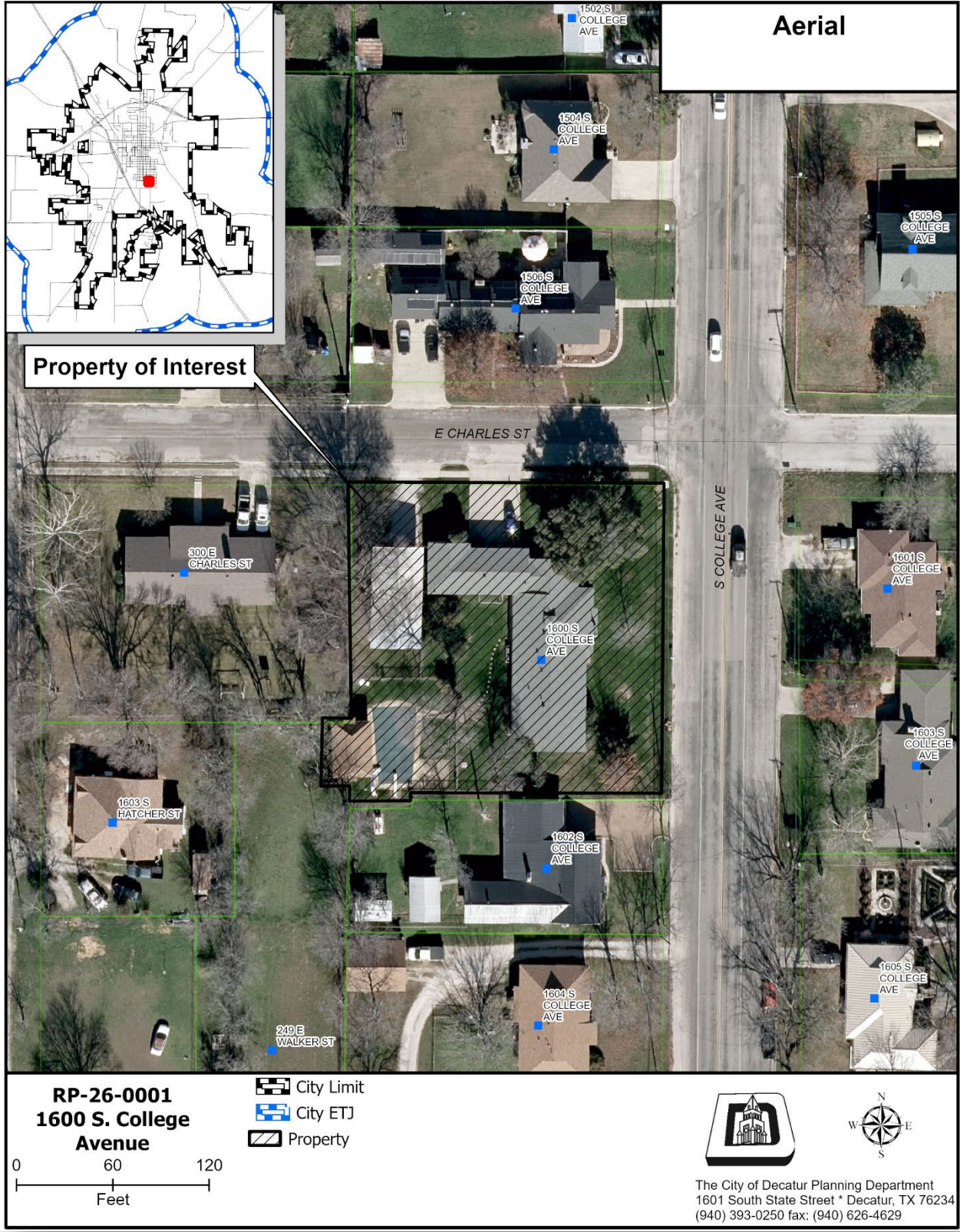


Exhibit "2" Plat Exhibit

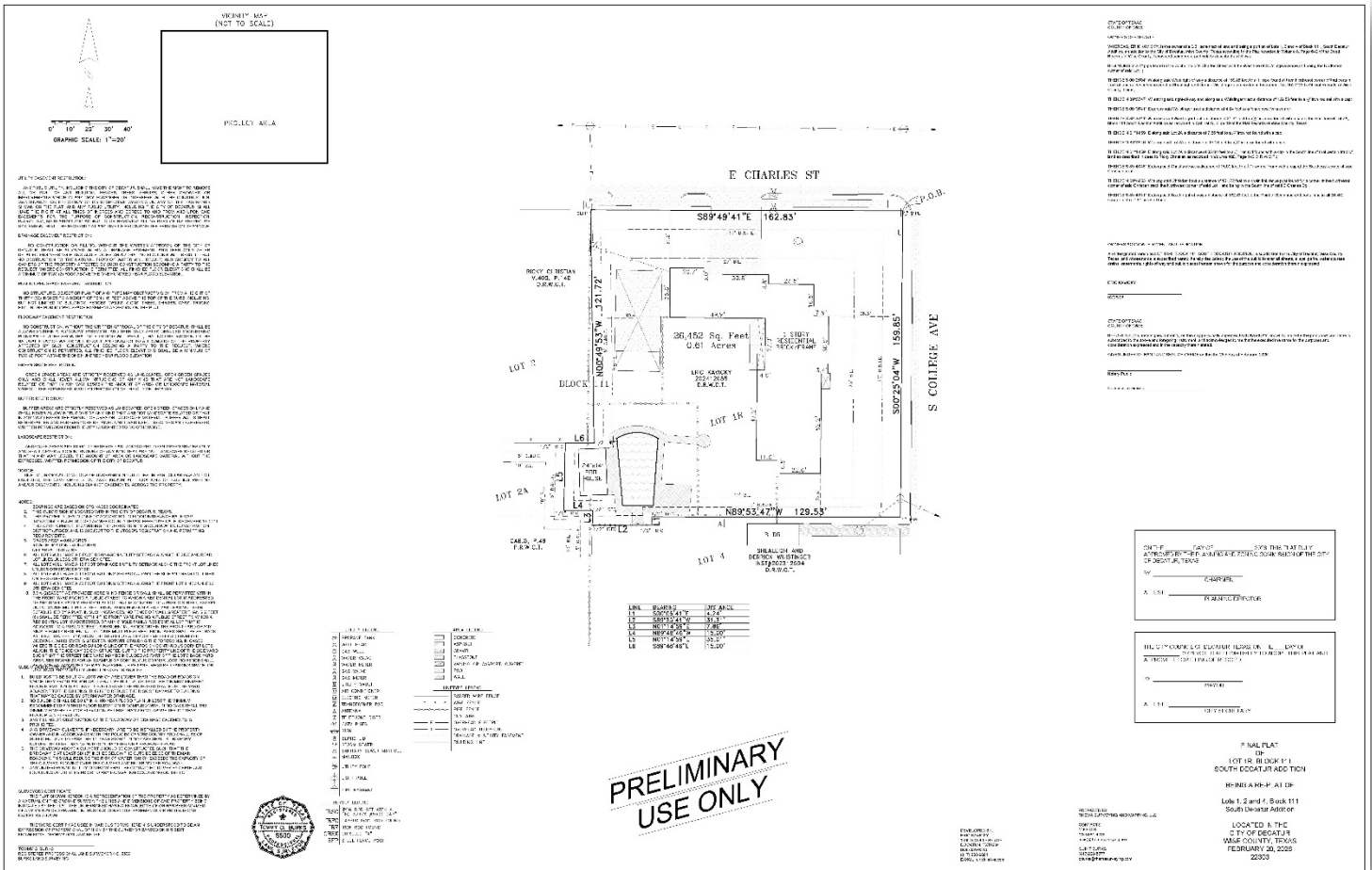
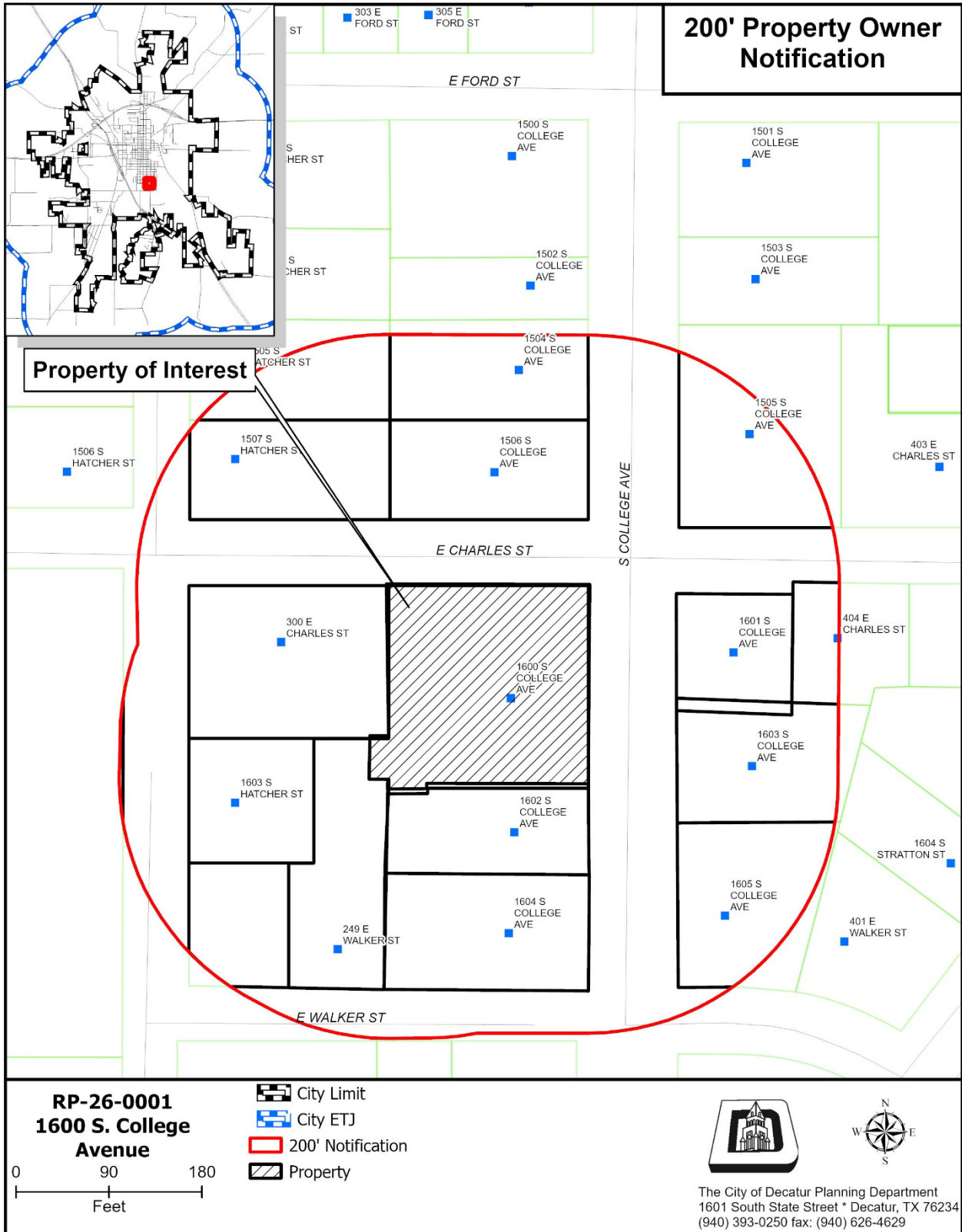


EXHIBIT "3"

PROPERTY OWNER NOTIFICATION MAP



PROPERTY OWNER NOTIFICATION RESPONSES

**ONE RESPONSES RECEIVED AS OF
MARCH 23, 2026**

- In favor of the replat request



REPLAT STAFF REPORT

TO: Planning and Zoning Commission
FROM: Lisa Hannon, Planning Director
PUBLIC HEARING DATE: March 30, 2026
RE: RP-26-0002 – 201 and 203 S Cates Street – Cliff Spence

Applicant Request:

RP-26-0002 – Public hearing, discussion, and make a recommendation to the City Council regarding a request to Replat Lots 11R1 and 11R2, Block J, Mrs. E.O. Cates Addition, being a replat of Lots 11 – 13, Block J, Mrs. E. O. Cates Addition, located in the City of Decatur, Wise County, Texas, also known as 201 and 203 S Cates Street. **(Cliff Spence, on behalf of Spence Residential Properties, LLC and Huerta Esperanza, property owners)**

Summary of Applicant's Request:

Cliff Spence, on behalf of Spence Residential Properties, LLC, property owner of 201 S Cates Street, and Cliff Spence, on behalf of Huerta Esperanza, property owner of 203 S Cates Street, have submitted an application to replat the property at 201 and 203 S Cates Street.

Findings:

- Finding #1.** According to the Texas Local Government Code (TLGC), Section 212, the property can be legally platted.
- Finding #2.** The plat meets the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations, and the Design Standards.
- Finding #3.** The approval process for the replat is *ministerial*, meaning the decision to approve, approve with conditions, or deny the request cannot be arbitrary.
- Finding #4.** The vacant lot at 201 S Cates Street will require three Special Exceptions for:
 - a. Lot size
 - b. Lot width
- Finding #5.** The existing single-family structure at 203 S Cates Street will require Special Exceptions for non-conforming front and side yard setbacks, and lot size.
- Finding #6.** The Special Exception applications are running concurrently with the replatting process.
- Finding #7.** The Special Exceptions requests will be heard at the April 13, 2026, Board of Adjustments meeting.

Conclusion(s):

- Conclusion #1:** The application is in order, and statutory requirements have been met.
- Conclusion #2:** Both properties will need Special Exceptions to be reviewed and approved by the Board of Adjustments.

Conditions of Approval:

- Condition #1:** Special Exception approvals will need to be approved by the BOA before the plat is filed and recorded.

Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the findings and conclusions outlined in the staff report, Development Services staff recommends approval of RP-26-0002, with the above-stated condition.

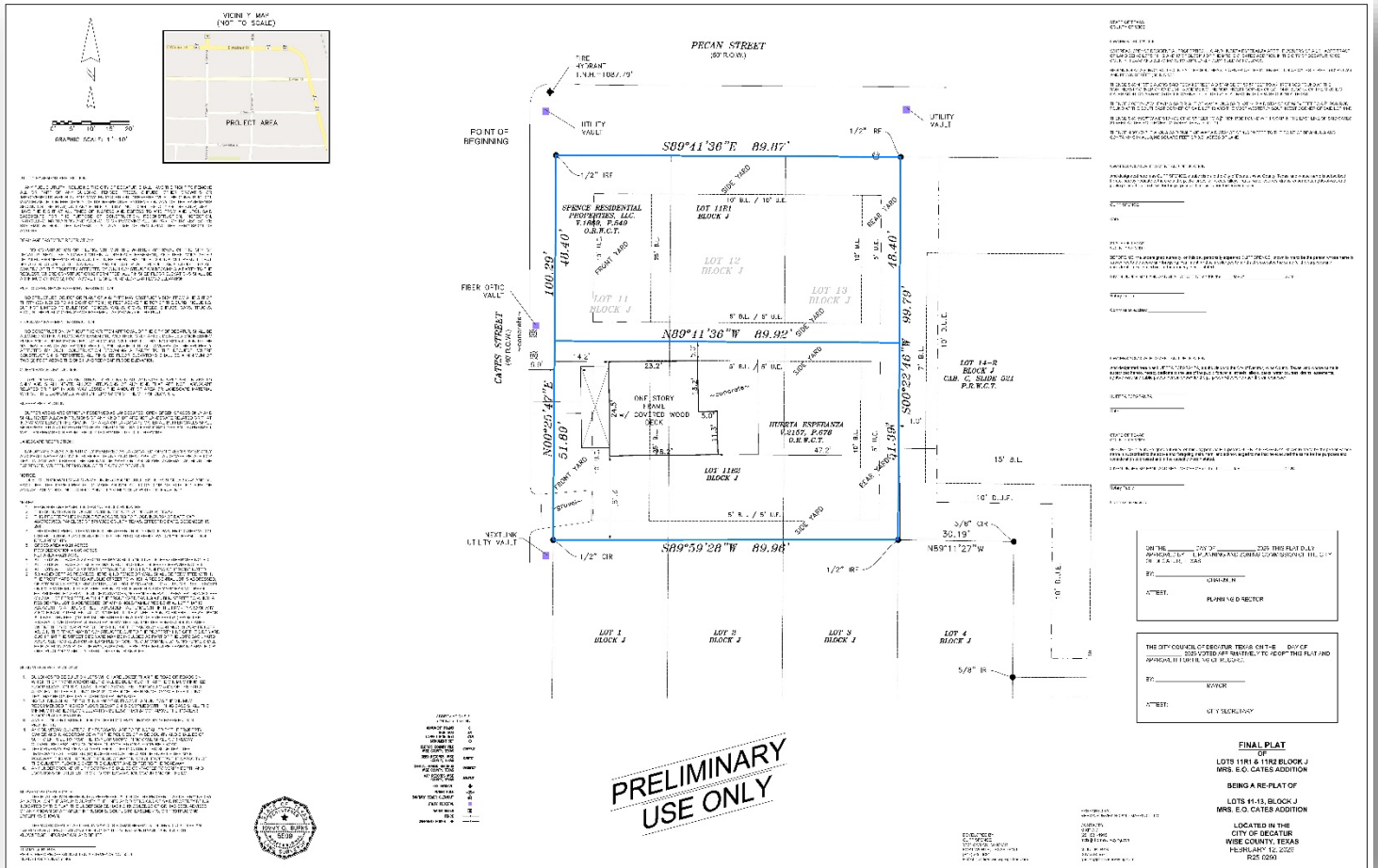
Attachments:

1. Aerial Map
2. Plat Exhibit
3. Property Owner Notification Map
4. Existing site conditions

Exhibit "1" Location/Aerial Map



Exhibit "2" Plat Exhibit



PROPERTY OWNER NOTIFICATION RESPONSES

**NO RESPONSES RECEIVED AS OF
MARCH 23, 2026**



PRELIMINARY PLAT STAFF REPORT

TO: Planning and Zoning Commission

FROM: Lisa Hannon, Planning Director

PUBLIC HEARING DATE: March 30, 2026

RE: FP-25-0013 – 700 S Deer Park Road – Nouvelle Terrace Lofts Addition

Applicant Request:

FP-25-0013 – Consider and make a recommendation to the City Council regarding the final plat application for Block A, Lots 1-22, 1X, 2X; Block B, Lots 1-8, 1X; Block C, Lots 1-20, 1X; Block D, Lots 1-11, 1X; Block E, Lots 1-4, 1X; being 8.496 acres, part of David Moses Survey, Abst. No. 537, City of Decatur, Wise County, Texas, also known as 700 S Deer Park Road. (**Nouvelle Terrace Lofts Addition**)

THIS APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT



PRELIMINARY PLAT STAFF REPORT

TO: Planning and Zoning Commission
 FROM: Lisa Hannon, Planning Director
 PUBLIC HEARING DATE: March 30, 2026
 RE: PP-25-0009 – 1904 W Bus. Hwy 380 – Deborah Cashen-Lusk

Applicant Request:

PP-25-0009 – Consider and make a recommendation to the City Council to approve a request for a preliminary plat of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J.B. Williams Survey A-880, City of Decatur, Wise County, Texas, also known as 1904 W Business Hwy 380. **(Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner)**

Summary of Applicant’s Request:

Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner, has filed an application for a Preliminary Plat for the property located at 1904 W Business Hwy 380, Decatur, Texas.

Findings:

- Finding #1.** The property can be legally platted according to the Texas Local Government Code (TLGC), Section 212.
- Finding #2.** The Final Plat application is running concurrently with the Preliminary Plat application.
- Finding #3.** There is an existing non-conforming structure located on Lot 2 that will require a variance through the Board of Adjustments (BOA).
- Finding #4.** The variance application was heard and approved by BOA at the March 16 meeting.
- Finding #5.** There are two separate sewer services for 1904 and 1900 US Highway 380. Both services terminate in the northwest corner of Lot 1. The owner needs the right to access and maintain their private sewer service line.
- Finding #6.** The approval process for the preliminary plat is *ministerial*, meaning the decision to approve, approve with conditions, or deny the request cannot be arbitrary.

Conclusion(s):

- Conclusion #1.** The variance for an existing non-conforming structure located on Lot 2 was approved by the BOA at the March 16 meeting.
- Conclusion #2.** City has confirmed there are two separate sewer services for 1904 and 1900 US Highway 380. Both services terminate in the northwest corner of Lot 1. The owner needs the right to access and maintain their private sewer service line.

Condition(s):

- Condition #1.** An easement encroachment agreement may be required so that the City and the adjacent property owner(s) can access and maintain any public or private sewer service line.

Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the Findings and Conclusions outlined in the staff report, the Development Services staff recommends approval of PP-25-0009 with the above-stated condition regarding the easement encroachment agreement.

Attachments:

1. Location/Aerial Map
2. Preliminary Plat Exhibit

Exhibit "1"

Location/Aerial Map

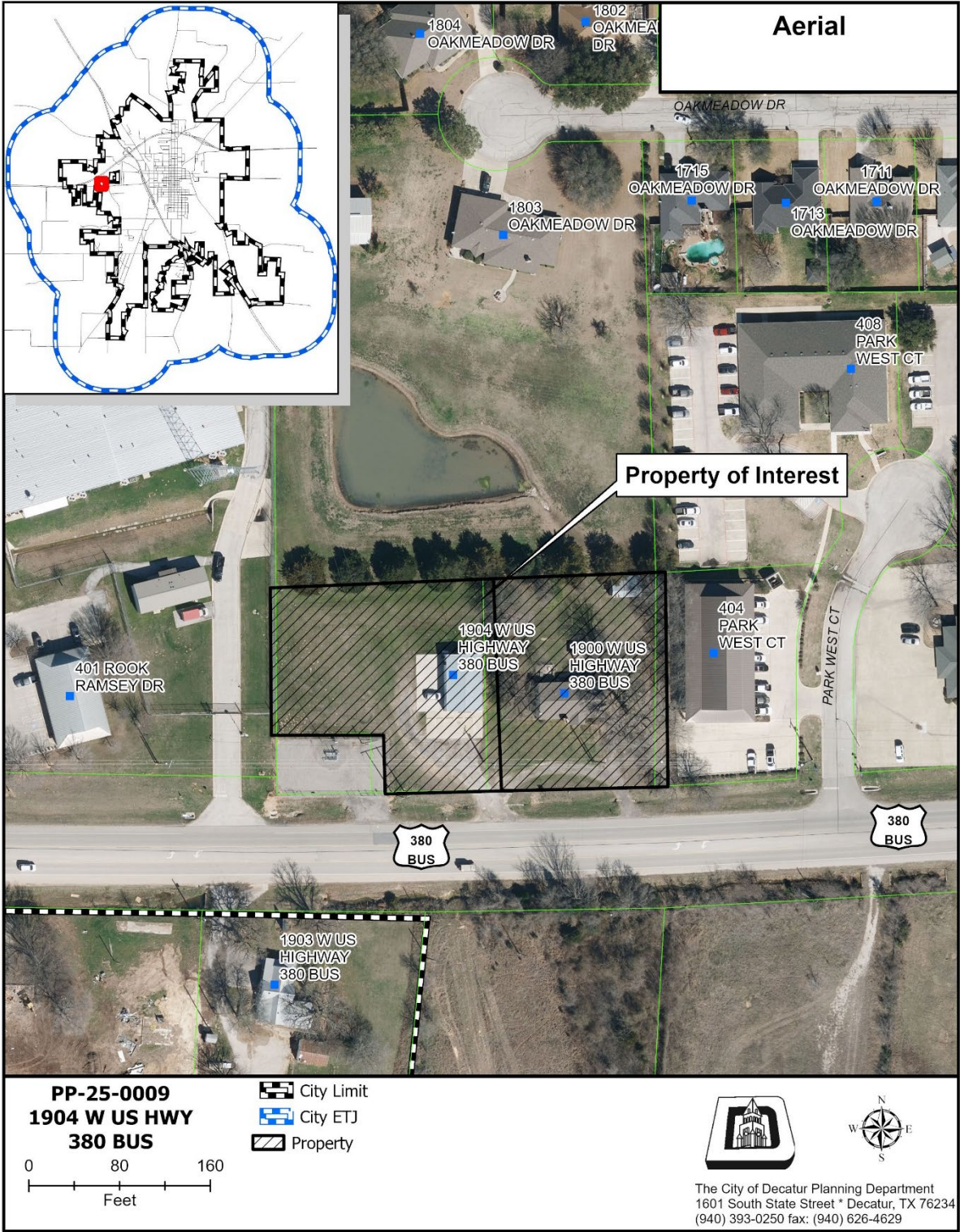
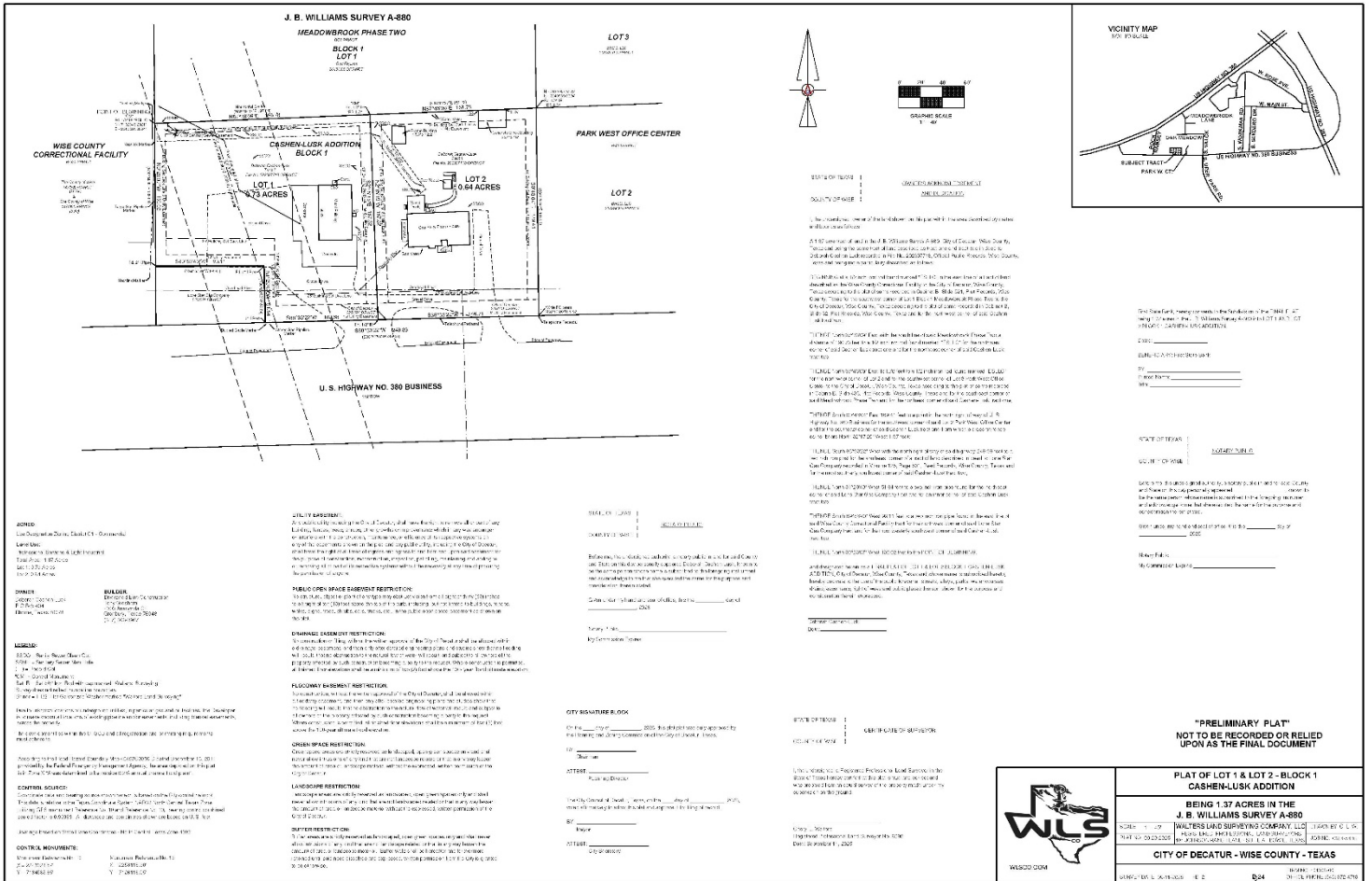


Exhibit "2" Preliminary Plat Exhibit





FINAL PLAT STAFF REPORT

TO: Planning and Zoning Commission
FROM: Lisa Hannon, Planning Director
PUBLIC HEARING DATE: March 30, 2026
RE: FP-25-0011 – 1904 W Bus. Hwy 380 – Deborah Cashen-Lusk

Applicant Request:

FP-25-0011 – Consider and make a recommendation to the City Council to approve a request for a final plat of Lot 1 and Lot 2, Block 1, Cashen-Lusk Addition, being 1.37 acres in the J.B. Williams Survey A-880, City of Decatur, Wise County, Texas, also known as 1904 W Business Hwy 380. (Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner)

Summary of Applicant's Request:

Diversified Elite Construction, on behalf of Deborah Cashen-Lusk, property owner, has filed an application for a Final Plat for the property located at 1904 W Business Hwy 380, Decatur, Texas.

Findings:

- Finding #1. The property can be legally platted according to the Texas Local Government Code (TLGC), Section 212.
Finding #2. The Final Plat application is running concurrently with the Preliminary Plat application.
Finding #3. There is an existing non-conforming structure located on Lot 2 that will require a variance through the Board of Adjustments (BOA).
Finding #4. The variance application was heard and approved by BOA at the March 16 meeting.
Finding #5. There are two separate sewer services for 1904 and 1900 US Highway 380. Both services terminate in the northwest corner of Lot 1. The owner needs the right to access and maintain their private sewer service line.
Finding #6. The approval process for the preliminary plat is ministerial, meaning the decision to approve, approve with conditions, or deny the request cannot be arbitrary.

Conclusion(s):

- Conclusion #1. The variance for an existing non-conforming structure located on Lot 2 was approved by the BOA at the March 16 meeting.
Conclusion #2. City has confirmed there are two separate sewer services for 1904 and 1900 US Highway 380. Both services terminate in the northwest corner of Lot 1. The owner needs the right to access and maintain their private sewer service line.

Condition(s):

- Condition #1. An easement encroachment agreement may be required so that the City and the adjacent property owner(s) can access and maintain any public or private sewer service line.

Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the Findings and Conclusions outlined in the staff report, the Development Services staff recommends approval of FP-25-0011 with the above-stated condition regarding the easement encroachment agreement.

Attachments:

1. Location/Aerial Map
2. Final Plat Exhibit

Exhibit "1" Location/Aerial Map

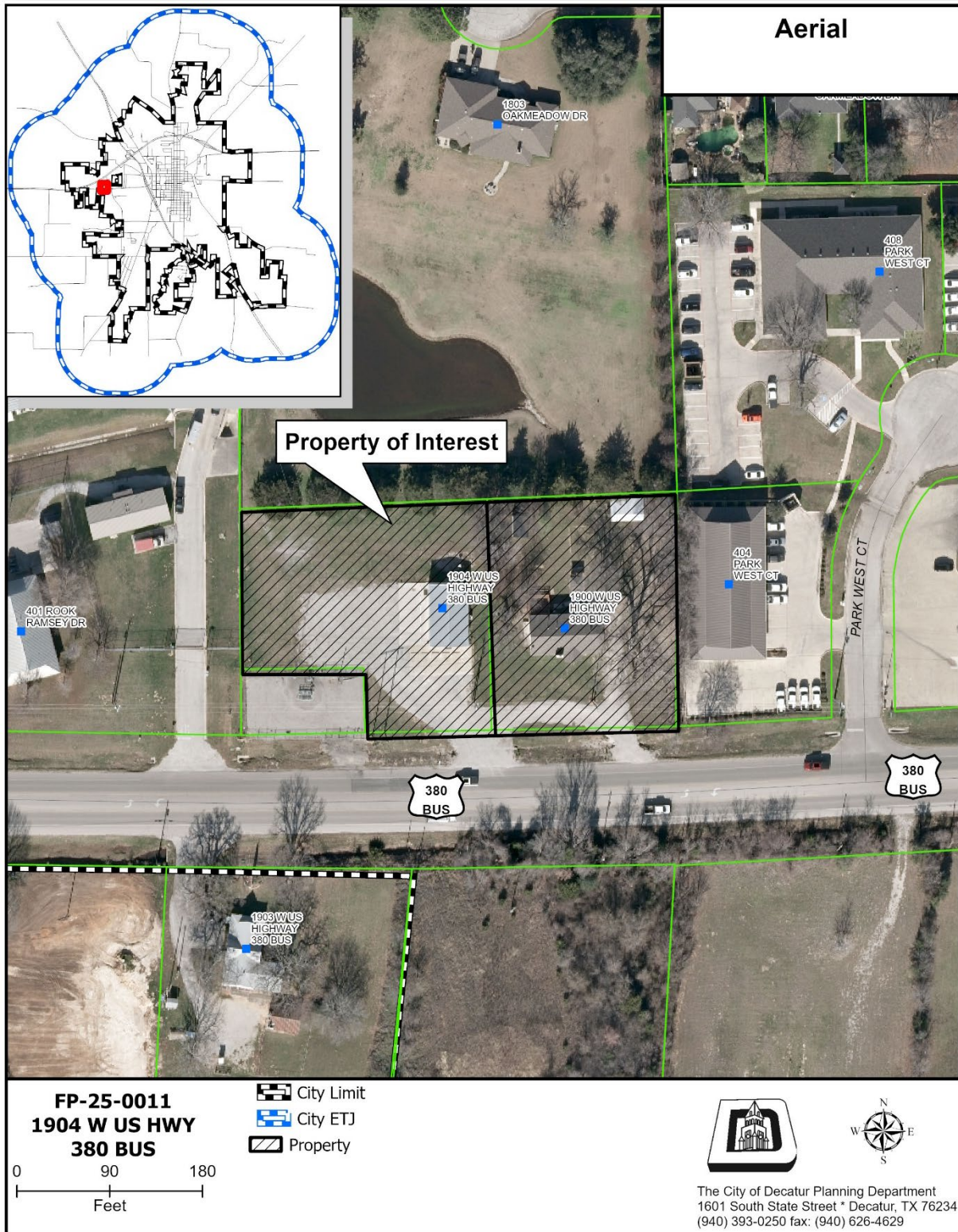


Exhibit "2" Final Plat Exhibit

