



# CITY OF OVERTON

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## Planning & Zoning Commission Agenda

6:00 p.m.

March 9, 2023

1200 South Commerce Street

City of Overton, Texas

City Hall Council Chambers

**I. Call to Order**

**II. Invocation**

**III. Pledge of Allegiance**

*U.S. flag*

*Texas flag ("Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible")*

**IV. Public Forum - *Each individual will be allowed three (3) minutes.***

*Anyone wishing to speak on a posted agenda item must complete a speaker card with his/her name and address and must identify the agenda item number for which he/she would like to speak. A speaker card must be presented to Lisa Hemus, Interim City Secretary, prior to the meeting so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a three (3) minute time period to provide comments regarding the posted agenda items for which the request to speak was submitted and may speak before or during the Commissioner's consideration of the item.*

**V. Consent Agenda**

(The Consent Agenda includes non-controversial and routine items that the Commission may act on with one single vote.)

- A. Commission to review and make possible corrections to the minutes of Planning and Zoning Meeting held on May 16, 2022.

(NOTE: The Chairman or any Commissioner may pull any item from the Consent Agenda to discuss and act upon individually on the Regular Agenda.)

## **VI. Public Hearing**

### **Open Public Hearing**

1. Commission to hear, discuss and receive public comments regarding Variance Application number 2023.2-21 for two locations:
  - A. East Real Estate, LLC's request for a Special Exception (ZBA2021-11-18) to the City of Overton Zoning Ordinance Regulations, Section 8 – Mobile Home District (MH) and Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a Manufactured Home to be located in the City Limits unless in a Manufactured Home Park or subdivision. The subject property is a tract of land legally described as 0.39 acre, more or less, situated in the Mary Hughes Survey, Abstract 471, Smith and Rusk Counties, Texas, as described in deed dated April 6, 2001, from Louis Cary et ux to Edgar A. Curry et ux, in Volume 5793, Page 231, Official Records of Smith County, Texas.
  - B. Eric Stephen Hicks' request for a Special Exception (ZBA2021-11-18) to the City of Overton Zoning Ordinance Regulations, Section 8 – Mobile Home District (MH) and Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a Manufactured Home to be located in the City Limits unless in a Manufactured Home Park or subdivision. The subject property is a tract of land legally described as 5.570 acres, more or less, situated in the J T McDaniel Survey, Abstract 557, Lot 2, Block 18, Rusk County, Texas, as described in deed dated October 2, 1998, from A C Norris to First United Pentecostal Church (now known as Truth Tabernacle Church), in Volume 2096, Page 839, File Number 34168, Official Records of Rusk County, Texas.

### **Close Public Hearing**


## **VII. New Business**

- 1 Commission to take action to make a recommendation to the Overton City Council regarding East Real Estate, LLC's request for a Special Exception (ZBA2021-11-18) to the City of Overton Zoning Ordinance Regulations, Section 8 – Mobile Home District (MH) and Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a Manufactured Home to be located in the City Limits unless in a Manufactured Home Park or subdivision. The subject property is a tract of land legally described as 0.39 acre, more or less, situated in the Mary Hughes Survey, Abstract 471, Smith and Rusk Counties, Texas, as described in deed dated April 6, 2001, from Louis Cary et ux to Edgar A. Curry et ux, in Volume 5793, Page 231, Official Records of Smith County, Texas.
- 2 Commission to take action to make a recommendation to the Overton City Council regarding Eric Stephen Hicks' request for a Special Exception (ZBA2021-11-18) to the City of Overton Zoning Ordinance Regulations, Section 8 – Mobile Home District (MH) and Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a

Manufactured Home to be located in the City Limits unless in a Manufactured Home Park or subdivision. The subject property is a tract of land legally described as 5.570 acres, more or less, situated in the J T McDaniel Survey, Abstract 557, Lot 2, Block 18, Rusk County, Texas, as described in deed dated October 2, 1998, from A C Norris to First United Pentecostal Church (now known as Truth Tabernacle Church), in Volume 2096, Page 839, File Number 34168, Official Records of Rusk County, Texas.

### VIII. Adjournment

I, Lisa Hemus, Interim City Secretary of the City of Overton, Texas do hereby certify that notice of the above-named meeting was posted on the City Hall bulletin board of the City of Overton, Texas, a place readily accessible to the public at all times, on February 27, 2023, by 6:00 p.m. and remained continuously posted for at least 72 hours immediately preceding the said meeting and that said notice was posted in accordance with Chapter 551, Texas Government Code.



Lisa Hemus  
Lisa Hemus  
Interim City Secretary

**Note:** The Overton Planning & Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberation About Security Devices), 551.074 (Personnel), and 551.087 (Deliberations regarding Economic Development negotiations).

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the City of Overton forty-eight (48) hours in advance at 903-834-3171, and reasonable accommodation's will be made for assistance. This facility is wheelchair accessible and accessible parking spaces are available.