

A detailed map of Harker Heights, Texas, showing a grid of streets and various zoning districts. The map is rendered in shades of gray and black, with some areas highlighted in a darker gray. The text is overlaid on the map.

Harker Heights
Planning and Zoning
Commission
Workshop and Meeting
Wednesday,
January 30, 2019
5:30 P.M.



**PLANNING & ZONING COMMISSION
WORKSHOP AND MEETING AGENDA
HARKER HEIGHTS CITY HALL
WEDNESDAY, JANUARY 30, 2019 – 5:30 P.M.**

Notice is hereby given that, beginning at 5:30 P.M. on January 30, 2019, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will hold a Workshop; then, beginning at 6:30 P.M. on January 30, 2019, and continuing from day to day thereafter if necessary the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas will hold a Meeting in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following Agenda:

WORKSHOP AGENDA

- I.* Convene Workshop at 5:30 P.M.
- II.* Swear in all members and alternates of the Planning and Zoning Commission.
- III.* Elect Officers: Chairman, Vice Chairman, and Secretary.
- IV.* Presentation by Staff; Introductory: Becoming a Zoning Commissioner for the City of Harker Heights.
- V.* Discussion of Revised Sign Code
- VI.* Adjournment of Workshop.

MEETING AGENDA

- I.* Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.
- II.* Approval of Minutes from the Regular Planning and Zoning Meeting held on December 5, 2018.
- III.* Report on City Council actions results from the December 11, 2018 meeting.
- IV.* Recognition of Affidavits for Conflict of Interest.
- V.* Report on Development Activity.
- VI.* Public Hearings:
 - 1. Z19-01** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at 2223 Fuller Lane, Harker Heights, Bell County, Texas.

2. **Z19-02** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R1-M (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at 913 Ashwood Drive, Harker Heights, Bell County, Texas.
3. **Z19-04** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) to allow a large accessory structure on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at 12411 E. FM 2410 (E. Knights Way) Harker Heights, Bell County, Texas.
4. **Z19-05** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow a private school on property described as Lot One (1), Block One (1), Jaylinn Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, and an adjacent 0.551 acre tract of land in Bell County, Texas, being part of the R.W. Tom Survey, Abstract No. 838, both tracts being generally located at 111 Mountain Lion Road, Harker Heights, Bell County, Texas.

VII. Citizens to be heard.

VIII. Reports from Commissioners.

IX. Staff Comments.

X. Adjournment.

Posted: January 25, 2019 Time: 10:00 A.M.

Tiffany Dake

Tiffany Dake
Planning and Development Administrative Assistant



Minutes of the Regular Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
December 5, 2018

Present:

Larry Robison	Chairman
Darrel Charlton	Vice Chair
Noel Webster	Secretary
Stephen Watford	Commissioner
Kay Carey	Commissioner
Jan Anderson	Commissioner
Joshua McCann	Commissioner

Absent:

Kendall Cox	Alternate-Commissioner
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Staff:

Joseph Molis	Director of Planning & Development
Wilson Everett	Building Official Secretary
Courtney Peres	Senior Planner
Brad Alley	Fire Marshal

A quorum was established and the meeting was called to order at 6:30 P.M.

The first item on the agenda was the approval of the minutes from the October 31, 2018 Commissioner Anderson made the motion to approve meeting minutes and Commissioner Webster seconded the motion. The motion passed unanimously (7-0).

The next item on the agenda was to recognize affidavits for Conflict-of-Interest. Mr. Molis stated that there were no conflicts of interest.

Next, Mrs. Pate presented the update on development activity for the City. She stated the City issued zero (0) commercial construction permits, five (5) single-family residential construction permits, and zero (0) duplex for the month of November.

Next was the report on the November 13, 2018 City Council actions regarding recommendations resulting from the October 31, 2018 Planning and Zoning Commission meeting.

Next under Public Hearings, Mr. Molis presented **Z18-17**; Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-1 (Office District) to PD-B (Planned Development – Business) on a 6.730 acre tract of land situated in the E.M. Sprott Survey, Abstract No. 772, the R.W. Tom Survey, Abstract No. 837, all in Bell County, Texas and being a part or portion of that certain called 46.849 acre tract of land described in Deeds to 2410 Real Estate LP, generally located near the

intersection of Hudson Boulevard and Prospector Trail in Harker Heights, Bell County, Texas

Chairman Robison then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. Mike Beevers of 5101 FM 439, Belton, Texas presented himself as the representative for the applicant and answered questions posed by the Commissions. Mike Stegmeyer of 715 Black Hills Trail, Harker Heights, Texas presented himself to speak in opposition of the request. Mr. Stegmeyer's main concerns were sound trespass from the storage facility, and potential flooding that would effect the neighborhood once the site at Hudson and Prospector was developed.

Chairman Robison then closed the public hearing. Members of the commission then discussed the request with City Staff and the applicant. Chairman Robison asked for a motion to recommend approval or disapproval for agenda item **Z18-17**. Commissioner Anderson made a motion for approval based upon staff's recommendations and conditions to include an additional condition to provide shrubbery along the western property line of the storage facility. Commissioner McCann seconded the motion. Commissioner Karey motion to amend the motion on the floor to instead require an eight (8') foot masonry fence along the western property line of the storage facility in replace of the additional shrubbery. Commissioner Watford seconded the amended motion. The amended motion passed with a vote of (4-3). The Commission then returned to the main motion on the table. The motion passed (6-1) (Commissioner Webster voted in opposition).

Chairman Robison asked if there were any citizens to be heard. There were not any citizens to present to the Commission.

Chairman Robison asked if there were any staff comments. Mr. Molis stated that there will not be a meeting in December and that the next meeting will be held January 30, 2019. Mr. Molis also mentioned that there is a current vacancy in the Planning Department as the previous Administrative Assistant has left the City.

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 7:49 P.M.

CHAIRMAN:

DATE:

ATTEST SECRETARY:

DATE:



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

AGENDA ITEM #III

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

Recognize Affidavits for Conflict-of-Interest – Joseph Molis, Director of Planning & Development



PLANNING AND ZONING COMMISSION MEMORANDUM

AGENDA ITEM #IV

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

At the regular called meeting of the Planning and Zoning Commission held October 31, 2018, the Commission forwarded the items below to the City Council at their regular meeting on November 13, 2018.

Z18-17 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-1 (Office District) to PD-B (Planned Development – Business) on a 6.730 acre tract of land situated in the E.M. Sprott Survey, Abstract No. 772, the R.W. Tom Survey, Abstract No. 837, all in Bell County, Texas and being a part or portion of that certain called 46.849 acre tract of land described in Deeds to 2410 Real Estate LP, generally located near the intersection of Hudson Boulevard and Prospector Trail in Harker Heights, Bell County, Texas.

Planning and Zoning Commission – Approved (6-1)
City Council – Approved (4-0)

Z18-13 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to adjust design requirements for an existing storage business on property designated as B-5 (General Business District), on property described as P T C Addition, Block One (1), Lot Four (4), PT 3, 5.394 acres, generally located at 1174 S. Amy Lane, Harker Heights, Bell County, Texas.

Planning and Zoning Commission – Approved (6-0)
City Council – Approved (4-0)



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

AGENDA ITEM #V

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

Report on Development Activity – Joseph Molis.



PLANNING AND ZONING COMMISSION MEMORANDUM

Z19-01

AGENDA ITEM VI-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS PART OF LOT EIGHT (8) AND ALL OF LOT NINE (9) AND LOT TEN (10), BLOCK FOUR (4), HIDDEN VALLEY ESTATES, AN ADDITION IN BELL COUNTY, TEXAS, RECORDED IN CABINET A, SLIDE 212-A, PLAT RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 2223 FULLER LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property located at 2223 Fuller Lane. The applicant intends to occupy the accessory unit while there are modifications done to the primary structure.

The zoning will remain R-1 (One-Family Dwelling District) and will consist of the following condition(s):

1. The applicant will have 12 months from the date of approval by City Council to occupy the secondary structure (*Camper) on the property at 2223 Fuller Lane in order to remodel the primary structure on the property. After 12 months the applicant must no longer reside in the Camper and must then relocate the Camper to a concrete pad for on-site storage.

*CAMPER. Any type of manufactured structure or recreational vehicle which is not independent as defined in this section.

The accessory unit identifies as a "Camper" which can be defined as, "any type of manufactured structure or recreation vehicle which is not independent", per Harker Heights Code of Ordinances §152.35. The "Camper" consists of approximately 240 square feet and rests on a mobile chassis and is Recreational Vehicle Industry Association (RVIA) certified.

Currently the unit does not meet Harker Heights Code of Ordinances Section 155.020 (5) which states that a small accessory structure not exceeding 144 square feet must be built on a moveable foundation. The unit exceeds the square footage allowed to be mobile. After meeting with Staff the applicant feels that allowing the "Camper" as a temporary living unit for a period of 12 months will allow her sufficient time to rehabilitate the primary structure.

Existing Use:

The property is currently a single family home. The neighborhood is made up of primarily single family residences with several large vacant tracts of land. A survey of the area showed that a sizable number of houses in the subdivision have accessory structures mostly located at the rear

of the primary house. This CUP if granted will not interfere with the property's primary use as a single family home. The proposed change would not alter or have any significant impact on the square footage of the primary house, setbacks or any other development regulations. The proposed use would therefore not likely have any adverse impact on adjoining land uses in the neighborhood.

Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). All adjacent and surrounding properties are zoned R-1 (One-Family Dwelling District). The proposed use will be for residence only, which the R-1 zoning district allows via a Conditional Use Permit. The use will also meet all applicable setbacks and development requirements outlined in the Zoning Ordinance. The proposed accessory dwelling unit will therefore not likely have any adverse effects on the surrounding residential zoning districts.

Future Land Use:

Per the City's Future Land Use Map, the subject property is currently located in an area designated as Single Family Residential (SFR). The residential dwelling unit is an accessory to the primary house and does not violate the intent or ideals of Single Family Residential (SFR) use if it meets all development regulations. Hence granting the conditional use permit would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500 year flood hazard areas.

Notices:

Staff sent out twenty-three (23) notices to property owners within the 400 foot notification area. Two (2) responses were received in favor of the request, and zero (0) responses received in opposition of the request.

Proposed Conditions:

Staff has worked with the applicant to create the following condition(s) for the CUP

RECOMMENDATION:

Staff has no recommendation for the request to recommend an ordinance granting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at 2223 Fuller Lane, Harker Heights, Bell County, Texas, and aske the Planning and Zoning Commission to make a recommendation based on the following in accordance to Section 155.021 (5) of the Harker Heights Code of Ordinance:

1. The proposed use does not conform with applicable regulations and standards established by the Harker Heights Code of Ordinances;
 - a. Proposed unit exceeds the square footage to be classified as a Small Accessory Structure and is therefore classified as a large accessory structure and must be built on a permanent foundation (i.e. immobile).
 - b. Proposed unit does not meet façade requirements for a large accessory structure. Building materials and façade must be consistent with the main residence building materials and façade (§155.020 (5) (b)).

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval for an ordinance granting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at 2223 Fuller Lane, Harker Heights, Bell County, Texas. based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Letter of Intent
3. Site Plan
4. Supplemental Documents
5. Proposed Conditions
6. Location Map
7. Zoning Map
8. Existing Land Use Map
9. Future Land Use Map
10. Notification Area Map
11. Citizen Responses



City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5647

Conditional Use Permit Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. Site Plan
4. Letter of Intent

Property Owner(s) Name: Tara K. Ortiz Date: 11/13/2018

Address: 2223 Fuller Lane

City/State/Zip: Harker Heights, TX 76548

Phone: (404) 610-8272 E-mail: tkmille@gmail.com

Legal Description of Property:

Location of Property (Address if available): 2223 Fuller Lane, Harker Heights, TX 76548

Lot: partial 8, all of 9 & 10 Block: 4 Subdivision: Hidden Valley Estates

Acres: 0.329 Property ID: 27959 Survey: See attachment

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Current Zoning Classification: R-1 One-Family Dwelling District/ Single Family Home Future Land Use Designation: N/A

Applicant's Representative (if applicable):

Applicant's Representative: N/A

Phone: _____ E-Mail: _____

ATTACH A SITE PLAN: Provide a plan drawn to scale to illustrate the boundaries of the area, location of all existing and proposed structure(s), gross floor area and location of building entrances and exits.

ATTACH A LETTER OF INTENT: Provide a detailed description of the proposed use including but not limited to: the changes to the site, structure(s), landscaping, parking and land use in reference to the Harker Heights Code of Ordinances Section 155.201 Conditional Use Permit.

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or _____ will represent the owner.

Tara K. Ortiz

Printed Name of Property Owner

Printed Name of Representative

Date Submitted: _____

Signature of Property Owner

Signature of Representative

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: _____

TKO

Tara K. Ortiz

Home: 2223 Fuller Lane, Harker Heights, TX 76548

Work: 36065 Santa Fe Ave, Ft. Hood, TX 76544

Phone: (C) 404.610.8272, (W) 254.288.8007

Fax: 254.288.8875

Email: tkmille@gmail.com

11 January 2019

City of Harker
Heights Planning &
Development 305
Millers Crossing
Harker Heights, TX
76548

RE: Letter of Clarification
Dear Harker Heights City Council Members,

I, Tara K. Ortiz, hereby submit clarification to my initial letter of intent dated 16 November 2018 in support of my application for a Conditional Use Permit to place an accessory structure on my property located at 2223 Fuller Lane, Harker Heights, TX 76548, BellCAD Property ID: 27959.

As previously stated, the dimensions of my accessory structure measure 8.5' W x 28' L x 13' H with a total square footage of 240 sqft. The accessory structure rests on a mobile chassis and is Recreational Vehicle Industry Association (RVIA) certified. The accessory dwelling is situated to the rear of the main structure on the property and is not currently on a foundation or concrete slab.

I purchased the property at 2223 Fuller Lane, Harker Heights, TX 76548, BellCAD Property ID: 27959 on 9/14/2018 and began interior renovations on the main structure which I anticipate will take 12 months for the date of purchase to complete. During the renovation process I plan to primarily occupy the accessory structure (described above). Once the main structure on the property is sufficiently habitable, I will transition occupancy to that dwelling.

I request authorization to use the accessory structure as my primary dwelling ONLY during the renovation of the main structure on the property. Upon completion of the renovations, I will discontinue use of the accessory structure as a dwelling. Currently, I am the sole occupant of the property.

Lastly, I am unable to attend the initial hearing by the City Council on 30 January 2019 due to travel for business. Regrettably, I do not have a representative to attend on my behalf. I apologize for my absence. I authorize representation by a member of the Harker Heights Planning and Development Department as appropriate.

Again, I appreciate your consideration of this application. Please contact me if you have any questions or require any additional information at (404) 610-8272 or tkmille@gmail.com.

Very respectfully,



Tara K. Ortiz

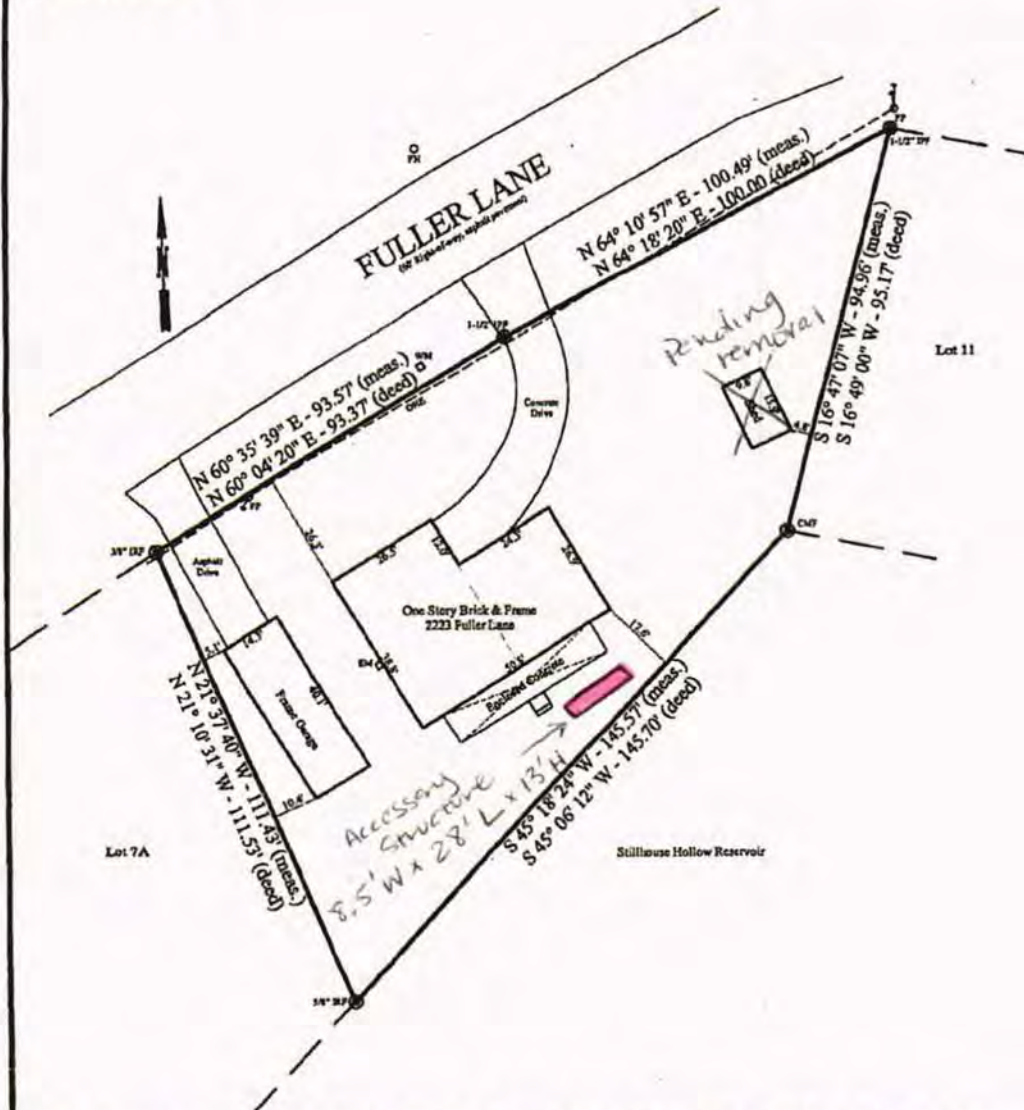
encl (0)

tko

LEGEND

- Indicates Iron Rod Found
- Indicates Iron Rod Set

Setback lines established by city ordinances or subdivision restrictions not shown.



NOTE: Restrictive covenants recorded in Vol. 965, Pg. 573, Deed Records of Bell County, Texas do affect this lot. This survey was performed without the benefit of a title commitment. No easements or other matters not known, not shown on the plat or observed on the ground have been shown, noted or located.

KNOW ALL MEN BY THESE PRESENTS, that I, Michelle E. Lee, a Registered Professional Land Surveyor (TX 5772), do hereby certify that on January 16, 2017, a survey was made on the ground of property located at 2223 Fuller Lane, Harker Heights, Texas; said property being part of Lot 8 and all of Lots 9 & 10, Block 4, HIDDEN VALLEY ESTATES, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes. The drawing hereon is a true and accurate representation of the property as determined by said survey. The lines and dimensions of said property being as indicated on the drawing. The size, location, and type of improvements are as shown and are within the boundaries of the property, set back from property lines the distances indicated.

THERE ARE NO VISIBLE ENCROACHMENTS OR CONFLICTS, EXCEPT AS SHOWN.

This survey is for the exclusive use of Virginia Davis and may not be used for any other purpose.

DATE: January 16, 2017

SCALE: 1" = 30'

KILLEEN ENGINEERING & SURVEYING, LTD
 2901 E. STAR SCHLUSTER LOOP
 KILLEEN, TEXAS 78542
 (254) 528-3881 FAX (254) 528-4331
 TPLS REGISTRATION NO. 100144-00



TKO

Tara K. Ortiz

Home: 2223 Fuller Lane, Harker Heights, TX 76548

Work: 36065 Santa Fe Ave, Ft. Hood, TX 76544

Phone: (C) 404.610.8272, (W) 254.288.8007

Fax: 254.288.8875

Email: tkmille@gmail.com

16 November 2018

City of Harker Heights
Planning & Development
305 Millers Crossing
Harker Heights, TX 76548

RE: Letter of Intent

Dear Harker Heights City Council Members,

I, Tara K. Ortiz, hereby submit this letter of intent in conjunction with an application for a Conditional Use Permit to place a large accessory structure on my property located at 2223 Fuller Lane, Harker Heights, TX 76548, BellCAD Property ID: 27959. In accordance with City of Harker Heights Ordinance Chapter 155.020, R-1 Family Dwelling District, Section (A), the following uses are permitted by right:

(5) Accessory Structure

(b) Large accessory structure subject to the following requirements:

1. Building materials and facade must be consistent with the main residence building materials and facade;
2. Large accessory building must be behind the front facade of the main residence;
3. The height of the large accessory building cannot exceed that of the main residence building;
4. Number, size, setbacks and height requirements based on the size of the lot as follows:

Lot Size	# Large Accessory structures allowed	Maximum Aggregate size of all accessory structures	Setbacks	Maximum Height
>10,000 sqft, <0.5 acres	1	500 sqft	Front: 25 ft Side: 6 ft Rear: 10 ft	15 ft

The dimensions of my accessory structure are 8.5' W x 28' L x 13' H with a total square footage of 240 sqft. The building materials are wood siding and a decorative anodized aluminum trim (see attached photographs). The accessory dwelling is situated to the rear of the main structure on the property and cannot be seen from the street when viewed directly from the front. Given that the adjacent two lots (11 & 12 which I also own) are vacant, the accessory dwelling can be seen in the rear yard of lots 8, 9 & 10 if viewed from a distance when traveling east to west on Fuller Lane beginning at Tye Valley Rd.

Under the circumstance that a Conditional Use Permit is required, the request is made in accordance with City of Harker Heights Ordinance Chapter 155.020, R-1 Family Dwelling District, Section (B) Conditional Uses:

(4) *Accessory dwelling for relative or servant (not for rent)*

AND Chapter 155.040 Additional Use, Height, Area and Lighting Regulations; Exceptions, Section (A) Use Regulations:

(1) *Accessory buildings and metal exteriors.*

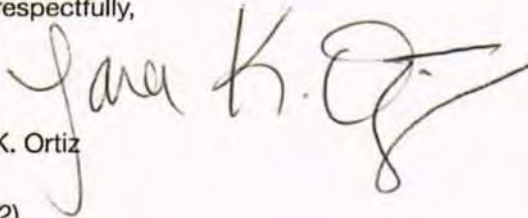
(a) Buildings with metal exteriors are prohibited within all residential districts, with the exception of small accessory structures meeting the requirements of § 155.020; government-owned structures, facilities and uses; mobile and manufactured homes where permitted for residential purposes (not for storage); and temporary structures for uses incidental to construction work on the premises, provided the structures are in compliance with an approved temporary use permit.

I purchased the property at 2223 Fuller Lane, Harker Heights, TX 76548, BellCAD Property ID: 27959 on 9/14/2018 and began interior renovations on the main structure which I anticipate will take 12 months to complete. During the renovation process I plan to primarily occupy the accessory structure (described above). Once the main structure is sufficiently habitable, I will transition occupancy to that structure.

I plan to move my mother and grandmother from North Carolina to live with me at the 2223 Fuller Lane property once all renovations are complete. My primary residence will be the main structure on the property. My 93 year old grandmother will reside with me. My mother will occupy the accessory dwelling as my relative and to assist in the care of my elderly grandmother.

I appreciate your careful consideration of this letter. Please contact me if you have any questions or require any additional information at (404) 610-8272 or tkmille@gmail.com. Thank you for attention to this matter.

Very respectfully,

A handwritten signature in black ink that reads "Tara K. Ortiz". The signature is written in a cursive style with a long horizontal stroke at the end.

Tara K. Ortiz

encl (2)
tko

APPENDIX



Exhibit A

Being a 0.329 acre tract of land being part of Lot 8 and all of Lots 9&10, Block 4 of Hidden Valley Estates, as recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, being that same tract of land conveyed to The Virginia Lee Davis Revocable Trust as recorded in Instrument Number 2011-00042600, Official Public Records of Real Property of Bell County, Texas, and further described in a Warranty Deed with Vendor's Lien to Kenneth D. Davis and wife, Virginia L. Davis as recorded in Volume 1901, Page 265, Deed Records of Bell County, Texas; said 0.329 acre tract being more particularly described as follows:

BEGINNING at a 1-1/2" iron rod found in the South margin of Fuller Lane, said rod being the Northwest corner of Lot 11, Block 4 of said Hidden Valley Estates, the Northeast corner of said Davis tract and the Northeast corner of the herein described tract;

THENCE, S 16° 47' 07" W, 94.96 feet, (S 16° 49' 00" W, 95.17 feet – deed) with the West line of said Lot 11, the East line of said Davis tract and the East line of the herein described tract to an Army Corps of Engineer concrete monument found in the North line of Stillhouse Hollow Reservoir, said monument being the Southwest corner of said Lot 11, and the Southeast corner of said Davis tract for the Southeast corner of the herein described tract;

THENCE, S 45° 18' 24" W, 145.57 feet, (S 45° 06' 12" W, 145.70 feet – deed) with the North line of said Stillhouse Reservoir, the South line of said Davis tract and the South line of the herein described tract to a 5/8" iron rod found, said rod being the Southeast corner of Lot 7A, Block 4 of Hidden Valley Estates II, amended plat of Lot 7 and part of Lot 8, Block 4 as recorded in Cabinet C, Slide 252-C, said plat records, and being the Southwest corner of said Davis tract for the Southwest corner of the herein described tract;

THENCE, N 21° 37' 40" W, 111.43 feet, (N 21° 10' 31" W, 111.53 feet – deed) with the East line of said Lot 7A, the West line of said Davis tract and the West line of the herein described tract to a 3/8" iron rod found in the South margin of Fuller Lane, said rod being the Northeast corner of said Lot 7A and the Northwest corner of said Davis tract for the Northwest corner of the herein described tract;

THENCE, N 60° 35' 39" E, 93.57 feet, (N 60° 04' 20" E, 93.37 feet – deed) with the South margin of Fuller Lane, the North line of said Davis tract and the North line of the herein described tract to a 1-1/2" iron pipe found, said pipe being a corner in the South margin of Fuller Lane and in the North line of said Davis tract for a corner in the North line of the herein described tract;

THENCE, N 64° 10' 57" E, 100.49 feet, (N 64° 18' 20" E, 100.00 feet – deed) with the South margin of Fuller Lane, the North line of said Davis tract and the North line of the herein described tract to the **POINT OF BEGINNING**, containing 0.329 acres of land, more or less.

All bearings are based upon the Texas State Plane Coordinate System, NAD 83 (CORS 96), Central Zone as per Leica Texas Smartnet GPS observations.

I, Michelle E. Lee, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground of the property described herein.

Michelle E. Lee

Michelle E. Lee, RPLS 1-16-17
No. 5772, Texas



KILLEEN ENGINEERING & SURVEYING, LTD.
2901 E. STAN SCHLUETER LOOP
KILLEEN, TEXAS 76542
(254) 526-3981/ FAX (254) 526-4351
TBPE Registration No. F-4200, TBPLS Registration No. 100144-00

Proposed Conditions

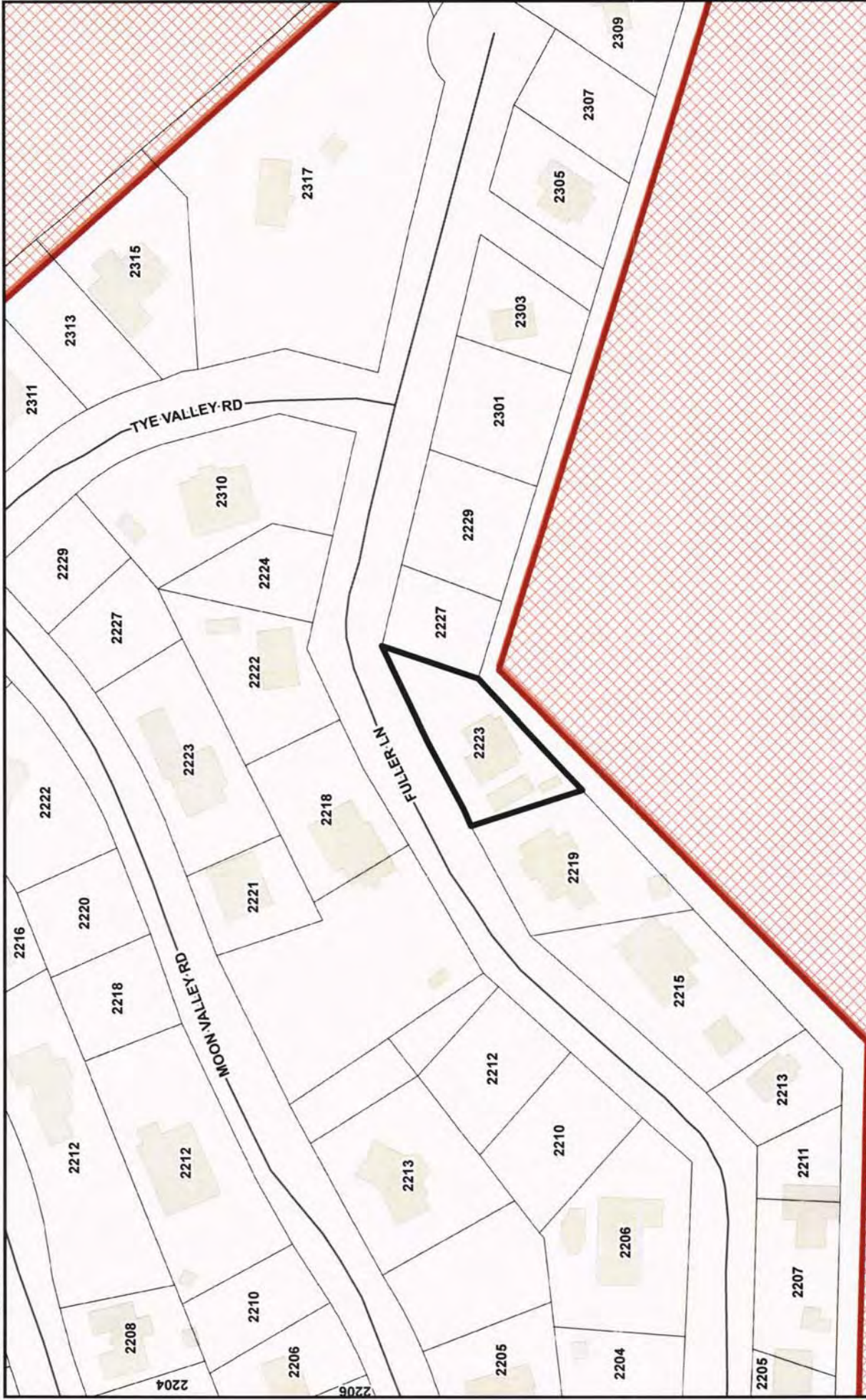
Z19-01 Conditional Use Permit – 2223 Fuller Lane

1. The applicant will have 12 months from the date of approval by City Council to occupy the secondary structure (*Camper) on the property at 2223 Fuller Lane in order to remodel the primary structure on the property. After 12 months the applicant must no longer reside in the Camper and must then relocate the Camper to a concrete pad for on-site storage.

***CAMPER.** Any type of manufactured structure or recreational vehicle which is not independent as defined in this section.

Z19-01

Location



2223 Fuller Lane
Harker Heights City Limits
Harker Heights ETJ

City of Harker Heights
 Planning and Development
 300 Main's Crossing
 Harker Heights, TX 76046
 www.harkerheights.tx.us

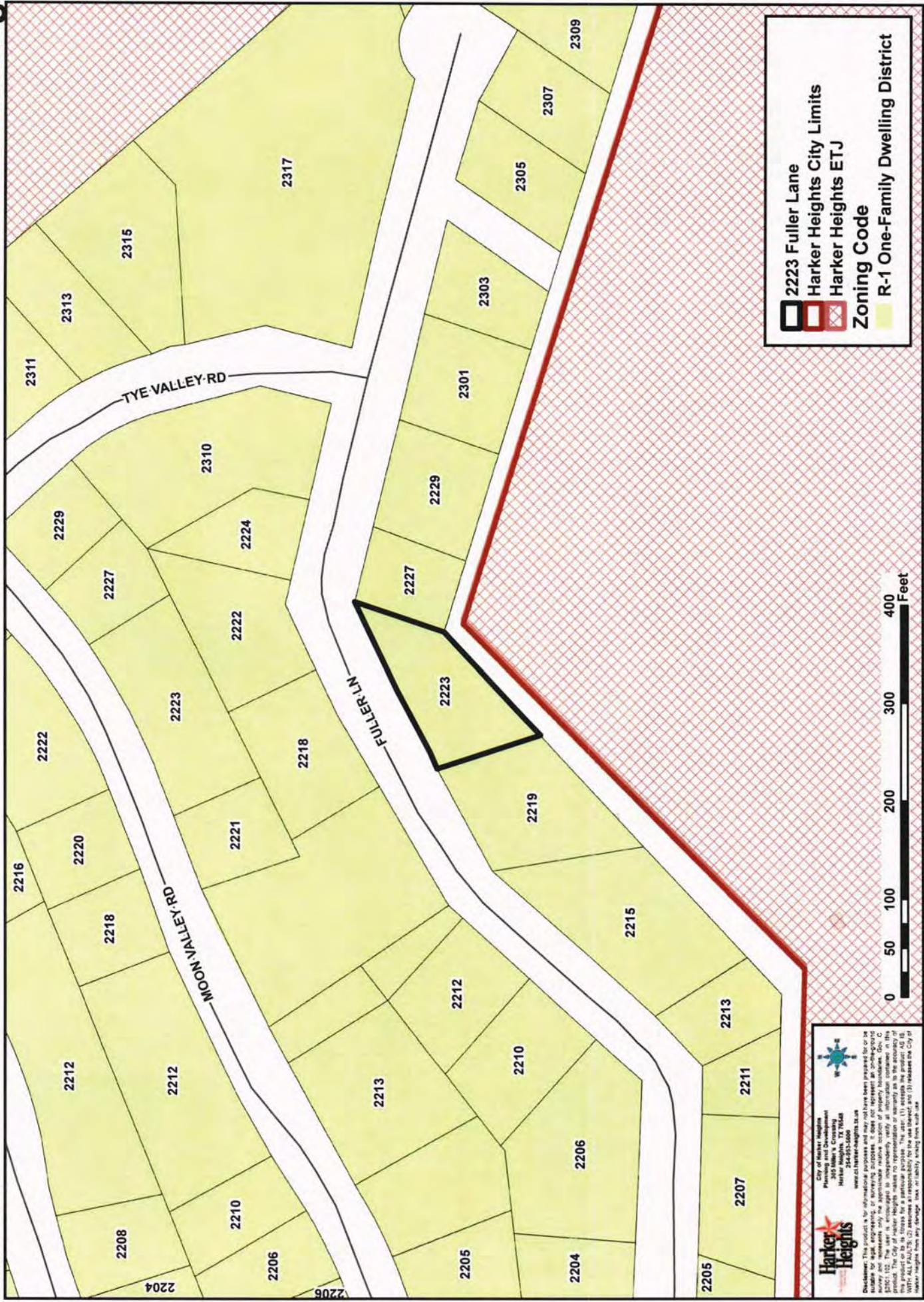
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Map Date: 1/4/2019

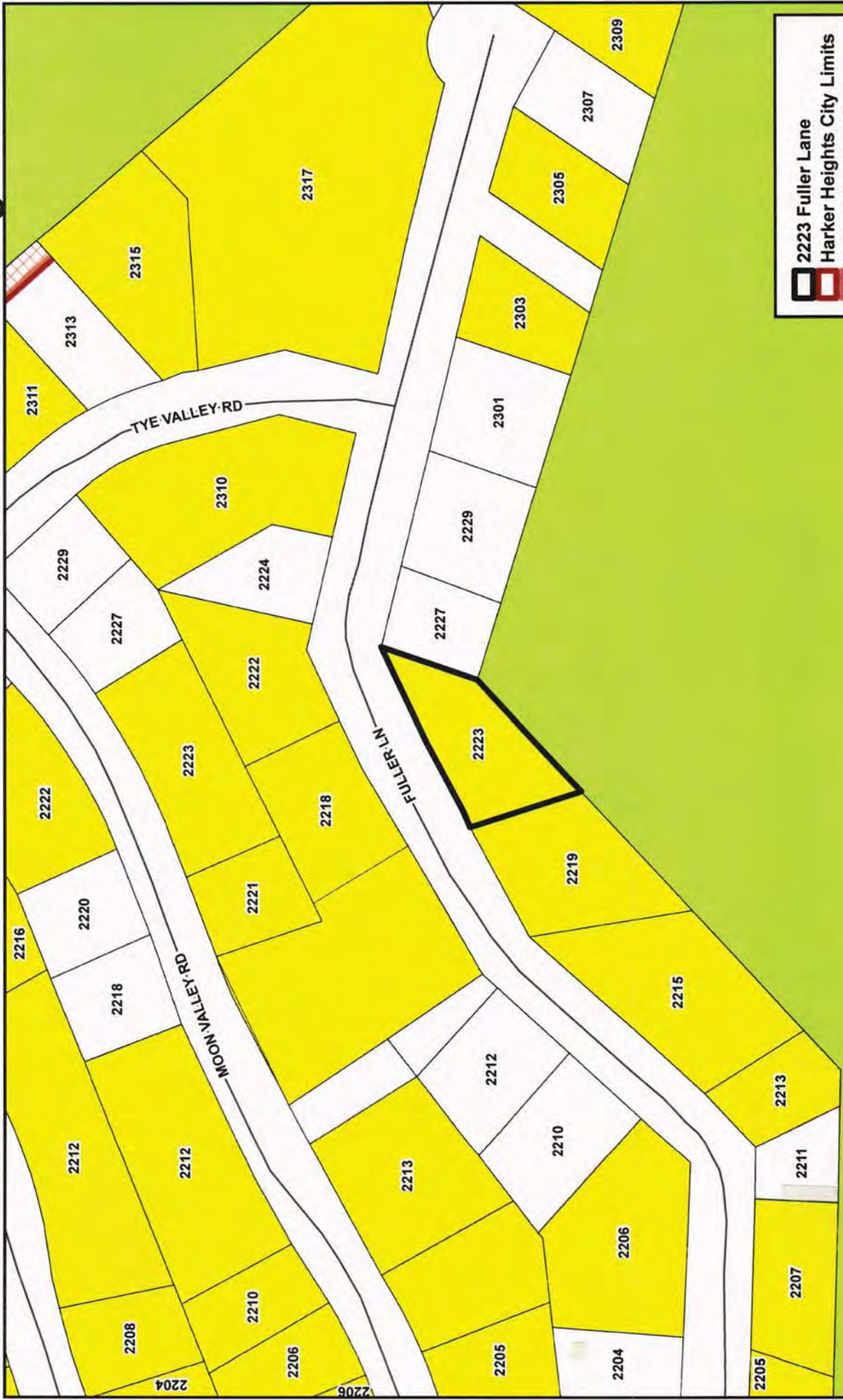
Z19-01

Zoning



Z19-01

Existing Land Use



2223 Fuller Lane
 Harker Heights City Limits
 Harker Heights ETJ
Existing Use
 Single-Family Residence
 USACOE/Drainage
 Vacant/Agriculture

Harker Heights
 City of Harker Heights
 Planning and Development
 300 Main Street
 Harker Heights, TX 76788
 254-952-5000
 www.ci.harkerheights.tx.us

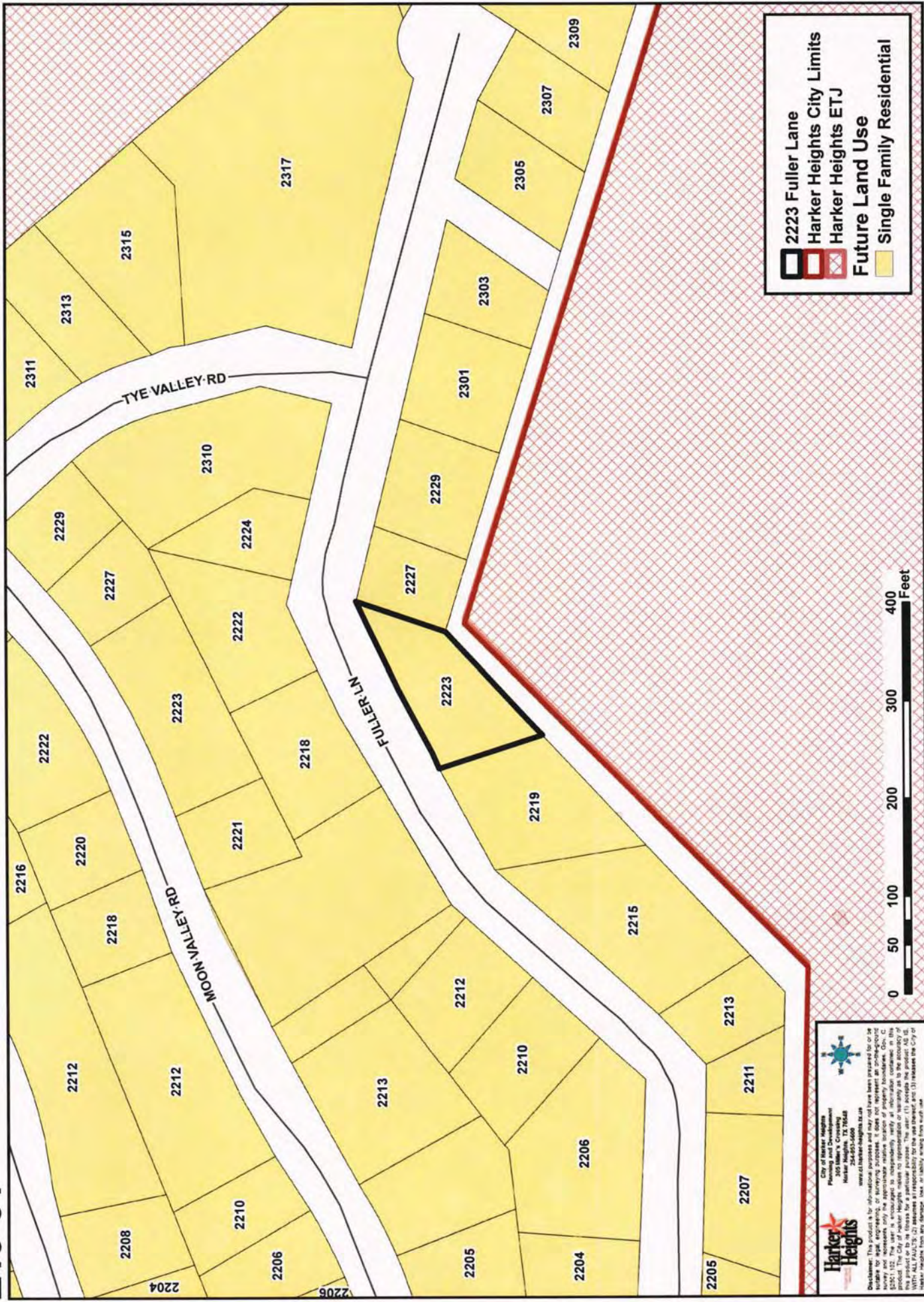
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Map Date: 1/4/2019

Z19-01

Future Land Use



Harker Heights
 City of Harker Heights
 300 Main St, Crossland
 Harker Heights, TX 76648
 www.ci.harker-heights.tx.us

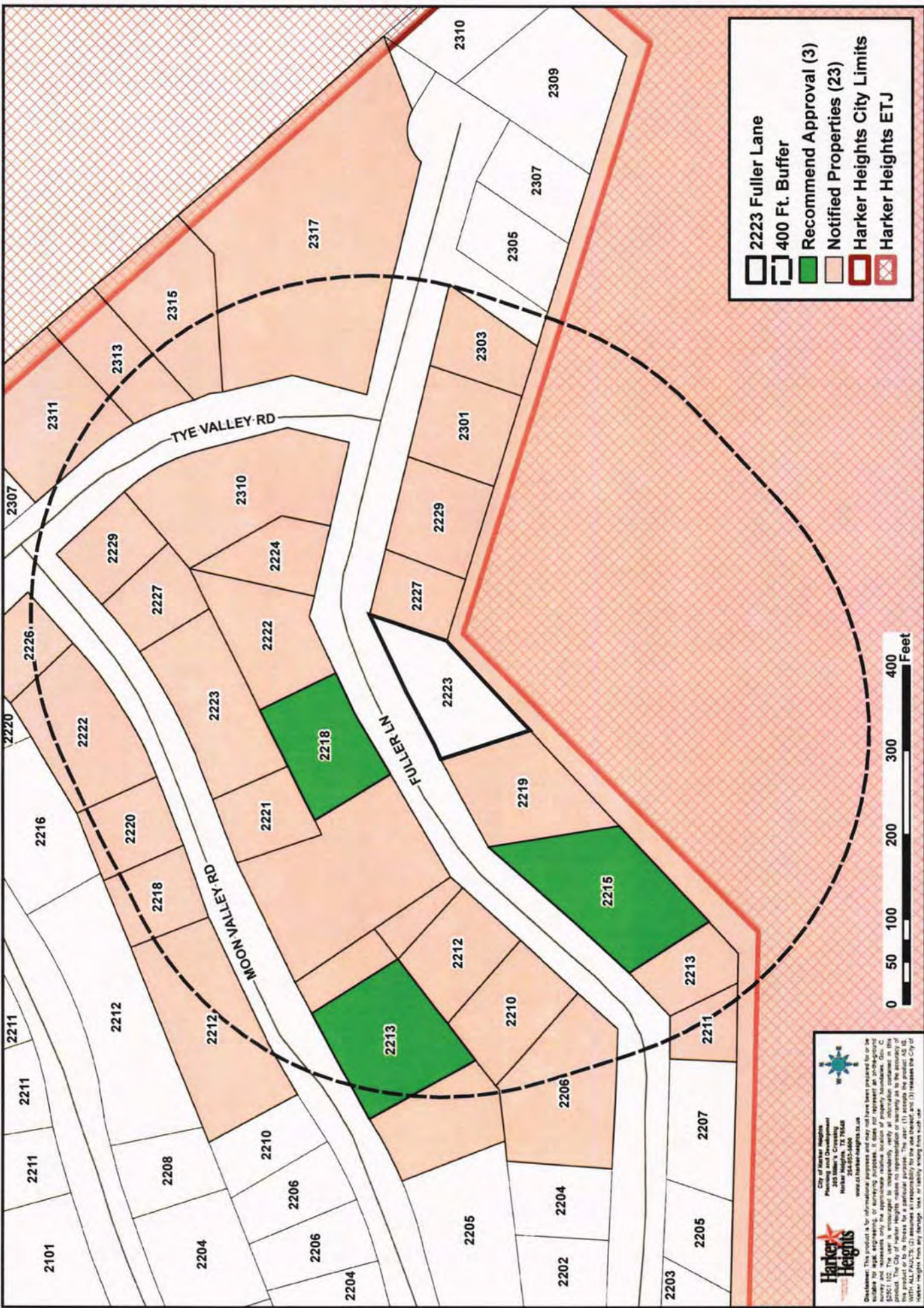
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Map Date: 1/4/2019

Z19-01

Notification



2223 Fuller Lane
 400 Ft. Buffer
 Recommend Approval (3)
 Notified Properties (23)
 Harker Heights City Limits
 Harker Heights ETJ



 City of Harker Heights
 Planning and Development
 200 Main Street
 Harker Heights, TX 76788
 www.ci.harker-heights.tx.us

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Map Date: 1/24/2019

RECEIVED
By Courtney at 2:31 pm, Jan 18, 2019

SENT: WEDNESDAY, JANUARY 16, 2019
DUE BACK NO LATER THAN: JANUARY 24, 2019

TO: **City of Harker Heights
Planning & Development Department**

FROM: Donald A. Krieger and Carleen Q. Krieger

2218 Fuller Lane, Harker Heights, Texas 76548

(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at **2223 Fuller Lane**, Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

We strongly recommend approval of this request. The accessory dwelling will have a positive impact on the appearance and quality of this community.

Carleen Q. Krieger
Donald A. Krieger

Printed Name

Carleen Q. Krieger
Donald A. Krieger

Signature

January 18, 2019
Date

SENT: WEDNESDAY, JANUARY 16, 2019
DUE BACK NO LATER THAN: JANUARY 24, 2019

TO: **City of Harker Heights
Planning & Development Department**

FROM: Joyce + Roger Gendron
2213 Moon Valley Rd Harker Heights, Tx
76548
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at **2223 Fuller Lane**, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Joyce Y Gendron
Roger S GENDRON
Printed Name

Joyce Y Gendron
Roger S Gendron
Signature

1/22/19
Date

Received

JAN 23 2019

Planning & Development

TO: **City of Harker Heights
Planning & Development Department**

FROM: HERMAN J. HUCK
2215 FULLER LANE, HARKER HEIGHTS, TX 76548
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at **2223 Fuller Lane**, Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

HERMAN J. HUCK
Printed Name

Herman J. Huck
Signature

1-24-2019
Date

Received

JAN 24 2019

City of Harker Heights
Planning & Development



PLANNING AND ZONING COMMISSION MEMORANDUM

Z19-02 AGENDA ITEM VI-2

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JANUARY 30, 2019

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1(M) (ONE-FAMILY MANUFACTURED HOME DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LOT SIX-A (6A), BLOCK NINE (9), REPLAT OF LOTS 5-8, BLOCK 9, WILDEWOOD ACRES, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET B, SLIDE 83-A, PLAT RECORDS OF BELL COUNTY, TEXAS AND A 10' STRIP ADJACENT ON NORTH, GENERALLY LOCATED AT 913 ASHWOOD DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two Family Dwelling District) on property addressed as 913 Ashwood Drive. The applicant is also in the platting process of subdividing the property into two (2) lots in order to construct a duplex on each lot.

Existing Use:

The subject property is currently vacant. A manufactured home previously occupied the property. Surrounding land uses include single-wide manufactured homes to the north, east, south and west. Generally, the area is comprised of mixed residential uses of duplexes, manufactured homes, and vacant land. Staff believes the proposed duplex zoning will be of greater value for the land, neighborhood and the city than the existing use. There are existing duplexes in the neighborhood and as such the proposed use will be compatible with the neighborhood.

Zoning:

Current zoning for the property is R-1(M) (One-Family Manufactured Home Dwelling District). Adjacent and surrounding zonings include R-1(M) (One-Family Manufactured Home Dwelling District) and R-1 (One-Family Dwelling District) to the north. The east, south and west are properties zoned R-1(M) (One-Family Manufactured Home Dwelling District). Due to the presence of existing R-2 districts in the general vicinity of the property, the proposed rezoning from R-1(M) to the R-2 district would be compatible with the neighborhood, and would likely not have any adverse impacts on surrounding residential zoning districts.

Future Land Use:

Per the City's Future Land Use Map, the subject property is currently located in an area designated as Medium Density Residential (MDR). Surrounding properties are also

designated as Medium Density Residential. Per the 2007 Comprehensive Plan, MDR is an acceptable replacement for aging manufactured housing or for new development in areas zoned appropriately for such within the City. The proposed rezoning from R-1(M) to R-2 will allow for the construction of duplexes which will be a new development and are considered a medium density residential use. Therefore the proposed rezoning and intended use would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500 year flood hazard areas.

Notices:

Staff sent out forty-two (42) notices to property owners within the 400 foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at 913 Ashwood Drive, Harker Heights, Bell County, Texas based on the following;

1. The proposed use and rezoning is compatible with existing uses in the neighborhood.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at 913 Ashwood Drive, Harker Heights, Bell County, Texas based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Field Notes
3. Location Map
4. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5647

Property Owner(s) Name: Jamie Herring Custom Homes, LLC Date: 10-10-18

Address: 1507 W. Stan Schlueter loop, Ste. 103,

City/State/Zip: Killeen, TX 76549

Phone: 254-535-5805 E-mail: qualitybuildersgroup@gmail.com

Legal Description of Property:

Location of Property (Address if available): 913 Ashwood Drive + 915 Ashwood Drive

Lot: 6A + ? Block: 9 Subdivision: Wildwood Acres

Acres: 0.358 Property ID: 130497 Survey: _____

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Build Duplexes

Current Zoning Classification: R-1(M) Proposed Zoning: R-2

Current Land Use: Mobile Home - Residential Proposed Land Use: Duplex - Residential

Applicant's Representative (if applicable):

Applicant's Representative: Mitchell + Associates, Inc.

Phone: 254-634-5541 E-Mail: B.mitchell@mitchellinc.net

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or Mitchell + Associates, Inc. will represent the owner.

Jamie Herring
 Printed Name of Property Owner

Jan King
 Signature of Property Owner

Jessica M Turner
 Printed Name of Representative

Jessica M Turner
 Signature of Representative

Date Submitted: 11/20/18

STAFF ONLY - DO NOT FILL OUT BELOW

Pre-Application Meeting

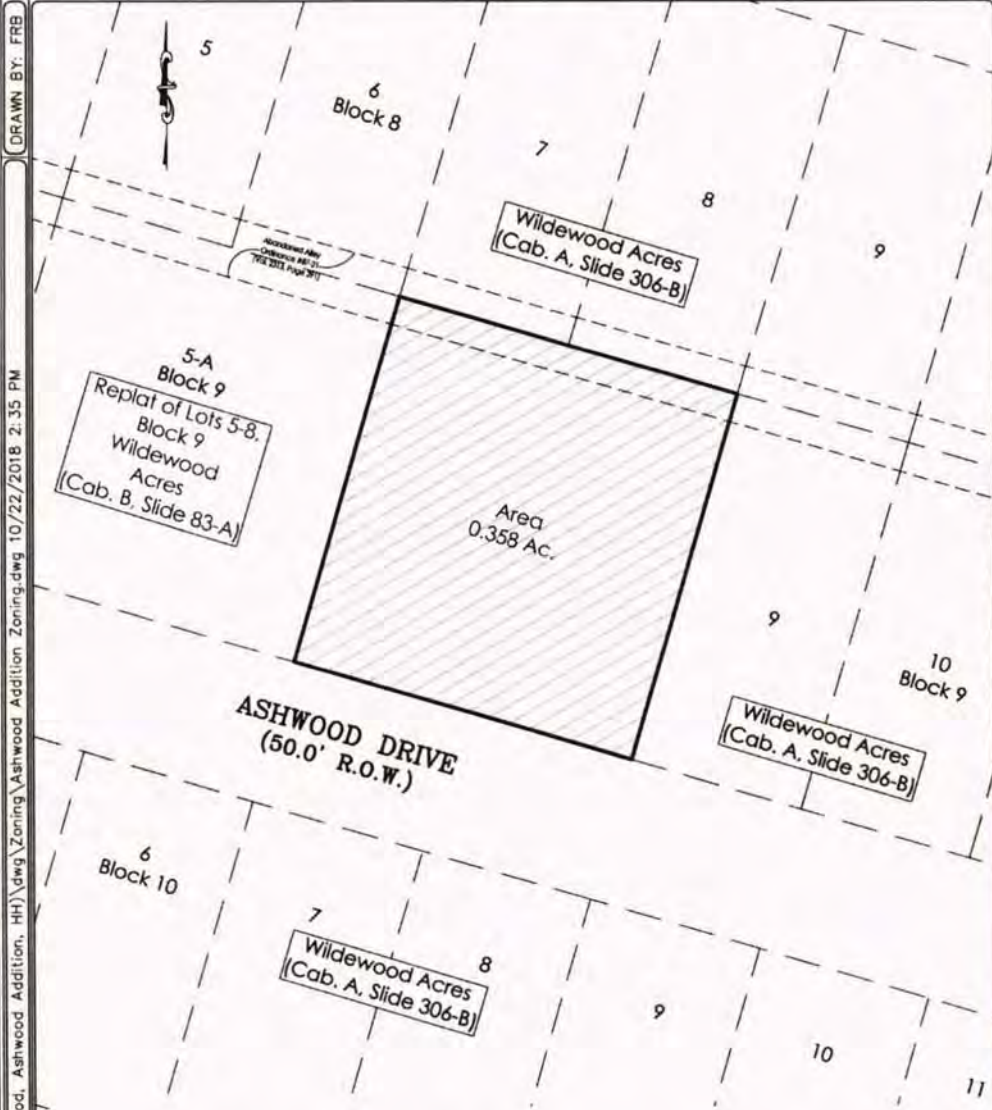
Receipt #: 01405329 upa11

Received By: [Signature]

Case #: _____

LOT 6-A, BLOCK 9, REPLAT OF LOTS 5-8, BLOCK 9, WILDEWOOD ACRES, HARKER HEIGHTS, BELL COUNTY, TEXAS

<ZONING>




DRAWN BY: FRB
REQUESTED BY: J. HERRING
S:\SUBDIVISIONS\18-087-D-S (913 Ashwood, Ashwood Addition, HH)\dwg\Zoning\Ashwood Addition Zoning.dwg 10/22/2018 2:35 PM




102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541
T. B. P. L. S. FIRM REGISTRATION NO. 10020400
411 S. WESTERN AVE. (P.O. BOX 349), LAMPASAS, TEXAS (512) 556-6885
T. B. P. L. S. FIRM REGISTRATION NO. 100304-00
600 AUSTIN AVE. STE. 29, WACO, TEXAS (254) 776-5151
T. B. P. L. S. FIRM REGISTRATION NO. 10184044

CURRENT ZONING : **R-1M (ONE FAMILY MANUFACTURED DISTRICT)**

 **PROPOSED ZONING** : **R-2 (TWO-FAMILY OR DUPLEX DWELLING DISTRICT)**

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING



ALL RIGHTS RESERVED
BY: MITCHELL & ASSOC., INC. 2018

ASHWOOD ADDITION
0.358 ACRE

FIELD NOTES for a 0.358 acre tract of land in Bell County, Texas, and the land herein described being all of Lot 6-A, Block 9, Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Texas, of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas (P.R.B.C.T.), and also a portion of an abandoned alley adjoining said Lot 6-A, abandoned by Ordinance #87-21, of record in Volume 2313, Page 391, Deed Records of Bell County, Texas (D.R.B.C.T.) said 0.358 acre being more particularly described as follows:

BEGINNING at a 3/8" iron rod found on the north right-of-way line of Ashwood Drive (50' R.O.W.) at the southwest corner of said Lot 6-A and the southeast corner of Lot 5-A, said Block 9, for southwest corner of this tract;

THENCE N. 16° 10' 31" E., with the west line of said Lot 6-A and the east line of said Lot 5-A, at a distance of 119.88 feet, pass the northwest corner of said Lot 6-A and the northeast corner of said Lot 5-A on the south line of said abandoned alley, continuing on same course for a total distance in all of 129.88 feet, to a 1/2" iron rod with cap stamped "M&A" set in the center of said abandoned alley, for the northwest corner of this tract;

THENCE S. 73° 34' 16" E., 120.00 feet, with the center of said abandoned alley, to a 1" iron pipe found for the northeast corner of this tract;

THENCE S. 16° 16' 28" W., at a distance of 10.00 feet, pass the northeast corner of said Lot 6-A and the northwest corner of Lot 9, Block 9, Wildewood Acres Addition, of record in Cabinet A, Slide 306-B, P.R.B.C.T., continuing same course with the east line of said Lot 6-A and with the west line of said Lot 9, for a total distance in all of 130.01 feet, to a 3/8" iron rod found on the north right-of-way line of said Ashwood Drive at the southeast corner of said Lot 6-A and the southwest corner of said Lot 9, for the southeast corner of this tract;

THENCE N. 73° 30' 20" W., 119.77 feet, with the north right-of-way line of said Ashwood Drive and the south line of said Lot 6-A, to the POINT OF BEGINNING containing 0.358 acre of land.

The bearings for the above description are based on the Texas Plane Coordinate System, Central Zone, NAD 83 (CORS 96) per Leica Texas SmartNet GPS observations.

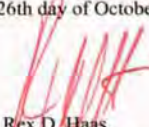
See accompanying drawing.

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS, that I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that the above described tract was surveyed on the ground and that this description is true and correct to the best of my knowledge and belief. Survey completed on the ground October 18, 2018.

COUNTY OF BELL

IN WITNESS THEREOF, my hand and seal this the 26th day of October, 2018.


Rex D. Haas
Registered Professional
Land Surveyor, No. 4378



Z19-02

Location



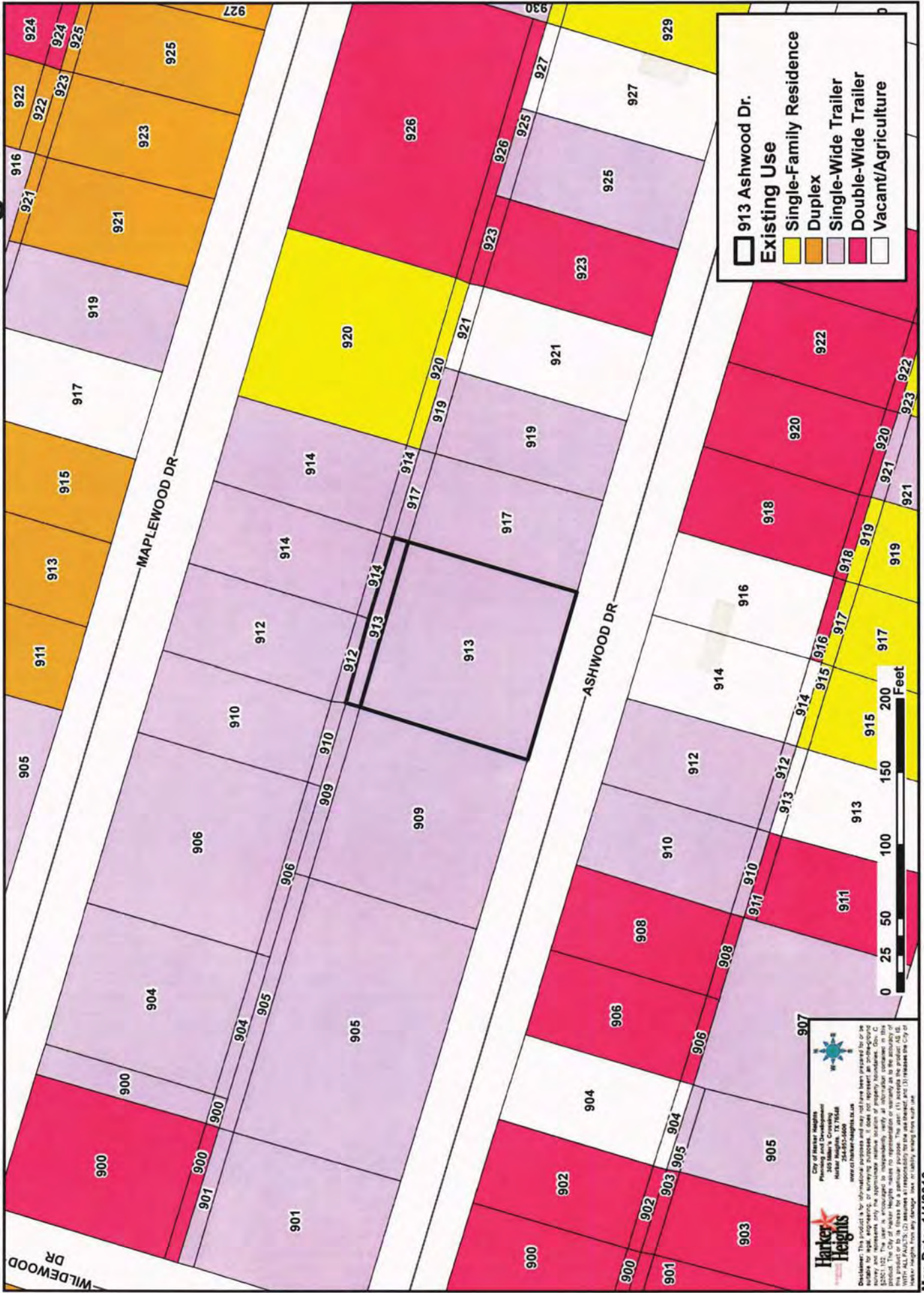
Harker Heights
 City of Harker Heights
 Planning and Development
 300 Main Street
 Harker Heights, TX 76788
 www.ci.harkerheights.tx.us

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Map Date: 1/4/2019

Z19-02

Existing Land Use

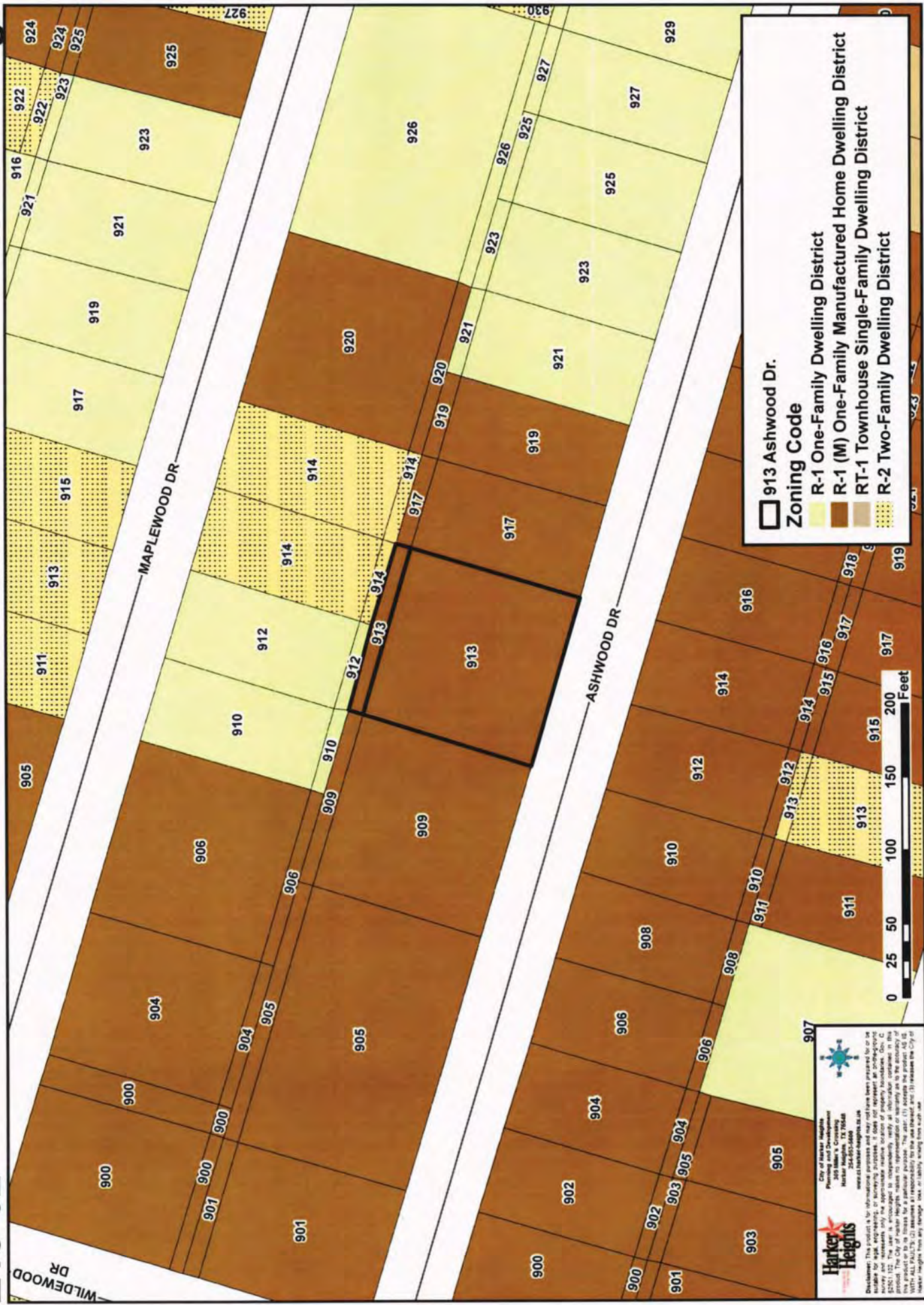


City of Harter Heights
 Planning and Development
 350 Main Street
 Harter Heights, MA 02445
 www.cityofharterheights.com

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Z19-02

Zoning

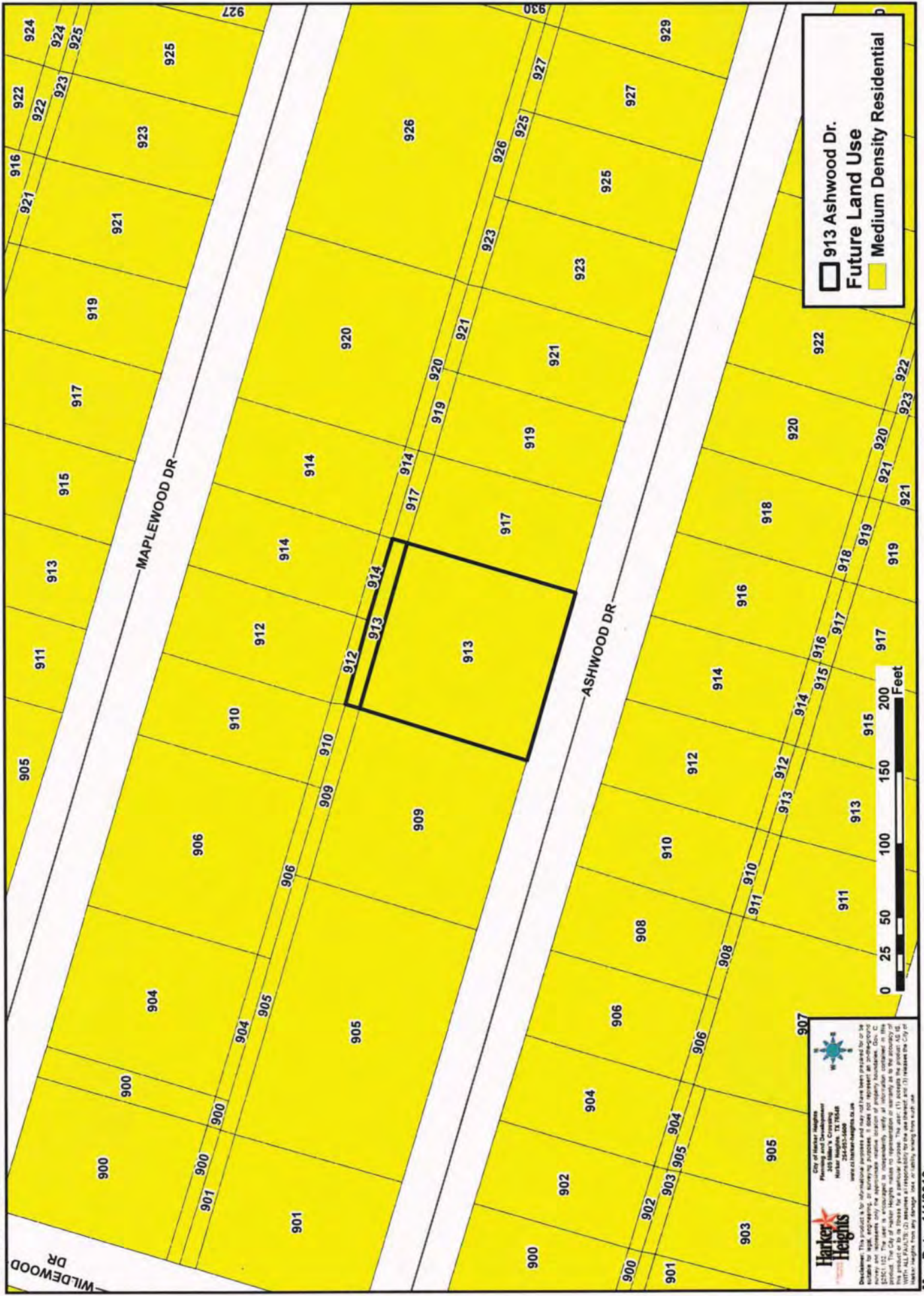


Harker Heights
City of Harker Heights
Planning and Development
300 Main St., Crossing
Harker Heights, TX 76048
www.ci.harkerheights.tx.us

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Z19-02

Future Land Use



913 Ashwood Dr.

 Future Land Use

 Medium Density Residential

City of Harker Heights

 Planning and Development

 300 Main St., Crystal

 Harker Heights, TX 76047

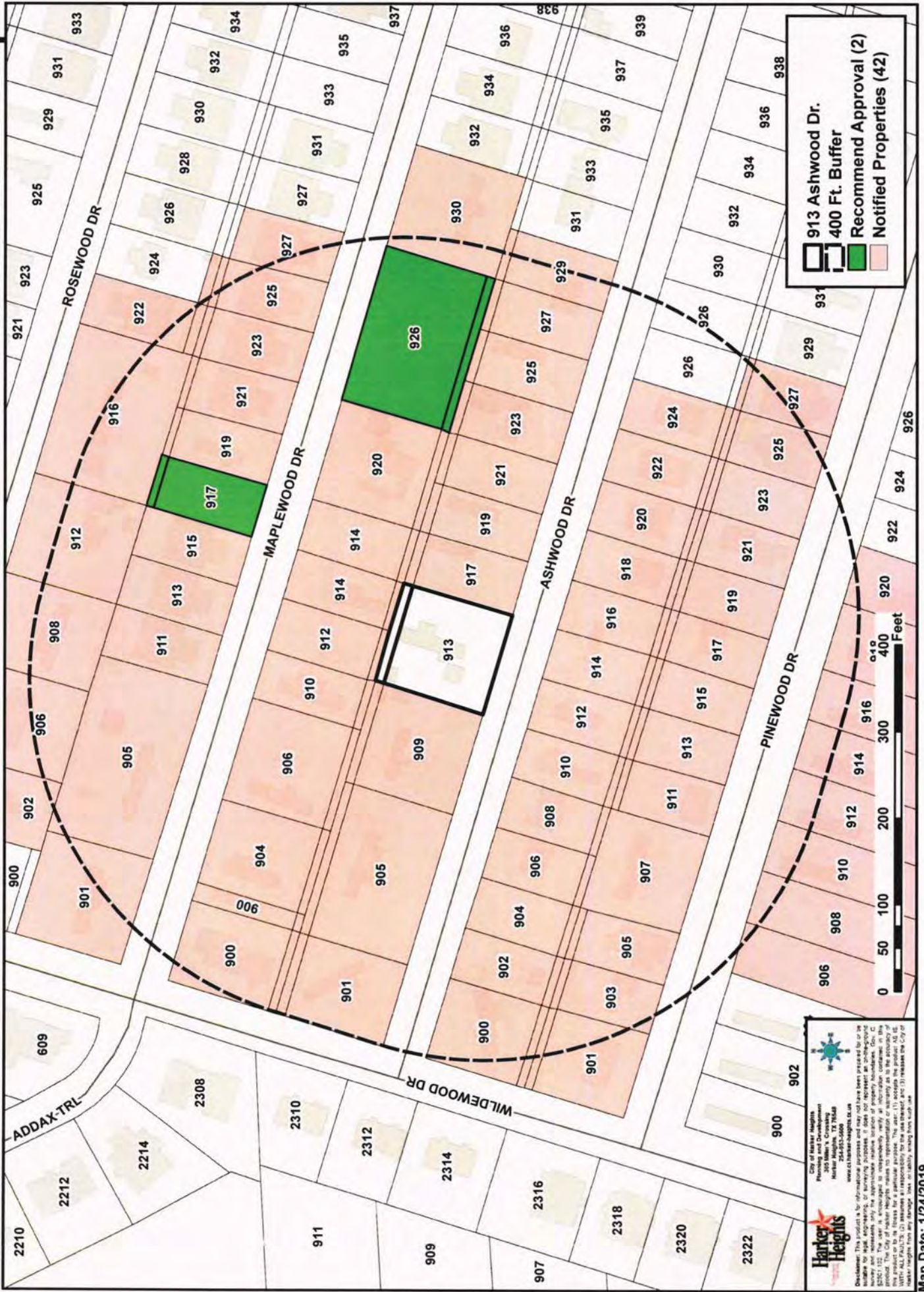
 www.ci.harkerheights.tx.us

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Map Date: 1/4/2019

Z19-02

Notification Map



913 Ashwood Dr.
400 Ft. Buffer
Recommend Approval (2)
Notified Properties (42)

Harker Heights
City of Harker Heights
300 Main Street
Harker Heights, TX 76788
www.ci.harkerheights.tx.us

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Map Date: 1/24/2019

TO: **City of Harker Heights**

FROM: HELEN H. WIRTH
917 WILDEWOOD DR, HARKER HEIGHTS
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two Family Dwelling District) on property described as, Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at **913 Ashwood Drive**, Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
 I RECOMMEND DENIAL OF THE REQUEST

Comments:

HELEN H. WIRTH
Printed Name

[Signature]
Signature

01/21/19
Date

Received

JAN 24 2019

Planning & Development

TO: **City of Harker Heights**

FROM: Samuel L King
926 Maplewood DR
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two Family Dwelling District) on property described as, Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at **913 Ashwood Drive**, Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Samuel L King
Printed Name

[Signature]
Signature

24 JAN 2019
Date

Received

JAN 24 2019

Planning & Development



PLANNING AND ZONING COMMISSION MEMORANDUM

Z19-04

AGENDA ITEM VI-3

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) TO ALLOW A LARGE ACCESSORY STRUCTURE ON PROPERTY DESCRIBED AS APPROXIMATELY 72.452 ACRES OF LAND OUT OF THE J.M. CROSS SURVEY, ABSTRACT NO. 179, BEING OUT OF THAT 74.37 ACRE TRACT OF LAND CONVEYED TO JOHN ALLAN HAMILTON AS RECORDED IN VOLUME 2291, PAGE 568, DEED RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 12411 E. FM 2410 (E. KNIGHTS WAY) HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property located at 12411 E. FM 2410 (E. Knights Way). This request is to enable the applicant to construct an accessory structure that is larger than permitted in the R-1 zoning district. The R1-R zoning district was created to allow residents in the rural portions of the City to develop their properties with livestock for non-commercial use and for construction and use of larger accessory structures. Per the City's Code of Ordinance Section 155.021 of the R1-R zoning district, the applicant must have a minimum of two acres which will allow for an accessory structure no greater than 5,000 square feet in size. The applicant has roughly 72 acres of land and wishes to use the accessory structure as a shop building to consist of approximately 2,500 square feet under roof.

Existing Use:

There is currently a single family residence on the property at 12411 E. FM 2410. Surrounding properties include single family residences, commercial uses, and a manufactured home park to the north across FM 2410. To the east, south, and west of the site properties are primarily comprised of single family and vacant land. The proposed use will not alter the appearance and character of the existing single family residence and accessory structure on the property. A visual survey of the area shows that most of the properties in the area are larger lots with various sized accessory structures. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impacts on the surrounding area.

Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). Adjacent and surrounding properties are zoned R-1 (One-Family Dwelling District). Several properties to the north are zoned PD-M (Planned Development – Mixed Use) and B-4 (Secondary

Highway Business District). It is therefore likely the proposed rezoning from R-1 to R-1 R will not have any adverse impacts on the surrounding zoning districts.

Future Land Use:

The subject property is currently comprised of several land use classifications due to its proximity to Knights Way (FM 2410). The portions of the property that immediately abut Knights Way (FM 2410) are designated as Commercial and Medium Density Residential. The remainder of the acreage and where the residence and proposed accessory structure will be located are in an area designated as Single Family Residential. The proposed use of the property will not affect the property's use as a single family residence. The rezoning, if approved, will also not alter the use of the property's primary function as a residence. The proposed use and rezoning will therefore maintain the ideals of the neighborhood's designation as Single Family Residential. Therefore the proposed rezoning and intended use would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500 year flood hazard areas.

Notices:

Staff sent out thirteen (13) notices to property owners within the 400 foot notification area. Zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request.

RECOMMENDATION:

Staff recommends approval of a rezoning request from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) to allow a large accessory structure on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at 12411 E. FM 2410 (E. Knights Way) Harker Heights, Bell County, Texas, based on the following;

1. The rezoning request is consistent with the Future Land Use Plan.
2. The proposed use would not likely have any adverse impacts on adjoining uses.
3. The property is in an area intended for R1-R zoning and uses.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural-One Family Dwelling District), on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at 12411 E. FM 2410 (E. Knights Way) Harker Heights, Bell County, Texas based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Site Plan

3. Location Map
4. Zoning Map
5. Existing Land Use Map
6. Future Land Use Map
7. Notification Area Map
8. Citizen Responses



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5647

Property Owner(s) Name: Dianna Marie Hamilton Date: 12-10-2018

Address: PO Box 2429

City/State/Zip: Harker Heights TX 76548

Phone: 254-535-0759 E-mail: dinna63imca@yahoo.com

Legal Description of Property:

Location of Property (Address if available): 12411 FM 2410 Harker Heights TX 76548

Lot: _____ Block: _____ Subdivision: _____

Acres: 72.452 Property ID: 45411 Survey: See Attached

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Build A Shop Building with roof overhang

Current Zoning Classification: R1 Proposed Zoning: R1R

Current Land Use: Home with RAW land Proposed Land Use: Build A 50x50 plus 25' extra

Applicant's Representative (if applicable):

Applicant's Representative: Hardy Henderson

Phone: 254-535-0761 E-Mail: hardyhenderson63@yahoo.co

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or HARDY HENDERSON will represent the owner.

Dianna Hamilton

Printed Name of Property Owner

Dianna Hamilton

Signature of Property Owner

Hardy Henderson

Printed Name of Representative

Hardy Henderson

Signature of Representative

Date Submitted: 12/10/18

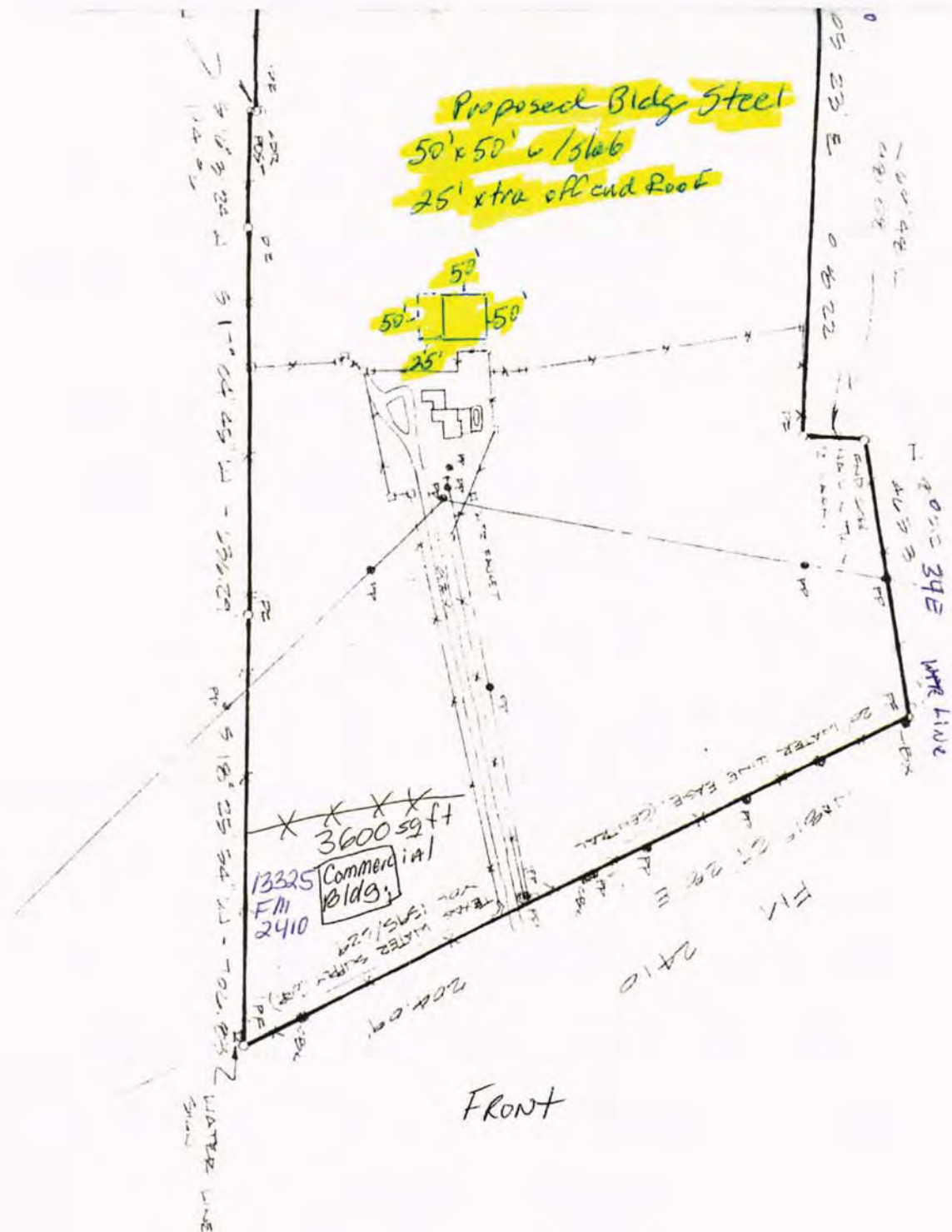
Received By: Opere

STAFF ONLY - DO NOT FILL OUT BELOW
 Pre-Application Meeting

Receipt #: DKH080U

Case #: 219-04

Proposed Bldg Steel
50' x 50' w/ slab
25' xtra off end Roof



FRONT

BOUNDARY DESCRIPTION AND FIELD NOTES FOR
74.23 ACRES IN THE J.M. CROSS SURVEY AND IN THE W.H. WEBB SURVEY
IN BELL COUNTY, TEXAS

All that certain lot, tract, or parcel of land lying and being situated in the County of Bell, State of Texas, and being part of the J.M. Cross Survey, Abstract Number 179 and part of the W.H. Webb Survey, Abstract Number 1016 and being the same tract called 74.37 acre tract as recorded in Volume 2291, Page 568 of the Deed Records of Bell County, Texas and being more particularly described as follows:

BEGINNING at an iron pin on the South right-of-way line of FM 2410, said iron pin being the Northeast corner of above mentioned 74.37 acres for the Northeast corner of this;

THENCE along a fence S 18° 25' 54" W 706.83 feet to an iron pin; S 17° 04' 45" W 636.29 feet to an iron pin; S 16° 31' 24" W 194.96 feet to a cedar post; N 75° 11' 46" W 6.22 feet to an iron pin; and S 17° 28' 41" W 2122.83 feet to a fence corner post for the Southeast corner of this;

THENCE along a fence N 72° 00' 32" W 941.57 feet to an iron pin for the Southwest corner of this;

THENCE along a fence N 17° 19' 31" E 948.68 feet to an iron pin; N 20° 10' 22" E 334.46 feet to an iron pin; N 49° 17' 41" E 8.35 feet to an iron pin; N 18° 16' 57" E 450.10 feet to an iron pin; N 18° 05' 23" E 918.22 feet to an iron pin; N 68° 48' W 98.08 feet to a 60D nail in twin 12" Hackberry trees; and N 8° 32' 34" E 465.31 feet to an iron pin on the South right-of-way line of FM 2410 for the Northwest corner of this;

THENCE N 81° 27' 28" E 1204.09 feet to the place of BEGINNING and containing 74.23 acres of land more or less.

I HEREBY CERTIFY that these field notes were prepared by computations and an actual survey on the ground and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this 13th day of November, 1987 A. D.

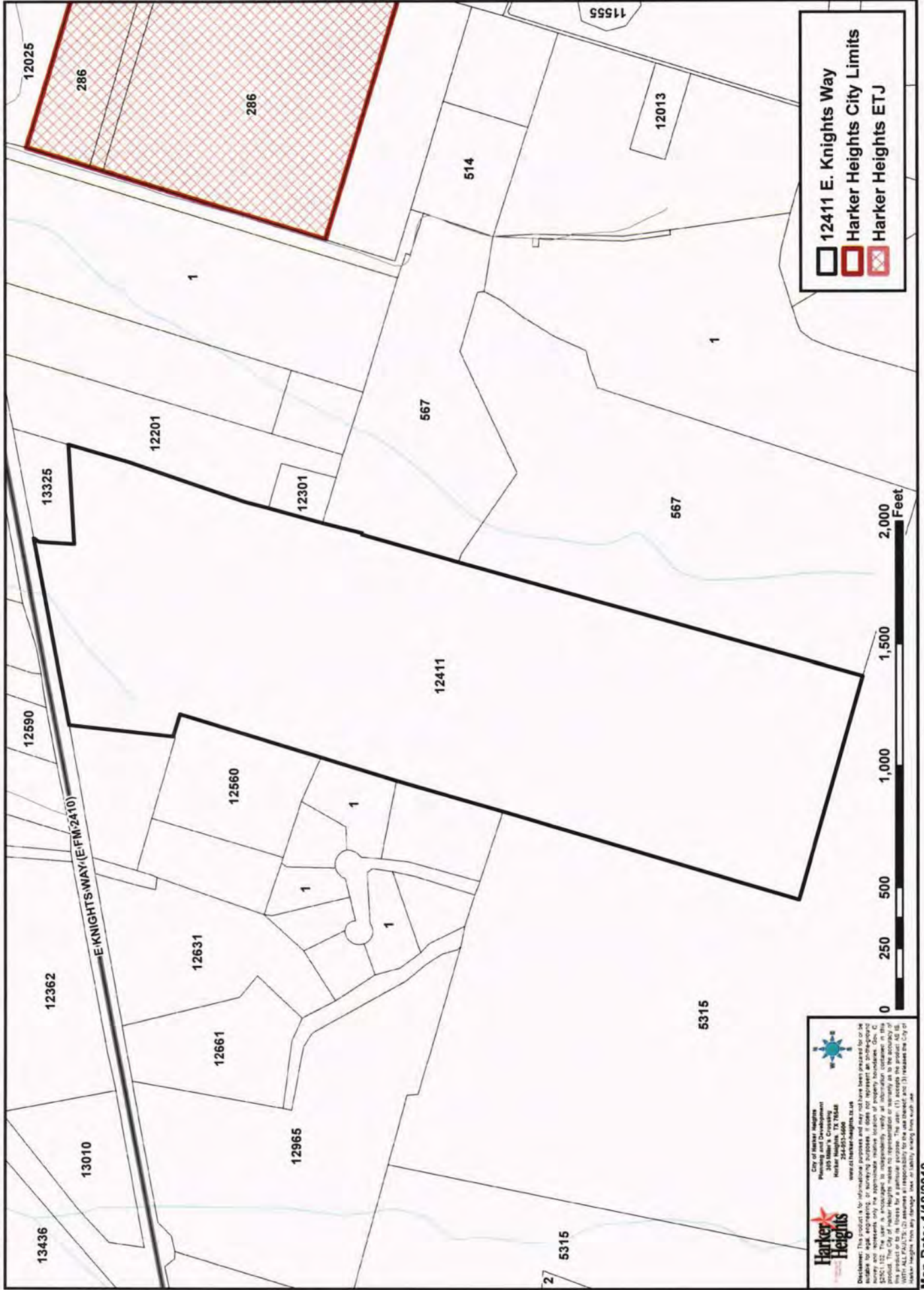
JONES AND NEUSE, INC. - BELTON BRANCH

Thomas D. Berrier
Thomas D. Berrier
Registered Public Surveyor
No. 2498



Z19-04

Location

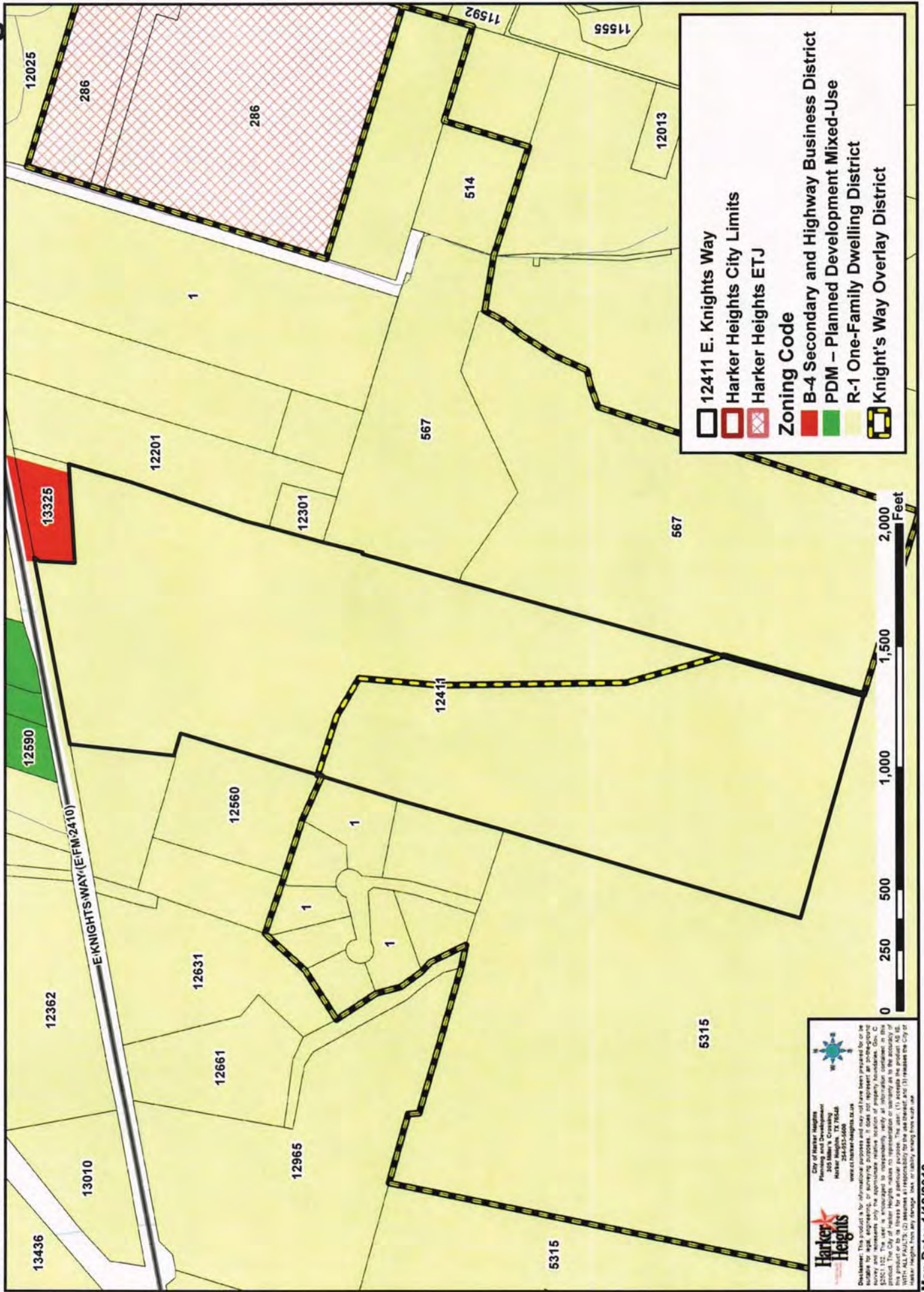


Harker Heights

City of Harker Heights
 Planning and Development
 300 Main Street
 Harker Heights, TX 76788
 www.ci.harkerheights.tx.us

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Map Date: 1/18/2019

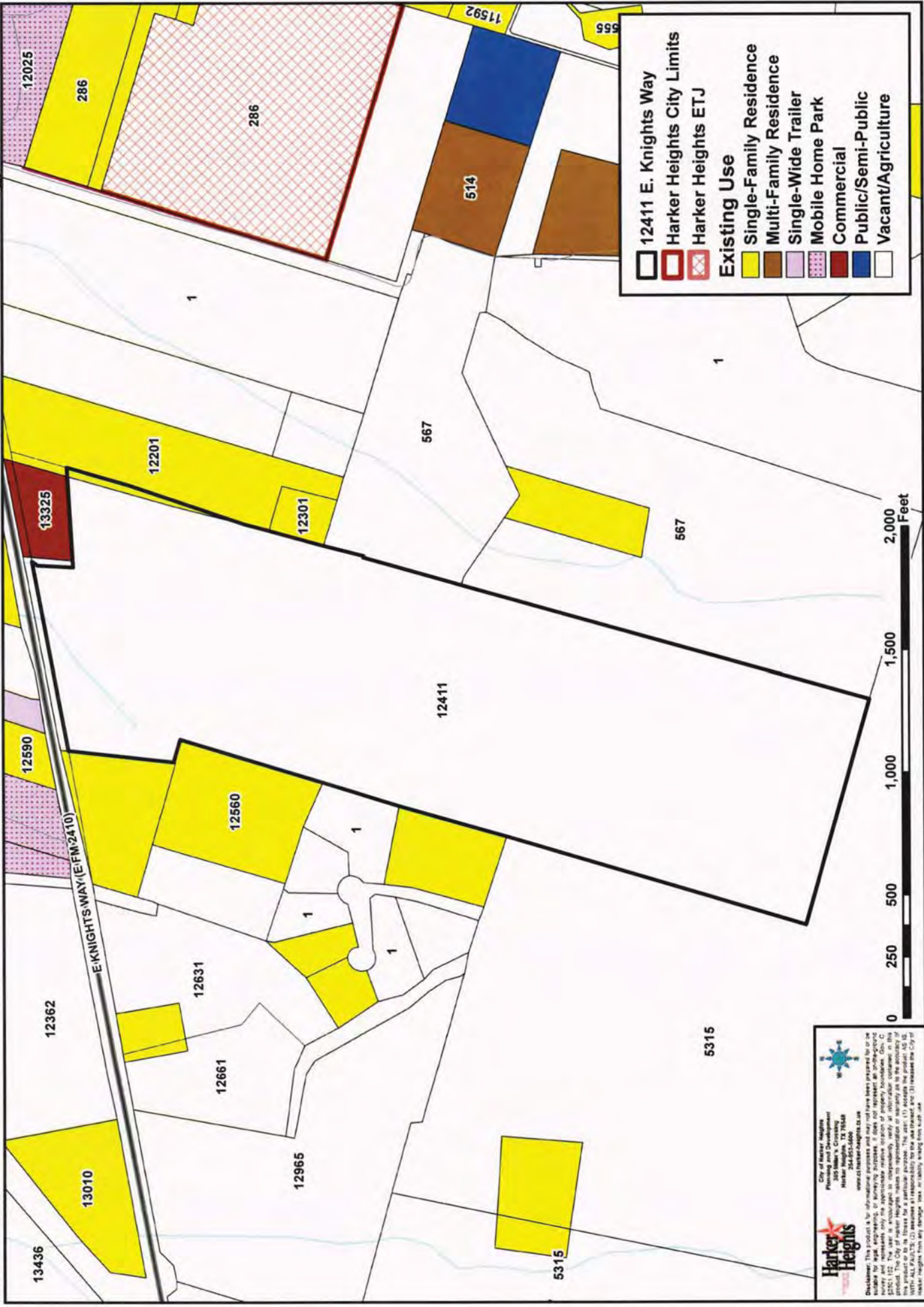


Harker Heights
 City of Harker Heights
 Planning and Development
 305 Main Street
 Harker Heights, TX 76788
 254-357-6000
www.ci.harkerheights.tx.us

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Z19-04

Existing Land Use



Harker Heights

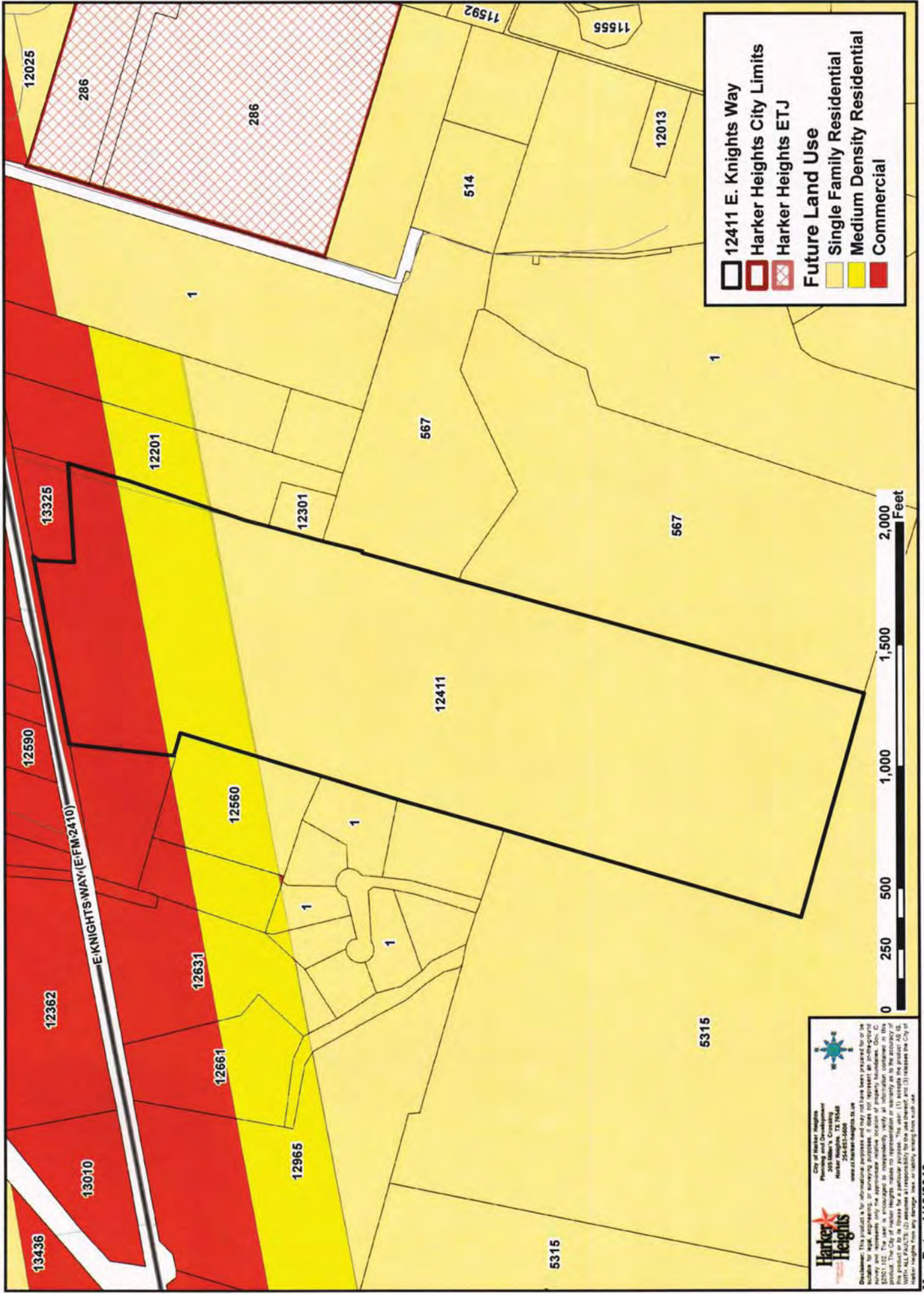
City of Harker Heights
 Planning and Development
 395 Main St. Crossing
 Harker Heights, TX 76048
 254.561.5000
 www.ci.harkerheights.tx.us

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Map Date: 1/18/2019

Z19-04

Future Land Use

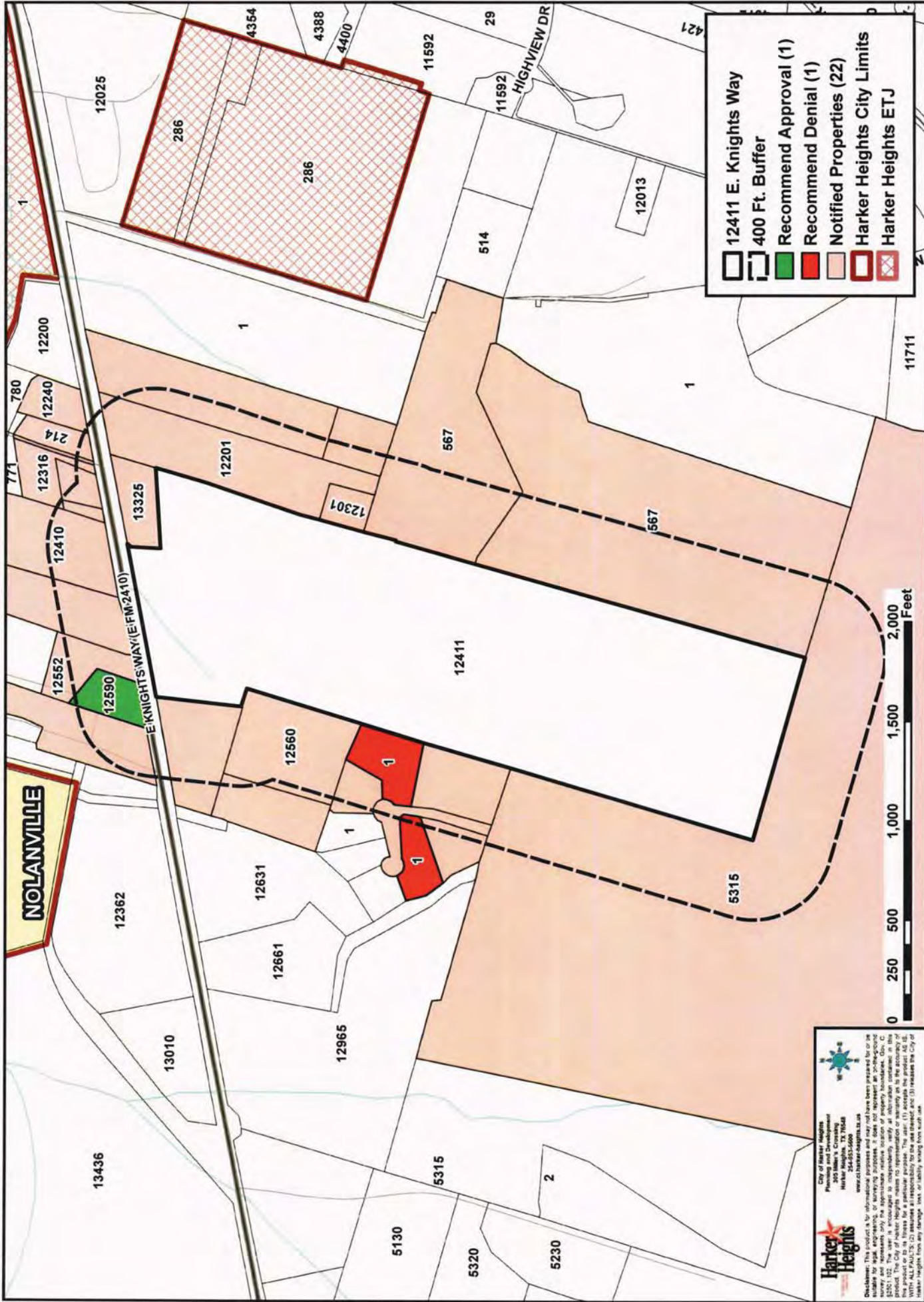


Harker Heights
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Map Date: 1/18/2019



Legend:

- 12411 E. Knights Way
- 400 Ft. Buffer
- Recommend Approval (1)
- Recommend Denial (1)
- Notified Properties (22)
- Harker Heights City Limits
- Harker Heights ETJ

Harker Heights
 City of Harker Heights
 Planning Department
 300 Main Street
 Harker Heights, TX 76048
www.ci.harkerheights.tx.us

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Map Date: 1/24/2019

TO: **City of Harker Heights
Planning & Development Department**

FROM: James M. Clifton
Property ID's 22338, 22339, 22340
(Address of Your Property that Could Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One-Family Dwelling District) to R1-R (One-Family Rural Dwelling District) to allow a large accessory structure on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at **12411 E. FM 2410** (E. Knights Way) Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST
- I RECOMMEND DENIAL OF THE REQUEST

Comments:

I own 3 of the properties and am against a zoning change

James M. Clifton
Printed Name

James M. Clifton
Signature

1/20/19
Date

Received

JAN 24 2019

Planning & Development

TO: **City of Harker Heights
Planning & Development Department**

FROM: Bobby Whitson
12590 FM 2410
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One-Family Dwelling District) to R1-R (One-Family Rural Dwelling District) to allow a large accessory structure on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at **12411 E. FM 2410** (E. Knights Way) Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

The Hamilton's property is large enough, with the house and proposed shed in the back of the property to have little to no impact to the proposed farm use along FM 2410. If future commercial or residential development is to occur near their property, it may do so without hindrance.

Bobby Whitson
Printed Name

Bobby Whitson
Signature

1/23/19
Date

Received

JAN 24 2019

Planning & Development



PLANNING AND ZONING COMMISSION MEMORANDUM

Z19-05

AGENDA ITEM VI-4

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 30, 2019

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A PRIVATE SCHOOL ON PROPERTY DESCRIBED AS LOT ONE (1), BLOCK ONE (1), JAYLINN ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET D, SLIDE 101-A, PLAT RECORDS OF BELL COUNTY, TEXAS, AND AN ADJACENT 0.551 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE R.W. TOM SURVEY, ABSTRACT NO. 838, BOTH TRACTS BEING GENERALLY LOCATED AT 111 MOUNTAIN LION ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a Conditional Use Permit (CUP) for the purpose of converting an existing residential structure into a small private school in an R-1 District (One-Family Dwelling District) on property located at 111 Mountain Lion Road. The applicant intends to establish a branch of the Acton Academy at the subject property, and their plan will be to open doors Fall of 2019 to children ages 4 to 10. The school will accommodate approximately 25 students from elementary to middle school level.

Per § 155.020 (B)(1), a private school with a “curriculum equal to a public elementary, high school...” can be requested as a CUP under the R-1 zoning district. Further, under a CUP, specific design considerations can be applied to the redevelopment proposal. These extra measures are intended to reduce potential negative impacts on surrounding properties. The use in question is a worthy project that is not prohibited in the City; however the proposed location would need to be properly regulated with conditions in to ensure the development is safe, aesthetically pleasing and harmonious with the neighborhood and the City.

Existing Use:

The subject property is a single family home located on two lots with a total of 1.4 acres combined. The property is surrounded by single family homes to the north and east of the property. Neighboring to the west is the ASYMCA’s off-site parking lot. The ASYMCA facility and Purser Family Park are located across the street to the south. The proposed conversion and use would not alter or have any significant impact on the external character and appearance of the house, setbacks, or any other development regulations. The proposed use would therefore not likely have any adverse impact on adjoining land uses in the neighborhood.

Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). All adjacent and surrounding properties are zoned R-1 (One-Family Dwelling District), R-1 with a CUP (Tap Tap Art School at 103 Mountain Lion) and PD-B (Planned Development – Business District; ASYMCA). The proposed use will likely not significantly impact or alter the zoning of the area. The proposed use will take into consideration and develop in accordance to all zoning and subdivision regulations such as parking, signs and screening. The proposed veterinarian clinic will therefore not likely have any adverse effects on the surrounding zoning districts.

Future Land Use:

Per the City's Future Land Use Map, the subject property is currently located in an area designated as Single Family Residential (SFR). The propose use will not change the purpose of the future land use designation of the area, but the CUP does introduce a non-residential aspect to the use of the property. However, Staff believes the character of the area will be changed with the existing ASYMCA facility, and the intended use of the applicant would be consistent with that changing dynamic.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500 year flood hazard areas.

Notices:

Staff sent out forty-eight (48) notices to property owners within the 400 foot notification area. Zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

RECOMMENDATION:

Staff provides no recommendation of an ordinance granting a Conditional Use Permit (CUP) to allow a private school on property described as Lot One (1), Block One (1), Jaylinn Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, and an adjacent 0.551 acre tract of land in Bell County, Texas, being part of the R.W. Tom Survey, Abstract No. 838, both tracts being generally located at 111 Mountain Lion Road, Harker Heights, Bell County, Texas, subject to the following conditions:

1. The property can only operate as a Single-Family Residential (R-1 One-Family Dwelling) OR a Private School with a Conditional Use Permit.
2. The property must maintain the overall external character and appearance of a Single Family Home.
3. Site Plan approval is required prior to the issuance of any development permits.
4. Sign (Out of the Public Right-of-Way) Standards
 - a) One Free Standing sign shall be permitted and shall be consistent with an approved Master Signage Plan.
 - b) The sign shall not exceed thirty (30) square feet in area and may not be more than six (6') feet in height.
 - c) Electronic and Monopole signage is prohibited.

- d) All signage shall comply with the visibility sight triangle requirement.
 - e) Temporary signage shall be allowed in accordance to Harker Heights Code of Ordinances §151.016 Special Events.
5. A six (6) or eight (8) foot perimeter fence is required for adequate screening per §155.050 of the City of Harker Heights Code of Ordinances. All fences shall be maintained and in good condition at all times.
 6. All employee parking must be located behind the front façade of the primary structure.
 7. The development must meet parking requirements of 1 space per 350 square feet of gross floor area.
 8. The development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances and all current, adopted building codes.
 9. A copy of the conditions of approval for the conditional use permit must be kept by the business/property owners and shall notify of conditions of approval upon transfer of business or ownership of land.

Staff believes if the conditions outlined above are considered for approval, the Conditional Use Permit will satisfy the requirements stipulated in Section 155.201-4 (Criteria for Conditional Use Approval) of the Harker Heights Code of Ordinance which seeks to ensure that:

- The proposed conforms with applicable regulations and standards established by the City's Building and Development Code;
- The proposed use will be consistent with the objectives and purposes of the zoning district in which the development is located, or the goals, objectives and policies set forth in the 2007 City of Harker Heights Comprehensive Plan;
- The proposed use will be compatible with existing or permitted uses on abutting sites because of use, building height, setbacks, square footage, landscaping and access to the site;
- The proposed use is suitable to the premises or structure(s) in which it will be conducted;
- The proposed use will not be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity;
- The proposed use will not materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs;
- The proposed use is suitable to the premises or structure(s) in which it will be conducted.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance granting a Conditional Use Permit (CUP) to allow a private school on property described as Lot One (1), Block One (1), Jaylinn Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, and an adjacent 0.551 acre tract of land in Bell County, Texas, being part of the R.W. Tom Survey, Abstract No. 838, both tracts being generally located at 111 Mountain Lion Road, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

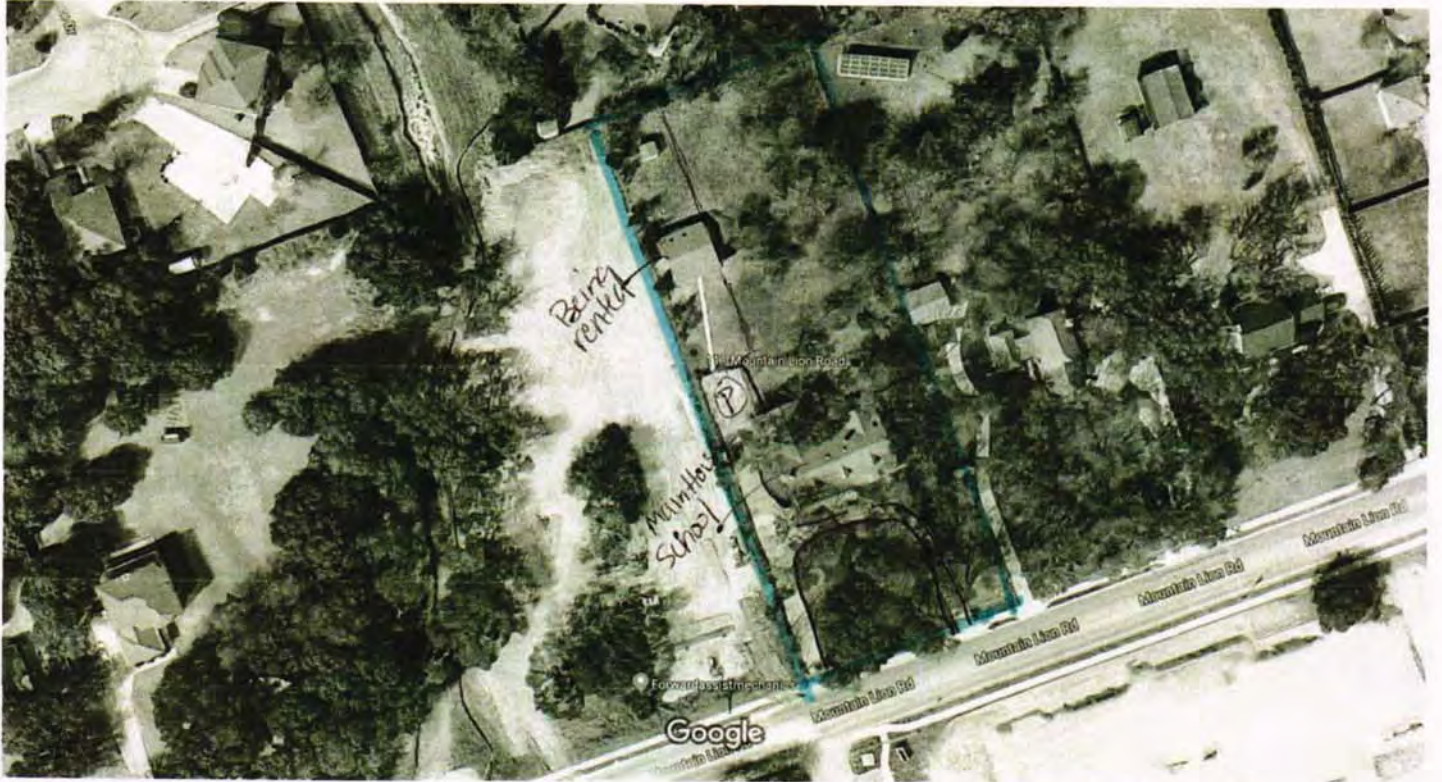
ATTACHMENTS:

1. Application
2. Letter of Intent
3. Site Plan
4. Proposed Conditions
5. Location Map
6. Zoning Map
7. Existing Land Use Map
8. Future Land Use Map
9. Notification Area Map
10. Citizen Responses

Letter of Intent for property at 111 Mountain Lion Road

The property at 111 Mountain Lion Road, Harker Heights, TX, we hope will be the new home to our micro/private school called Olive Branch: An Acton Academy. It will open this Fall of 2019 and will consist of children ages 4 to 10. Currently our student count will be at approximately 25 students.

As discussed with our preliminary meeting with Planning and Development, we will tap into the main city sewer and remove current septic system prior to opening. Parking will be added in the rear for staff and fencing will be added to the back yard.



Imagery ©2018 Google, Map data ©2018 Google 50 ft

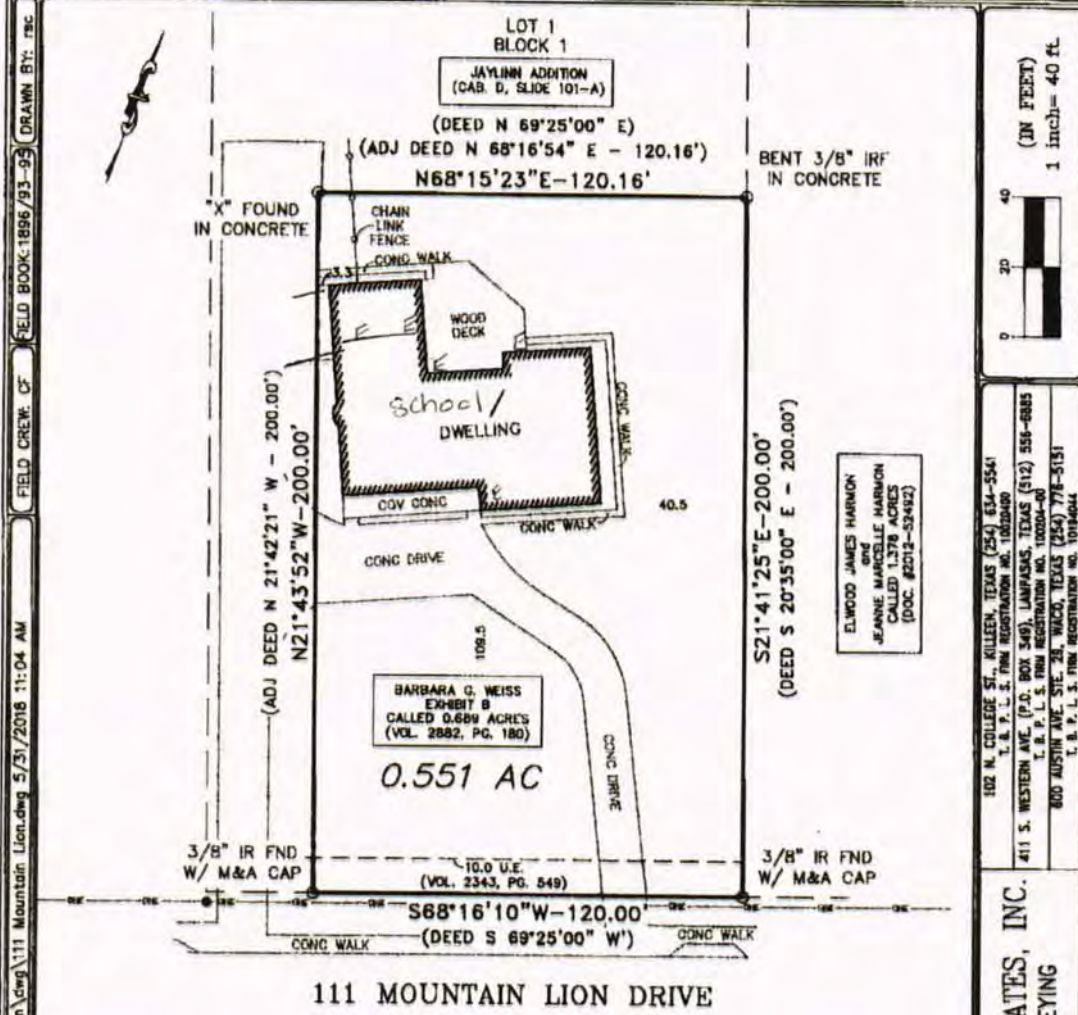


111 Mountain Lion Rd
Harker Heights, TX 76548

386F+8F Harker Heights, Texas



***** SEE FIELD NOTES *****
 0.551 Acre of land out of the
 R.W. TOM SURVEY, ABSTRACT No. 838, Bell County, Texas.



REQUESTED BY: Kellie Bacon
 TAX I.D. NO.: 26104
 (S:) Certs\111 Mountain Lion.dwg
 FIELD CREW: CF
 FIELD BOOK: 1896/93-95
 DRAWN BY: TBC
 5/31/2018 11:04 AM

NOTE:
 Bearings are based on the Texas Coordinate System, Central Zone, NAD 83 (CORS 96), as determined by Leica Texas SmartNet GPS observations.
 All distances are surface distance.
 Combined scale factor=1.0001168.

Montelth Abstract & Title Company - G.F. No. 18-2718 - Effective Date: May 14, 2018

D.R.B.C.T. = Deed Records of Bell County, Texas.

The following easements do not appear to affect this tract per Vol./Pg., Inst.-No.: State of Texas - 803/611 D.R.B.C.T.

MITCHELL & ASSOC., INC. does not make or warrant any flood zone designation.

TO: Montelth Abstract & Title Company, and Stagecoach Pet Hospital, PC.

This sketch represents a survey made on the ground. During the performance of this survey persons working under my supervision observed conditions along the boundaries and to best of my knowledge they are as shown.

I hereby state that to best of my professional knowledge and belief that this plat and the survey on which it is based meets the requirements for land surveys in the State of Texas.

This the 31st day of May, 2018.

[Signature]
 REX D. HAAS R.P.L.S. 4378

ELWOOD JAMES HARMON
 BOA
 JEANNE MARCOLE HARMON
 CALLED 1.378 ACRES
 (DOC. #2012-52492)

102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541
 T. B. P. L. S. FROM REGISTRATION NO. 1020400
 411 S. WESTERN AVE. (P.O. BOX 349), LAMPASAS, TEXAS (512) 559-6885
 T. B. P. L. S. FROM REGISTRATION NO. 10204-00
 800 AUSTIN AVE. STE. 28, WACO, TEXAS (254) 778-5131
 T. B. P. L. S. FROM REGISTRATION NO. 1018404

MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING



SURVEY COMPLETED 05/17/2018

111 MOUNTAIN LION DRIVE
0.551 ACRE

FIELD NOTES for a 0.551 acre tract of land in Bell County, Texas, being part of the R. W. Tom Survey, Abstract No. 838, and the land herein described being part of a called 0.689 acre tract designated Exhibit B, conveyed to Barbara G. Weiss, of record in Volume 2882, Page 180, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), and being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap stamped "M&ASSOC KILLEEN" found on the north right-of-way line of Mountain Lion Drive at the southeast corner of said 0.689 acre tract, being the southwest corner of a called 1.378 acre tract conveyed to Elwood James Harmon and Jeanne Marcelle Harmon, of record in Document #2012-52492, O.P.R.R.P.B.C.T., for the southeast corner of this tract;

THENCE S. 68° 16' 10" W., 120.00 feet, with the north right-of-way line of said Mountain Lion Drive and the south line of said 0.689 acre tract, to a 3/8" iron rod with cap stamped "M&ASSOC KILLEEN" found at the southerly southeast corner of Jaylinn Addition, of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, for the southwest corner of this tract;

THENCE N. 21° 43' 52" W., 200.00 feet, with the southerly east line of said Jaylinn Addition, to a chiseled "X" found in concrete on the north line of said 0.689 acre tract, being an interior corner of said Jaylinn Addition, for the northwest corner of this tract;

THENCE N. 68° 15' 23" E., 120.16 feet, with the north line of said 0.689 acre tract and a south line of said Jaylinn Addition, to a 3/8" iron rod in concrete (bent) found at the northeast corner of said 0.689 acre tract and the west line of said 1.378 acre tract, for the northeast corner of this tract;

THENCE S. 21° 41' 25" E., 200.00 feet, with the east line of said 0.689 acre tract and the west line of said 1.378 acre tract, to the POINT OF BEGINNING containing 0.551 acre of land.

The bearings for the above description are grid bearings based on the Texas Coordinate System, Central Zone (NAD 83), as determined by Leica Texas SmartNet GPS observations.

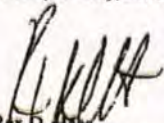
See accompanying drawing.

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS, that I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that the above described tract was surveyed on the ground and that this description is true and correct to the best of my knowledge and belief. Survey completed on the ground May 17, 2018.

COUNTY OF BELL

IN WITNESS THEREOF, my hand and seal this the 31st day of May, 2018.


Rex D. Haas
Registered Professional
Land Surveyor, No. 4378



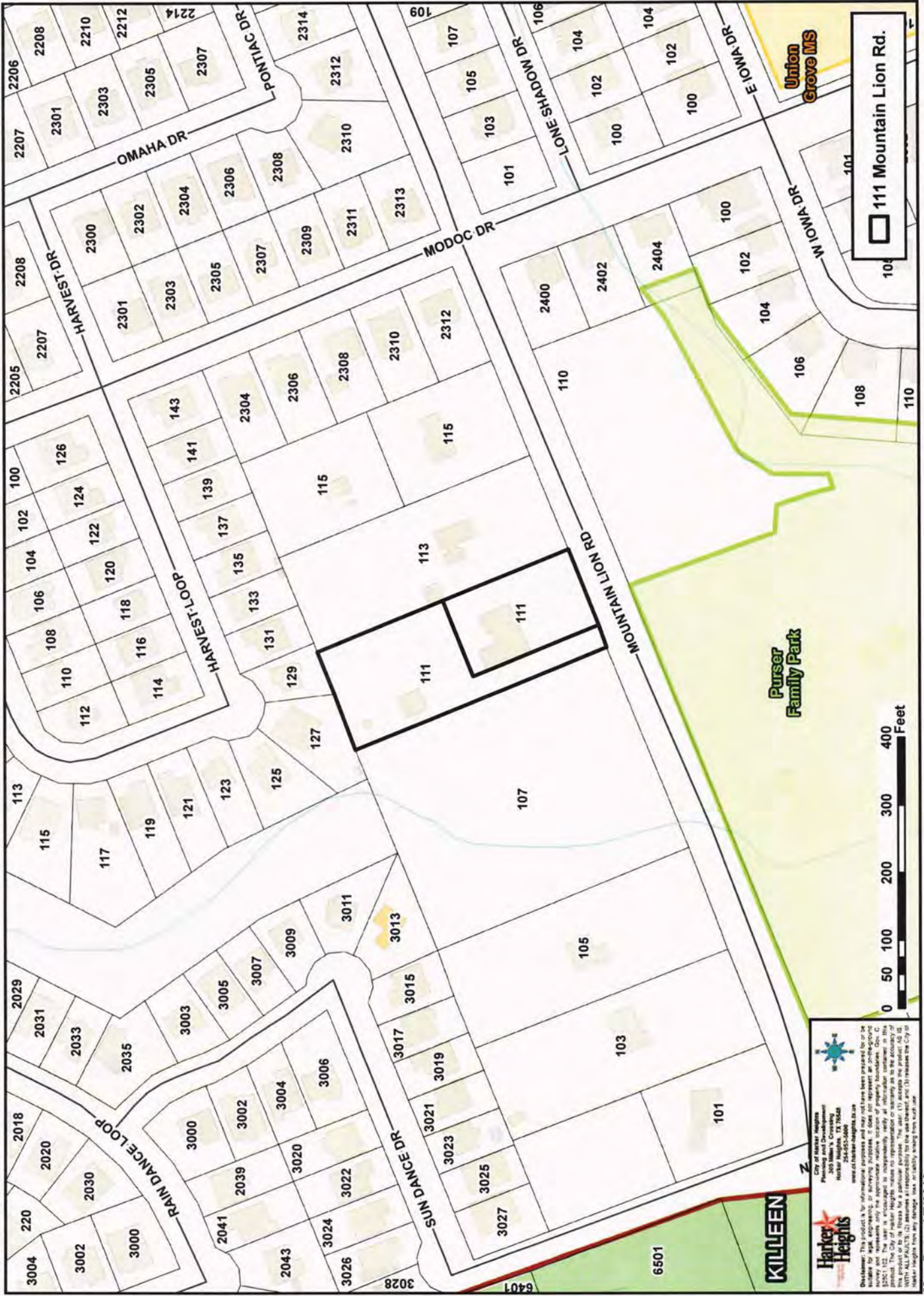
Proposed Conditions

Z19-05 Conditional Use Permit – 111 Mountain Lion Road

1. The property can only operate as a Single-Family Residential (R-1 One-Family Dwelling) OR a Private School with a Conditional Use Permit.
2. The property must maintain the overall external character and appearance of a Single Family Home.
3. Site Plan approval is required prior to the issuance of any development permits.
4. Sign (Out of the Public Right-of-Way) Standards
 - a) One Free Standing sign shall be permitted and shall be consistent with an approved Master Signage Plan.
 - b) The sign shall not exceed thirty (30) square feet in area and may not be more than six (6') feet in height.
 - c) Electronic and Monopole signage is prohibited.
 - d) All signage shall comply with the visibility sight triangle requirement.
 - e) Temporary signage shall be allowed in accordance to Harker Heights Code of Ordinances §151.016 Special Events.
5. A six (6) or eight (8) foot perimeter fence is required for adequate screening per §155.050 of the City of Harker Heights Code of Ordinances. All fences shall be maintained and in good condition at all times.
6. All employee parking must be located behind the front façade of the primary structure.
7. The development must meet parking requirements of 1 space per 350 square feet of gross floor area.
8. The development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances and all current, adopted building codes.
9. A copy of the conditions of approval for the conditional use permit must be kept by the business/property owners and shall notify of conditions of approval upon transfer of business or ownership of land.

Z19-05

Location



KILLEEN

Harter Heights
 City of Harter Heights
 300 Miller's Crossing
 Harter Heights, TX 75044
www.ci.harterheights.tx.us

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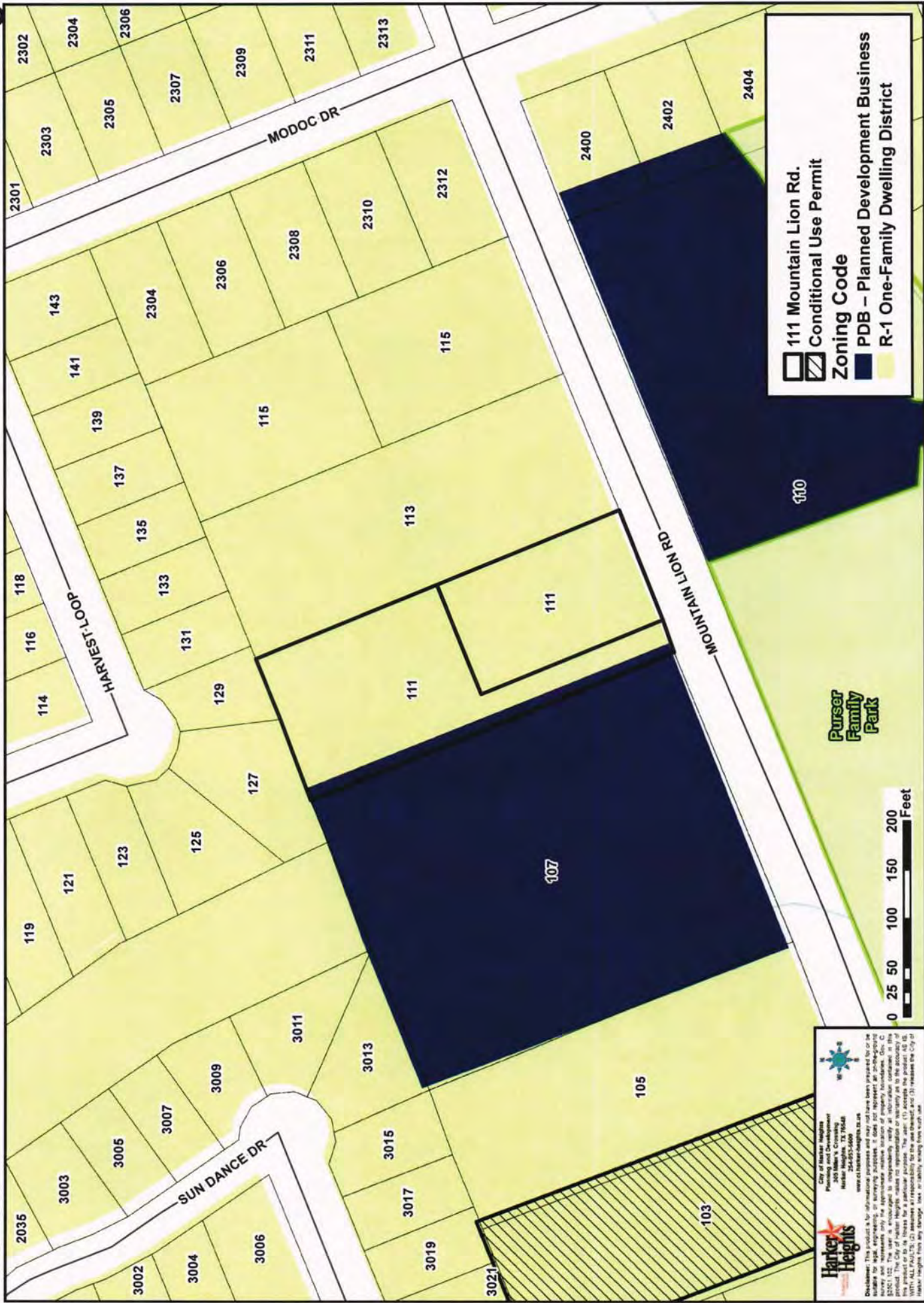
Map Date: 1/7/2019



111 Mountain Lion Rd.

Z19-05

Zoning



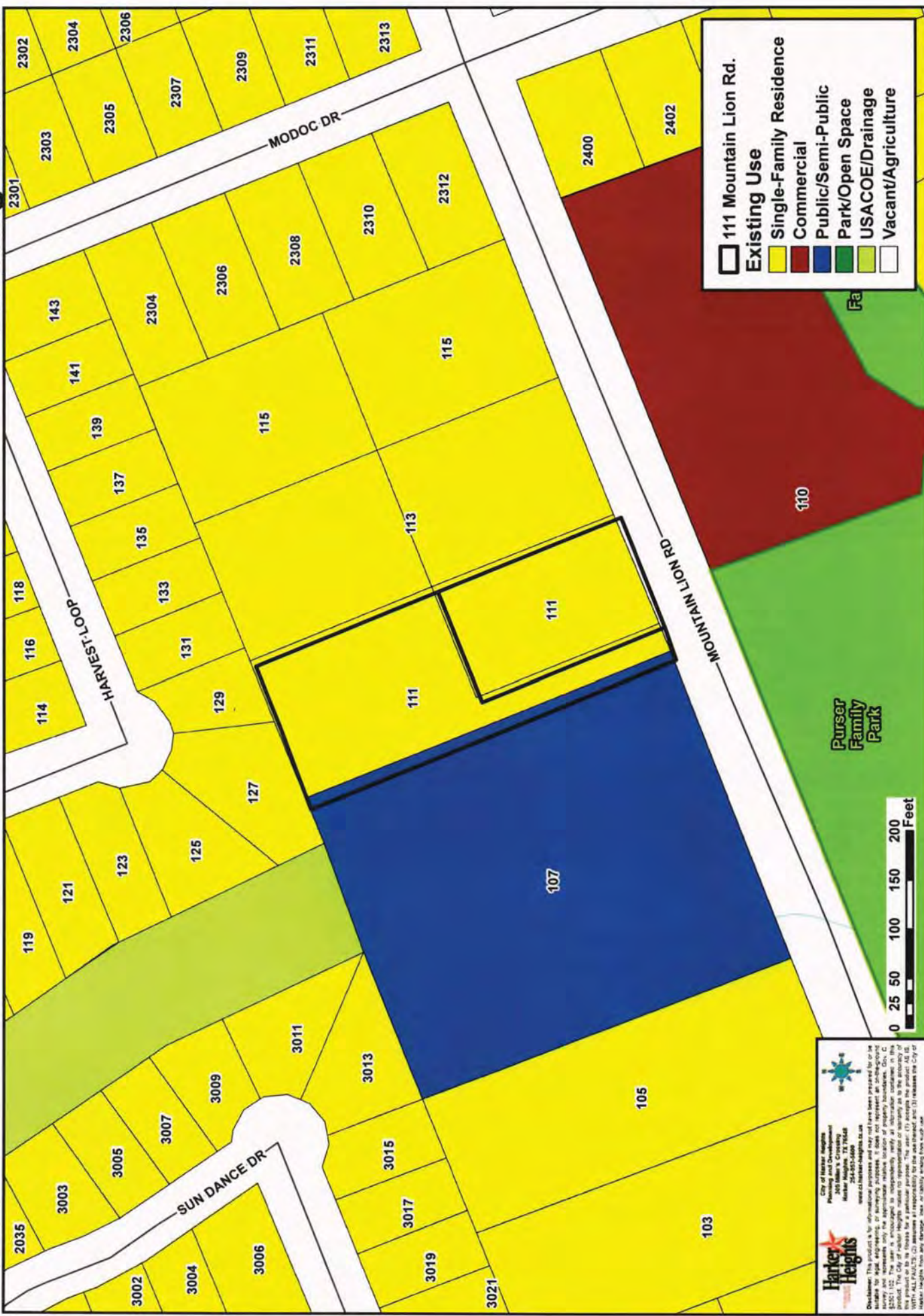
Harker Heights
 City of Harker Heights
 Planning and Development
 300 Main St, Crossing
 Harker Heights, TX 76047
 Phone: 254.857.6000
 www.ci.harkerheights.tx.us

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Purser Family Park

Z19-05

Existing Land Use



111 Mountain Lion Rd.

Existing Use

- Single-Family Residence
- Commercial
- Public/Semi-Public
- Park/Open Space
- USACOE/Drainage
- Vacant/Agriculture

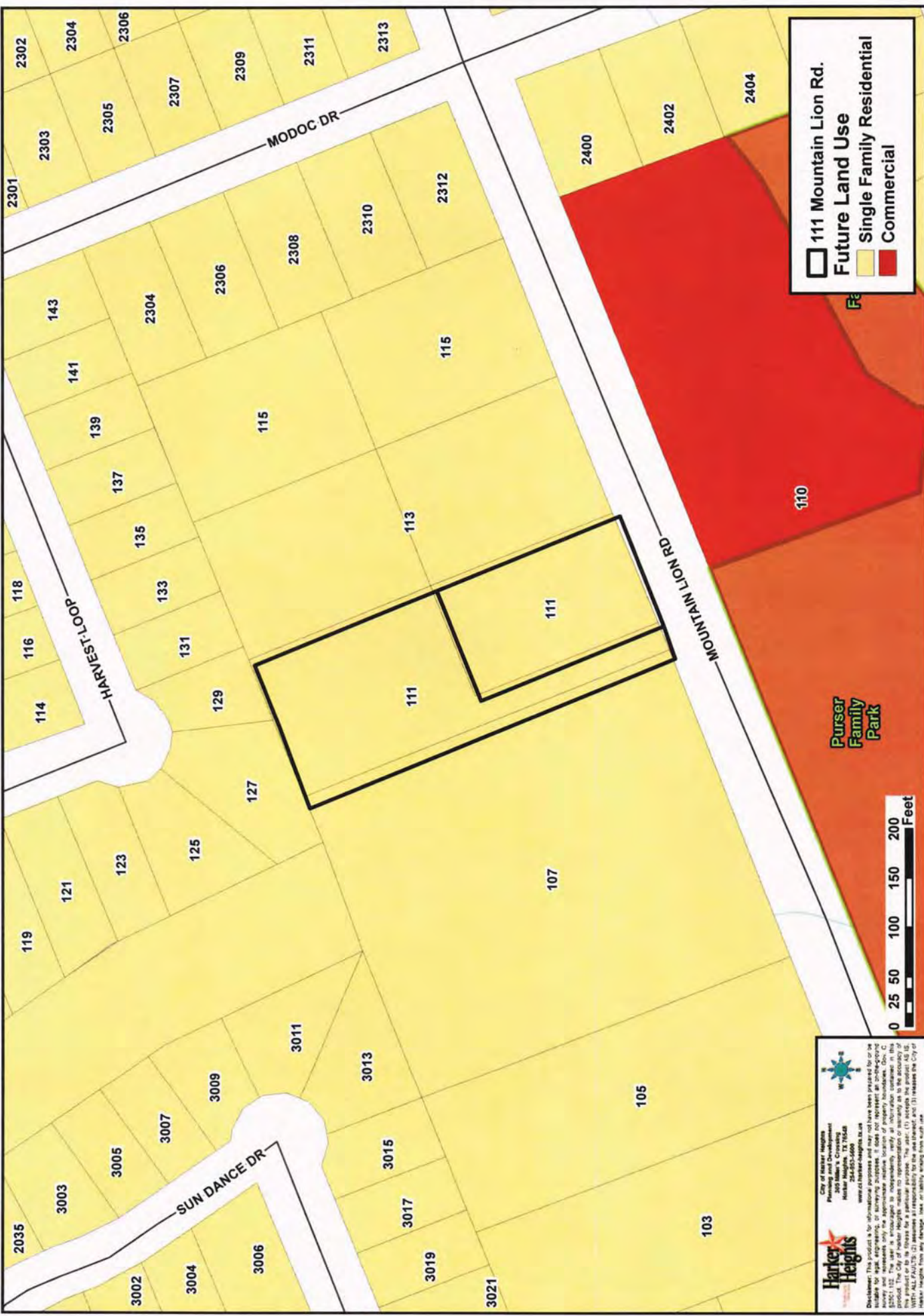
City of Harkey Heights
 Planning and Development
 300 Main Street
 Harkey Heights, OH 44631
 254-507-0000
www.ci.harkeyheights.oh.us





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Map Date: 1/7/2019

Z19-05

Future Land Use



 111 Mountain Lion Rd.
 Future Land Use
 Single Family Residential
 Commercial

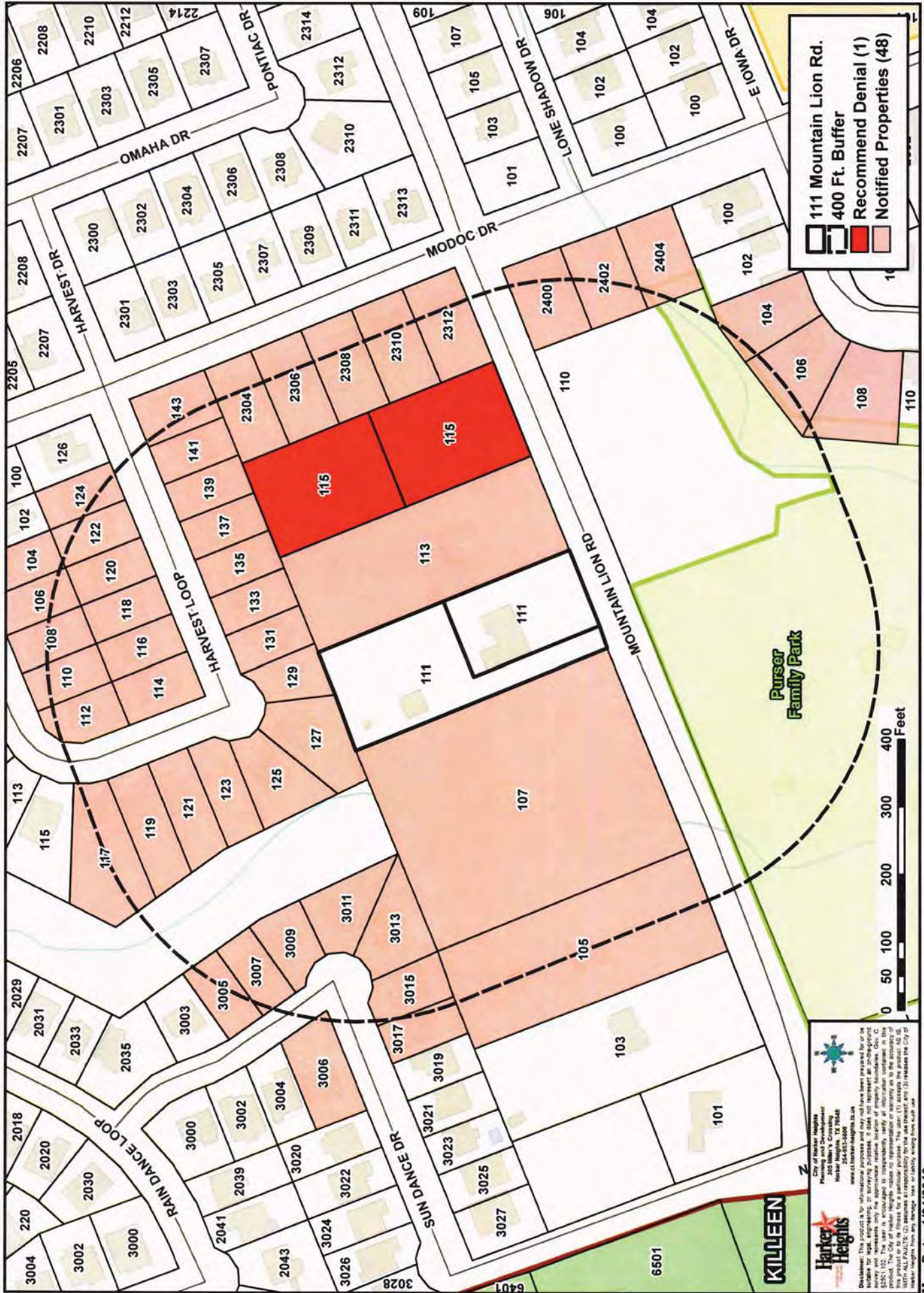

 City of Parker Heights
 Planning and Development
 300 Main Street
 Parker, CO 80108
 Phone: 303-254-5000
 www.ci.parker-heights.co.us

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Map Date: 1/7/2019

Z19-05

Notification



KILLEEN

Harkey Heights

City of Harkey Heights
Planning and Development
300 Miller's Crossing
Harkey Heights, TX 75845
www.ci.harkey-heights.tx.us

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TO: **City of Harker Heights
Planning & Development Department**

FROM: JAMES R. + BONNIE S. MORLEY
115 MOUNTAIN LION RD, HARKER HEIGHTS, TX 76548
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) to allow a private school on property described as Lot One (1), Block One (1), Jaylinn Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, and an adjacent 0.551 acre tract of land in Bell County, Texas, being part of the R.W. Tom Survey, Abstract No. 838, both tracts being generally located at **111 Mountain Lion Road**, Harker Heights, Bell County, Texas (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST
 I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE OUR ATTACHED COMMENTS.

JAMES R. MORLEY
BONNIE S. MORLEY
Printed Name

James R. Morley
Bonnie S. Morley
Signature

1/24/19
Date

Received

JAN 24 2019

Planning & Development

James R and Bonnie S Mobley's Comments to the application that has been made to consider a (CUP) to allow a private school on the tracts located at 111 Mountain Lion Road, Harker Heights, Texas.

We called the City of Harker Heights Planning and Development Department this Tuesday and were told that conditions for this (CUP) had not been developed yet. We were told that the private school was to be an Acton Academy. The applicant or the homeowner regarding this request also has not contacted us. This limited information is the reason for our denial of the request.

Our comments are as follow:

1. Does the City have adequate staff to monitor the compliance with the conditions of the (CUP) if it is approved?
2. How many students will be accommodated?
3. What will be the ages of the students served?
4. What type of curriculum will be taught?
5. Will there be a playground?
6. Will there be screening or fencing along the east property line?
7. What are the parking requirements for staff and visitors?
8. Will there be adequate parking for parents meetings and events?
9. What types of school vehicles will be parked on the premises and will they be visible from the street?
10. What will be the size of allowed signage and will it be illuminated?
11. Will there be signage or artwork on any school vehicles?
12. What exterior modifications will be allowed?
13. What interior modifications will be allowed?
14. What will be the hours of operation?
15. What will the small house (accessory dwelling) in the back be used for?
16. Will additions to the existing buildings be allowed?