

**Minutes  
Planning and Zoning Meeting  
August 12, 2013**

On this 12<sup>th</sup> day of August, 2013, at 6:30 p.m., the Planning and Zoning Commission convened in a Regular Meeting, and the same being opened to the public at their regular meeting place; thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, Annotated, and the following members thereof, being present, namely:

Doug Wilkins, Chairman  
Onis Wiemers, Secretary  
Jim Lawler  
Ed Dougherty  
Darrell Murdock  
Mike Herring  
Rick Maxwell

Thus, constituting a quorum.

Personnel present: William L. Herring, Mayor and Cassandra R. Maldonado, Municipal Court Clerk.

Others present: David & Mary Wilkerson and Michael Michalec all from Devine, TX.

Commissioner Wilkins called the meeting to order.

The first order of business was to discuss and consider approval of Minutes from meeting on July 29<sup>th</sup>, 2013.

Minutes were reviewed by the Commission.

Motion made by Commissioner Lawler, seconded by Commissioner Herring to approve the minutes from the meeting on July 29, 2013.

Ayes	--	Six
Nays	--	None
Absent	--	One (Commissioner Wiemers)

Motion carried.

Commissioner Wiemers arrived at 6:32 p.m.

The second order of business was a Public Hearing on Preliminary Report for changing the zoning classification of property consisting of approximately 31 acres of land along the north side of Hondo Avenue W. in the City of Devine, from Class A. Single Family Residence District to Class H. Commercial Business District, which is proposed to include any or all properties with the following addresses: 1030 CR 7610 (R52335); 1324 Hondo Ave. W. (R6972); 1230 Hondo Ave. W. (R6978, R80053); 1250 Hondo Ave. W. (R59526, R80261); 1270 Hondo Ave. W. (R59599); 1304 Hondo Ave. W. (R57169); 1284 Hondo Ave. W. (R57147); 1280 Hondo Ave. W. (R67854) and 1240 Hondo Ave. W. (R65725).

Public Hearing was opened at 6:33 p.m.

Commissioner Wilkins stated that the mentioned area was always used for business and the zoning needed to be changed to match what is was being used for.

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David Wilkerson commented that the change should have been done a long time ago.

Michael Michalec said that he lives at 1030 CR 7610 and he objected to his residence being changed from Residential to Commercial. He stated that he was concerned that the value of his property going down if the zoning change was approved.

The Commission explained that the zoning change would be beneficial to Mr. Michalec due to the fact that it would allow for more to be done to the property. They explained that if he was exempted from the zoning change then he would be more restricted and only a residence would be allowed on the property. They added that in the event he ever decided to sell he could list the property as commercial and that might increase the value of his property.

Mr. Michalec stated that if the zoning change would not hinder his property in any way then he did not have any objections.

Public Hearing was closed at 6:45 p.m.

The third order of business was to discuss and consider approving the Preliminary Report for changing the zoning classification of property consisting of approximately 31 acres of land along the north side of Hondo Avenue W. in the City of Devine, from Class A. Single Family Residence District to Class H. Commercial Business District, which is proposed to include any or all properties with the following addresses: 1030 CR 7610 (R52335); 1324 Hondo Ave. W. (R6972); 1230 Hondo Ave. W. (R6978, R80053); 1250 Hondo Ave. W. (R59526, R80261); 1270 Hondo Ave. W. (R59599); 1304 Hondo Ave. W. (R57169); 1284 Hondo Ave. W. (R57147); 1280 Hondo Ave. W. (R67854) and 1240 Hondo Ave. W. (R65725).

Motion made by Commissioner Dougherty, seconded by Commissioner Wiemers to approve the Preliminary Report for changing the zoning classification of property consisting of approximately 31 acres of land along the north side of Hondo Avenue W. in the City of Devine, from Class A. Single Family Residence District to Class H. Commercial Business District, which is proposed to include any or all properties with the following addresses: 1030 CR 7610 (R52335); 1324 Hondo Ave. W. (R6972); 1230 Hondo Ave. W. (R6978, R80053); 1250 Hondo Ave. W. (R59526, R80261); 1270 Hondo Ave. W. (R59599); 1304 Hondo Ave. W. (R57169); 1284 Hondo Ave. W. (R57147); 1280 Hondo Ave. W. (R67854) and 1240 Hondo Ave. W. (R65725).

Ayes	--	Seven
Nays	--	None

Motion carried.

Commissioner Wilkins explained to the Public that zoning change would now be brought before the Devine City Council for final approval.

The fourth order of business was Informational Items.

Mayor Herring informed the Commission that TxDot postponed the IH-35 extension project to September 2013.

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There being no further business to discuss, motion made by Commissioner Wiemers, seconded by Commissioner Lawler to adjourn.

Ayes	--	Seven
Nays	--	None

Motion carried.

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Chairman

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Secretary