



City of La Vernia  
**PLANNING & ZONING COMMISSION MEETING**  
102 E. Chihuahua St., La Vernia, Texas 78121  
September 12, 2023  
6:30 PM

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## AGENDA

1. **Call to Order**
2. **Invocation, Pledge of Allegiance and Texas Pledge**
3. **Citizens to Be Heard**  
*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no commission action may take place and no commission discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the commission may extend this time at their discretion.)*
4. **Consent Agenda**  
*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a commission member requests an item be removed and considered separately.)*
  - A. Approve the Meeting Minutes from the 08-08-23 Regular Meeting
5. **Public Hearing**
  - A. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of property owner **Marjorie A. Rusch** regarding the property located at **412 DRY HOLLOW RD LA VERNIA, TX 78121**, otherwise known as **CITY OF LA VERNIA, LOT 163, ACRES 4.60** with regard to the request to Re-Plat: divide 1 Lot into 2 lots
    - A.1 Open Public Hearing
    - A.2 Requestor Presentation
    - A.3 Staff Presentation
    - A.4 Receive Public Comments
    - A.5 Close Public Hearing
    - A.6 Discuss and consider action on approving the request from property owner **Marjorie A. Rusch** regarding the property located at **412 DRY HOLLOW RD LA VERNIA, TX 78121**, otherwise known as **CITY OF LA VERNIA, LOT 163, ACRES 4.60** to Re-Plat: divide 1 Lot into 2 lots

**6. Discussion Only**

- A.** Discuss the possibility of proposing changes in the La Vernia Code of Ordinances Ch 26 Signs regarding wall painted signs to the City Council

**7. Discussion & Action**

- A.** Discuss and consider appointing a Chairman and Vice Chairman of the Planning and Zoning Commission

**8. Items Specific to Future Line Items on the Agenda**

**9. Adjourn**

**DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.*

*The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible and parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov).*

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **September 7th, 2023 at 5:00 pm** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

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Lindsey Wheeler, City Secretary



**PLANNING & ZONING COMMISSION MEETING**

102 E. Chihuahua St., La Vernia, Texas 78121

August 08, 2023

6:30 PM

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**MINUTES**

**1. Call to Order**

The Meeting was called to order at 6:30 pm

Commissioners Tanneberger, Jacobs, Witherell, and Robbins present

**2. Invocation, Pledge of Allegiance and Texas Pledge**

Commissioner Tanneberger led

**3. Citizens to Be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention on the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*

No Citizens to be heard

**4. Consent Agenda**

*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- A. Meeting Minutes from the July 18th, 2023 Planning and Zoning meeting  
Commissioner Witherell made a motion to accept the content agenda as presented, seconded by Commissioner Jacob, all in favor

**5. Public Hearing**

- A. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of DODSON, GATOR

Property: 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275

Request: proposed to be a commercial use property, moving from the present zoning classification of R-A, Residential Agriculture, to C-1 Retail

A.1 Open Public Hearing

A.2 Requestor Presentation

A.3 Staff Presentation

A.4 Receive Public Comments

A.5 Close Public Hearing

A.6 Discuss and consider a recommendation to the City Council on Ordinance No. 081023-01 for the re-zone of the location specifically known as 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275

A.1 Open Public Hearing

The public hearing was open at 6:32 pm

A.2 Requestor Presentation

Gator and Sarah Dodson presented

A.3 Staff Presentation

The staff was not asked to give a presentation by the Commissioners

A.4 Receive Public Comments

No public comments were made

A.5 Close Public Hearing

The hearing was closed at 6:34 pm

A.6 Discuss and consider a recommendation to the City Council on Ordinance No. 081023-01 for the re-zone of the location specifically known as 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275

Commissioner Jacobs made a motion to approve a positive recommendation to the City council regarding the re-zone of the location specifically known as 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275, seconded by Commissioner Witherell, all in favor

**6. Items Specific to Future Line Items on the Agenda**

We will appoint positions on the board next month

**7. Adjourn**

Commissioner Jacobs made a motion to adjourn the meeting at 6:41 pm, seconded by Commissioner Witherell, all in favor

**DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order to the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.*

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I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **August 2nd, 2023 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of the said meeting.

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Lindsey Wheeler, City Secretary





APPLICATION FOR LAND SUBDIVISION (PLAT)

102 E. Chihuahua Street  
P.O. Box 225  
La Vernia, TX 78121  
(830) 779-4541

CHECK ONE:  Master Plan  Prelim./Final Plat  Prelim. Plat  Final Plat  Replat  Amended  Minor

1. PROPOSED SUBDIVISION NAME: \_\_\_\_\_ UNIT NO. \_\_\_\_\_

LOCATION DESCRIPTION/NEAREST INTERSECTION: East side of Dry Hollow Rd, @ Forest Ln.

ACREAGE: 1/2 Acre NO OF LOTS: EXISTING 3-4 PROPOSED 1

\* REASON FOR PLATTING/REPLATTING Do not need it. Prefer \$'s for needed new roof on home \*

2. OWNER/APPLICANT\*: Marjorie A. Rusch

(\* If applicant is person other than owner, a letter of authorization must be provided from owner.\*)

ADDRESS: 412 Dry Hollow Rd., LA VERNIA, TX 78121

Telephone: 214-460-1732 Fax: N/A Mobile: 214-460-1732 Email: Ruschmarge4@gmail.com

3. LICENSED ENGINEER/SURVEYOR: Pollock Surveying, Inc. 1732

MAILING ADDRESS: P.O. Box 475 Floresville, TX 78114

TELEPHONE: 830-393-4770 Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

LIST ANY VARIANCE REQUESTED: \_\_\_\_\_

\* REASON FOR REQUEST (List any hardships): Not using + need funds for new roof \*

4. PRESENT USE OF THE PROPERTY VACANT LAND CURRENT ZONING: \_\_\_\_\_

5. CITY LIMITS:  IN  OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN?  YES  NO

6. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE

- Completed application, including signature of owner/applicant and signed waiver.
- Copy of deed showing current ownership.
- 7 copies of the plat, collated and folded so that the subdivision name is visible. Staple plats with 2 or more pages.
- 2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.
- Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.
- Survey showing any existing structures on the subject property.
- List of street names approved by the appropriate county.

PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION

I agree to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat will NOT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on \_\_\_\_\_ (date of Planning and Zoning Commission meeting). This waiver expires after \_\_\_\_\_ (date of the Planning and Zoning Commission meeting). (The waiver statement is not applicable to Minor Plats.)

Marjorie A. Rusch Marjorie A. Rusch  
Signature of Owner/Applicant Printed Name of Owner/Applicant

8-14-2023  
Date -16-  
(MAR)

(If applicant is person other than owner, a letter of authorization must be provided from owner.)  
Signature indicates authorization for plat application and acceptance of waiver statement.

**APPLICATION FEES**

<b>Overall Development Concept Review Fee</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots, but intended for apartments, townhouses, commercial and/or industrial use.
<b>Preliminary Plat Review</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots
<b>Final Plat Review Fee</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Minor Subdivision Plat</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Vacating a Plat or Replatting</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Plat Amendment</b>	\$100
<b>Engineering Fees Review</b>	To be paid by the developer or property owner before the final plat approval is made by the city.
<b>Changes or request for further reviews from the developer or property owner by the City Engineer</b>	Shall be paid by the developer or property owner at the standard rates charged by the City Engineer before the final plat approval is made by the City.
<b>Legal Fees</b>	Shall be paid by the City for legal fees incurred. The subdivider shall reimburse the City prior to the final plat approval by the City.
<b>Variance Requesting Relief from the Subdivision Ordinance</b>	\$50

**IMPORTANT NOTES:**

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning and Zoning Commission until all staff comments have been satisfied.
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- Engineering and legal fees shall be paid to the city prior to the final plat approval.
- The following items must be provided when submitting an approved plat for recordation.
  - Tax certificate showing that no taxes are currently due or delinquent against the property.
  - Three original mylars.
  - Twelve blue line copies for Wilson County 9-1-1 Addressing in 24 X 36 inch or 24 X 18 inch format.
  - One 11 X 17 inch blue line copy.
  - An electronic copy in .pdf in 24 X 36 inch or 24 X 18 inch format and in 11 X 17 inch format.
  - Recording fee. Checks should be made out to Wilson County Clerk.

**FOR OFFICE USE ONLY:**

Date Application Fee Received: 08-16-23 Received By: LU

Receipt No. \_\_\_\_\_ Cash/  Check No. 3647 Amount Recd. \$ \_\_\_\_\_

\_\_\_\_\_ 7 copies \_\_\_\_\_ street name appr. list \_\_\_\_\_ TxDOT approval letter

\_\_\_\_\_ letter of authorization \_\_\_\_\_ proof of ownership \_\_\_\_\_ HOA document

Plat review meeting date: \_\_\_\_\_ Planning and Zoning Commission meeting date: 09-12-23

**WILSON COUNTY TAX OFFICE**  
**2022 TAX STATEMENT**

Section 5, Item A.  
 PROPERTY ID NUMBER  
**27390**

<b>NAME &amp; ADDRESS</b> Owner ID: 66184 Pct: 100.000% RUSCH MARJORIE A 412 DRY HOLLOW RD LA VERNIA, TX 78121		<b>PROPERTY DESCRIPTION</b> CITY OF LA VERNIA, LOT 163, ACRES 4.60  Acreage: 4.6000 Type: R	<b>PROPERTY GEOGRAPHICAL ID</b> 3000-03000-16300
<b>LAND MARKET VALUE</b> 44,090 <b>IMPROVEMENT MARKET VALUE</b> 112,640 <b>AG/TIMBER USE VALUE</b> 0 <b>AG/TIMBER MARKET</b> 0 <b>ASSESSED VALUE</b> 111,054		<b>PROPERTY SITUS / LOCATION</b> 412 DRY HOLLOW RD LA VERNIA, TX 78121	

100% Assessment Ratio Appraised Value w/o 10% CAP: 156,730

Taxing Unit	Assessed	Homestead Exemption	OV 65 or DP Exemption	Other Exemptions	Freeze Year and Ceiling	Taxable Value	Rate Per \$100	Tax Due
SAN ANTONIO RIVER AUTH	111,054	5,000	5,000	0		101,054	0.0183600	18.55
La Vernia ISD	111,054	40,000	10,000	0	2006 241.77	61,054	1.2496000	241.77
EVERGREEN UWC DIST	111,054	0	25,000	0		86,054	0.0050400	4.34
Wilson Co Hosp	111,054	0	3,000	0		108,054	0.0955056	103.20
Wilson County	111,054	0	0	0	2006 224.00	111,054	0.4301700	224.00
ESD 1	111,054	0	0	0		111,054	0.0882160	97.97
ESD 3	111,054	0	0	0		111,054	0.0850000	94.40
La Vernia City	111,054	0	15,000	0		96,054	0.1540000	147.92
<b>CITY TAXES REDUCED BY SALES TAX 203.73</b>								

See payment schedule below for tax due.

Taxing Unit	October	November	December	January
SAN ANTONIO RIVER AUT	17.99	18.18	18.36	18.55
La Vernia ISD	234.52	236.93	239.38	241.77
EVERGREEN UWC DIST	4.21	4.25	4.30	4.34
Wilson Co Hosp	100.10	101.14	102.17	103.20
Wilson County	217.28	219.52	221.76	224.00
ESD 1	97.97	97.97	97.97	97.97
ESD 3	91.57	92.51	93.46	94.40
La Vernia City	143.48	144.98	146.44	147.92
<b>TOTAL</b>	<b>907.12</b>	<b>915.46</b>	<b>923.82</b>	<b>932.15</b>

**Total Taxes Due By Jan 31, 2023 932.15**

**Penalty & Interest if paid after Jan 31, 2023**

If Paid In Month	P&I Rate	Tax Due
February 2023	7%	997.39
March 2023	8%	1,016.04
April 2023	11%	1,034.68
May 2023	13%	1,053.34
June 2023	15%	1,071.99

Property taxes in Texas are assessed as of January 1st each year and cover a period of one year from that date. Tax statutes make no provision for proration; therefore, a change of address during the year would have no effect on the tax liability established on January 1st of the calendar year. These tax statutes also make no provisions for proration in case the property is disposed of during the calendar year. Also, if you owned personal property described on the tax statement on January 1st, then you are personally liable for the taxes. IF YOU ARE 65 YEARS OR OLDER OR ARE DISABLED, AND YOU OCCUPY THE PROPERTY DESCRIBED IN THIS DOCUMENT AS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Taxpayers who were 65 years of age or older, or disabled on January 1, 2022 and have filed an application for exemption may pay the taxes on their HOMESTEAD in four equal installments. Contact your Tax Office for more information.

Pmt	Due By	Payment Amount
1st	January 31, 2023	233.04
2nd	March 31, 2023	233.04
3rd	May 31, 2023	233.04
4th	July 31, 2023	233.03

\*Total Tax Due may include Additional Penalty up to 20% incurred on April 1 or July 1 of the year of delinquency [Tax Code Sec 33.11] or Additional Late filing Penalty of 10% [Tax Code Sec 23.54, Tax Code Sec 21.10].

**IF YOUR TAXES ARE PAID BY A MORTGAGE COMPANY, it is your responsibility to make sure they are paid timely. Please contact your mortgage company to make sure they received your tax statement.**

\*Please note that this taxing unit does not offer early payment discounts.

"DETACH HERE AND RETURN BOTTOM PORTION WITH PAYMENT"

Make checks payable to:

**WILSON COUNTY TAX OFFICE**  
**DAWN POLASEK BARNETT**  
 1 LIBRARY LN  
 FLORESVILLE, TX 78114

**RETURN SERVICE REQUESTED**



Owner Name and Address  
 RUSCH MARJORIE A  
 412 DRY HOLLOW RD  
 LA VERNIA, TX 78121

2022-36907  
 Statement Number  
 2022 36907  
 Prop ID Number  
 27390  
 Geographical ID  
 3000-03000-16300

See Payment Schedule below for tax due.

If Paid in Month	Tax Due
October 2022	907.12
November 2022	915.46
December 2022	923.82
January 2023	932.15
February 2023	997.39
March 2023	1,016.04
April 2023	1,034.68
May 2023	1,053.34
June 2023	1,071.99

**In January Pay 932.15**

Taxes are payable October 2022 and become delinquent on February 1, 2023

1395

RUSCH MARJORIE A  
 412 DRY HOLLOW RD  
 LA VERNIA, TX 78121-4041





# TAX RECEIPT

07/21/2023 04:47DM

Section 5, Item A.

WILSON COUNTY TAX OFFICE  
DAWN POLASEK BARNETT  
1 LIBRARY LN  
FLORESVILLE, TX 78114

Receipt Number

**1360741**

Date Posted 07/21/2023  
Payment Type P  
Payment Code Full  
Total Paid \$233.03

**PAID BY:**

RUSCH MARJORIE A  
412 DRY HOLLOW RD  
LA VERNIA, TX 78121

Property ID	Geo	Legal Acres	Owner Name and Address									
27390	3000-03000-16300	4.6000	RUSCH MARJORIE A 412 DRY HOLLOW RD LA VERNIA, TX 78121									
Legal Description			DBA Name									
CITY OF LA VERNIA, LOT 163, ACRES 4.60												
Situs												
412 DRY HOLLOW RD LA VERNIA, TX 78121												
Entity	Year	Rate	Taxable Value	Stmnt #	Void	Original Tax	Discnts	P&I	Att Fees	Overage	Amount Pd	
EVERGREEN UWC DIST	2022	0.00504	86,054	36907	N	1.07	0.00	0.00	0.00	0.00	1.07	
SAN ANTONIO RIVER AUTHORITY	2022	0.01836	101,054	36907	N	4.63	0.00	0.00	0.00	0.00	4.63	
La Vernia City	2022	0.15400	96,054	36907	N	36.98	0.00	0.00	0.00	0.00	36.98	
Wilson Co Hosp	2022	0.09551	108,054	36907	N	25.80	0.00	0.00	0.00	0.00	25.80	
ESD 1	2022	0.08822	111,054	36907	N	24.50	0.00	0.00	0.00	0.00	24.50	
ESD 3	2022	0.08500	111,054	36907	N	23.60	0.00	0.00	0.00	0.00	23.60	
Wilson County	2022	0.43017	111,054	36907	N	56.00	0.00	0.00	0.00	0.00	56.00	
La Vernia ISD	2022	1.24860	61,054	36907	N	60.45	0.00	0.00	0.00	0.00	60.45	
											233.03	
Balance Due As Of 07/21/2023: .00												

Tender	Details	Description	Amount
Check	3636		233.03
			233.03

Operator Batch  
YColunga 14964 (YC 07/21/2023)

Total Paid  
233.03

Special Condition Exists for this Property  
Page: 1

Receipt issued in Accordance with Section 31.075 of the Texas Property Tax Code

JUAN DELGADO GRANT -  
SURVEY No. 8  
ABSTRACT No. 8

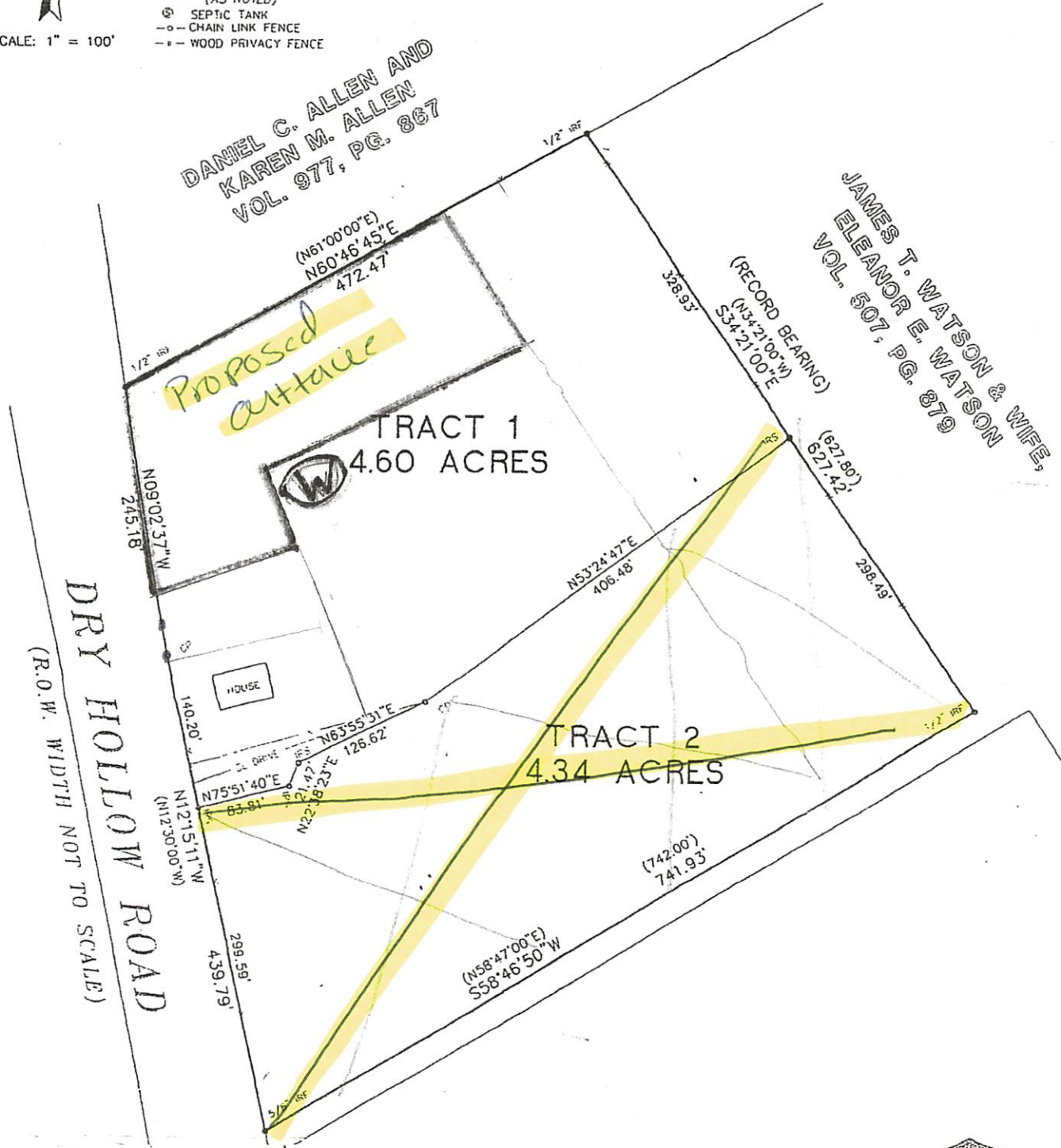
Section 5, Item A.

- IRF - STEEL ROD FOUND
- IRS - 1/2" REBAR SET
- CP - CORNER POST
- DD'MM'SS' DIST. - FIELD
- (DD'MM'SS' DIST.) - RECORD
- BARBED WIRE FENCE
- ⊕ POWER/UTILITY POLE
- ⊕ WATER WELL/WATER METER (AS NOTED)
- ⊕ SEPTIC TANK
- CHAIN LINK FENCE
- WOOD PRIVACY FENCE

SCALE: 1" = 100'

DAMEL C. ALLEN AND  
KAREN M. ALLEN  
VOL. 977, PG. 867

JAMES T. WATSON & WIFE,  
ELEANOR E. WATSON  
VOL. 507, PG. 879



SURVEY PLAT AND PARTITION OF 8.94 ACRES OF LAND IN THE CITY OF LA VERNIA OUT OF THE JUAN DELGADO GRANT, SURVEY NO. 8, ABSTRACT NO. 8, WILSON COUNTY, TEXAS AND BEING A PART OR PORTION OF THE SAME LAND DESCRIBED AS FIRST TRACT IN A CONVEYANCE TO MARGUERITE PIERDOLLA RUSCH IN THE DEED OF RECORD IN VOLUME 381, PAGE 312 OF THE DEED RECORDS OF WILSON COUNTY, TEXAS.

SURVEYOR NOTES:

- 1.) A 1/2" REBAR WITH AN ORANGE CAP LABELED POLLOK & SONS WAS SET AT EACH PROPERTY CORNER UNLESS OTHERWISE NOTED.
- 2.) RECORDS WERE NOT RESEARCHED FOR EASEMENTS ON THIS TRACT OF LAND.
- 3.) THE BASIS OF THE BEARING SYSTEM IS THE DEED.
- 4.) THIS PLAT WAS PREPARED FOR JANICE F. RUSCH BRIETZKE AND MARJORIE RUSCH. NO LICENSE HAS BEEN CREATED, EXPRESSED, OR IMPLIED TO COPY THIS SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.
- 5.) THIS SURVEY IS ONLY VALID WITH THE SURVEYOR'S ORIGINAL SIGNATURE IN GREEN INK.

ADDRESS: 412 DRY HOLLOW ROAD  
LA VERNIA, TEXAS 78121



POLLOK & SONS  
SURVEYING, INC.  
FLORESVILLE, TEXAS  
(530) 393-4770



STATE OF TEXAS  
COUNTY OF WILSON

I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND BY PEOPLE WORKING UNDER MY DIRECT SUPERVISION

THIS 1ST DAY OF JUNE 2004 A.D.

LARRY J. POLLOK

R.P.L.S. NO. 5186

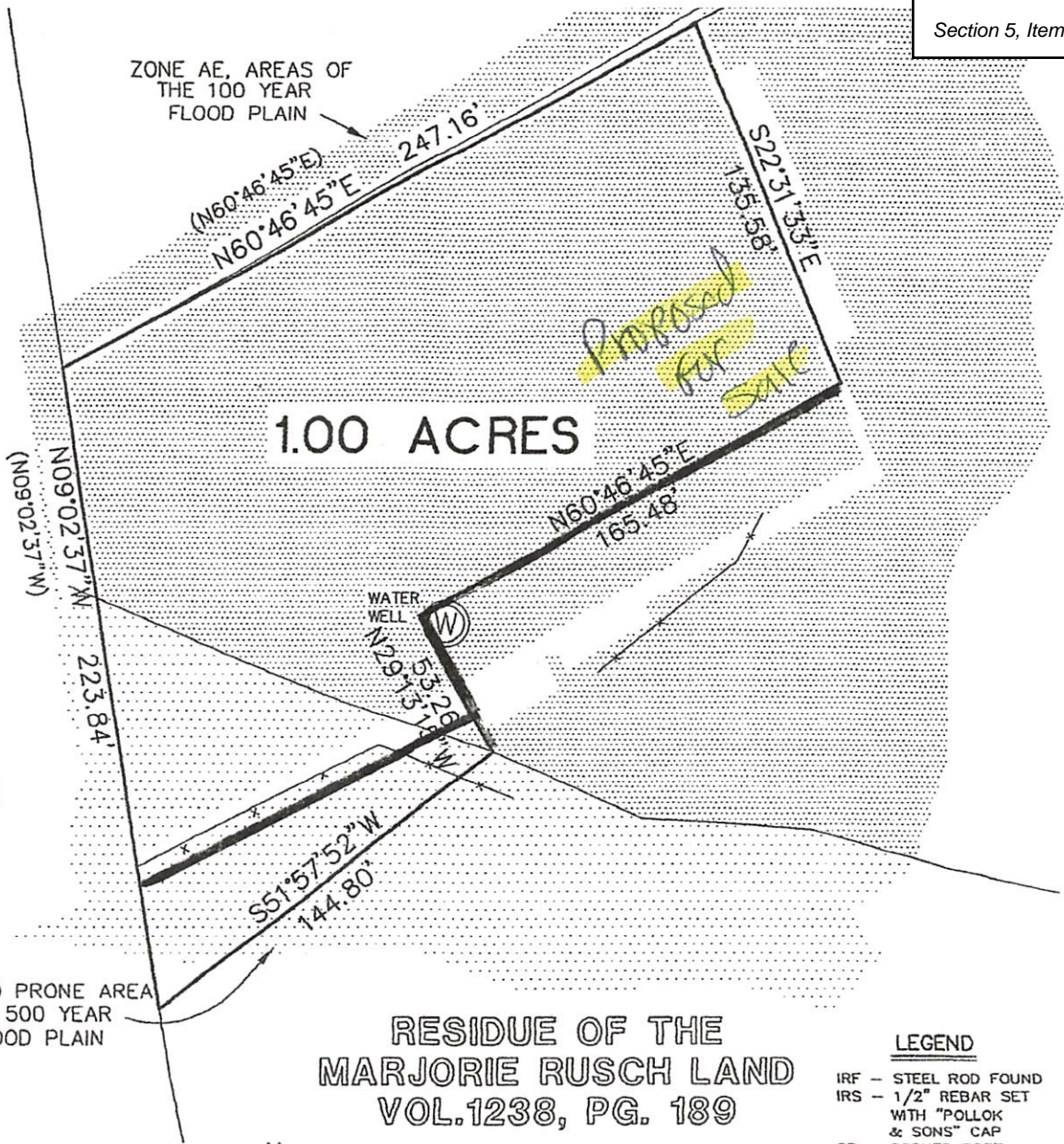
© 2004 ALL RIGHTS RESERVED

JOB NO. BRIETKED604



DRY HOLLOW ROAD  
R.O.W. NOT TO SCALE

ZONE AE, AREAS OF THE 100 YEAR FLOOD PLAIN



1.00 ACRES

RESIDUE OF THE MARJORIE RUSCH LAND VOL.1238, PG. 189

FLOOD PRONE AREA THE 500 YEAR FLOOD PLAIN

LEGEND

- IRF - STEEL ROD FOUND
- IRS - 1/2" REBAR SET WITH "POLLOK & SONS" CAP
- CP - CORNER POST
- DDMM'SS" DIST.' - FIELD
- (DDMM'SS" DIST.') - RECORD
- x - BARBED WIRE FENCE
- ⊙ - POWER/UTILITY POLE
- ⊙ - WATER WELL/WATER METER (AS NOTED)
- ⊙ - SEPTIC TANK
- O - CHAIN LINK FENCE
- || - WOOD PRIVACY FENCE

SURVEY PLAT OF 1.00 ACRES OF LAND OUT OF THE JUAN DELGADO GRANT SURVEY NO. 8, ABSTRACT NO. 8 WILSON COUNTY, TEXAS AND BEING A PART OR PORTION OF THE SAME LAND DESCRIBED IN A CONVEYANCE TO MARJORIE RUSCH IN A DEED OF RECORD IN VOLUME 1238, PAGE 189 OF THE OFFICIAL PUBLIC RECORDS OF WILSON COUNTY, TEXAS.

SURVEYOR NOTES:

- 1.) A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.
- 2.) RECORDS WERE NOT RESEARCHED FOR EASEMENTS ON THIS TRACT OF LAND.
- 3.) THE BASIS OF THE BEARING SYSTEM IS NAD83.
- 4.) THIS PLAT WAS PREPARED FOR MARJORIE RUSCHY. NO LICENSE HAS BEEN CREATED, EXPRESSED, OR IMPLIED TO COPY THIS SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.
- 5.) THIS SURVEY IS ONLY VALID WITH THE SURVEYOR'S ORIGINAL SIGNATURE IN GREEN INK. THE SURVEYOR ASSUMES NO LIABILITY FOR THIS SURVEY WITHOUT AN ORIGINAL SEAL AND SIGNATURE.



POLLOK & SONS SURVEYING, INC. FLORESVILLE, TEXAS (830) 393-4770

STATE OF TEXAS COUNTY OF WILSON

I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND BY PEOPLE WORKING UNDER MY DIRECT SUPERVISION.

PRELIMINARY COPY THIS 24TH DAY OF MAY, 2013 A.D.

NOT TO BE USED FOR ANY TRANSACTIONS

LARRY J. POLLOK R.P.L.S. NO. 11 JOB NO. 13-0188 © 2013 ALL RIGHTS RESERVED

## Sec. 30-305. - Replatting.

- (a) **Replat required.** Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved and recorded plat, other than to amend or vacate the plat, must first obtain approval for the replat under the standards and procedures prescribed for the replatting of land by this chapter. All improvements shall be constructed in accordance with the same requirements as for a final plat as provided herein. The building official may waive or modify requirements for a preliminary replat under certain circumstances where the proposed replat does not involve a large land parcel or an existing structure or business on the subject property, and where the proposed plat revisions are relatively simple in nature.
- (b) **Replatting without vacating preceding plat.** A replat of a final plat or portion of a final plat may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:
- (1) Is signed and acknowledged by only the owners of the property being replatted;
  - (2) Is approved after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard by the commission; and
  - (3) Does not attempt to amend or remove any covenants or restrictions previously incorporated in the final plat.
- Notice of the public hearing required under this section shall be given before the 15th calendar day before the date of the hearing by publication in an official newspaper or a newspaper of general circulation in the county. Notice of the public hearing shall also be given by written notice before the 15th calendar day before the date of the hearing, with a copy or description of any requested waivers and a copy of V.T.C.A., Local Government Code § 212.015(c), sent to the property owners, as documented on the most recently approved ad valorem tax roll of the city, of lots that are in the original subdivision and that are within 200 feet of the lot to be replatted. In the case of a subdivision in the extraterritorial jurisdiction, the most recently approved county tax roll shall be used. The written notice may be delivered by depositing the notice, properly addressed with appropriate postage paid, in a post office or postal depository within the boundaries of the city.
- (c) **Residential replat.** In addition to compliance with subsection (b) of this section, a replat without vacation of the preceding plat must conform to the requirements of this section if:
- (1) During the preceding five years any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
  - (2) Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.
- (d) **File with city of protest.** If the property owners of 20 percent or more of the total land area of lots to whom notice is required to be given under subsection (b) of this section file with the city a written protest of the replatting before or at the public hearing, and the replat requires a waiver as defined in this chapter, then approval of the replat will require the affirmative vote of at least three-fourths of the commission members present. For a legal protest, written instruments signed by the owners of at least 20 percent of the total land area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the city prior to the close of the public hearing. In computing the percentage of land area subject to the 20 percent rule described herein, the area of streets and alleys shall be included.
- (e) **Compliance to regulation.** Compliance with subsection (c) of this section is not required for approval of a replat for any part of a preceding plat if the area to be replatted was designated or reserved for other than single-family or two-family (i.e., duplex) residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat. For example, for a replat involving nonresidential property, a public hearing must be held, pursuant to subsection (b)(2) of this section, but notice of the hearing does not have to appear in the newspaper and written notices do not have to be mailed to individual property owners within 200 feet of the subject property.
- (f) **Adding or deleting lots.** Any replat that adds or deletes lots must include the original subdivision and lot boundaries. If a replat is submitted for only a portion of a previously platted subdivision, the replat must reference the previous subdivision name and recording information, and must state on the replat the specific lots which have changed along with a detailed "Purpose for Replat" statement.
- (g) **Public hearing not required for vacated plat.** If the previous plat is vacated as prescribed in V.T.C.A., Local Government Code § 212.013, as amended, and as provided in this chapter, a public hearing is not required for a replat of the area vacated. It would, instead, be submitted as a preliminary or final plat and reviewed accordingly.
- (h) **Must meet all requirements.** The replat of the subdivision shall meet all the requirements for a final plat for a new subdivision that may be pertinent, as provided for herein.
- (i) **Identification of document.** The title shall identify the document as a "Final Plat" of the \_\_\_\_\_ Addition, Block \_\_\_\_, Lot(s) \_\_\_\_, being a Replat of Block \_\_\_\_, Lot(s) \_\_\_\_ of the \_\_\_\_\_ Addition, an addition to the city of La Vernia, Texas, as recorded in Volume \_\_\_\_, Page \_\_\_\_ of the Plat Records of \_\_\_\_\_ County, Texas.
- (j) **Requirements for final plat.** An application submittal for a replat shall be the same as for a final plat, and shall be accompanied by all items required for final plats, including the required number of copies of the plat, a completed application form, and the required application fee.
- (k) **Purpose of replat statement.** The replat shall also bear a detailed purpose for replat statement which describes exactly what has been changed on the plat since the original (or previous) plat was approved by the city and filed at the county.
- (l) **Filing.** The replat shall be filed at the county in the same manner as prescribed for a final plat, and approval of a replat shall expire if all filing materials are not submitted to the city, and if the replat is not filed at the county within the time periods specified for a final plat.

(Ord. No. 041008-01, app. A, § 3-05, 4-10-2008)

STEINHOFF, JESSICA

512 DRY HOLLOW RD  
LA VERNIA, TX 78121

BRIETZKE, DARREN

2703 CR 345  
LA VERNIA, TX 78121

HRUSKA, GARY

292 KYLE ST  
LA VERNIA, TX 78121-0213

MOEHRIG, JEREMY  
409 DRY HOLLOW RD  
LA VERNIA, TX 78121-4041

TERRY, CONNIE  
415 DRY HOLLOW  
LA VERNIA, TX 78121

AHR, SHIRLEY M  
103 FORREST DRIVE  
LA VERNIA, TX 78121

MARTINEZ RAYMUNDO  
401 DRY HOLLOW RD  
LA VERNIA, TX 78121

GREEN PATRICIA & BO GREEN & MARLENE BARNHARDT & ELIZABETH GREEN

& CRISTINA MAYNARICH  
PO BOX 452  
LA VERNIA, TX 78121



### NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of Marjorie A. Rusch

Property: 412 DRY HOLLOW RD LA VERNIA, TX 78121 to be considered, being CITY OF LA VERNIA, LOT 163, ACRES 4.60

Request: to divide 1 Lot into 2 lots

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Commissioners in making their decision.

A public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, September 12<sup>th</sup>, 2023 at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St., and is open to the public. If you are unable to attend the hearing and desire to express an opinion in regard to the above petition, you may do so by completing the form below and returning the form below, including your signature. Please return before the hearing date.

Mail: City of La Vernia  
Lindsey Wheeler  
102 E. Chihuahua St.  
La Vernia, Texas 78121

Email: [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov)

**If you have questions, please call Lindsey Wheeler at (830) 779-4541 ext. 3.**

\_\_\_\_\_  
Lindsey Wheeler, City Secretary

#### **YOUR OPINION MATTERS – DETACH AND RETURN**

**circle one**

I am ( **in favor** ) ( **opposed to** ) the proposed re-plat at 412 DRY HOLLOW RD LA VERNIA, TX 78121 to be considered, being CITY OF LA VERNIA, LOT 163, ACRES 4.60

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

**By State Law – Unsigned submission cannot be counted as an official comment.**





(j)

*Murals.*

(1)

Murals are not permitted on properties designated as historical landmarks.

(2)

Murals are allowed on nonresidential or mixed-use buildings or structures.

(3)

Murals on the front-facing walls of buildings are limited to 20 percent of that wall's area.

(4)

Murals are not permitted on walls adjacent to or across from a residential lot. Except those that are along the Hwy 87 Corridor

(5)

Only one mural is allowed per building.

(6)

A mural shall not extend higher than the second story of any building.

(7)

Murals may not cover any architectural features including, but not limited to, arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.

(8)

Murals shall be designed to meet the following guidelines:

a.

Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.

b.

Text or messages of any kind as part of a mural design should not be the primary focus of the mural design.

c.

Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.

d.

Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.

e.

Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.

(9)

All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a mural:

a.

Signed approval of the building owner.

b.

Legal Description of property.

c.

Color photograph of existing building façade.

d.

Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.

e.

Map showing locations of existing or proposed murals on nearby buildings, if any.

f.

Building elevation drawn to scale that identifies the following:

1.

Façade on which the mural is proposed.

2.

Location of proposed mural on the façade.

3.

Mural dimensions.

4.

Detailed color rendering of the proposed mural.

5.

Height of top and bottom of the mural above grade.

6.

Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.

g.

Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10)

When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used.

(11)

*Removal.*

a.

Any mural that deviates from the approved design shall be removed at the building owner's expense.

b.

The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.

c.

As part of a proposed mural removal, the mural must be removed in its entirety, including any and all materials used to secure the material to the building.

d.

The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must be filled and finished the same as the remainder of the wall.

(12)

If an approved or existing mural is found to have become worn or been damaged, the code enforcement officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.