



**June 20, 2024**

## **Zoning Board of Adjustment**

Notice is hereby given of a Special Meeting of the Zoning Board of Adjustment to be held on June 20, 2024 at 4:00 p.m., via videoconference, with the opportunity to appear in person in the **Council Chambers, Room 119 of City Hall, 202 E. Pilar Street, Nacogdoches, Texas**, for the purpose of considering the following agenda items. All agenda items are subject to action.

The City of Nacogdoches Zoning Board of Adjustment meeting will be deemed as being conducted via videoconference. However, some Board Members may attend virtually, while others may be present in the above stated physical location. Regardless, the meeting will be streamed live at [www.nactx.us/1200/Channel-21](http://www.nactx.us/1200/Channel-21). There will be an opportunity for the public to comment on agenda items either by teleconference or in person in Council Chambers.

Members of the public who wish to submit comments on a listed agenda item in writing or via teleconference must contact the Planning & Zoning office by email at [pz@nactx.us](mailto:pz@nactx.us) or by calling 936-559-2574 and providing their name, telephone number and relevant agenda item upon which they wish to speak. All requests to make comments via teleconference must be received by 12:00 p.m. on Thursday, June 20, 2024. For all timely requests received, staff will call the submitted phone numbers directly during the meeting when the corresponding item comes up for comment. NOTE: The incoming phone call from City staff will be an unfamiliar number.

**PLEASE LIMIT PRESENTATIONS TO THREE MINUTES  
(UNLESS PRIOR APPROVAL IS OBTAINED)**

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE.

3. **CONSENT AGENDA**

A. Approval of Minutes: Consider approval of minutes from the April 18, 2024, Zoning Board of Adjustment meeting.

4. **REGULAR AGENDA**

A. **Public Hearing:** Consider a request for an appeal of the City Planner's decision in interpreting the Zoning Ordinance (Section 118.427(a). - District Development Chart) as it applies to the approval of a building permit and site plan for the construction of a duplex on Lot 2 of the Johnson's Martinsville Street Subdivision, as described in a plat filed April 10, 2023, recorded in Clerk's Document Number 2023-2530 of the Real Property Records of Nacogdoches County, Texas. The property is located on the south side of Martinsville Street approximately 220 feet from the intersection of Logansport Street and Martinsville Street. This request has been submitted by Phillip Blackburn. Case File ZBA2024-03.

**City of Nacogdoches Planning Department**  
202 E. Pilar – PO Box 635030 – Nacogdoches, TX 75963  
936-559-2574 □ Fax 936-559-2912 □ [www.nactx.us](http://www.nactx.us)  
Home of Stephen F. Austin State University □ [www.sfasu.edu](http://www.sfasu.edu)



5. ADJOURN.

*Aimee Cloutier*

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Aimee Cloutier, Planning Coordinator

The City Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Planning Department at (936) 559-2574 or FAX (936) 559-2910 for further information.

This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011; the City Secretary at (936) 559-2506 or visit the City of Nacogdoches web site at [www.nactx.us](http://www.nactx.us).

#### **CERTIFICATION**

I certify the notice of the meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on June 14, 2024, by 4 p.m. and remained posted until the meeting convened.

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Aimee Cloutier, Planning Coordinator



**MINUTES TO THE  
ZONING BOARD OF ADJUSTMENT  
April 18, 2024, 4:00 p.m. Hybrid Meeting**

**All Present:** Clay Jones; Olivia Kiritsy; David Shofner; Larry King; Mary Ann Bentley

**Members Absent:** Rhonda Ward;

**Staff Present:** Planning Coordinator, Aimee Cloutier; Planning Consultant, Nathan Dietrich; Interim City Planner, Juan Pollette; City Attorney, Jerry Baker; City Engineer, Case Opperman; Assistant City Engineer, Jason Vickery;

**Guests:** Phillip Blackburn; Mitzi Blackburn; Tom Belanger; Pat Castella; Joanne Hayden; RJ Bohac; Kay Bauch; Richard Massey; Sammie Smith; Jorge Cuarenta; Betty Shinn; Dan La Clair; Bill Gandy; Judy Kugle; Sue Mc Laughlin; Beverly Langley; Ed Langley; Varron Mc Lomore; Councilman, Brad Maule;

**Call to Order:** Chairwoman Olivia Kiritsy called the meeting to order at 4:00 p.m.

**Pledge of Allegiance:** Chairwoman Kiritsy led the pledge of allegiance.

**Consent Agenda: Approval of the Minutes: February 15, 2024, Regular Meeting.**

Chairwoman Kiritsy called for a motion to approve the minutes as written. Board Member Shofner moved to approve the minutes as written with Board Member Bentley seconding. The minutes were approved as presented unanimously (5-0).

**Regular Agenda:**

**5.A Public Hearing: Consider a request for a variance to the Zoning Ordinance Section 118-427. (a), for a reduction in the minimum lot depth requirements in an R-4, Multi-Family District for Lot 12, City Block 41, located at 1102 Logansport Street. This request has been submitted by Rudy Bohac. Case File ZBA2024-01.**

Planning Consultant (PC), Nathan Dietrich presented the variance to the Board stating the property is currently zoned R-4, Multi-Family. PC Dietrich stated there is currently one house on the property, and the applicant is proposing to construct two single-family homes. PC Dietrich expressed the hearing was to discuss the lot dimensional variance and not the land use, and that the construction would have to meet all developmental standards. PC Dietrich gave a brief overview of the background of the property, stating the required lot depth in an R-4 zoning district is 100' and the lot is currently 88' deep. PC Dietrich stated the applicant proposes to replat the property into three separate lots and recommends the approval of the dimensional variance being requested.

Applicant Rudy Bohac addressed the board stating his intention is to build two, single-family homes on the property with them all being in harmony with the neighborhood. Mr. Bohac stated he met with one of the previous owners of the subject property and was informed there were three homes on the property in previous years.

**Public Comment:**

Vernon McLemore- 316 CR 217, Nacogdoches (4:22 p.m. to 4:25 p.m.)

Mr. McLemore stated the previous zone change hearings were all done in a public, legal manner and were passed by the City Council. He expressed support for the variance stating the new structures would increase the tax base for Nacogdoches and infill development was needed.

Pat Castella- 1009 Logansport (4:26 p.m. to 4:30 p.m.)

Ms. Castella stated the variance request is vague and disagrees with the staff report as the variance will injure and affect the adjoining property. Ms. Castella expressed that the variance was not a self-created hardship and there is no guarantee of what would be built on the property and is against the request.

Tom Belanger- 620 Logansport Street, Nacogdoches (4:30 p.m. to 4:33 p.m.)

Mr. Belanger stated Logansport Street is one of the few single-family streets left in the town with most of it being located in the Washington Square Historic District. Mr. Belanger stated the proposed structures that would be built on the property would be student housing because the zoning is R-4, Multi-Family, there is walkability to the park, and they would be rentals which in turn would not be maintained and become dilapidated or replaced with multi-family structures.

Phillip Blackburn (representing Marva Wallace- 737 S. Kennedy, Tyler, TX) (4:38 p.m. to 4:38 p.m.)

Mr. Blackburn stated he was representing Ms. Wallace and she wasn't able to attend the hearing. Mr. Blackburn stated Ms. Wallace's property adjoins 1102 Logansport. Mr. Blackburn informed the Commission the neighborhood worked with the former City Planner, Larissa Philpott, and downzoned multiple properties to single-family to protect the neighborhood. Mr. Blackburn stated the current zoning was not in favor of the Comprehensive Plan and R-4 zoning is problematic because multiple housing options could be developed in this type of zoning district, including a boarding/rooming house.

Phillip Blackburn- 819 Logansport Street (4:38 p.m. to 4:41 p.m.)

Mr. Blackburn stated the neighborhood is trying to rid R-4, Multi-Family zoning and down zone properties back to single-family to protect the neighborhood. Mr. Blackburn expressed the variance should be denied because there is no guarantee the proposed houses to be constructed would be used as single-family residences. Mr. Blackburn suggested the property owner downzone the property back to R-2, Single Family and the neighborhood is offering to pay the application for the zone change and variance.

Richard Massey- 909 Caso Street (4:41 p.m. to 4:44 p.m.)

Mr. Massey stated the subject property is a beautiful lot and should remain the way it sits. Mr. Massey expressed the whole street would need additional culverts among other things to support additional houses. He stated additional houses being added to the lot could turn into a horrible situation and also does not want to see multi-family coming into the neighborhood.

Sammie Smith- 1801 York, Nacogdoches (4:45 p.m. to 4:47 p.m.)

Mr. Smith spoke against the variance stating it was not in harmony with the Comprehensive Plan and the residents did not want it approved. Mr. Smith stated that 62% of the residents in Nacogdoches live in rental properties.

Chairman Conklin closed the Public Hearing at 4:48 p.m.

Applicant Rudy Bohac addressed the Board and asking for them to apply conditions to the variance stating only single-family residents were allowed to be built as that is his intent.

There was discussion amongst the Board and Staff regarding the legalities of conditioning a variance.

Audience Member Phillip Blackburn stated the Point of Order and informed the Board that the Zoning Board of Adjustment does not have jurisdiction over zoning and was not allowed to put stipulations.

There was discussion amongst the Board and Staff regarding the regulations and time frames in reference to down zone the property from R-4, Multi-Family to R-2, Single Family.

Board Member Clay Jones made the motion to approve the variance as presented. There was no second, motion died.

Board Member Larry King made the motion to deny the variance with Board Member Mary Ann Bentley seconding it. The variance was denied (4-1) with the following votes:

Chairwoman O. Kiritsy- In Favor

Board Member L. King- In Favor

Board Member- D. Shofner- In Favor

Board Member M. Bentley- In Favor

Board Member C. Jones- Against

**Adjourn:** Chairwoman Kiritsy adjourned the meeting at 5:02 p.m.

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Chairwoman, Olivia Kiritsy

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Attest: Aimee Cloutier, Planning Coordinator

## APPLICATION FOR INTERPRETATION, VARIANCE, OR SPECIAL EXCEPTION

### PROPERTY INFORMATION:

Physical Address: 720 Martinsville Road (Parcel ID 1000016799)  
Lot 2 Johnson's Martinsville Street Subdivision  
Legal Description: Lot(s) \_\_\_\_\_ in Block \_\_\_\_\_ of the \_\_\_\_\_ Subdivision in City Block \_\_\_\_\_

### OWNER INFORMATION:

Owner(s) Name: Shane Adam Myatt Daytime Phone: \_\_\_\_\_  
Mailing Address: PO Box 632595 Nacogdoches TX 75963-2595  
Street or PO BOX City State Zip  
Email Address: \_\_\_\_\_ Signature(s): \_\_\_\_\_

### APPLICANT INFORMATION:

Applicant Name: Philip Blackburn Daytime Phone: 936 645-7743 Email: pblackburn@suddenlink.net  
Mailing Address: 819 Logansport St. Nacogdoches TX 75961  
Street or PO BOX City State Zip  
Signature: Philip Blackburn Date 5-7-24

PLEASE SELECT **ONE** TYPE OF APPEAL (per Texas Local Government Code § 211):

- ☐ 1. **Interpretation** of the meaning or intent of the zoning ordinance  
☐ 2. **Special Exception** for the use or development of the property  
☐ 3. **Variance** from the literal enforcement of the zoning ordinance in order to achieve a reasonable development of property

### REQUIRED ATTACHMENTS (Per ZBA Rules & Procedures Section 4.4)

1. For an appeal requesting an **interpretation** of the meaning or intent of the zoning ordinance, attach:

- ☒ A statement/letter by the applicant describing staff's interpretation of the meaning or intent of the code, and then the way you as the applicant believe the regulation should be interpreted.  
☒ Site plan or other graphics, and illustrations explaining the applicant's interpretation (diagrams and charts illustrating the applicant's interpretation of the map or text provisions).

2. For an appeal requesting a **special exception** for the use or development of property, attach:

- ☐ A letter/statement of facts by the applicant as to why the special exception is being requested. This will be a summary of the request including the current requirement (Section of the Ordinance) and the context (reasoning) for the request. The request will include the required findings from the ordinance shown in the next page. **Each question shall be answered in sentence form or the application will be viewed as incomplete.**  
☐ A site plan or other graphics and illustrations, drawn to scale (is preferred but not required), showing all lot dimensions, and the location and dimensions of all existing and proposed exceptions that are being requested.

3. For an appeal requesting a **variance** from the literal enforcement of the zoning ordinance in order to achieve a reasonable development of property, attach:

- ☐ A letter/ statement of facts by the applicant as to why the variance is being requested. This will be a summary of the request including the current requirement (Section of the Ordinance) and the context (reasoning) for the request. The request will include the required findings from the ordinance shown in the next page. **Each question shall be answered in sentence form or the application will be viewed as incomplete.**  
☐ a site plan or other graphics and illustrations, drawn to scale (is preferred but not required), showing all lot dimensions, and the location and dimensions of all existing and proposed lot improvements.

City of Nacogdoches Planning Department  
202 E. Pilar St. Room 239 – P.O. Box 635030, Nacogdoches, TX 75963  
Office: (936)559-2574 Email: [pz@nactx.us](mailto:pz@nactx.us)

**REQUIRED FINDINGS** (per City of Nacogdoches Code of Ordinances § 118-99):

The Zoning Board of Adjustment, pursuant to the powers conferred upon it by state law, the city ordinances, and this article, may grant variances and exceptions to the sections of this chapter upon the findings listed below. Please **explain** in your own words, how the request meets each of the findings listed below:

1. Such variance is in harmony with the intent and purpose of the comprehensive plan and this chapter

2. Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;

3. Such variance will not adversely affect the health, safety, or general welfare of the public

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variances is sought is located:

5. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, including but not limited to the area, shape, and slope; and that the unique circumstances were not created by the owner of the property, and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;

6. The variance is not a self-created hardship **\* not needed for a special exception\***

**NOTE:** This application **WILL NOT** be processed **UNLESS** it is filled out in its entirety and accompanied by the required attachments and filing fee of \$350.00

☒ Completed Application Form

☒ Required Attachments

☒ Application Fee

☐ ~~Copy of Current Deed~~

**FOR OFFICE USE ONLY**

Date Filed: 5-7-24

Accepted By: JUAN POLLETTE

Case Number: \_\_\_\_\_

Tentative ZBA Hearing Date: 6-20-24

City of Nacogdoches Planning Department  
202 E. Pilar St. Room 239 – P.O. Box 635030, Nacogdoches, TX 75963  
Office: (936)559-2574 Email: [pz@nactx.us](mailto:pz@nactx.us)

This is my notice of appeal from certain decisions of the City Planner regarding 720 Martinsville Road. This appeal arises from the approval of a site plan and building permit for a nonconforming lot without the required variance from the Zoning Board of Adjustments.

The lot (Lot 2 of the Johnson's Martinsville Street Subdivision) does not maintain 50' of width over the course of 100' depth, as required by Sec. 118.427(a). The lot is triangular in shape and has sides of 85.89' by 236.53' by 211.35'; however, there is no section of 50', along the 85.89' of road frontage, that maintains 100' in depth. Along the 100' depth line, running parallel with the street, the lot is a little less than 45' which is more than 10% less than the required width. Therefore, the lot does not conform to any district standard.

Please notify the City Planner's Office that this notice of appeal stays all proceedings in regards to 720 Martinsville Road until this appeal is resolved by the Zoning Board of Adjustments.

# ZBA2024-03 Aerial Map

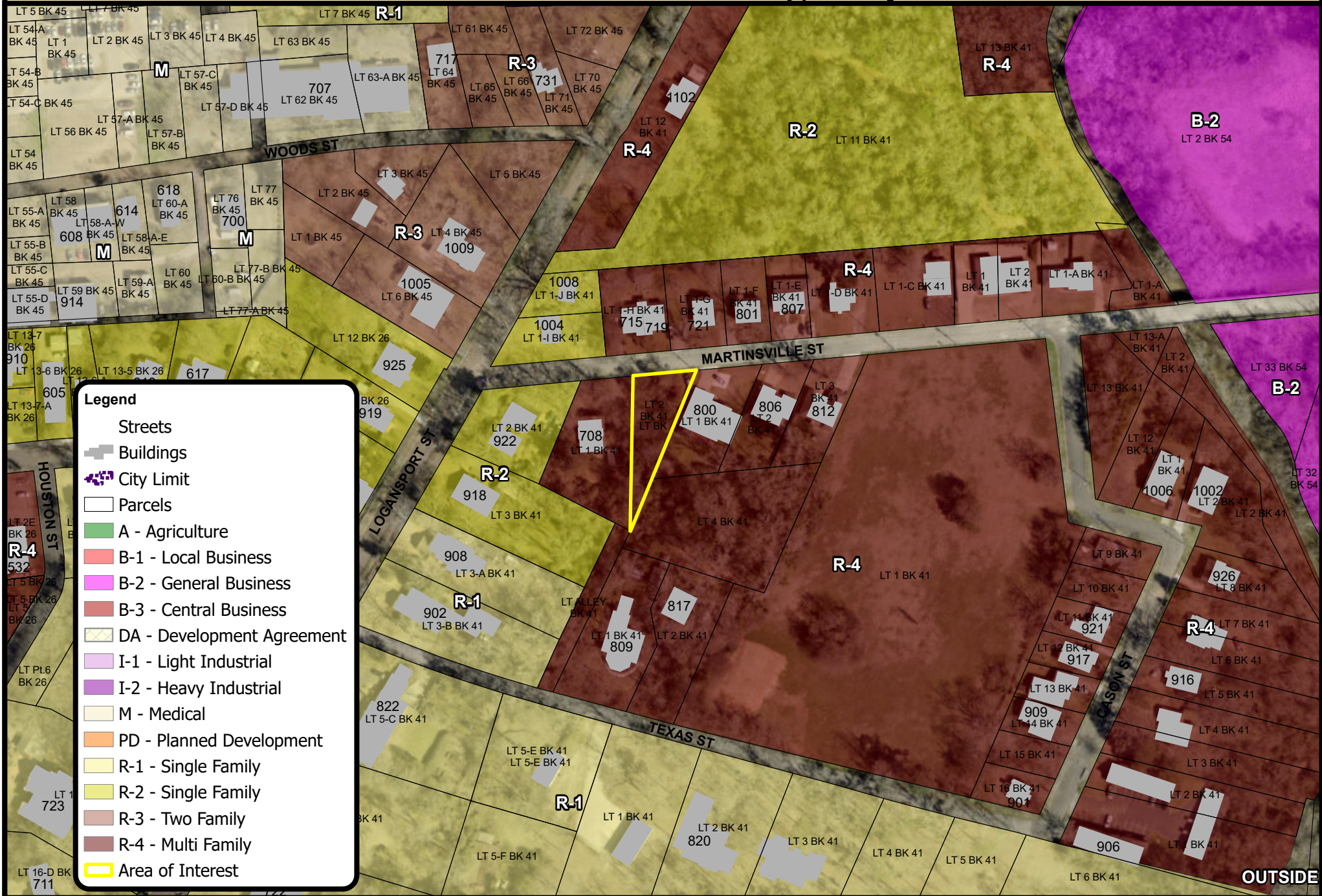


A horizontal number line with tick marks at 0, 70, 140, 210, and 280. The label "Feet" is at the right end.

Date Created: 05/21/24 09:46 | Document Generated Automatically

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

# ZBA2024-03 Zoning Map



0 70 140 210 280 Feet

Date Created: 05/21/24 09:46 | Document Generated Automatically

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

# 200 Foot Notification Map

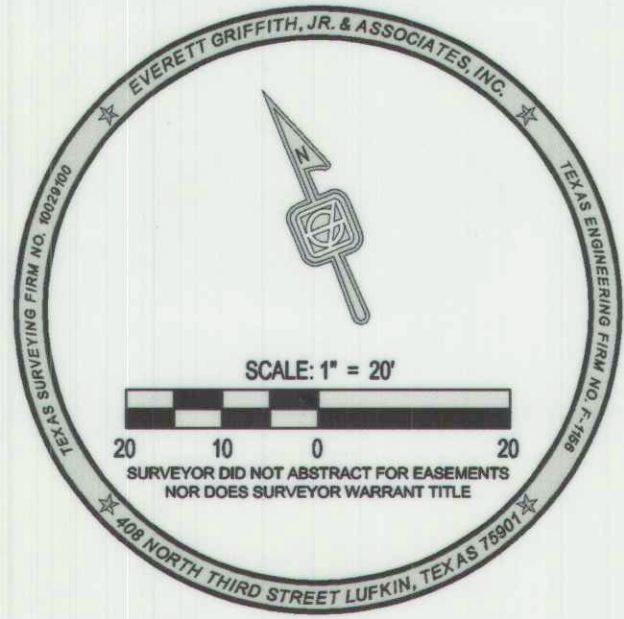
ZBA2024-03: 720 Martinsville St. (Parcel ID#

## Legend

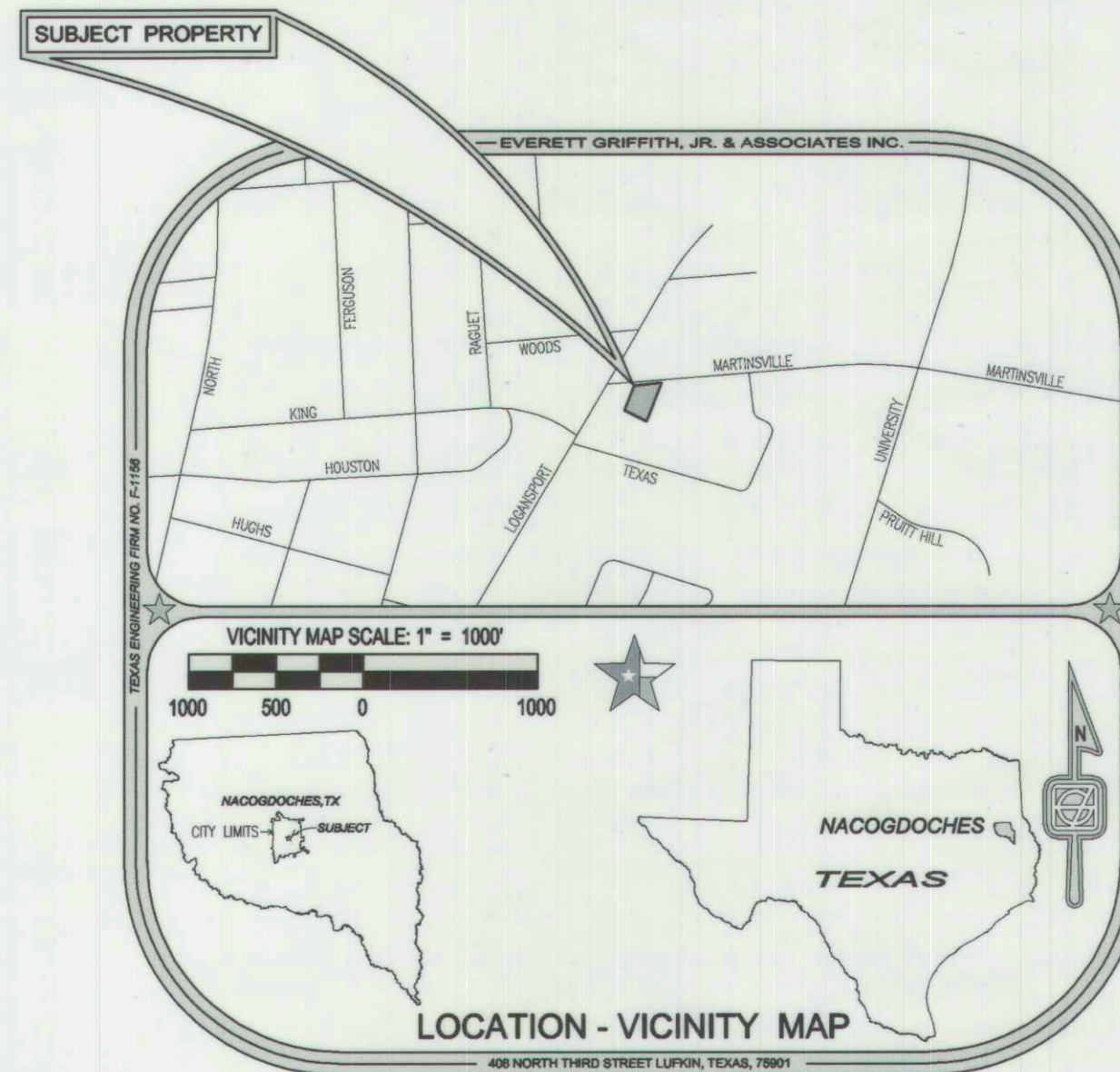
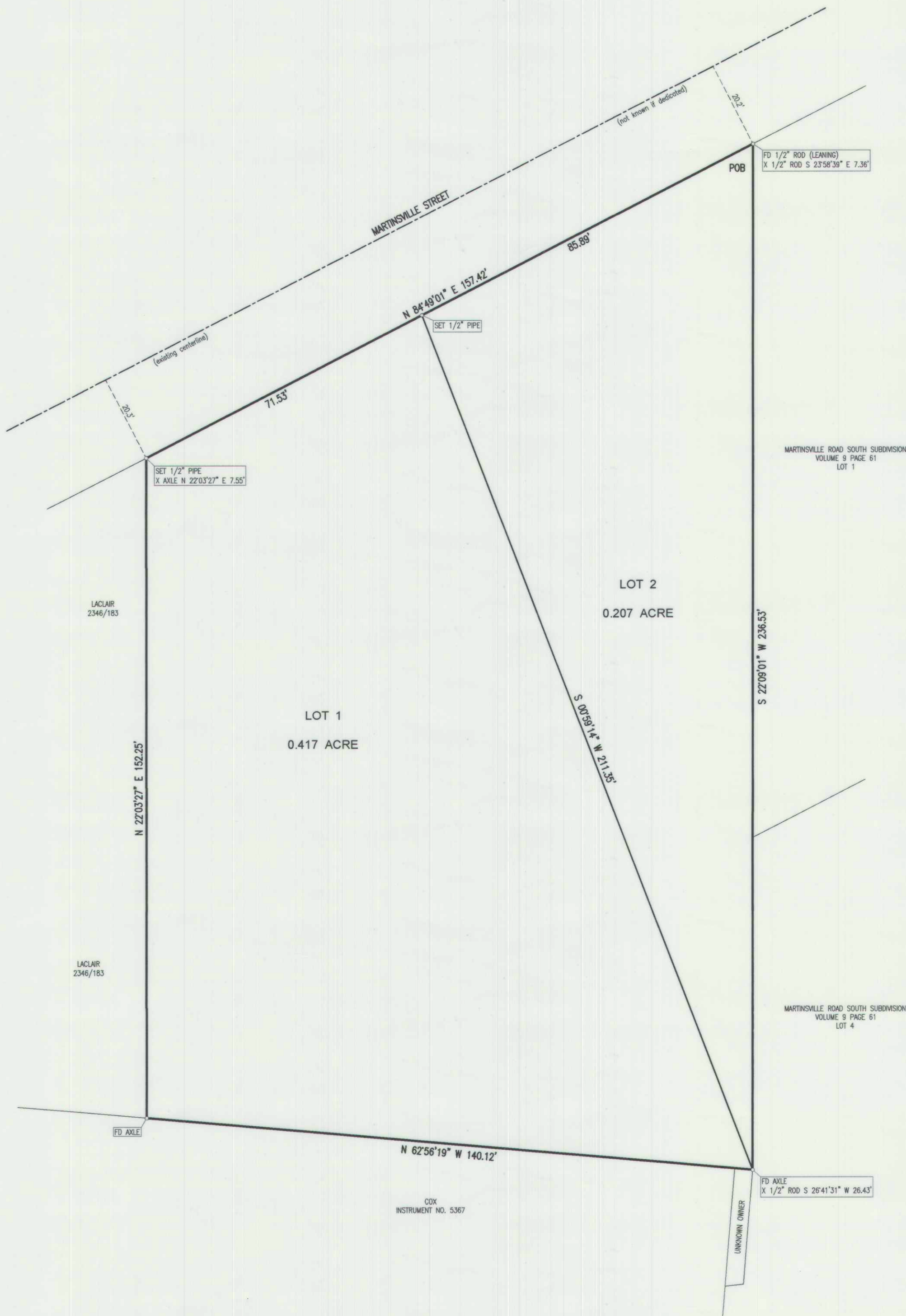
-  200 Foot Buffer
-  Appeal
-  Single-Family- Rental
-  Single-Family- Owner Occupied
-  Undeveloped/ Vacant
-  Duplex Rental



# JOHNSON'S MARTINSVILLE STREET SUBDIVISION



2023 APR 10 PM 12:23



OWNER'S CERTIFICATE

THE STATE OF TEXAS,  
COUNTY OF NACOGDOCHES:

WHEREAS, Maury Ronald Johnson and Elizabeth Bomar Johnson are the owners of that certain tract or parcel of land lying and situated in Nacogdoches County, Texas, out of the S. HOUSTON SURVEY, ABSTRACT NO. 34 and being all of that certain tract described in a deed from Craig Rudolph, Co-Trustee of the Rudolph/Matos Revocable Trust et al to Maury Ronald Johnson et ux dated August 1, 2016 and recorded in Volume 4455 on Page 253 of the Deed Records of Nacogdoches County, Texas, to which reference is hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to wit:

BEGINNING at the Northeast corner of the aforesaid referred to Johnson tract and the Northwest corner of the Martinsville Road South Subdivision, a subdivision of record in Volume 9 on Page 51 of the Map Records of Nacogdoches County, Texas in the South margin of Martinsville Street, a 1/2 inch rod (leaving) found for corner, said corner witnessed by a 1/2 inch rod bearing S 23° 58' 39" E 7.36 feet;

THENCE S 22° 03' 27" E with the East boundary line of the said Johnson tract and the West boundary line of the Martinsville Road South Subdivision, at 236.53 feet the Southeast corner of the said Johnson tract, on a side found for corner, said corner witnessed by a 1/2 inch rod found for the Southwest corner of the said Martinsville Street South Subdivision bearing S 26° 41' 31" W 26.43 feet;

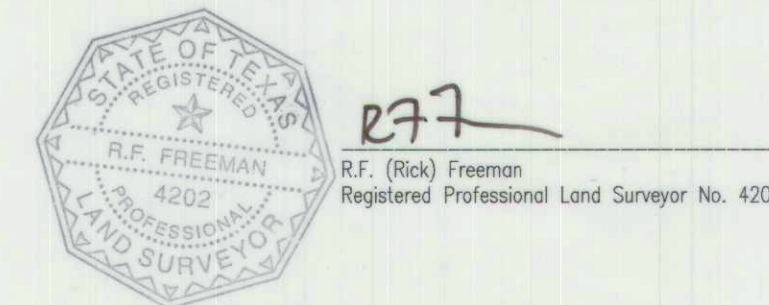
THENCE N 62° 56' 19" W with the South boundary line of the said Johnson tract and in part with the North boundary line of that certain tract described in a deed from Peggy Green Cox to Navarro Campbell Cox II et al dated August 1, 2019 and recorded in Instrument No. 5367 of the Deed Records of Nacogdoches County, Texas, at 140.12 feet the Southwest corner of the said Johnson tract and the Southeast corner of that certain tract described in a deed from Jarrell Richman to Sharon Malone LaDair dated December 15, 1999 and recorded in Volume 2346 on Page 183 of the Deed Records of Nacogdoches County, Texas, on a side found for corner;

THENCE N 22° 03' 27" E with the West boundary line of the said Johnson tract and the East boundary line of the said LaDair tract, at 152.25 feet the Northwest corner of the said Johnson tract in the South margin of Martinsville Street, a 1/2 inch pipe set for corner, said corner witnessed by an axle bearing N 22° 03' 27" E 7.55 feet;

THENCE N 84° 49' 01" E with the North boundary line of the said Johnson tract and the South margin of Martinsville Street, at 157.42 feet the point and place of beginning and containing 0.624 acre of land, more or less.

Basis of Bearings: The Texas State Plane Coordinate System, Central Zone, NAD 83.

I, R.F. (Rick) Freeman, a Registered Professional Land Surveyor in the State of Texas, hereby certify that the above plat and field note description of JOHNSON'S MARTINSVILLE STREET SUBDIVISION in the S. HOUSTON SURVEY, ABSTRACT NO. 34, are true and correct, and were prepared from a survey made by me, on the ground, on the 28th day of September, 2022.



STATE OF TEXAS  
COUNTY OF ANGELINA

BEFORE ME, the undersigned authority, on this day personally appeared R.F. (Rick) Freeman, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 4th day of April, 2023.



Certificate of Approval by the City Planner and City Engineer

This is to certify that the City Planner and City Engineer of the City of Nacogdoches, Texas, has approved this plat and subdivision of JOHNSON'S MARTINSVILLE STREET SUBDIVISION, as shown hereon.

IN TESTIMONY WHEREOF, witness the official signature of the City Planner and the City Engineer of the City of Nacogdoches, Texas, this 5th day of April, 2023.

City Planner City Engineer

That Maury Ronald Johnson and Elizabeth Bomar Johnson are the owners of the property subdivided in the above and foregoing map of JOHNSON'S MARTINSVILLE STREET SUBDIVISION do hereby make subdivision of said property according to the lines, lots, and easements thereon shown, and designate said subdivision as JOHNSON'S MARTINSVILLE STREET SUBDIVISION in the S. HOUSTON SURVEY, ABSTRACT NO. 34, Nacogdoches County, Texas, and dedicate to public use, as such, the parks and easements shown thereon forever, and do hereby bind ourselves, our successors and assigns, to warranty and forever defend the title to the land so dedicated.

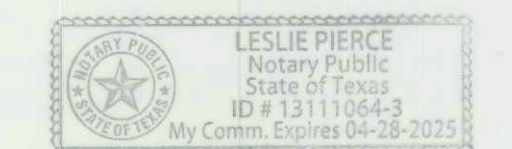
Witness my hand in Nacogdoches, Nacogdoches County, Texas, this 3rd day of April, 2023.

Maury Ronald Johnson  
Maury Ronald Johnson

STATE OF TEXAS  
COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared Maury Ronald Johnson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of April, 2023.



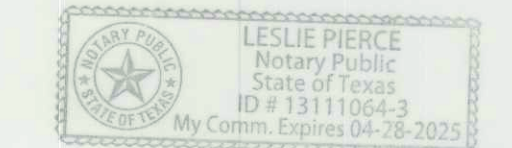
Witness my hand in Nacogdoches, Nacogdoches County, Texas, this 3rd day of April, 2023.

Elizabeth Bomar Johnson  
Elizabeth Bomar Johnson

STATE OF TEXAS  
COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared Elizabeth Bomar Johnson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of April, 2023.



Notary Public, in and for  
Nacogdoches County, Texas

STATE OF TEXAS  
KNOWN ALL MEN BY THESE PRESENTS  
COUNTY OF NACOGDOCHES

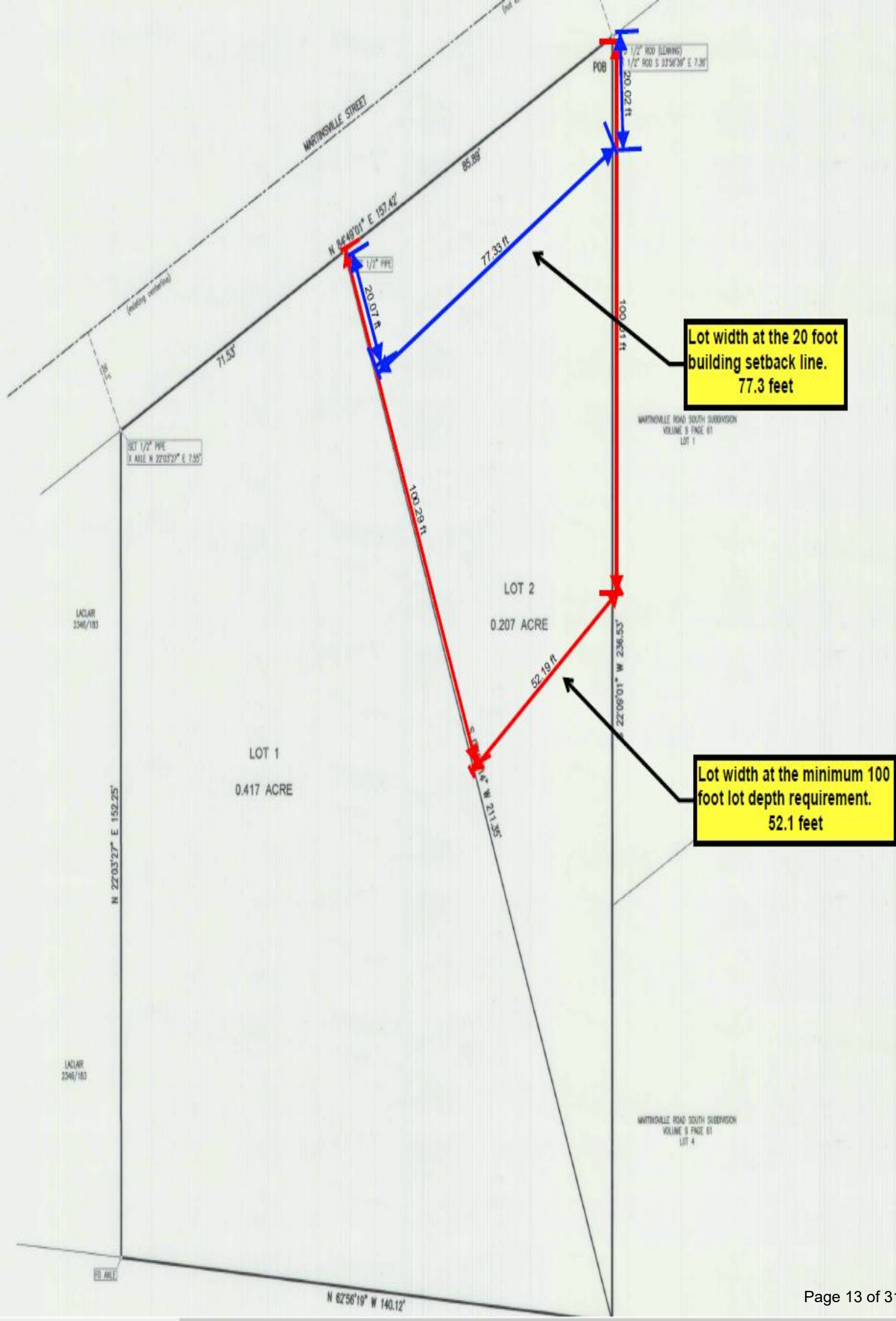
I, Sandra "Sandy" Yates, County Clerk of Nacogdoches County, Texas, do hereby certify that this foregoing instrument in writing, with its certificate of authentication, was filed and duly recorded in my office on this 10th day of April, 2023 A.D., at 12:23 o'clock P.M., in Clerks Document Number 2023-2530 of the Real Property Records for said County.

WITNESS my hand and seal of office, at Nacogdoches, Texas, the day and date last above written.

Sandra "Sandy" Yates, County Clerk,  
Nacogdoches County, Texas

Sandra "Sandy" Yates, County Clerk,  
Nacogdoches County, Texas

|  |                                                                                                                                                                                                                      |  |       |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------|
|  | FINAL PLAT<br>JOHNSON'S MARTINSVILLE STREET SUBDIVISION<br>A SUBDIVISION OF 0.624 ACRE<br>OWNERS: MAURY RONALD JOHNSON<br>ELIZABETH BOMAR JOHNSON<br>S. HOUSTON SURVEY, ABSTRACT NO. 34<br>NACOGDOCHES COUNTY, TEXAS |  | Sheet |
|  | ENGINEERS - SURVEYORS<br>Everett Griffith, Jr. & Associates Inc.<br>408 NORTH THIRD STREET<br>LUFKIN, TEXAS, 75901<br>TEXAS ENGINEERING FIRM NO. F-1156 936-634-5528 TEXAS SURVEYING FIRM NO. 10029100               |  | 1     |
|  |                                                                                                                                                                                                                      |  | of    |
|  |                                                                                                                                                                                                                      |  | 1     |





**Building Inspections**  
 202 E. Pilar Room 239  
 P.O. Box 635030  
 Nacogdoches, TX 75963  
 Phone: (936) 559-2551

# BUILDING PERMIT

Permit No. 24-243-BR

**JOB ADDRESS:**

720 MARTINSVILLE ST, NACOGDOCHES, TX 75964

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              |                                 |                                    |                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------|------------------------------------|---------------------------|
| LEGAL DESC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | LOT                          | BLK                             | SUBDIVISION                        |                           |
| OWNER<br>M. WESLEY & ASSOCIATES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              | MAIL ADDRESS<br>P.O. BOX 633369 | ZIP<br>75963                       | PHONE<br>Cell: 9365591120 |
| CONTRACTOR(BUILDING)<br>MARIO WESLEY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                              | MAIL ADDRESS<br>P.O. BOX 633369 | PHONE<br>Cell: 9365591120          | REGISTRATION NO.          |
| CONTRACTOR(PLUMBING)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                              | MAIL ADDRESS<br>P.O. BOX 633369 | PHONE<br>No Number Provided        | REGISTRATION NO.          |
| CONTRACTOR(MECHANICAL)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                              | MAIL ADDRESS                    | PHONE<br>No Number Provided        | REGISTRATION NO.          |
| CONTRACTOR(ELECTRICAL)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                              | MAIL ADDRESS                    | PHONE<br>No Number Provided        | REGISTRATION NO.          |
| <b>Class of Work:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                              |                                 |                                    |                           |
| TAS Reg No:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                              |                                 | <b>Special Permit Conditions:</b>  |                           |
| DESCRIPTION OF WORK:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                              |                                 | SIZE OF BLDG. TOTAL SQ.FT.<br>0.00 | HEIGHT:                   |
| 1st FLOOR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                              | 2nd FLOOR                       |                                    | FIREPLACES:               |
| ZONING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                              | FOOD ZONE:                      |                                    |                           |
| MIN. BUILDING SETBACKS FROM PROPERTY LINE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                              |                                 |                                    |                           |
| FRONT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | LEFT SIDE                    | RT SIDE                         | REAR                               | NUMBER OF STORIES:        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              |                                 |                                    | NUMBER OF UNITS:<br>0     |
| VALUATION OF WORK: \$0.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                              |                                 |                                    |                           |
| <b>FEES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                              |                                 |                                    |                           |
| Residential New Permit Fee \$692.48                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                              |                                 |                                    |                           |
| <b>Total \$692.48</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                              |                                 |                                    |                           |
| <p><b>NO. OF OFF-STREET PARKINNG SPACES REQUIRED -</b></p> <p>TYPE OF CONST. OCCUPANCY GROUP</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                              |                                 |                                    |                           |
| <p><b>NOTICE</b></p> <p>THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.</p> <p>I HEREBY CERTIFY THAT I HAVE READ ADN EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONSOF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIEDWITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES TO PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.</p> |                              |                                 |                                    |                           |
| SIGNATURE OF OWNER OR AUTHORIZED AGENT (DATE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                              |                                 |                                    |                           |
| PERSON TO CONTACT<br>MARIO WESLEY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |                                 | TELEPHONE NO.<br>Cell: 9365591120  |                           |
| APPL ACCEPTED BY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PLANS CHECKED BY             | APPROVED FOR ISSUE<br>NO        |                                    |                           |
| DATE<br>4/1/2024 9:41:42 AM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | DATE<br>1/1/1900 12:00:00 AM | DATE<br>1/1/1900 12:00:00 AM    |                                    |                           |
| PERMIT ISSUED BY<br>Cristina Trujillo                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | DATE<br>4/1/2024 9:42:31 AM  | RECEIPT NO.                     |                                    |                           |

# CITY OF NACOGDOCHES, TEXAS

## Inspection Services Department

To be posted in front of Job site in a weather proof box.

### NOTICE:

#### Final Inspection & Certificate of Occupancy

A new or existing building shall not be occupied, including furnishings, or a change be made in occupancy or the nature or the use of a building or part of a building until after the Building Official shall have issued a certificate of occupancy therefore.

IBC Section 110

Job Address 720 MARTINSVILLE ST, NACOGDOCHES, TX 75964

Building Permit No. 24-243-BR

Date 4/1/2024

Building or Apt. No.

General Contractor **MARIO WESLEY** Owner Name **M. WESLEY & ASSOCIATES**

Electrical

Plumbing

Mechanical

**INSPECTIONS CALL 559-2558**

**DO NOT PROCEED WITH CONSTRUCTION UNTIL DATE PASSED IS SIGNED**

| Site       |                                      | DATE PASSED |    |      |    | CORRECTION NOTICE<br>CALL INSP. DEPT. | By |
|------------|--------------------------------------|-------------|----|------|----|---------------------------------------|----|
|            |                                      | Date        | By | Date | By |                                       |    |
| Site       | Set Backs _____                      |             |    |      |    |                                       |    |
|            | Drainage Completion _____            |             |    |      |    |                                       |    |
|            | Silt Fencing in Place _____          |             |    |      |    |                                       |    |
| Building   | Footing or Foundation _____          |             |    |      |    |                                       |    |
|            | Slab _____                           |             |    |      |    |                                       |    |
|            | Termite Treatment _____              |             |    |      |    |                                       |    |
|            | Framing - Roughin _____              |             |    |      |    |                                       |    |
|            | Fire Separation _____                |             |    |      |    |                                       |    |
|            | Energy Conservation _____            |             |    |      |    |                                       |    |
| Electrical | Final _____                          |             |    |      |    |                                       |    |
|            | Construction Service _____           |             |    |      |    |                                       |    |
|            | Pre Slab/Underground _____           |             |    |      |    |                                       |    |
|            | Wiring - Roughin _____               |             |    |      |    |                                       |    |
| Plumbing   | Final Building Service _____         |             |    |      |    |                                       |    |
|            | Pre Slab (Pressure Test) _____       |             |    |      |    |                                       |    |
|            | Piping Roughin (Pressure Test) _____ |             |    |      |    |                                       |    |
|            | Yard Line - Sewer _____              |             |    |      |    |                                       |    |
|            | Water _____                          |             |    |      |    |                                       |    |
|            | Gas (Pressure Test) _____            |             |    |      |    |                                       |    |
| Mechanical | Final _____                          |             |    |      |    |                                       |    |
|            | Roughin _____                        |             |    |      |    |                                       |    |

Additional Information or Corrections:

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**Contractors: Keep All Dirt, Mud, Debris Out of City Streets**

**KEEP CONSTRUCTION SITE CLEAR OF TRASH - NO BURNING OF DEBRIS**

**DISPOSE OF ALL BUILDING DEBRIS AT CITY LANDFILL OR APPROVED LOCATION**

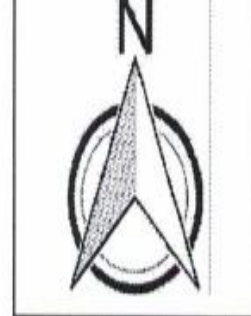
# SITE PLAN

Martinsville Street

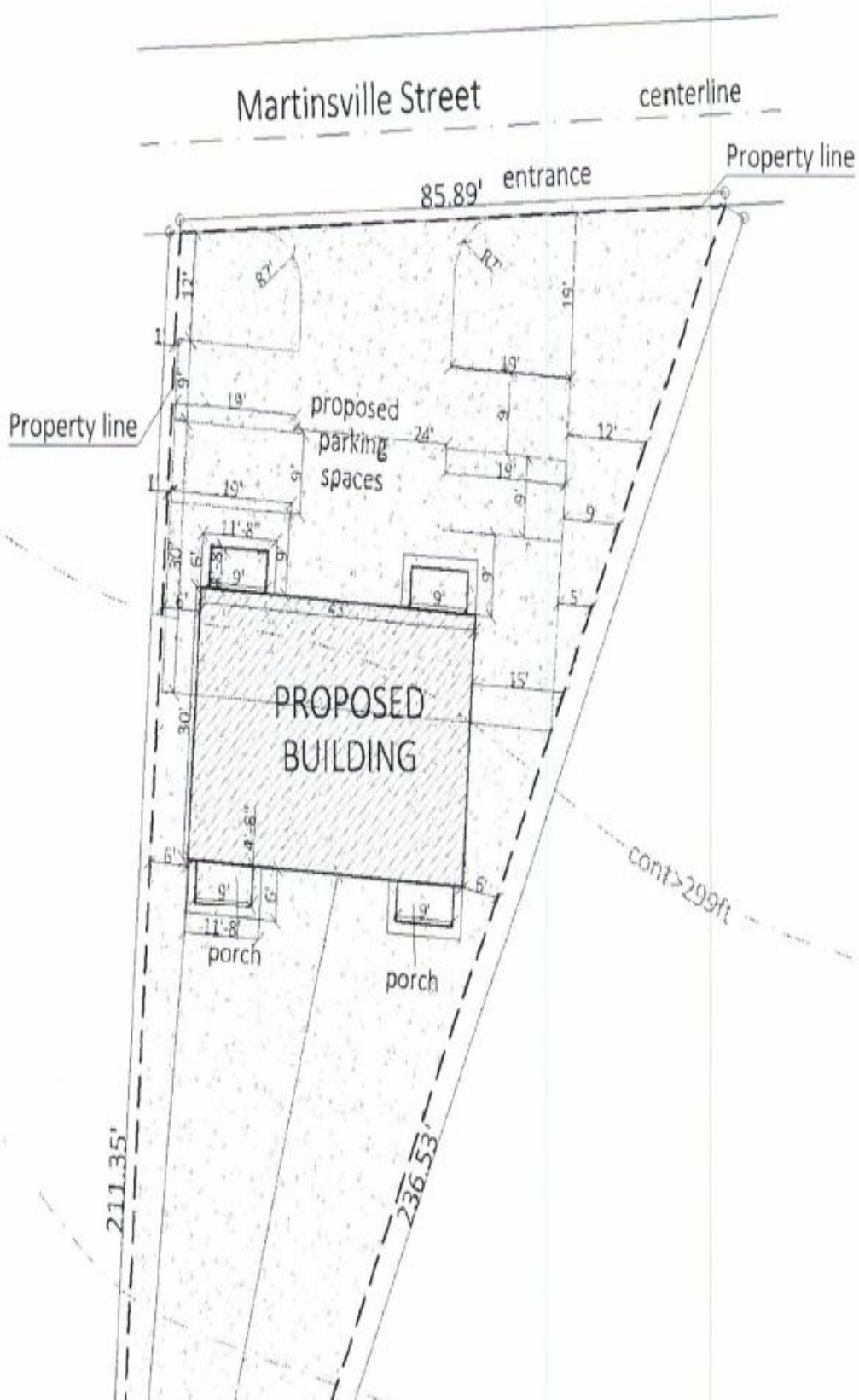
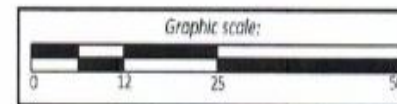
Nacogdoches, Texas 75961

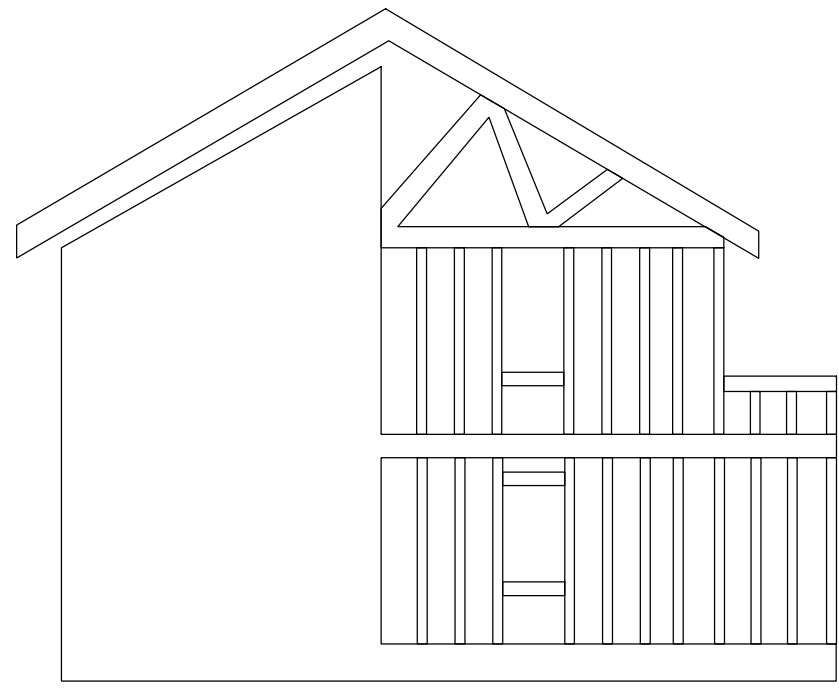
Lot area: 0.207 Acres

Paper Size: 11"x17"



scale 1"=20'

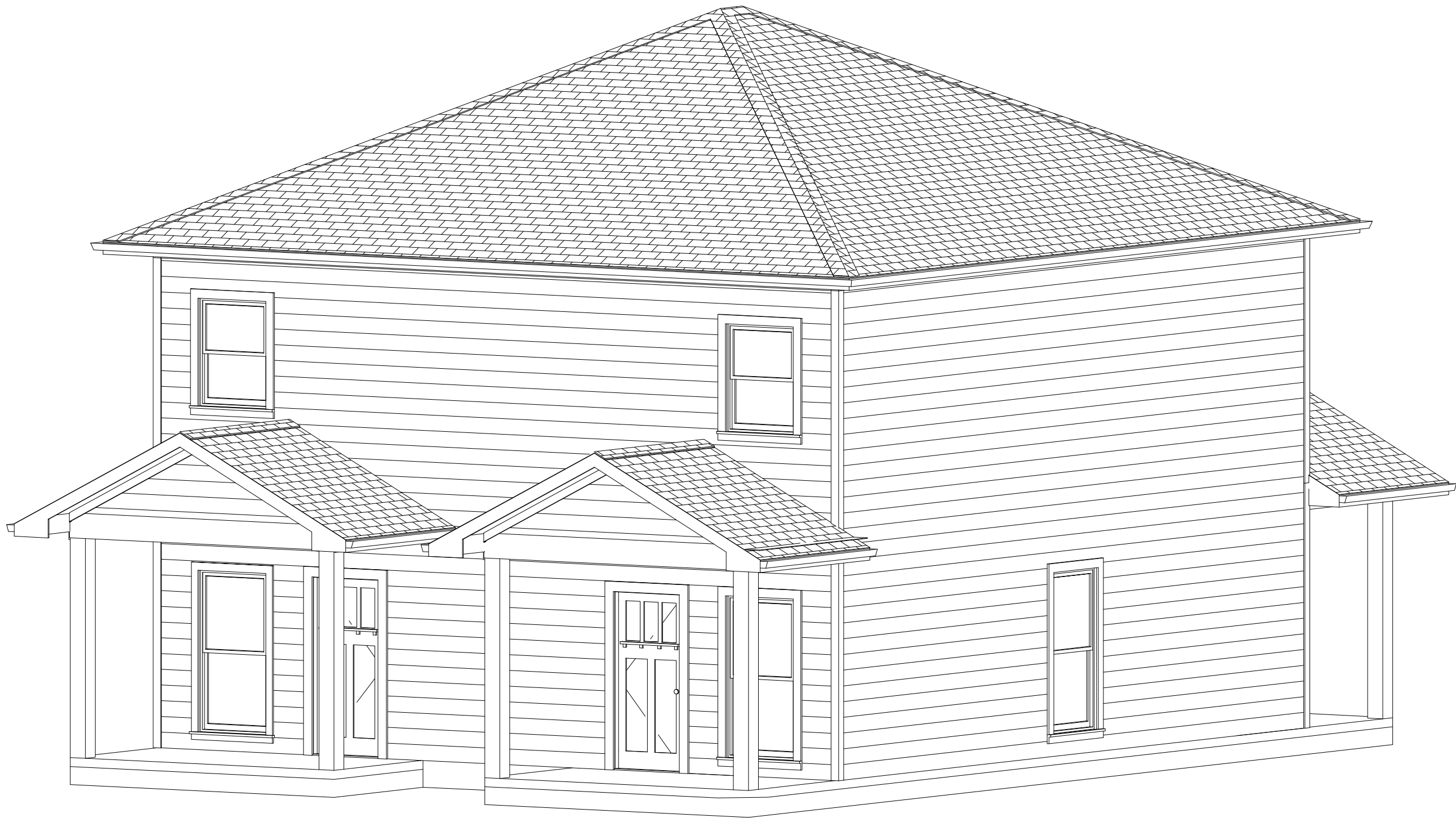




Collins Homes LLC  
1321 N. Main St, Huntington TX.  
75949  
[www.collinshomesllc.com](http://www.collinshomesllc.com)  
Commercial and Residential Framing

See notes, Page 2

APPROVED



| LAYOUT PAGE TABLE |                      |
|-------------------|----------------------|
| Label             | Title                |
| G-0               | COVER SHEET          |
| S-1               | FOUNDATION           |
| P-1               | PLUMBING PLAN        |
| P-2               | PLUMBING PLAN        |
| A-1               | FLOOR PLAN 1ST FLOOR |
| A-2               | FLOOR PLAN 2ND FLOOR |
| A-3               | ELEVATIONS           |
| E-1               | ELECTRICAL 1ST FLOOR |
| E-2               | ELECTRICAL 2ND FLOOR |



PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1951  
Email: [adammyatt3305@gmail.com](mailto:adammyatt3305@gmail.com)

COVER SHEET

Designed By:

Collins Homes LLC  
Jordan Collins  
936.707.2118  
[collinshomesllc@gmail.com](mailto:collinshomesllc@gmail.com)

DATE:

1/29/2024

SCALE:

SHEET:

G-0

### DISCLAIMERS

These drawings are property of Collins Homes L.L.C. and developed for the exclusive one time use of the homeowner / General Contractor. Any use of the drawings, copying, and/or concepts contained herein without the written permission of Collins Homes L.L.C. is prohibited and may subject you to claim for damages from Collins Homes L.L.C. These plans can only be copied by Collins Homes L.L.C. unless written permission is given.

To the best of my knowledge, these plans are drawn to comply with the owner's and/or General Contractor's specifications. Any changes made after the final plans are the owner's / builder's cost and responsibility. The contractor shall verify all dimensions and drawings. Collins Homes L.L.C. is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, we cannot guarantee against human error. The owner and or General Contractor must check all dimensions, structural details, building codes, grade requirements, and other details prior to construction and be solely responsible thereafter.

- FOUNDATION DETAILS
1. Elevate slab to allow proper drainage around the foundation

2. Reinforcing steel, beam width and depth to be sized by others

3. Soil test needed to correctly determine Ext. & Int. Beams

- GENERAL NOTES
1. USE SAND FILL: EXCEPT IN AREAS WHERE HIGH WATER TABLE IS ENCOUNTERED, USE GRAVEL, CRUSHED STONE OR COMPARABLE MATERIAL.

2. BOTTOMS OF ALL BEAMS SHALL EXTEND 6" MINIMUM INTO UNDISTURBED SOIL.

3. ALL CONCRETE SHALL HAVE A 28 DAY ULTIMATE COMPRESSIVE STRENGTH OF 3000 PSI.

4. NO DEAD END BEAMS ALLOWED.

5. ALL BEAM AND SLAB REINFORCING SHALL EXTEND TO WITHIN 1 1/2" OF EXTERIOR FORMS.

6. BEAM REINFORCING SHALL BE TIED AND SUPPORTED EVERY 4'-0" MINIMUM.

7. LAP ALL REINFORCING BARS 40 DIAMETERS.

8. PROVIDE CHAIRS OR OTHER SUITABLE SUPPORTS FOR SLAB AND BEAM REINFORCING.

9. BEAMS WITH LENGTH OF 40' OR LESS CAN USE 2-#5 BARS TOP AND BOTTOM.

10. 4" CONCRETE SLAB WITH #3 12" O.C. EA. WAY IN CENTER OF SLAB REINFORCING BARS TO START MINIMUM 6" FROM EDGE, OR 6X6-6 MATT.

11. 3 #4 BARS AT THE TOP AND BOTTOM.

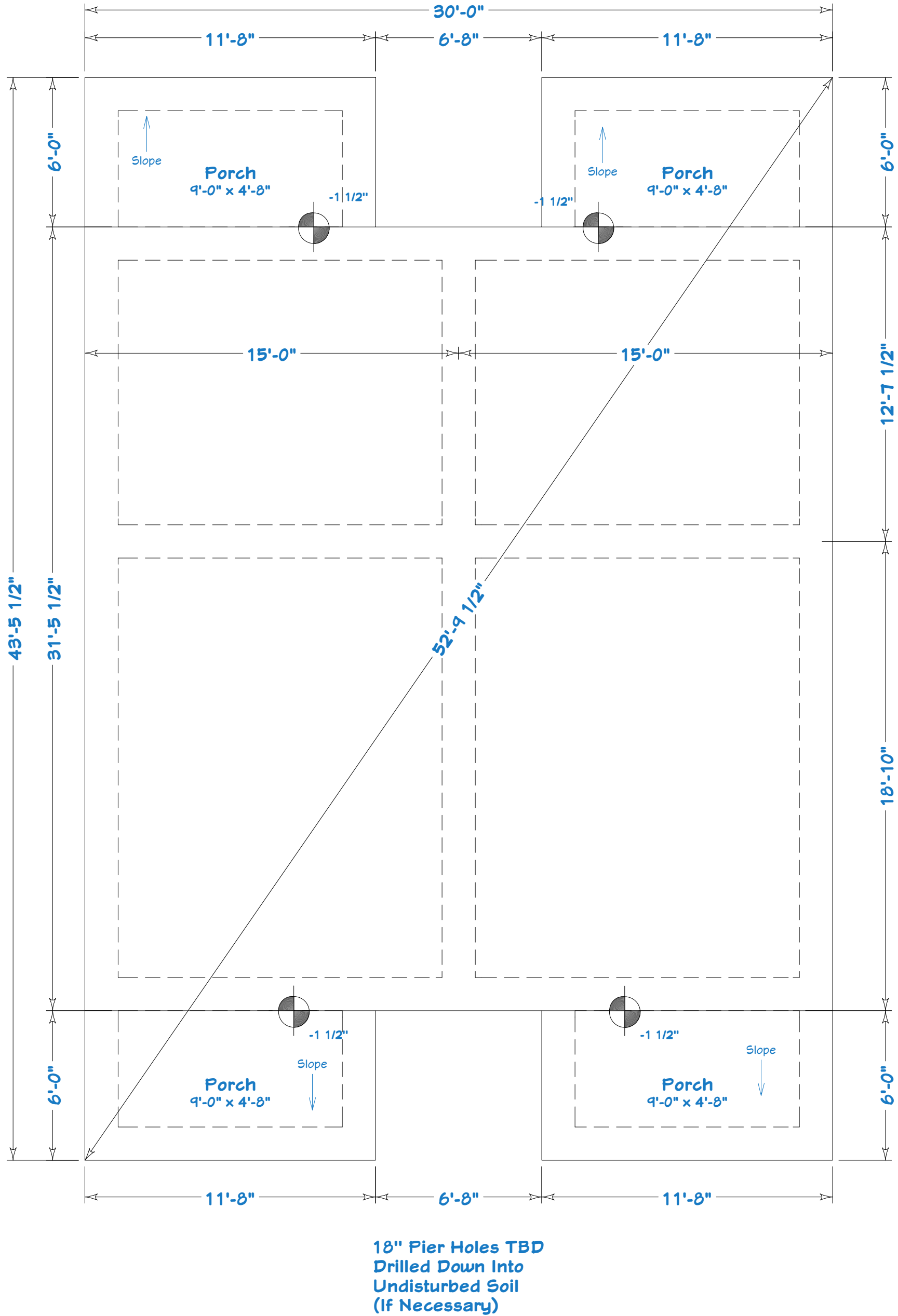
12. #3 STIRRUPS ON 48" CENTERS.

13. 6MILL VAPOR BARRIER.

14. #3 BARS ON 18" CENTERS OR 10 GAUGE WIRE FABRIC.

5" slab

Exterior Beams at least 1'6", interior Beams at least 1'.



Collins Homes L.L.C.was retained to provide drafting services only. Collins Homes L.L.C. assumes no responsibility for the design or construction of this project. As we do not have a professional Engineer or Architect on staff.

Collins Homes L.L.C.  
CH

PROJECT INFO  
MYATT DUPLEX

GENERAL CONTRACTOR INFO  
GC: Adam Myatt  
Cell: 936-288-1951  
Email: adammyatt305@gmail.com

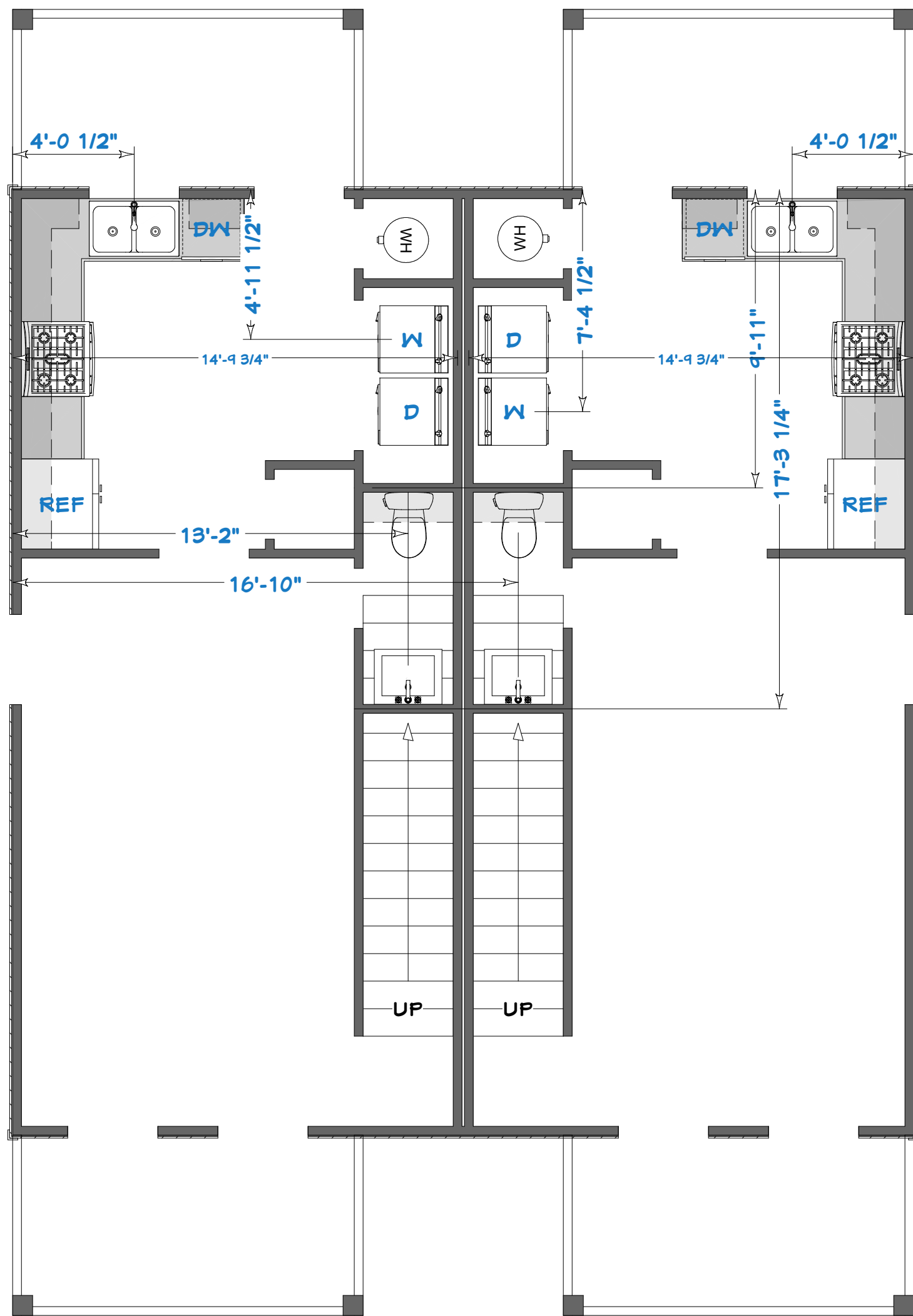
FOUNDATION

Designed By:  
Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:  
1/29/2024

SCALE:  
1/4"=1'

SHEET:  
S-1



| NOTES |                             |
|-------|-----------------------------|
| ①     | BASE CEILING HEIGHTS ARE 9' |

PLUMBING NOTES

1. Plumbing to meet or exceed local plumbing codes
2. Vent pipes to penetrate roof at the rear of the main ridge
3. Verify all drains
4. Tie HVAC lines into nearest Bathroom Sink
5. Pex water lines (owner to verify)
6. All water lines are to be capped and pressure tested at 100 PSI for 24 hours
7. Exterior faucets to be replaceable by unscrewing old and installing new faucet
8. On-demand water heater pop-off-valves to drain outside structure



PROJECT INFO  
MYATT DUPLEX

GENERAL CONTRACTOR INFO  
GC: Adam Myatt  
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Email: adammyatt305@gmail.com

PLUMBING PLAN

Designed By:  
Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:  
1/29/2024

SCALE:  
1/4"=1'

SHEET:  
P-1

- PLUMBING NOTES
1. Plumbing to meet or exceed local plumbing codes

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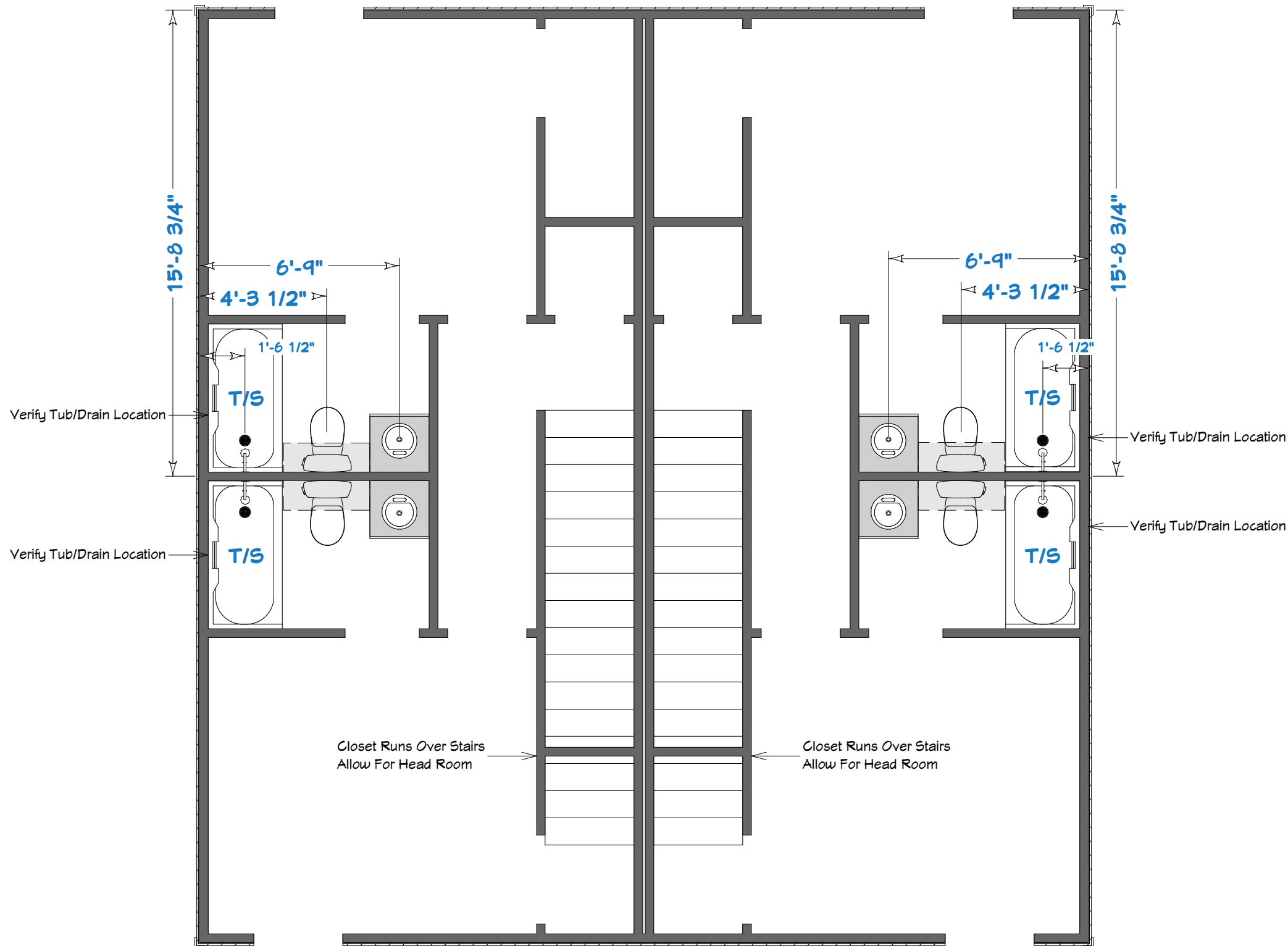
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PLUMBING PLAN

Designed By:

Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:

1/29/2024

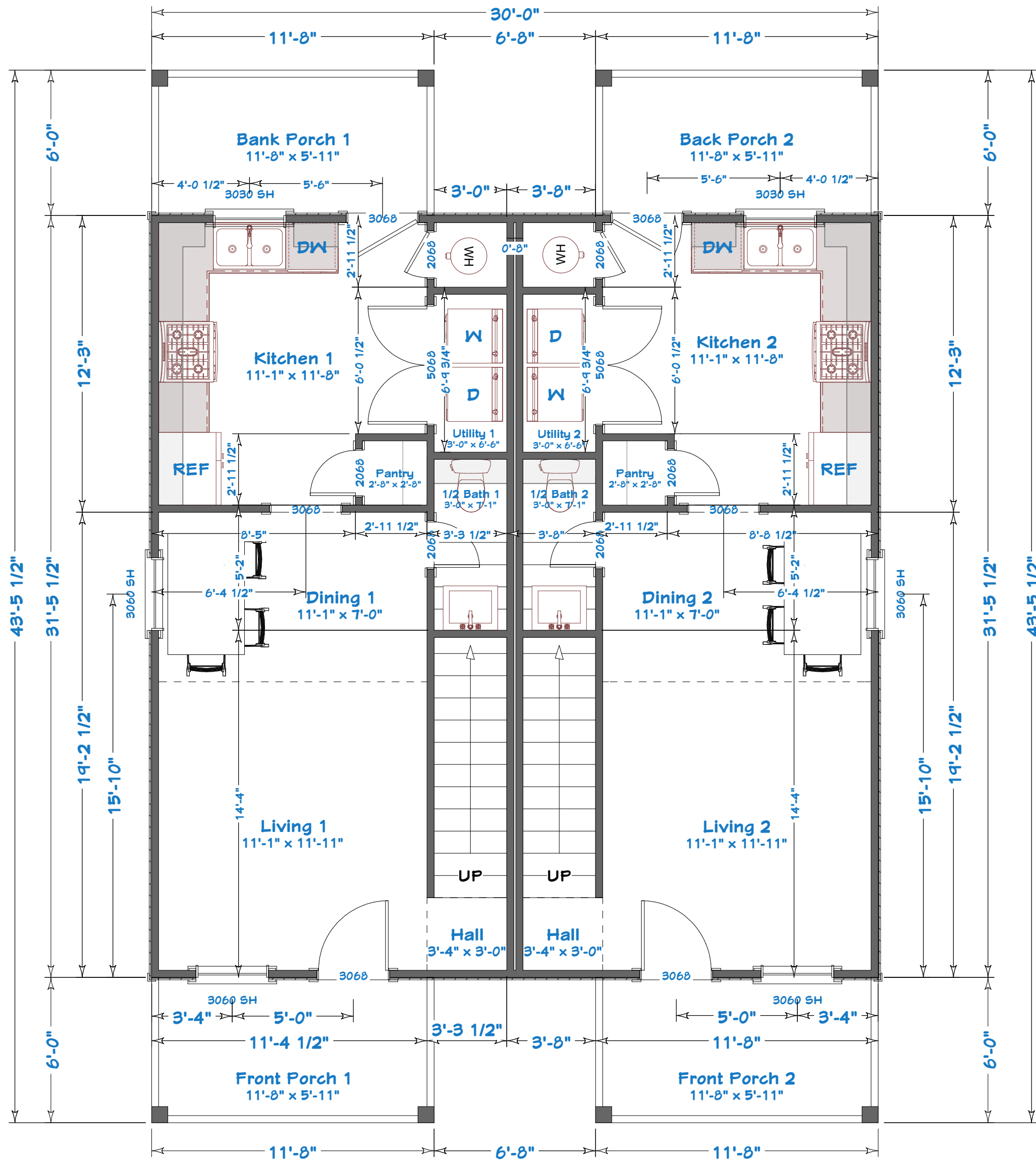
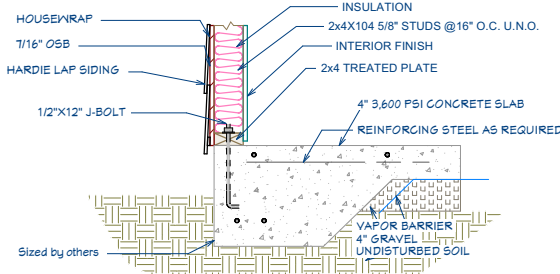
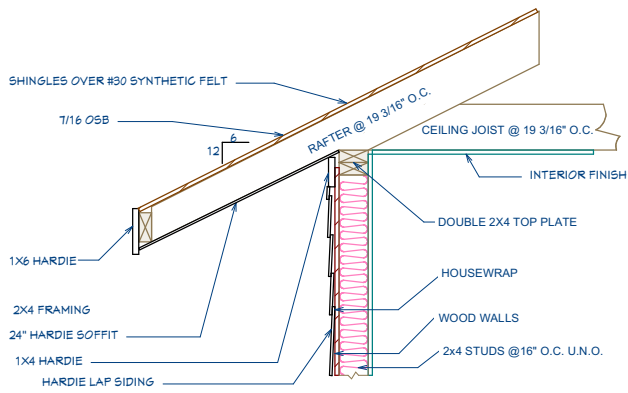
SCALE:

1/4"=1'

SHEET:

P-2

FRAMING DETAILS



NOTES  
① BASE CEILING HEIGHTS ARE 9'

|               |      |
|---------------|------|
| Living 1st:   | 944  |
| Living 2nd:   | 944  |
| Living Total: | 1888 |
| Porches:      | 276  |
| Total:        | 2164 |



PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1951  
Email: adammyatt305@gmail.com

FLOOR PLAN  
1ST FLOOR

Designed By:

Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:

1/29/2024

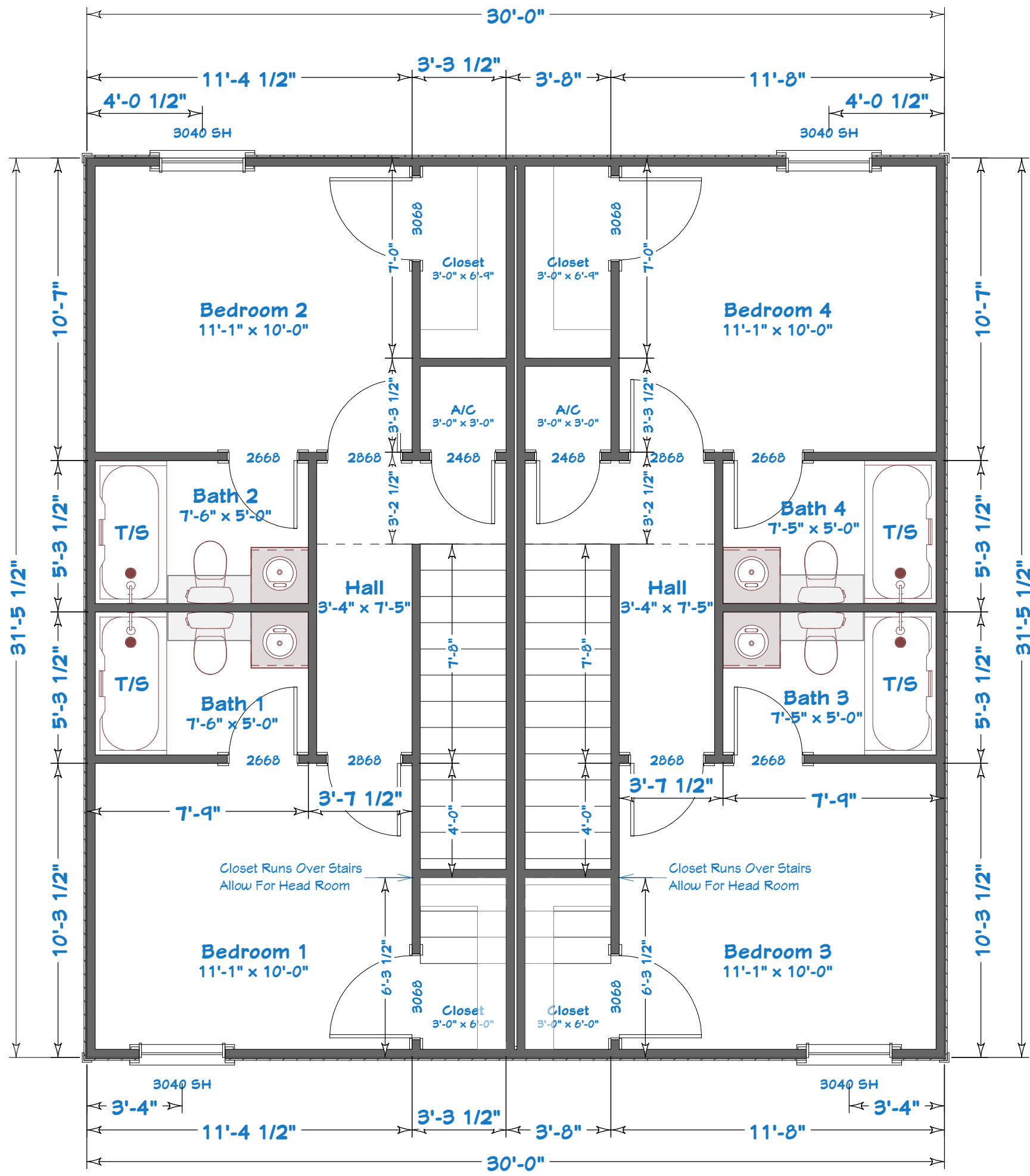
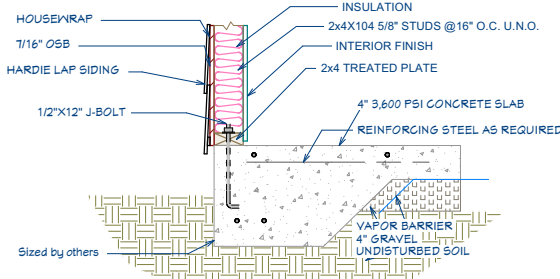
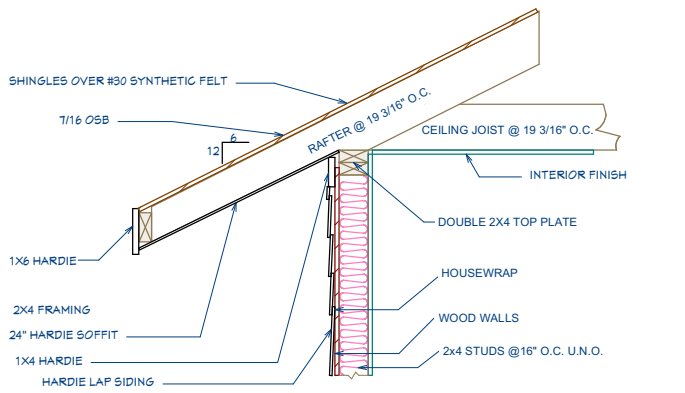
SCALE:

1/4"=1'

SHEET:

A-1

FRAMING DETAILS



|               |      |
|---------------|------|
| Living 1st:   | 944  |
| Living 2nd:   | 944  |
| Living Total: | 1888 |
| Porches:      | 276  |
| Total:        | 2164 |

Collins Homes LLC

CH

PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1451  
Email: adammyatt3305@gmail.com

FLOOR PLAN

2ND FLOOR

Designed By:

Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:

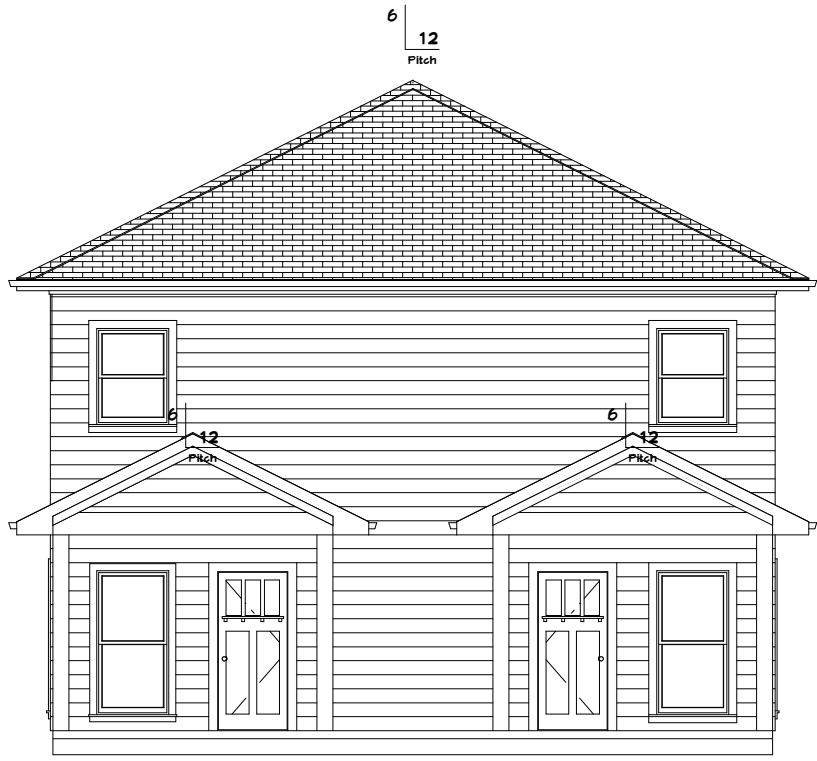
1/29/2024

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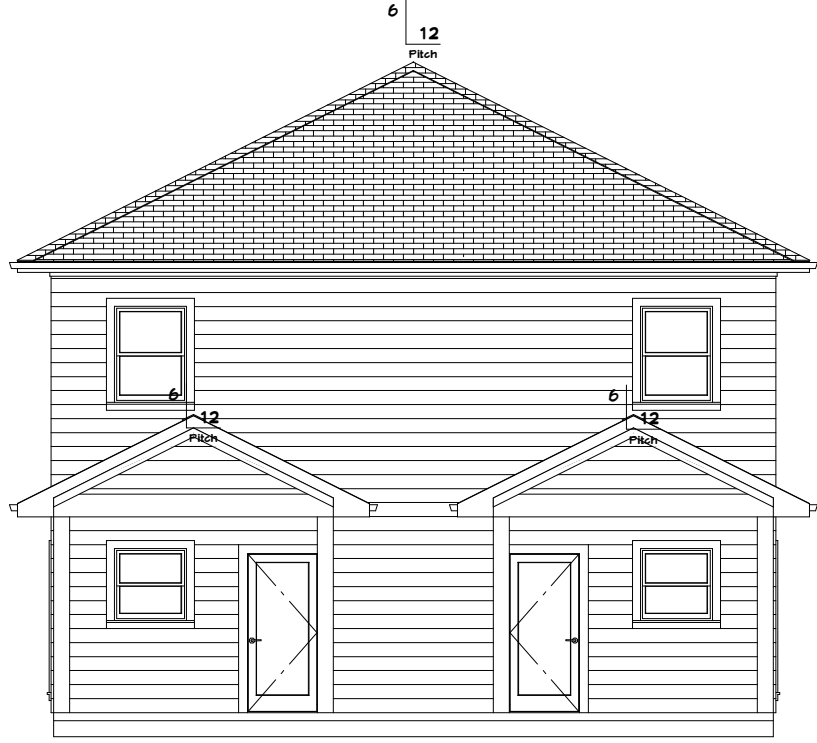
SHEET:

A-2



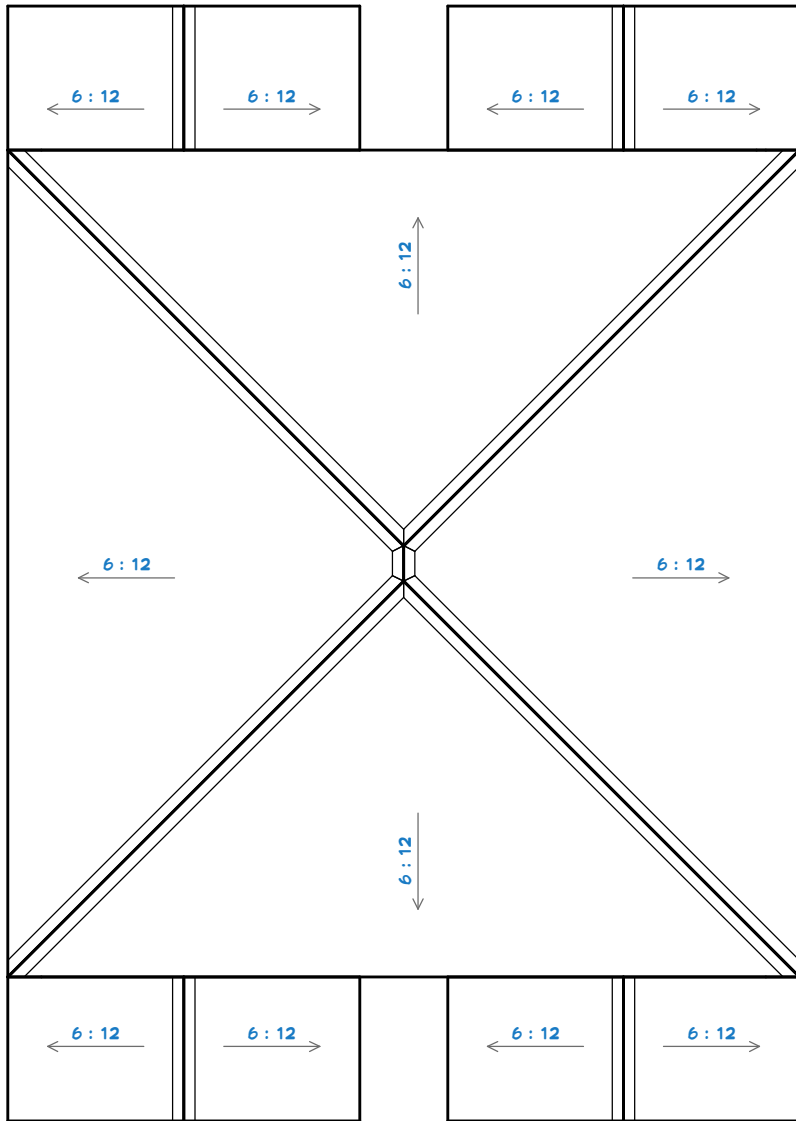
VERIFY ALL WALL HEIGHTS W/ HOMEOWNER/GC

FRONT ELEVATION

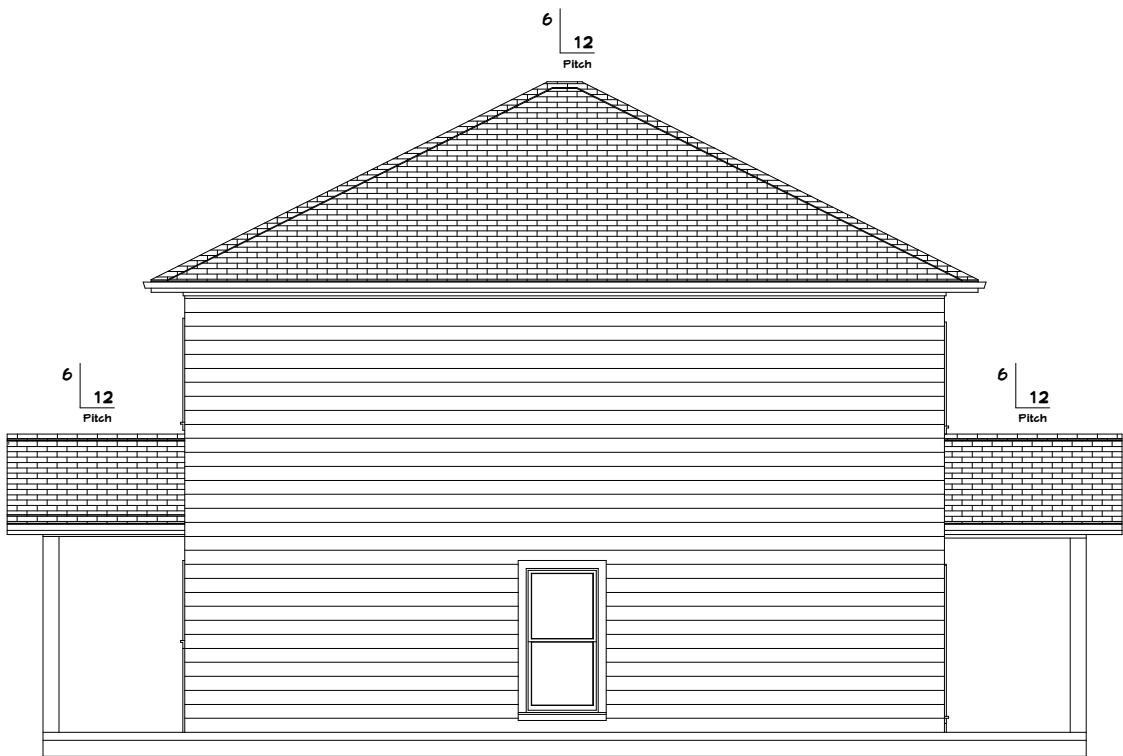


VERIFY ALL WALL HEIGHTS W/ HOMEOWNER/GC

REAR ELEVATION

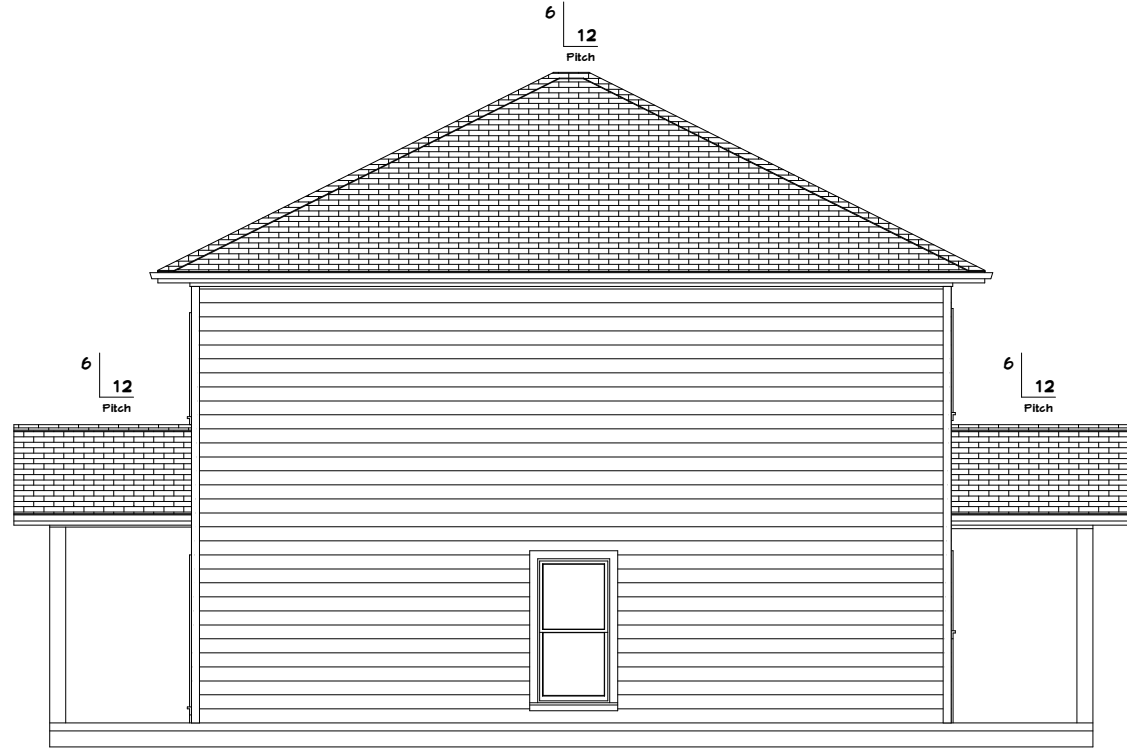


ROOF ELEVATION



VERIFY ALL WALL HEIGHTS W/ HOMEOWNER/GC

LEFT ELEVATION



VERIFY ALL WALL HEIGHTS W/ HOMEOWNER/GC

RIGHT ELEVATION

PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1951  
Email: adammyatt305@gmail.com

ELEVATIONS  
AND ROOF PLAN

Designed By:

Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:

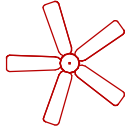
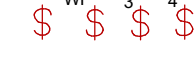
1/29/2024

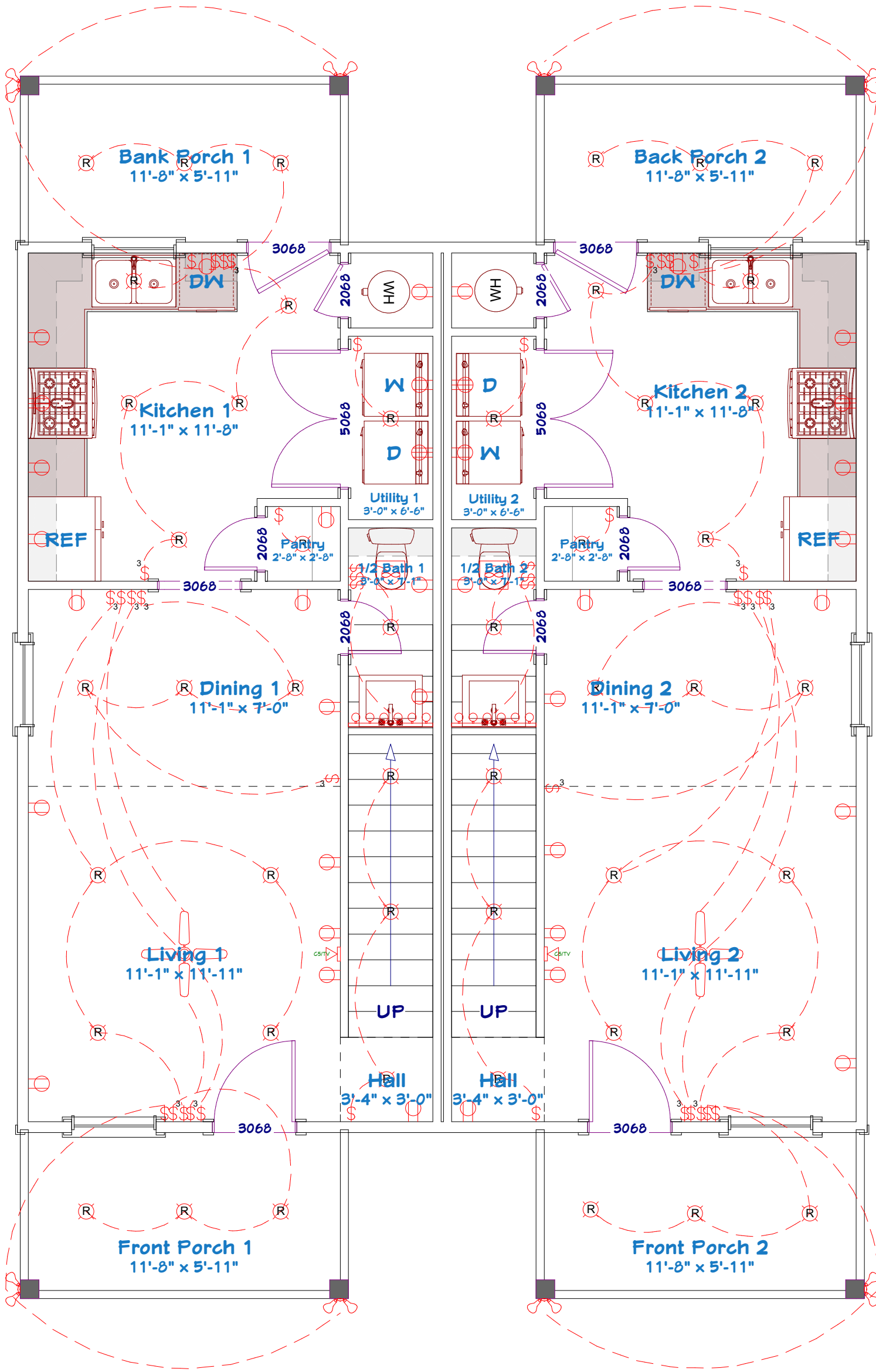
SCALE:

1/8"=1'

SHEET:

A-3

| ELECTRICAL - DATA - AUDIO LEGEND                                                  |                                                                                   |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| SYMBOL                                                                            | DESCRIPTION                                                                       |
|  | Ceiling Fan                                                                       |
|  | Ventilation Fans: Ceiling Mounted, Wall Mounted                                   |
|  | Ceiling Mounted Light Fixtures: Surface/Pendant, Recessed, Heat Lamp, Low Voltage |
|  | Wall Mounted Light Fixtures: Flush Mounted, Wall Sconce                           |
|  | Chandelier Light Fixture                                                          |
|  | Fluorescent Light Fixture                                                         |
|  | 240V Receptacle                                                                   |
|  | 110V Receptacles: Duplex, Weather Proof, GFCI                                     |
|  | Switches: Single Pole, Weather Proof, 3-Way, 4-Way                                |
|  | Switches: Dimmer, Timer                                                           |
|  | Audio Video: Control Panel, Switch                                                |
|  | Speakers: Ceiling Mounted, Wall Mounted                                           |
|  | Wall Jacks: CAT5, CAT5 + TV, TV/Cable                                             |
|  | Telephone Jack                                                                    |
|  | Intercom                                                                          |
|  | Thermostat                                                                        |
|  | Door Chime, Door Bell Button                                                      |
|  | Smoke Detectors: Ceiling Mounted, Wall Mounted                                    |
|  | Electrical Breaker Panel                                                          |



NOTES  
① BASE CEILING HEIGHTS ARE 9'

NOTES  
1. Verify all Electrical locations with Owner / GC  
2. Verify all Gas Appliances with Owner / GC

Collins Homes LLC

CH

PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1951  
Email: adammyatt305@gmail.com

ELECTRICAL  
1ST FLOOR

Designed By:  
Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:

1/29/2024

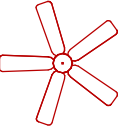
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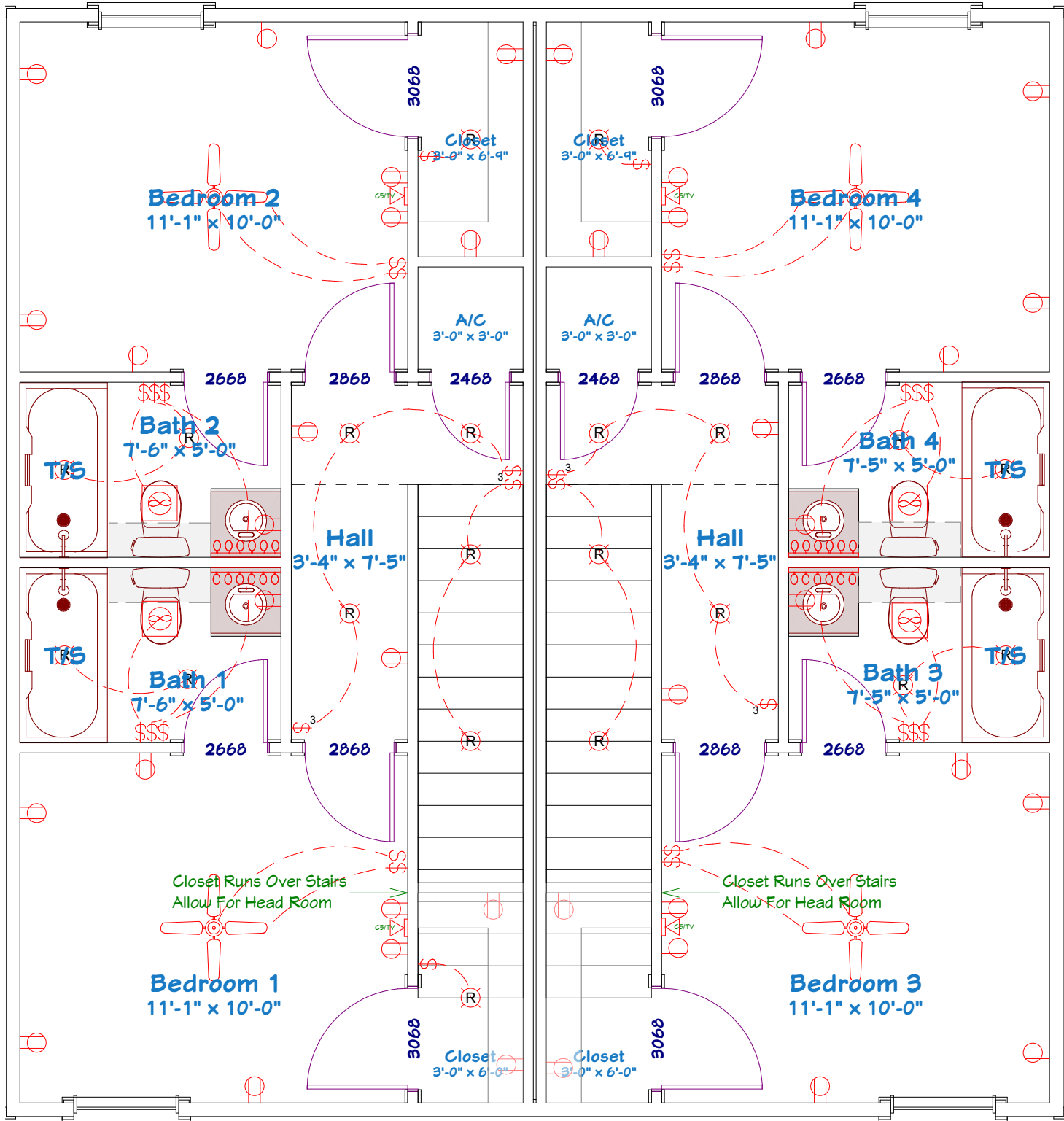
1/4"=1'

SHEET:

E-1

Page 24 of 31

| ELECTRICAL - DATA - AUDIO LEGEND                                                  |                                                                                   |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| SYMBOL                                                                            | DESCRIPTION                                                                       |
|  | Ceiling Fan                                                                       |
|  | Ventilation Fans: Ceiling Mounted, Wall Mounted                                   |
|  | Ceiling Mounted Light Fixtures: Surface/Pendant, Recessed, Heat Lamp, Low Voltage |
|  | Wall Mounted Light Fixtures: Flush Mounted, Wall Sconce                           |
|  | Chandelier Light Fixture                                                          |
|  | Fluorescent Light Fixture                                                         |
|  | 240V Receptacle                                                                   |
|  | 110V Receptacles: Duplex, Weather Proof, GFCI                                     |
|  | Switches: Single Pole, Weather Proof, 3-Way, 4-Way                                |
|  | Switches: Dimmer, Timer                                                           |
|  | Audio Video: Control Panel, Switch                                                |
|  | Speakers: Ceiling Mounted, Wall Mounted                                           |
|  | Wall Jacks: CAT5, CAT5 + TV, TV/Cable                                             |
|  | Telephone Jack                                                                    |
|  | Intercom                                                                          |
|  | Thermostat                                                                        |
|  | Door Chime, Door Bell Button                                                      |
|  | Smoke Detectors: Ceiling Mounted, Wall Mounted                                    |
|  | Electrical Breaker Panel                                                          |



NOTES

1. Verify all Electrical locations with Owner / GC

2. Verify all Gas Appliances with Owner / GC

Collins Homes LLC

CH

PROJECT INFO

MYATT DUPLEX

GENERAL CONTRACTOR INFO

GC: Adam Myatt  
Cell: 936-288-1951  
Email: adammyatt305@gmail.com

ELECTRICAL  
2ND FLOOR

Designed By:  
Collins Homes LLC  
Jordan Collins  
936.707.2118  
collinshomesllc@gmail.com

DATE:  
1/29/2024

SCALE:  
1/4"=1'

SHEET:  
E-2

# Site Photos: ZBA2024-03

Street view of the  
subject property.



# Adjacent house to the west

(On lot 1 of the Johnson's Martinsville Subdivision plat)



# Subject Property

View along east property line



View along west property line



## View of the back of the property



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## Re: Upcoming ZBA Public Hearing / June 20, 2024 - Case File ZBA2024-03

1 message

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**Pollette, Juan** <pollettej@nactx.us>

Tue, Jun 11, 2024 at 8:46 AM

To: Mario Perica <mperica@gmail.com>

Cc: Alex Perica <alex.perica@kw.com>, Aimee Cloutier <cloutiera@nactx.us>

Good morning Mr. Perica,

Thank you for your response. We will make a copy of the email and include it in our ZBA staff report for the board members to read.

On Mon, Jun 10, 2024 at 11:01 AM Mario Perica <mperica@gmail.com> wrote:

Greetings Juan Pollette,

We hope this email finds you well. In regard to the upcoming ZBA Public Hearing on June 20th, 2024, we wanted to reach out and provide this written statement, in full support of the Agenda item based on Case File ZBA2024-03 which was submitted by Philip Blackburn.

We are the property owners (Heather Alexandra and Mario Perica) of 708 Martinsville Street, which is known as Lot 1 of the Johnson's Martinsville Subdivision. As we understand, the Lot 2 which is adjacent to the east, is under a request for appeal in the interpretation of the minimum lot size for either a multi-family or single-family home. Due to the irregular triangle shape of the lot, we believe it does not conform to the minimum lot width of 50' at 100' depth for a duplex, nor does it conform to the 60' minimum for a single family home. It is our view that this lot should never have been subdivided off the main property by the previous owners the Johnson's. When we purchased the home at 708 Martinsville last August 2023, we desperately tried to also purchase Lot 2 to no avail, as the deal for the lot and to build a duplex was already in the works, and our offer was only accepted as a backup.

Notwithstanding of the above, the entire area consisting of the neighborhood on Logansport and Martinsville (West of University Blvd to Mound Street) according to the City's Comprehensive Plan and Future Land Use Map linked here <https://nactx.us/DocumentCenter/View/190/figure-5-future-land-use?bidId=>, the area is to be zoned single family home R-2, not R-4 Multi-family. We understand that the property owner intends to build a multi-family duplex on this non-conforming lot and has already applied for building permits. The current zoning is not in accordance with the Comprehensive Plan.

Our hope is that the property owner of Lot 2 eventually understands that their lot is of a non-conforming size to build a dwelling per the City Zoning Ordinance, and also that multi-family dwellings on Martinsville Street west of University Blvd are not in compliance with the City's Comprehensive Plan.

Of course ultimately the decision of what to do with this lot given the issues above, is up to the property owner, and we hope they will do the right thing. In our view, the right thing being the best case outcome we see here is one where the property owner decide to sell the property to us and we can then ultimately combine the lot back into the original plot. Then our intent is to re-zone the whole original property to R-2 Single Family where it belongs.

Thank you,  
Mario Perica  
Heather Perica

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Juan Pollette

Interim City Planner  
City of Nacogdoches  
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[pollettej@nactx.us](mailto:pollettej@nactx.us)