

**Rick Schroder**

**From:** Rick Schroder  
**Sent:** Wednesday, May 25, 2022 12:28 PM  
**To:** [REDACTED]  
**Subject:** Harvest Point Church - Driveway Permit Application

To Whom It May Concern –

I received a driveway permit application from Mr. Blaine Schwartz; however, the application did not include his email address. I found this email address on the Church’s website. Please forward this email to Mr. Schwartz.

Mr. Schwartz –

I received a driveway permit application for Harvest Point Church on May 24, 2022. The application indicates that the Church desires to relocate an existing driveway / gate from one portion of the property to a location nearer to Old River Crossing’s intersection with N. Nugent Ave. Below, please find driveway requirements per the City’s Design Standards:

1. A driveway must be located a minimum of 150’ from N. Nugent Ave.
2. If you desire to have two (2) driveways, they cannot be closer to each other than 100’.
3. Driveways providing access to multi-family or nonresidential uses shall generally have widths between twenty-four (24) and forty-five (45) feet when measured at their narrowest point near, or at, the property line. The minimum radius for these uses shall be twenty (20) feet. Larger radii are encouraged. Driveway radii returns shall not extend across abutting property lines.
4. All driveway approaches shall be constructed of concrete in the same strength as the adjacent street and shall be curbed per City standards.
5. The driveway approach angle to any parking area shall be a maximum of sixteen (16) degrees; the departure angles a maximum of ten (10) degrees; the ramp angles a maximum of eleven (11) degrees; or otherwise, shall be approved by the City’s Engineer.

I have attached a typical approved design standard for commercial driveways within the City.

Please revise the Church’s submittal to comply with the above Code requirements.

Best,



Rick A. Schroder  
 Chief Administrative Officer  
 303 E. Pecan Dr. (Physical) | P.O. Box 369 (Mailing) | Johnson City, Texas 78636  
 (830) 868-7111, Ext. 8 | (830) 868-7718 (Fax) | [www.johnsoncitytx.org](http://www.johnsoncitytx.org)  
*Yesterday is not ours to recover, but tomorrow is ours to win or lose. – President LBJ*

**OPEN MEETINGS ACT / CONFIDENTIALITY NOTICE:** City Councilpersons and members of other Johnson City boards and / or commissions shall not “reply all” to this e-mail message. Please reply only to the original sender of this e-mail message. This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the Intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

## **2.5 Median Openings, Width, Location and Spacing**

Arterial thoroughfares in Johnson City are to have raised medians. Arterials having single lane two-way left turn lanes are discouraged and may be allowed only in special circumstances with the approval of the City Council.

Median openings at intersections shall be from right-of-way to right-of-way of the intersecting street, unless otherwise approved by the City's Engineer.

The width of mid-block median openings shall not be less than 60 feet, or greater than 70 feet.

Using the above requirements, examples of the minimum distance between median openings on a divided street where left-turn storage is provided in both directions are:

- A. 310 feet from nose to nose of the median from the intersection of two major thoroughfares to a street or drive (see Figure 2.2);
- B. 260 feet from nose to nose of the median from the intersection of two secondary thoroughfares or a secondary thoroughfare and a major thoroughfare to a residential street or a drive, and;
- C. 220 feet from nose to nose of the median for intersection combinations of drives and/or residential streets.

## **2.6 Driveway Locations**

Minimum standards for driveway separation accessing the same site are shown in Figure 2.3. This standard applies to all non-residential uses.

There is a minimum distance upstream and downstream from adjacent intersections within which driveways should not be located. This separation distance varies with the classification of street and is shown in Figure 2.3. This standard applies to all non-residential users.

At mid-block access points, there is a minimum distance from a median nose, within which driveways should not be located. This is shown in Figure 2.3 and is equally applicable along both major and minor arterials for non-residential uses.

## **2.7 Block Lengths**

In general, streets shall be provided at such intervals as to serve cross traffic adequately and to intersect with existing streets. Where no existing plats control, the blocks shall be not more than 1,800 feet in length or be less than 500 feet. Block arrangements must provide access to all lots, and in no case, shall a block interfere with traffic circulation.

## **2.8 Street Intersections**

More than two streets intersecting at one point shall not be allowed. All streets and thoroughfares should intersect other streets and thoroughfares at an angle of ninety (90) degrees unless otherwise approved by the City's Engineer.

Arterial and collector street intersections shall have property line corner clips with a minimum tangent distance of thirty (30) feet. Residential streets shall not normally be

### 2.13 Parkways, Grades and Sidewalks

All parkways shall be constructed to conform to top of curb grades with a standard transverse slope of one-quarter ( $\frac{1}{4}$ ) inch per foot rise from top of curb to right-of-way.

Where the natural topography is such as to require steeper grades, transverse slopes (except for sidewalk) up to three-quarter ( $\frac{3}{4}$ ) inch per foot may be used with approval of the City.

Sidewalks shall be provided for all residential streets in subdivisions zoned for one- or two-family dwellings and on all streets designated on the adopted Master Thoroughfare Plan. Barrier free ramps and sidewalks along screening walls, landscaped areas, trails or in parks, shall be installed by the Developer with street construction and the sidewalks in front of residential lots shall be installed by the home builder. The City may require sidewalks in other locations. Where provided, there shall not be less than four (4) feet in width with the inside edge of the sidewalk to be placed one (1) foot off the property line and located wholly within the dedicated street right-of-way, sidewalk corner easement or road easement in the case of private streets. This requirement may be waived by the City Council.

Sidewalks placed adjacent to the back of the curb must be six (6) feet wide and approved by the City's Engineer.

Sidewalks shall be of concrete having a minimum of 4,000-psi compressive strength in 28 days. The concrete thickness shall be four (4) inches reinforced with No. 3 bars at 18-inch centers both ways. A minimum of 1½ inches of sand must be placed under sidewalk. Subgrade (including sand) shall be mechanically compacted to 95% density.

### 2.14 Driveways

- A. Residential: Residential driveways to serve two car garages shall be not less than eleven (11) feet nor more than twenty (20) feet in width at the property line. The width of the driveway will be larger at the garage for a three car (width to be twenty-eight (28) feet). Shared driveways and garages larger than three cars shall be a case-by-case basis. Residential driveways shall be separated from one another by a distance of at least ten (10) feet. The radii of all residential driveway returns shall be a minimum of five (5) feet and shall not extend past the adjoining property line. The driveway approaches devoted to one use shall not occupy more than sixty percent (60%) of the frontage abutting the roadway or alley.
- B. Multi-Family and Non-Residential: Driveways providing access to multi-family or non-residential uses shall generally have widths between twenty-four (24) and forty-five (45) feet when measured at their narrowest point near, or at, the property line. The minimum radius for these uses shall be twenty (20) feet. Larger radii are encouraged. Limitations on permissible locations for these driveways are addressed in Section 2.6, Driveway Locations. Driveway radii returns shall not extend across abutting property lines.

### 2.15 Traffic Information and Control Devices

The developer shall arrange for the installation of all pavement striping, regulatory, warning and guide signs, including posts, as shown on the approved plans. Street name signs shall be installed at each intersection. All traffic control devices shall be designed in accordance with the current addition of the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Examples of regulatory, warning, information and guide signs are as follows:

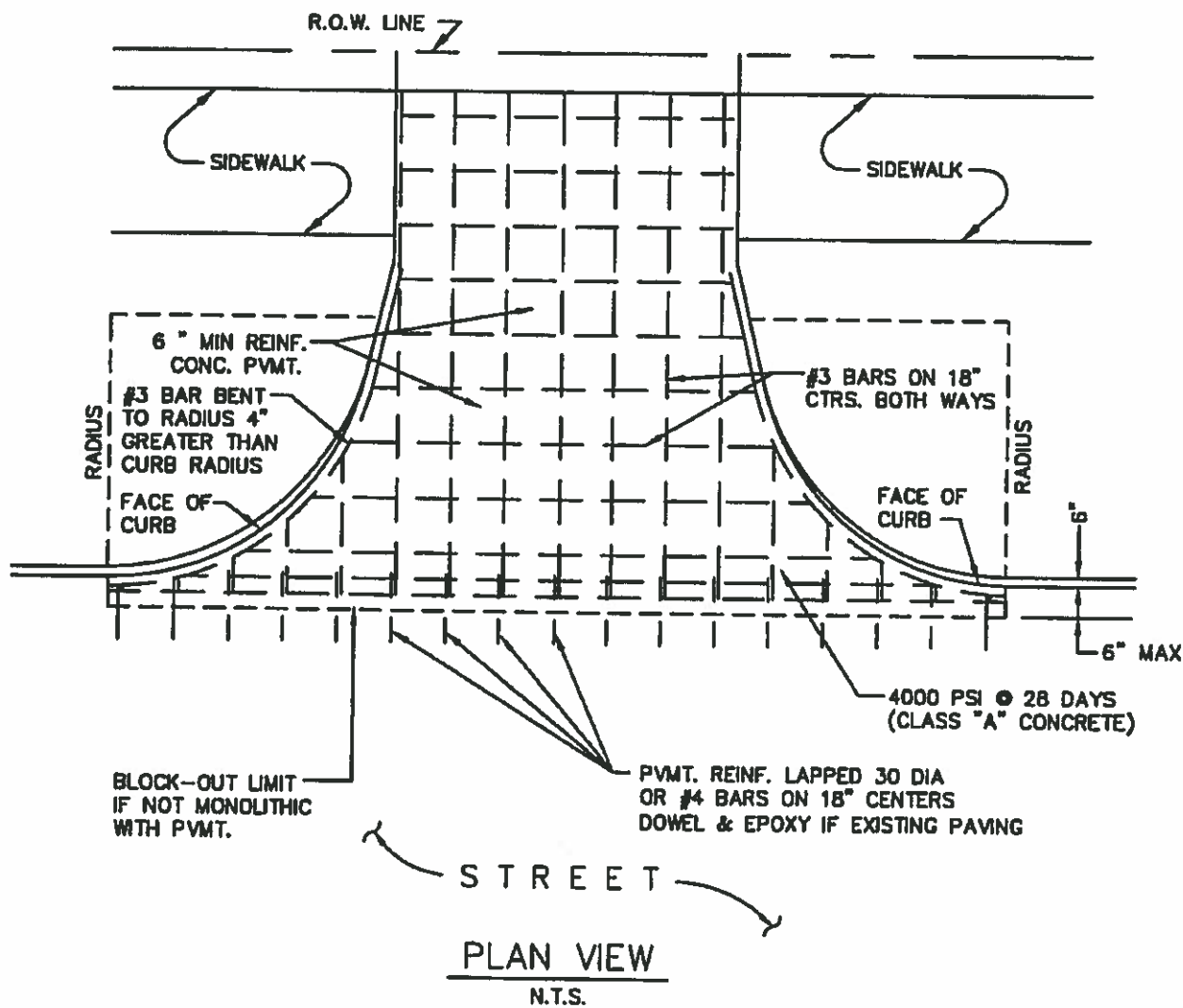
C. Minimum Dimensions for Off-Street Parking:

1. Ninety-degree parking (Figures 2.4a and 2.4b) — Each parking space shall not be less than nine (9) feet in width and eighteen (18) feet in length with two (2) feet of overhang between curb and sidewalk or property line (20-foot minimum). Dual head in parking spaces should be a minimum of twenty (20) feet in length; Aisle width shall not be less than twenty-four (24) feet.
2. Sixty-degree angle parking (Figures 2.5a and 2.5b) — Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than twenty and one tenth (20.1) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than fourteen and one-half (14½) feet for one-way traffic or twenty-two (22) feet for two-way traffic perpendicular to the building or parking line.
3. Forty-five-degree angle parking (Figures 2.6a and 2.6b) — Each parking space shall not be less than nine (9) feet wide perpendicular to the parking angle nor less than nineteen (19) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than twelve (12) feet for one-way traffic or twenty-one (21) feet for two-way traffic perpendicular to the building or parking line.
4. Parallel Parking — Each parking space shall not be less than nine (9) feet in width and twenty-two (22) feet in length. Maneuvering space will not be less than twenty (20) feet.
5. Handicap Space Parking — Handicap parking spaces are required to meet ADA and TAS regulations.
6. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be utilized as a portion of the maneuvering space requirement, provided the alley is paved.
7. When off-street parking facilities are provided' in excess of minimum amounts herein specified, or when off-street parking facilities are provided, but not required by this chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

D. Paving Standards:

1. Unless otherwise approved by the City Council or as specified in these standards, all parking lots shall be paved with concrete or asphalt and designed according to City standards and specifications. The parking lanes must be clearly marked by approved paint, buttons or other material. All driveway approaches shall be constructed of concrete in the same strength as the adjacent street and shall be curbed per City standards.
2. The pavement within a designated loading area shall be designed and constructed to carry the additional loading of merchandise, goods, sanitation pick-up, etc., in order to prevent any unnecessary failure in the pavement itself. The pavement design shall be included in the engineering construction plans and specifications and submitted to the City's Engineer for review.

3. Fire lane pavement shall be a minimum of six (6) inches with lime stabilized subgrade. Concrete strength shall be NCTCOG Item 303.3.4.2. Class C (4,000 psi in 28-days). Asphalt fire lanes are not permissible, unless approved by the City.
- E. All entrances or exits in a parking lot shall be a minimum of thirty (30) feet from the beginning point of any corner radius.
  - F. All entrances or exits in a parking lot shall be a minimum of twenty-four (24) feet and a maximum of forty-five (45) feet in width, unless One-way, in which case they shall both be a minimum of twelve (12) feet, or as approved by the City Council.
  - G. The driveway approach angle to any parking area shall be a maximum of sixteen (16) degrees; the departure angles a maximum of ten (10) degrees; the ramp angles a maximum of eleven (11) degrees; or otherwise, shall be approved by the City's Engineer.
  - H. No parking areas or parking spaces shall be allowed to pave over or utilize public right-of-way, with the exception of approved entrances and exits, unless the City Council approves a site plan provided by the developer.
  - I. Any lighting used to illuminate any off-street parking area shall be so designed and constructed as to direct the light onto the property and away from any adjoining property or street.
  - J. All multi-family and commercial parking areas and parking spaces shall be designed and constructed to protect adjacent residences from the direct glare of headlights of vehicles using the parking area.
  - K. All multi-family, retail, commercial and industrial parking lots shall be required to provide a fire lane with a minimum width of twenty-four (24) feet (requires minimum thirty (30) foot inside curve radius).
  - L. No City street curb, alley or street pavement may be cut, or cored for drainage, without a permit from the City.



**CONCRETE DRIVEWAY APPROACH**

**RADIUS RETURN**

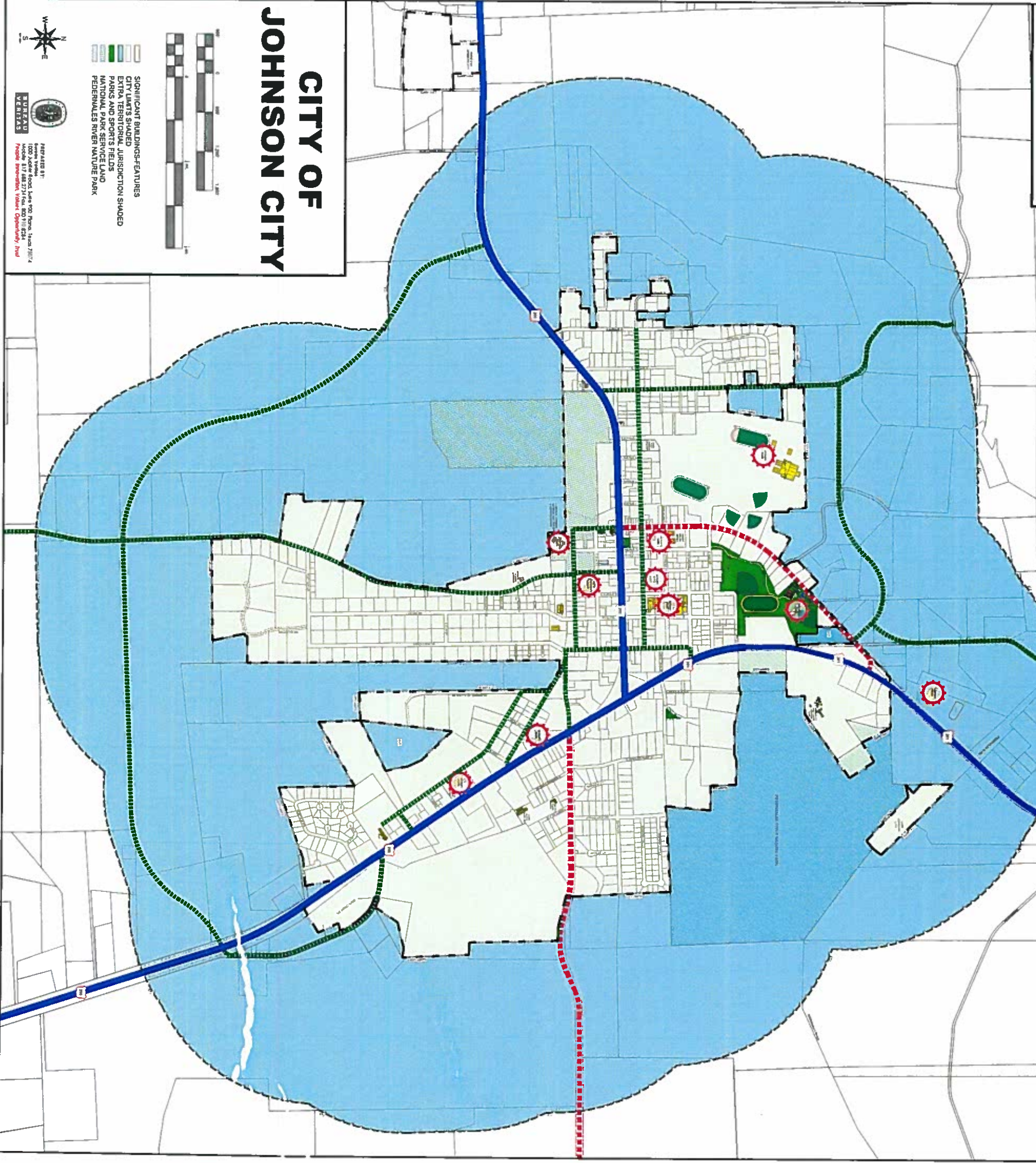
STANDARD DRAWING NO.

**PAV-07**

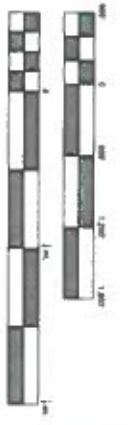







**THOROUGHFARE PLAN**

-  COLLECTOR STREET (60' RIGHT-OF-WAY)
-  ARTERIAL STREET (80' RIGHT-OF-WAY)
-  DIVIDED HIGHWAY (150' RIGHT-OF-WAY)
-  ACTIVITY NODE



# CITY OF JOHNSON CITY



- SIGNIFICANT BUILDINGS/FEATURES**
-  CITY LIMITS SHADED
  -  EXTRA TERRITORIAL JURISDICTION SHADED
  -  PARKS AND SPORTS FIELDS
  -  MATTHEW SPUR
  -  PEDERNALES RIVER NATURE PARK



PREPARED BY:  
 10000 Woodloch Lane, PO. Box 1000, Iowa, IA 50204  
 PHONE: 515.281.3131 FAX: 515.281.3134  
[www.johnsoncityia.gov](http://www.johnsoncityia.gov)  
**VERITAS**  
*Proble Solvendo, Veritas Operando*



**Sec. 10.02.094 Variance**

- (a) Standards. A request for a change from a requirement of the ordinance shall be submitted as a variance. There shall be a presumption against variances. Grant of a variance is not automatic.
- (b) Submission and review process.
- (1) A request for a variance:
- (A) Shall be submitted to the city on a form provided by the city; and
- (B) If submitted at the same time as plat submittal, shall be considered concurrently with the plat application in accordance with the application review process of the ordinance.
- (2) Neither a public hearing nor public notice is required for a variance request.
- (c) Criteria for approval. Where undue hardship will result from strict compliance with a certain provision of the ordinance, a request for a variance may be approved if:
- (1) A special individual reason makes the strict application of a provision of this article impractical;
- (2) There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of his land;
- (3) The applicant will incur specific hardships should the variance not be granted. Pecuniary hardship to the applicant, standing alone, shall not be deemed sufficient to constitute undue hardship;
- (4) The modification resulting from a variance is in conformity with the intent and purpose of this article;
- (5) The granting of the variance will not be detrimental to the public's health, safety, or general welfare or be injurious to the property in the area;
- (6) The granting of the variance will not create the probability of harmful environmental consequences;
- (7) The variance will not negatively impact traffic conditions; and
- (8) The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this article.
- (9) A variance shall not be granted if it would provide the applicant with any special privileges not enjoyed by owners of other similarly situated property with similarly timed development.
- (10) Conditions for a variance can be imposed where such requirements achieve the purposes of the ordinance.
- (d) Findings required. On approval of a variance by the city council, findings shall be issued stating that:
- (1) Granting the variance will not be detrimental to the public safety, health, or general welfare, will not be injurious to other property or to the owners of other property, and will not prevent the orderly subdivision of other property in the vicinity;
- (2) The condition(s) upon which the request for a variance is based is unique to the property for which the variance is sought and is not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape, and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
- (4) The variance will not in any manner vary the provisions of the zoning ordinance, the city's comprehensive land use plan, or any other adopted land plan(s) or ordinance(s) of the city;
- (5) An alternate design will generally achieve the same result or intent of the standards and regulations prescribed herein; and
- (6) If applicable, the variance will enable the applicant to preserve more native trees, provide more open space, or ensure more wildlife preservation than would be possible complying with the strict mandates of the ordinance.





P.O. Box 369 (Mail)  
303 E. Pecan Dr. (Physical)  
Johnson City, TX 78636  
830.868.7111 (Phone)  
830.868.7718 (Fax)

APPLICATION DATE: 7/11/22

# APPLICATION FOR VARIANCE

## Municipal Code of Ordinances

NAME OF APPLICANT: Harvest Point Church of Johnson City Texas

MAILING ADDRESS: PO Box 484 Johnson City, TX 78636

PHONE No.: 915-276-2697 EMAIL: brschwa432@aol.com

STATUS OF APPLICANT: OWNER: X AGENT: \_\_\_\_\_

(IF AGENT, ATTACH LETTER OF AUTHORIZATION FROM PROPERTY OWNER)

### PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 316 Old River Xing, Johnson City, TX 78636

LEGAL DESCRIPTION: ABS A0561 Survey 41 J., Shackelford Acres

CURRENT ZONING: N/A EXISTING USE: Church

ACRES/SQ. FT.: 2.877 DOES OWNER OWN ADJACENT PROPERTIES?  YES  NO

CODE SECTION SEEKING VARIANCE / RELIEF FROM:

Municipal Code or Ordinances Chapter 10 Subdivision Regulation, Appendices A Major Thoroughfare Plan and B Design Standards and Specifications Manual.

TYPE OF VARIANCE REQUESTED (EXPLAIN IN DETAIL):

Harvest Point Church would like to relocate their main gate and driveway closer to Spur 356. This would provide a more efficient access to our parking lot and mitigate the water flow from the driveway across the street once Old River Xing is paved (see Attachment A). The new location would be 121 feet from the property line (survey post) and approximately 171 feet from the pavement on Spur 356. Chapter 10, Appendix B, Section 2.6 refers to Figure 2.3 (see Attachment B), which indicates the driveway should be 150 feet from the Spur. We expect Figure 2.3 measures distances from the survey post (property line), not the pavement making this request for a variance of 29 feet.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE INFORMATION I HAVE PROVIDED TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS APPLICATION WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A VARIANCE OR SPECIAL EXCEPTION DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING THE USE OF PROPERTY.

Blaine Schwartz  
APPLICANT'S SIGNATURE

7/11/22  
DATE

OFFICE USE ONLY:

Neighbor's Driveway

**OLD RIVER XING**

171'

121'

Survey Post

New Gate Location

Gate Old Location

Neighbor's Property

Existing Church building

Future Church building

Parking

**SPUR 356 (NUGENT)**

Point Church  
by Variance  
Instrument A

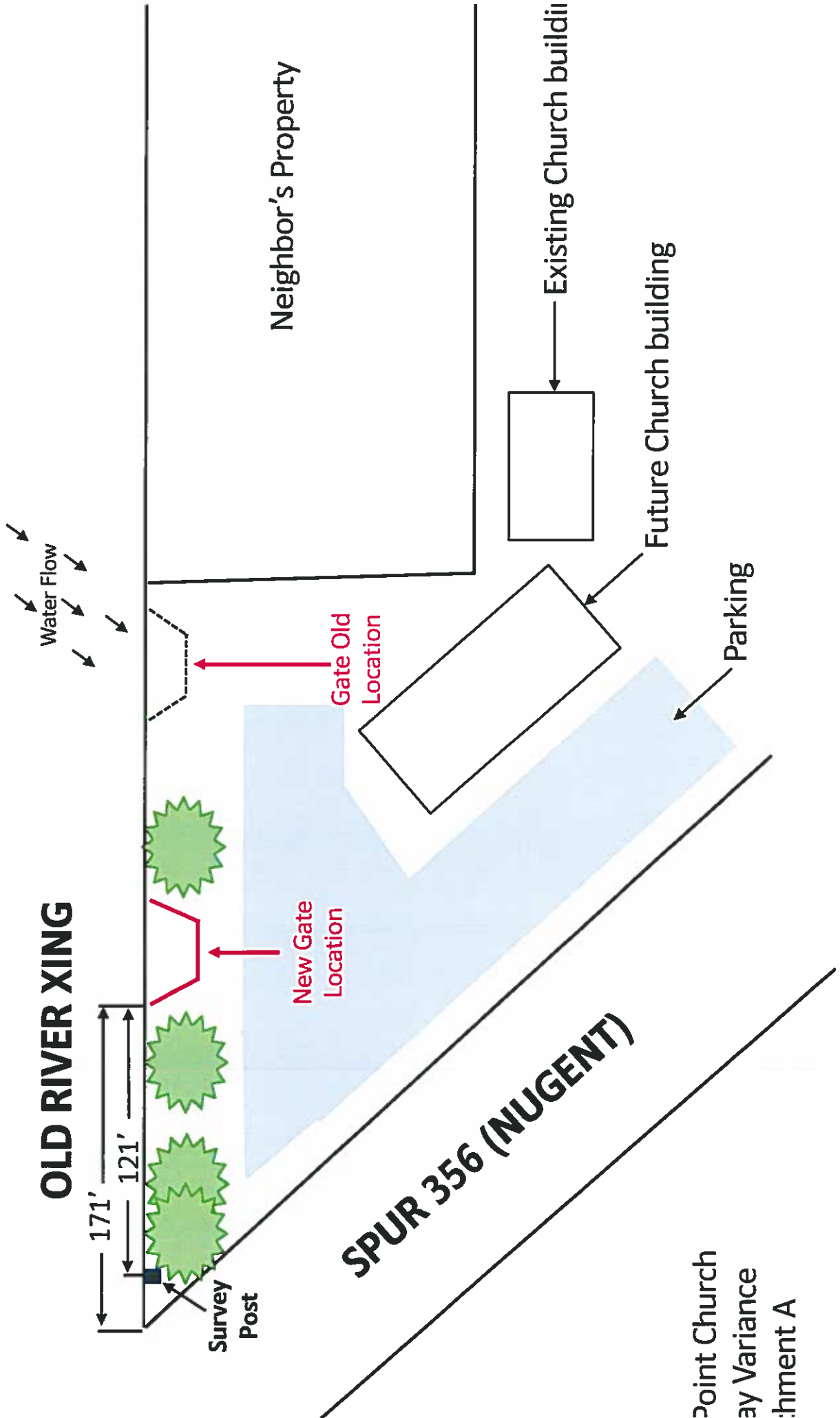
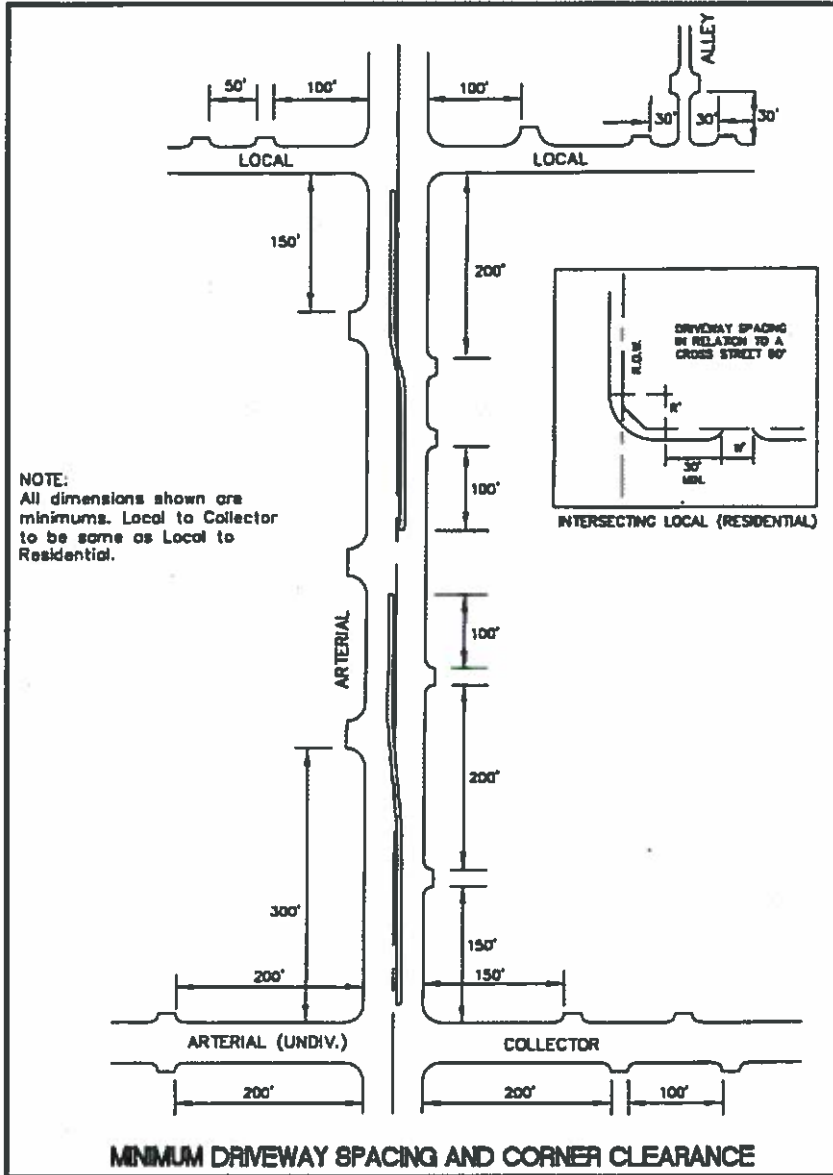


Figure 2.3







P.O. Box 369 (Mail)  
303 E. Pecan Dr. (Physical)  
Johnson City, TX 78636  
830.868.7111 (Phone)  
830.868.7718 (Fax)

Application Date: 5/24/22

### DRIVEWAY PERMIT APPLICATION

Name of Tenant / Property Owner: HARVEST POINT CHURCH of Johnson City

Project Address: 316 OLD RIVER KING Phone No.: 915-276-2697

Mailing Address: P.O. BOX 484 JOHNSON CITY, TX 78636

Name of Designated Contractor: Self

Contractor's License #: N/A

Contractor's Email Address: -

Contractor's Business Address: -

Contractor's Phone No.: -

Check one:  New Construction  Renovation *(See Attached Letter)*

- Attach two (2) sets of plans.
  - New construction requires submittal of entire site development plans.
  - Renovation requires only construction plans.

Applicant's Signature: Blaine Schwartz

Date submitted for review: 5/24/22

Approved  Disapproved Date of Disposition: \_\_\_\_\_

Building Official Signature

**Note: The driveway permit fee is due upon submittal. For the City's fee schedule and Code regulations, please refer to [www.johnsoncitytx.org](http://www.johnsoncitytx.org).**

Office Use Only:



**Rick Schroder**

**Chief Administrative Officer**

**Johnson City, TX 78636**

**Dear Mr. Schroder,**

**A couple weeks ago I contacted you regarding our church moving the gate on our property at 316 Old River Xing. You suggested I use a Driveway Permit since they city now owns Old River Xing. We intended to move that gate several months ago as it would provide our congregation better access to our parking lot. It came as a surprise when the heavy equipment began improving the road and dropping base where our gate is currently located. I have attached a copy of our survey as well as an exploded view explaining the location of the old gate and where want to move it. We are a small church that was planted about three years ago and do most of the work ourselves, hence we do not have a general contractor. I look forward to working with you on this issue.**

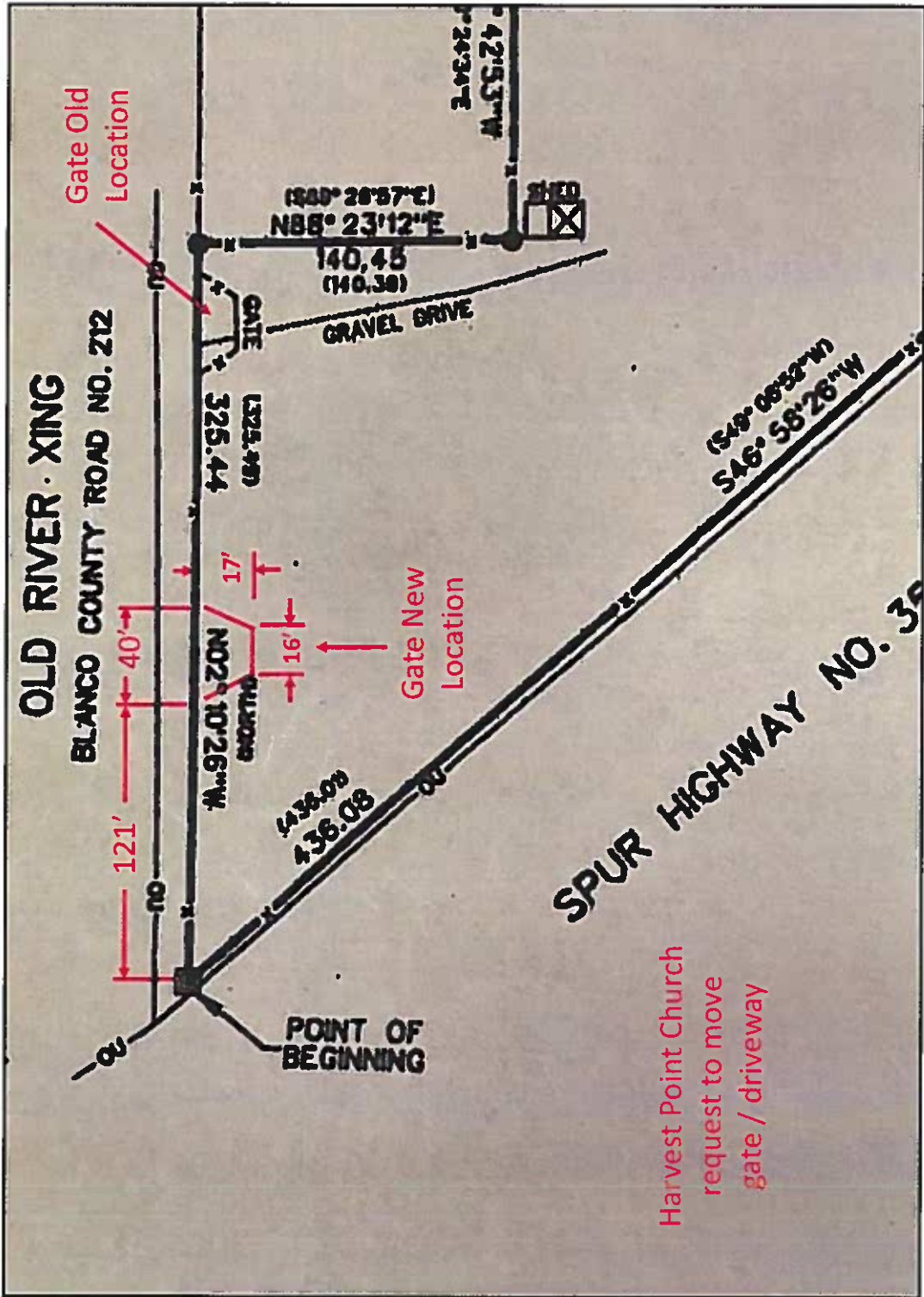
**Best Regards,**

**Blaine Schwartz**

**Leadership Committee Member**

**Harvest Point Church**

**Check us out at: [hpcjc.church](http://hpcjc.church)**





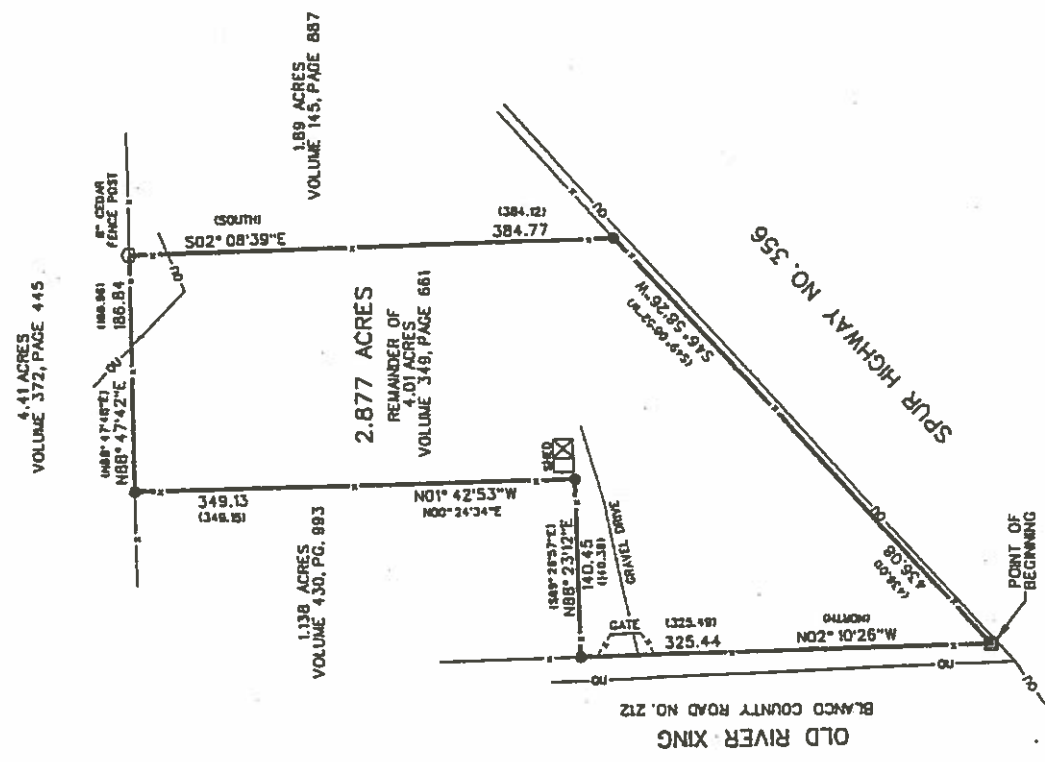
*John Noel Stoney 10/19/2020  
 Runned by Denny 10-21-2020  
 Denny G. Longbird 10-21-2020*

EASEMENTS, AS LISTED IN SCHEDULE B OF FIRST AMERICAN TITLE GUARANTY COMPANY'S COMMITMENT FOR TITLE INSURANCE OF 20-771 EFFECTIVE SEPTEMBER 24, 2020 AFFECTING THE SUBJECT PROPERTY ARE SHOWN HEREON.

I, RANDALL H. HAMBRIGHT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY TO VAN GOODY, LLC., TEXAS NATIONAL TITLE COMPANY AND LENDER THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY SHOWN HEREON AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, ENCROACHMENTS, VISIBLE UTILITY LINES OR EASEMENTS KNOWN TO ME EXCEPT AS SHOWN HEREON AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC HIGHWAY.



DATE *10-09-2020*  
*R. Hambright*  
 RANDALL H. HAMBRIGHT, R.P.L.S. NO. 5283  
 COUNTY SURVEYOR, BLANCO COUNTY, TEXAS



- LEGEND**
- 1/2" IRON ROD FOUND
  - OU OVERHEAD UTILITIES
  - ( ) RECORD INFORMATION
  - WIRE FENCE
  - CONCRETE HIGHWAY MONUMENT
  - 8" CEDAR POST



MAP TO ACCOMPANY FIELD NOTE NO. 020-160

SURVEY OF 2.877 ACRES SITUATED IN THE  
 JACK SHACKLEFORD SURVEY NO. 41,  
 ABSTRACT NO. 561,  
 BLANCO COUNTY, TEXAS

**HAMBRIGHT LAND SURVEYING**

P.O. BOX 1226, TEXAS 78636  
 JOHNSON CITY,  
 PHONE (830) 868-2374  
 EMAIL: HAMBRIGHTSURVEY@GMAIL.COM  
 TEXAS FIRM NO. 100581-00

DATE: 10-09-2020  
 FILE NAME: 020-160  
 JOB NO: 020-160