

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, MARCH 18, 1996, IN THE COUNCIL CHAMBERS AT CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. with the following present:

Chairman	Pat Lopez
Vice Chairman	Emil Beltz
Commissioner	Peggy Mayfield-Royer
Commissioner	Marshall Eggers
Commissioner	Rob Larsen
Commissioner	Randy Patro
Assistant City Manager	Richard Burdine
City Engineer	John Hargrove
Secretary	Karla Canada

Commissioner Jeffery O'Brien was absent.

**II. APPROVAL OF MINUTES: Minutes of March 4, 1996**

A motion to approve the minutes of the March 4, 1996 meeting, was made by Commissioner Peggy Mayfield-Royer, seconded by Commissioner Marshall Eggers.

**Motion Passed 6-0.**

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Southwyck, Section Eight, Phase Two.**

**Variance Requests:**

- 1.) Variance requesting a 20-foot building line on cul-de-sac and thumbnail lots.
- 2.) Variance requesting a 5-foot side lot setback.

Steve Gardner, Ferro-Saylors, Inc., was present representing Southwyck Eight Ltd.

City Engineer recommended acceptance of final plat as submitted with the corrections specified.

Commissioner Rob Larsen made a motion, seconded by Vice Chairman Emil Beltz to approve the Final Plat of Southwyck, Section Eight, Phase Two, with the corrections as required by City Engineer, along with the variance as requested.

**Corrections required:**

- 1.) Two blocks of dedication with file numbers recorded.
- 2.) 8' utility easement in lower left hand corner of plat.

**Motion Passed 6-0.**

**B. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Winfield at Silverlake.**

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

Thomas Stroh, Jones & Carter Engineering, was present representing Silverlake Development.

City Engineer recommended acceptance of preliminary plat as submitted with the corrections specified.

Commissioner Rob Larsen made a motion, seconded by Commissioner Randy Patro, to approve the Preliminary Plat of Winfield at Silverlake, with the corrections as required by City Engineer, along with the variance as requested.

**Corrections required:**

- 1.) General Note 4 on plat to read "from within 2 miles of the city limits" as opposed to "from within 5 miles of the city limits".
- 2.) General Note 8 on plat to read "shall not be erected in or across a drainage easement".

**Motion Passed 6-0.**

**C. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Lakepoint, Section 2 at Silverlake.**

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

Thomas Stroh, Jones & Carter Engineering, was present representing Silverlake Development.

City Engineer recommended acceptance of preliminary plat as submitted with the corrections specified.

Commissioner Randy Patro made a motion, seconded by Commissioner Marshall Eggers, to approve the Preliminary Plat of Lakepoint, Section 2 at Silverlake, with the corrections as required by City Engineer, along with the variance as requested.

**Corrections required:**

- 1.) General Note 4 on plat to read “from within 2 miles of the city limits” as opposed to “from within 5 miles of the city limits”.
- 2.) Note 9 on plat to read “shall not be erected in or across a drainage easement”.
- 3.) Need to provide turn data for Elsbury Lane and Abbywood Drive to define geometrically the point of change from public street to private drive.

**Motion passed 6-0.**

**D. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Ashford Cove at Silverlake.**

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

Thomas Stroh, Jones & Carter Engineering, was present representing Silverlake Development.

City Engineer recommended acceptance of final plat as submitted with the corrections specified.

Commissioner Randy Patro made a motion, seconded by Commissioner Marshall Eggers, to approve the Final Plat of Ashford Cove at Silverlake, with the corrections as required by City Engineer, along with the variance as requested.

**Corrections required:**

- 1.) General Note 4 on plat to read “from within 2 miles of the city limits” as opposed to “from within 5 miles of the city limits”.
- 2.) General Note 9 on plat to read “shall not be erected in or across a drainage easement”.
- 3.) Lenders signatures need to be listed on plat.

**Motion passed 6-0.**

**E. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Pine Hollow, Section 1-B.**

Renee’ West was present representing West Development.

Chairman Pat Lopez questioned who would be in charge of maintaining the pipeline easement. Renee’ stated that when the subdivision is complete, it is the responsibility of the Homeowner’s Association to maintain the easement. She indicated that the pipeline company periodically mows the easement, generally once a quarter.

Commissioner Peggy Mayfield-Royer asked where Pine Chase Drive will lead to. Renee’ stated that there is a 23 acre tract from Dixie Farm Road back to Rustic Lane that she will be developing in the near future.

City Engineer recommended acceptance of final plat as submitted with the corrections specified.

Vice Chairman Emil Beltz made a motion, seconded by Commissioner Peggy Mayfield-Royer, to approve the Final Plat of Pine Hollow, Section 1-B, with the corrections as required by City Engineer, along with the variance as requested.

**Corrections required:**

- 1.) Bench mark adjustment date on plat changed from 1973 to 1978.
- 2.) Designate reserves A and B on the plat. Reserve A to be around the perimeter of subdivision while Reserve B will be the reserve at the lower left section of plat.
- 3.) Change reserve calculation in Title Block of final plat.

**Motion passed 6-0.**

**F. CONSIDERATION AND POSSIBLE ACTION - Commission recommendation to City Council concerning provisions in the Land Use and Urban Development Ordinance regulating signs in the form of banners.**

As a follow up from the March 4, 1996 meeting, Richard Burdine proposed to the Commission that Section 22.11 (11) of the Land Use and Urban Development Ordinance be amended to allow on-site banners without a permit. 40 square feet of banner area would be allowed for businesses with up to 75 feet of building frontage. If the building frontage exceeds 75 feet, an additional 40 square feet of banner area would be allowed.

Robert Buchanan of First Impressions Sign Company was present to answer any questions by the Commission.

Discussion concerned location of banners. Commissioner Peggy Mayfield-Royer had concerns about banners being placed between trees, across landscaping, etc. Richard Burdine suggested restricting the placement of banners to the building or an existing sign.

Commissioner Randy Patro questioned if the City could regulate the appearance of banners. Richard Burdine indicated that there could be a stipulation in the ordinance to keep banners in good repair.

Commissioner Peggy Mayfield-Royer made a motion, seconded by Vice Chairman Emil Beltz for Richard Burdine to recommend to City Council the following provisions to Section 22.11 (11) of the Land Use and Urban Development Ordinance:

- 1.) On-site banners without permit to be allowed with 40 square feet of banner area for businesses with up to 75 feet of building frontage. If the building frontage exceeds 75 feet, an additional 40 square feet of banner area would be allowed.
- 2.) Placement of banners to be securely attached to building structure or existing sign.
- 3.) Banners to be kept in good repair at all times.

**Motion passed 5-1.**

**IV. NEXT MEETING DATE:** Monday, March 25, 1996;  
Joint Public Hearing

**V. ADJOURNED:** 8:00 p.m.

Minutes approved as submitted this 25<sup>th</sup> day of March  
A.D., 1996.

  
\_\_\_\_\_  
Pat Lopez, Chairman  
Emil Beltz, Vice Chairmen

ATTEST:

  
\_\_\_\_\_  
Karla Canada, Secretary

March 18, 1996

MEMBERS OF THE PLANNING AND ZONING COMMISSION  
(3 YEAR TERM)

L to R

4 PALCON  
Pat Lopez, Chairman  
3209 Dixie Farm Road  
Pearland, Texas 77581

yes

for 482-2730  
Term Expires: April, 1998  
Home Phone: 482-1142  
Office Phone: 482-4386  
mobile 882-1689  
wife's handheld 249-7397

5 Emil A. Beltz, Vice-Chairman  
2434 Killarney  
Pearland, Texas 77581

yes

Term Expires: April, 1998  
Home Phone: 481-4627

7 Jeffery O'Brien  
3010 Country Club Drive  
Pearland, Texas 77581

no

Term Expires: April, 1998  
Home Phone: 485-1339  
Office Phone: ~~938-6281~~ (951-8149)  
~~928-6281~~ (pager)  
~~329-304~~

3 Peggy Mayfield-Royer  
2119 N. Austin  
Pearland, Texas 77588  
~~delivers her photo: 6069 W. Broadway~~

yes

Term Expires: April, 1996  
Home Phone: 485-3038  
Office Phone: 485-9522

2 Rob Larsen  
5008 Frances  
Pearland, Texas 77581

yes

Term Expires: April, 1996  
Home Phone: 485-1571  
Office Phone: ~~282-4436~~ 212-2267  
73

6 Marshall Eggers  
~~3418 E. Orange~~ 2446 N. Washington  
Pearland, Texas 77581

yes

Term Expires: April, 1997  
Home Phone: 485-7806 also box  
Office Phone: pager (anywhere in TX) 902-6481

1 Randy Patro  
2301 Peach Court  
Pearland, TX 77581

yes

Term Expires: April, 1998  
Home Phone: 997-2329  
Office Phone: 784-4414

also: get photo

Jeff O'Brien - yes  
Pat Lopez - ~~message~~ office  
Emil Beltz - yes  
Peggy - yes  
Rob Larsen - ~~message~~ yes  
Marshall - yes  
Randy - ~~message~~

quant photo  
and but let  
something big  
up. no photo  
per T.J.  
8-15-95

1. Be accepted as presented
2. reported, noted, stated
3. now complete; therefore,
4. ; however,
5. It was suggested



March 8, 1996

Planning and Zoning Commission  
City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77581

Reference: Southwyck Eight Ltd.  
Southwyck Section Eight  
FSI JO 94014-85

Dear Members:

On behalf of Southwyck Eight Ltd., we hereby request a variance on the following items for Southwyck Section Eight, Phase Two:

1. A 20 foot front building line on cul-de-sac and thumbnail lots.
2. A 5 foot side lot setback.

The request is based on the following considerations:

**Twenty Foot Building Line on Cul-de-sac and Thumbnail Lots**

1. Lots that front on a cul-de-sac or thumbnail will have a greater distance between houses than the 100 foot (50' + 25' + 25') that occurs on the typical 50 foot right-of-way with a 25 foot building line on both sides. With a 20 foot building line, the separation between houses on a cul-de-sac will be 140 feet (100 + 20 + 20). There will not be the appearance from across the street of the houses being crowded.
2. The 20 foot building line outside the right-of-way provides adequate space to park a car without blocking the sidewalk.
3. Cul-de-sacs typically crowd the depth available for building a house. A 20 foot building line provides more space toward the front of the lot to fit a house and provide a back yard.
4. All previous sections of Southwyck Subdivision have requested and used the 20 foot front building line.



**Five Foot Side Building Setback**

1. All previous sections of Southwyck Subdivision have been developed with the five foot side building setback. This side setback along with the developer deed restrictions has provided for uniform development so that the houses do not appear crowded.

Based on these considerations, we request the variance request be approved.

Sincerely,

Steven P. Gardner, P.E.  
Project Manager

cc: Alan Bauer

B:\VARIENCE



**JONES & CARTER, INC.**

*Consulting Engineers*

6335 Gulfton, Suite 200  
Houston, Texas 77081-1169

713/777-5337  
Fax 713/777-5976

March 6, 1996

Planning and Zoning Commission  
The City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77581

Re: Variance Request  
**Lakepointe Sec. 2 at Silverlake**

Dear Members:

On behalf of New Southwyck, L.P., we hereby request a variance to Section 27-4 (D)(1)(a) of the Subdivision Ordinance on the following items within Lakepointe Sec. 2 at Silverlake:

1. Use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5-foot side lot building line setbacks.

Our request is based on the following considerations:

20-foot building line setbacks on cul-de-sacs

1. Lots fronting a cul-de-sac will have a greater distance between houses than lots on a standard 50-foot ROW street.
2. A 20-foot building line setback provides adequate space for a car in a driveway without blocking the sidewalk.
3. A 20-foot building line setback will allow the cul-de-sac lot size to be closer to the standard lot size in a section.

5-foot side lot building line setback

1. The 5-foot side lot building line setback with a 10-foot separation between structures is in accordance with the approved Master Preliminary Plat of the Southwyck/Silverlake development.

Should you have any questions or require additional information, please contact me at 777-5337.

Sincerely,

Catherine Garza



**JONES & CARTER, INC.**

*Consulting Engineers*

6335 Gulfton, Suite 200  
Houston, Texas 77081-1169

713/777-5337  
Fax 713/777-5976

March 6, 1996

Planning and Zoning Commission  
The City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77581

Re: Variance Request  
**Winfield at Silverlake**

Dear Members:

On behalf of New Southwyck, L.P., we hereby request a variance to Section 27-4 (D)(1)(a) of the Subdivision Ordinance on the following items within Winfield at Silverlake:

1. Use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5-foot side lot building line setbacks.

Our request is based on the following considerations:

20-foot building line setbacks on cul-de-sacs

1. Lots fronting a cul-de-sac will have a greater distance between houses than lots on a standard 50-foot ROW street.
2. A 20-foot building line setback provides adequate space for a car in a driveway without blocking the sidewalk.
3. A 20-foot building line setback will allow the cul-de-sac lot size to be closer to the standard lot size in a section.

5-foot side lot building line setback

1. The 5-foot side lot building line setback with a 10-foot separation between structures is in accordance with the approved Master Preliminary Plat of the Southwyck/Silverlake development.

Should you have any questions or require additional information, please contact me at 777-5337.

Sincerely,

Catherine Garza

3-18-96

A. Steve Gardner / Ferro Sayers Eng.)

Hargrove - Staff recommends acceptance  
w/ exception of 2 blocks of dedication  
with file <sup>records</sup> #'s. 8' up. in lower left hand  
S. Gardner states he will take  
care of.

B. Thomas Stroh Jones & Carter Eng. for  
Tom Wilcox / Silver Lake Nev.

JWH \* Note 4 & Note 8

Accept. as presented  
with  
Correction Within 2 miles of the city limits  
~~are~~ shall not be erected in or  
across a drainage

~~Donald Phillips~~

C. Thomas Stroh / J+C Eng.

Recommends acceptance as

General  
note  
4 and 9  
same as  
above

On final plat need to provide  
turn data Elskury & Abkey to define  
Metric?

Peggy Private Street will there be any  
gate or entrance access ~~to~~ for Emergency  
JWH ~~to~~ vehicles? General agreement that  
access could be made along  
back through golf course

D. Thomas Stroh J+C

JWH Address Items <sup>Notes</sup> 5 and 9 (same  
as above)  
Stoff acceptance  
Enders  
No ~~data~~ - Signatures

Thomas  
Stroh Owner Secured / Wednesday  
Attorney & Eng. will hold off  
on signing until done so.

2<sup>nd</sup> Access taken care of in  
prior development meeting.

Palro: <sup>What is</sup> Remote Water well?

Stroh: Regional Water Supply - main  
well & waterwell to pump from  
that to other water well?

Total 3 water ~~plants~~ <sup>plants</sup> & 6 water wells.

# E. Renee West / West Development

JWH

Lopez Who will maintain the pipeline easement

West Homeowners Association Pipeline Company is ~~to~~ required to up keep usually on such a quarter.

Peggy West Pine Chase Dr. where will it go? 23 acre tract that will go from Dixie Farm Rd to Rustic Oaks to build more homes. develop &

JWH Bench mark to 1973 Adj. Should be 1978 adj. (note on bottom)

Block 3 lot 7, lot line that is 33' off boundary - why not calling it a reserve? Needs to be designated as a reserve. She will note in on next plat they are preparing now.

Recommend as presented will designate reserves A & B A will be around perimeter of subd

B will be the lower left section.

And make ~~note~~ <sup>reserve</sup> calculation change  
on description on final Plat  
title block

F. Asked

RB Robert Buchanan / 1<sup>st</sup> Impressions  
to be present for any questions

Last ~~time~~ meeting addressed  $\frac{1}{2}$   $\$$   
~~per~~ per frontage - disregard this

Total square footage no more  
than  $40 \text{ } \$$  up to 75' frontage.

$40 \text{ } \$$  up to 75' frontage - over + above 75' ~~frontage~~  
frontage can have an additional  $40 \text{ } \$$   
~~to 30 linear square feet.~~

Discussion was made regarding  
location of banners (i.e.; across  
landscaping, trees, etc.)

Suggest restricting it to attaching  
to building

Robert  
Buch.

Standard banner is 4' x 10'  
They need length to be able to fit

nice size lettering to fit on banner.

12" - 15" letter to be read well from distance of 200' from road. ~~That~~ The reason most businesses would prefer to ~~put~~ attach sign to other structures closer to the road.

~~to~~ securely  
RB Attached to existing signs or building structure.

Patro how can you keep the banners looking nice.

RB Can stipulate in Ordinance to keep sign in good repair.

~~P~~ Peggy make motion to recommend to City Council - - - - (On site signage)

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MARCH 18, 1996, AT 7:00 PM, IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES:** Minutes of March 4, 1996

**III. NEW BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Southwyck, Section Eight, Phase Two, A Subdivision of 16.4597 acres of land within the George C. Smith Survey, Section 22, Abstract 548, Brazoria County, Texas, containing 16.4597 acres, 4 Blocks and 78 Lots.

**Variance Requests:**

- 1.) Variance requesting a 20-foot building line on cul-de-sac and thumbnail lots.
- 2.) Variance requesting a 5-foot side lot setback.

- B. CONSIDERATION AND POSSIBLE ACTION** - Preliminary Plat of Winfield at Silverlake, A Subdivision of 24.9232 acres of land out of the G. C. Smith Survey, Abstract No. 548, Brazoria County, Texas containing 7 Reserves (10.7683 Acres) and 3 Blocks.

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

- C. CONSIDERATION AND POSSIBLE ACTION** - Preliminary Plat of Lakepoint, Section 2 at Silverlake, A Subdivision of 20.1472 Acres of land out of the H.T. & B.R.R. Survey, Abstract No. 309 and the G.C. Smith Survey, Abstract No. 548, Brazoria County, Texas, containing 2 Reserves (0.5695 Acres) and 3 Blocks.

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

**D. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Ashford Cove at Silverlake, A Subdivision of 48.0888 Acres of land out of the C.G. Smith Survey, Abstract No. 548, Brazoria County, Texas, containing 6 Reserves (21.319 Acres) and 3 Blocks

**Variance Requests:**

- 1.) Variance requesting use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
- 2.) Variance requesting use of 5-foot side lot building line setbacks.

**E. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Pine Hollow, Section 1-B, A Subdivision of 12.7496 Acres and a partial replat of a portion of Lot 35, and Lots 36, 37, and 38, of the George W. Jenkins Subdivision as recorded in Volume 2, Page 20 of the Brazoria County Deed Records, Located in the Perry and Austin League, A-111, City of Pearland, Brazoria County, Texas, containing 38 Lots, 5 Blocks and 1 Reserve (1.4491 Acres)

**F. CONSIDERATION AND POSSIBLE ACTION** - Commission recommendation to City Council concerning provisions in the Land Use and Urban Development Ordinance regulating signs in the form of banners

**V. NEXT MEETING DATE:** Monday, March 25, 1996; 7:00 p.m.  
Joint Public Hearing

**VI. ADJOURNMENT**

Posted: 15<sup>th</sup> Day of March, A.D., 1996, 10:15 A.M./P.M.  
Removed: 22<sup>nd</sup> Day of March, A.D., 1996