

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND HELD ON MONDAY, NOVEMBER 1, 1999 IMMEDIATELY FOLLOWING THE PUBLIC HEARING IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 7:22 P.M. with the following present:

Chairperson	Mary Starr
Vice-Chairman	Tommy Scott
Commissioner	Emil Beltz
Commissioner	Donald Glenn
Commissioner	Todd Iocco
City Engineer	John W. Hargrove
Director of Community Development & Services	Gene Tumlinson
Planning & Zoning Secretary	Jennifer Gonzales

II. APPROVAL OF MINUTES

Commissioner Beltz made a motion to approve the October 18, 1999 minutes, and Vice-Chairman Scott seconded the motion.

Motion passed 5 to 0.

III. NEW BUSINESS

Chairperson Mary Starr made a decision to start with agenda items E and H due to the number of people in attendance regarding the replatting of the Weatherford Subdivision.

E. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Weatherford Phase 3 at Silverlake, a subdivision of 23.0546 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Commissioner Beltz asked how this section of Weatherford ties into the other section that is being replatted.

City Engineer Hargrove answered that the west-end of Hidden Mist Court goes into Weatherford II.

Vice-Chairman Scott asked if there were any other alternatives other than the requested extension, and City Engineer Hargrove stated that Hidden Mist Court could be turned into a cul-de-sac.

Commissioner Iocco asked how the city feels about this situation.

Mr. Hargrove then stated that the subdivision ordinance advocates the connection for circulation. He then stated that they have no objection to the extension of the road or a cul-de-sac.

Commissioner Iocco then stated that he thought a cul-de-sac was used for streets that have been left at a dead end, and Mr. Hargrove answered that he is correct.

Vice-Chairman Scott then expressed concern that they were making decisions on pieces of property without the vicinity of the master plan.

Developer Tom Wilcox asked to address the Commissioners and Chairman Starr stated that he could speak.

Mr. Wilcox presented a map to the Commissioners and explained that they did not own the property where the extension would take place until this past year. He then stated that it was never identified in the original development plans because they did not own the property then. He then stated that he does not have a problem with the cul-de-sac. He pointed out that when they went for a public hearing at Brazoria County they had engineering studies done on the right of way. He then stated that a cul-de-sac would work if the Commissioners would allow for a 60' right of way. He then stated that there would be two stop signs on the extended road. Mr. Wilcox then clarified that he as the developer never wrote or stated that the garages would be detached. That's between the builder and the residence. The developer is only responsible for the square footage of the subdivision and the price range of the homes.

Vice-Chairman Scott pointed out that there is no variance request letter for the 5' side yard setbacks, and he stated that note 14 does refer to 10' aggregate sideyards.

Commissioner Beltz made a motion to table the Preliminary Plat of Weatherford Phase 3 until they turn in a complete submittal. There was no second.

Vice-Chairman Scott made a motion to deny the Preliminary Plat of Weatherford Phase 3 due to the fact there was no variance request letter, and Commissioner Iocco seconded the motion.

Vice-Chairman Scott then stated that he is highly against the 10' aggregate sideyards.

Commissioner Iocco suggested to the developer that it would be a good idea to consider the cul-de-sac alternative.

City Engineer stated that he has other comments and listed them as:

1. The city limits needs to be updated on the vicinity map.
2. The date on the title block needs to be updated.
3. Note 19 needs to be rephrased.
4. The name "Hidden Mist Court" must be changed from "Court" to something else because it is not a cul-de-sac.

5. There needs to be recording information for the lift-station.

Chairman Starr called for a vote.

Motion to deny passed 5 to 0.

**H. CONSIDERATION & POSSIBLE ACTION – The purpose of this replat is to convert a residential lot to a public R.O.W– Final Replat of Lots 24, 25, and 26, Block 1, a tract of 0.5372 acres of land being a Replat of Weatherford Phase II at Silverlake, a subdivision of 12.5102 acres of land out of the R.B. Lyle Survey, A-539, Brazoria County, Texas.
(Approved by P&Z on April 5, 1999 – brought back for a Public Hearing per request of Darrin Coker, City Attorney)**

City Engineer stated that the map from the public hearing shows the three shaded lots (lots 24, 25, and 26) that will be replatted to put in the extended road.

Chairperson Starr asked what would happen if they deny this plat, and City Attorney Darrin Coker stated that the developer does have a recorded plat and he does not have an answer for that question at this time because there are several legal matters.

City Engineer stated that since Item E was denied, it makes this a moot point for the time being.

Commissioner Iocco made a motion to table item H, and Vice-chairman Scott seconded the motion.

Motion to table passed 5 to 0.

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 831

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Light Industrial District (M-1) on the following described property, to wit:

Legal Description Being 23.69 acres of land, out of a 43.3143 acre tract, F.B. Drake Survey, A-1181, Harris Co., TX (2900 Fellows Road)

**Owner Turbo Care
5710 Ransom Street
Houston, TX 77087**

Commissioner Emil Beltz made a motion to forward zoning application no. 831 to City Council for approval, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 821

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Legal Description Being approximately 10 acres, a.k.a., Lot 34, Allison Richey Gulf Coast Home Co. Survey, A-304, recorded in Vol. 2, pg 107, plat records of Brazoria Co., TX (Miller Ranch Road)

Owner The Ritson Morris Corporation
2621 Joanel Street
Houston, TX 77027

Agent John N. Taylor
2709 Lighthouse Drive
Houston, TX 77058

Vice-Chairman Scott made a motion to forward zoning application no. 821 to City Council for approval, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

C. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NOS. 761, 822, 823, 826.

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Single Family Dwelling District (R-1) on the following described properties to wit:

1. Zoning Application No. 761

Legal Description Lot 1, Block 2, Masuda subdivision, according to the plat recorded in Vol. 19, pgs 37-38, of the plat records of Brazoria Co., TX (7021 W. Cliff Stone Road)

Owner Alf & Kathy Shatto
7021 West Cliff Stone Road
Pearland, TX 77581

2. Zoning Application No. 822

Legal Description Lot 2, a 1.0101 acre tract, and Lot 3, a 1.0101 acre tract, of Bethel Subdivision, Section 2, out of Lots 39, 40, 55 & 56, Allison Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. Survey, A-243, deed records of Brazoria Co., TX (1033 Lee Road)

Owner Timothy & Dale Nguyen
1033 Lee Road
Pearland, TX 77581

3. Zoning Application No. 823

Legal Description A 1.0101 acre tract, known as Lot 4, Bethel Subdivision, Section 2, Allison Richey Gulf Coast Home Co. Subdivision, Section 19, H. T. & B. R.R. Co. Survey, A-243, Brazoria Co., TX (Lee Road)

Owner William & Sandra Bailey
13607 Broken Bridge Drive
Houston, TX 77085-1327

4. Zoning Application No. 826

Legal Description Lot 9, Block 1, Hickory Place Subdivision, H. T. & B. R.R. Co. Survey, A-310 (Bryan Court)

Owner Will York
12531 Sorsby
Houston, TX

Vice-Chairman Scott made a motion to forward zoning application no. 761, 822, 823, & 826 to City Council for approval, and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

D. CONSIDERATION & POSSIBLE ACTION – Final Plat of Garden Gate Section One, 4.891 acres, being a partial replat of reserves “A” and “F”, & lot 9, block 1 of replat of Final Plat of Audubon Place, Section One, Vol. 20, pg. 195-196 B.C.P.R., and being out of lot 8 of the southeast one-quarter of the northwest one-quarter, H.T.&B. R.R. Co. survey, section 14, A-509, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval as submitted.

Vice-Chairman Scott made a motion to approve the Final Plat of Garden Gate Section One, and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

F. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Autumn Lake Section One, a subdivision of 79.6121 acres of located in the H.T.&B. R.R. Co. Survey, Abstract 304 Brazoria County, Texas.

Variance Request:

- 1. For Block 2 to be longer than 1,200 ft. because of the layout dictated by the configuration of the land in Section One.**
- 2. For Blocks 3, 5, 6, 8, & 9 to be less than 300 ft. due to the configuration of the lots West of Harrison Drive in Section One.**

City Engineer Hargrove stated that he is baffled by the variance requests.

The developer Jack Beard stated that he has made a request remove the variance request letter from the submittal.

City Engineer Hargrove stated that he has comments for the final plat.

1. Some of the lots at the property line are 60', and some are 57' and he needs to see calculations showing that they are 60' at the building line.
2. For the record there is no water and sewer available at the time and when the water will be available through FM 518, the developer will be responsible for the connection.
3. Reserve H and Reserve J need to read "2' Fence Reserve".
4. The vicinity map needs to be rotated to where North is up.

Mr. Hargrove then stated that he has comments for sheet 2 and listed them as:

1. He will continue to request a 20' lake maintenance strip on the final plat and he stated that he does not like 15'.
2. He will need a letter from the Brazoria Drainage District #4 allowing the Hickory Slough R.O.W. widths shown.

Mr. Beard stated the BDD#4 has approved the widths and it is documented in the minutes.

Vice-Chairman Scott made a motion to approve the Preliminary Plat of Autumn Lake Section One, with the requirements made by the City Engineer, and Commissioner Glenn seconded the motion.

Motion to approve passed 5 to 0.

G. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Lakeside Estates Section One, a subdivision of 44.0735 acres of land being a part of lots 10, 11, 12, 35, 36, and 37 of the Allison Richey Gulf Coast Home

Company Subdivision of Section 10 out of the H.T.&B R.R. Company survey, A-505 as recorded in Volume 406, page 635 of B.C.D.R., Brazoria County, Texas.

Mr. Hargrove stated that staff recommends approval with the following comments for the final plat:

1. The vicinity map needs to show the correct city limits.
2. Notes 14 and 15 need to be added.
3. They need to add HL&P easements.
4. They need approval from the Brazoria Drainage District #4.

Mr. Hargrove then suggested that the developer might want to reconsider the lot layouts. He then pointed out that a fourth cul-de-sac would be cheaper to build.

The current layout requires two more street lights and they lose four lots.

Commissioner Iocco made a motion to approve the Preliminary Plat of Lakeside Estates Section One, with the comments for the final plat outlined by the City Engineer, and Commissioner Glenn seconded the motion.

Motion to approve passed 5 to 0.

- I. CONSIDERATION & POSSIBLE ACTION – Partial Replat of Hickory Place Subdivision Lot 9, Block 1, a tract or parcel of land containing 0.904 acres out of lot 9 of Hickory Place Subdivision, recorded in volume 18, page 333 and 334 of the plat records of Brazoria County, Texas, situated in section 1 of the H.T.&B.B. R.R. Co. Survey, Abstract 310, Brazoria County, Texas.**

City Engineer Hargrove stated that it was decided that this replat does not need to go before a public hearing. He then stated that the owner is in the process of changing the zoning from SD to R-1 and is application no. 826 in which they recommended to City Council for approval as Agenda Item C.

Commissioner Glenn made a motion to approve the Replat of Hickory Place Subdivision Lot 9, Block 1 contingent upon approval of the zoning application, and Vice-Chairman Scott seconded the motion.

Motion to approve passed 5 to 0.

- J. CONSIDERATION & POSSIBLE ACTION - Partial Replat of Audubon Place, Section One, 1.4686 acres, being all of lots 4 & 5, Block 2, and reserve "G", of the replat of Final Plat Audubon Place, Section One, Vol 20, pg 195-196, B.C.P.R., H.T.&B. R.R. Co. Survey, A-509, Brazoria County, Texas.**

City Engineer Hargrove stated that this does not require a public hearing because the developer owns all the property within 200 feet of the area. He then stated that this plat was originally platted as with lots 2 and 3 as one lot and lots 1 and 4 as one lot.

Vice-Chairman Scott made a motion to approve the Replat of Audubon Place Section One, and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

K. CONSIDERATION & POSSIBLE ACTION – Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (George V. Johnson)

City Engineer Hargrove explained to the Commissioners that since they have been annexing they have been creating a lot of hardships. He stated that there are several people who owned 5 to 10 acres of land and they have split off some of the acreage over the years and now that they have been annexed they are required to go through the platting process at no fault of their own. He has worked with City Attorney Darrin Coker to come up with this variance request from the subdivision ordinance as a way for them not to have to go through the whole platting process for a lot that has already been created by legal description subdivision.

Vice-Chairman Scott made a motion to approve the variance request for George V. Johnson, and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

L. CONSIDERATION & POSSIBLE ACTION - Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (Suzanne P. Spoon)

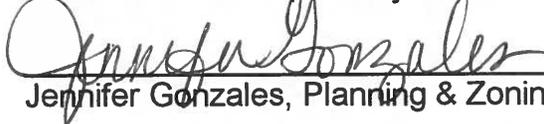
Commissioner Iocco made a motion to approve the variance request for Suzanne P. Spoon, and Vice-Chairman Scott seconded the motion.

Motion to approve passed 5 to 0.

IV. ADJOURNMENT

The meeting adjourned at 8:25 P.M.

These minutes respectfully submitted by:


Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 16 day of November, 1999.


Mary Starr, Planning & Zoning Chairperson

GEORGE V. JOHNSON

Rt. 4, Box 2718
Trinity, Texas 75862
409-594-8103

October 20, 1999

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

Re: Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on Platted lots

Gentlemen:

The 0.4537 Acre Lot a variance is requested on is part of a 2.5738 acre tract of land in the H.T. & B. R.R. Co. survey, Abstract 219, Brazoria County, Texas that my wife and I purchased in 1967 and built our home on in 1971.

In 1978 we conveyed 0.4537 Acre to our son James A. Johnson for construction of his home. The remaining 2.1201 acres was surveyed May 13, 1992, and we sold our residence situated on 0.4832 acre to Bill & Joyce Ellis on May 19, 1992. On September 27, 1996 we sold 1.1832 acres to Tammy A. Jordan, leaving 0.4537 of an acre out of the original tract. Please see survey attached.

Our real estate agent has a prospective buyer who wishes to build his home on this lot that is located between two brick homes with 92 Ft. of street frontage, however he has been informed by the City a building permit could be obtained only on platted lots. To plat this small lot would be very cost prohibitive.

I would appreciate this matter being put on the City Council's agenda and notifying me of the time and place of the meeting so that I may attend in order to answer any questions there may be concerning this property.

Thank you in advance for your attention to this matter.

Respectfully,

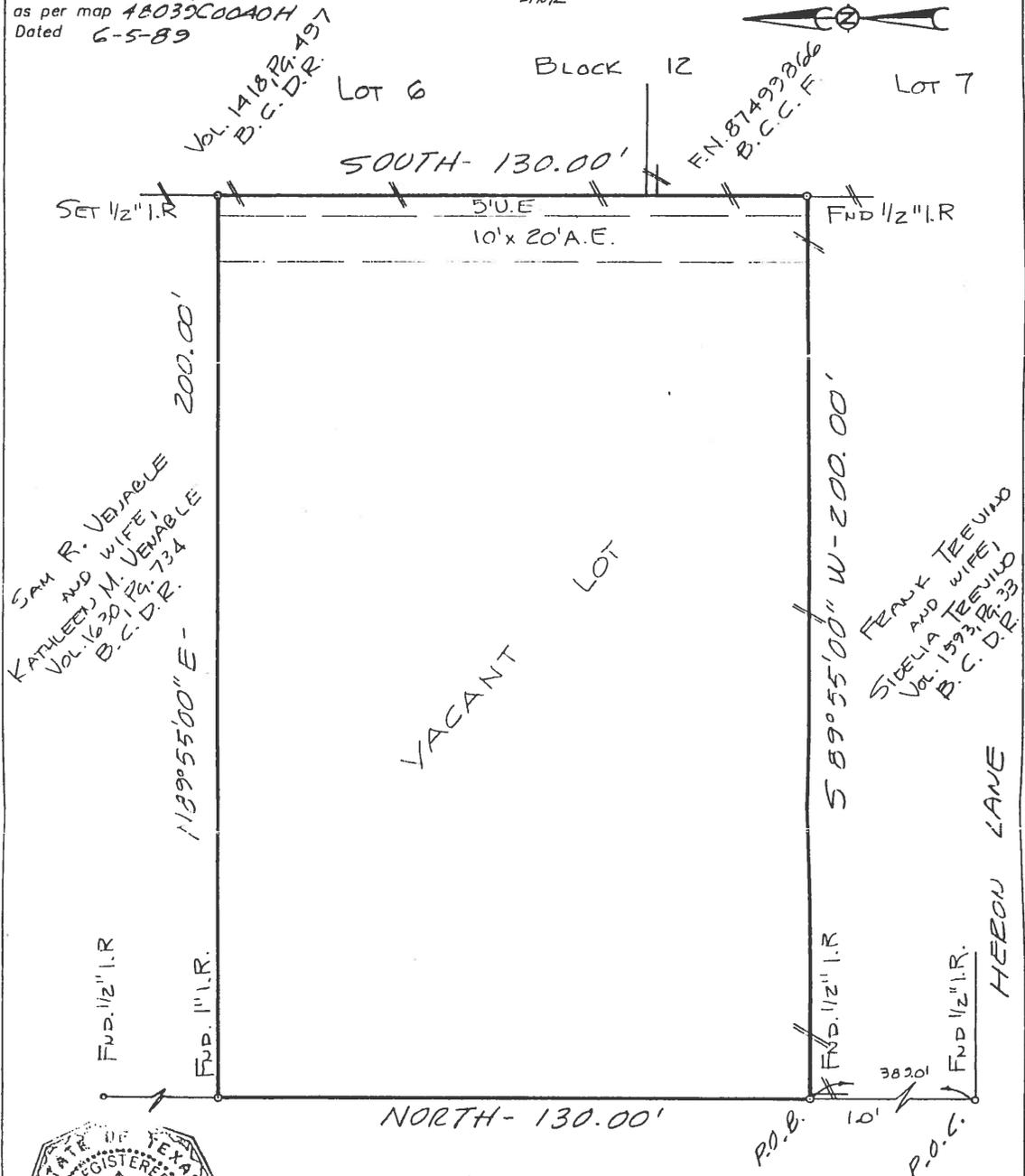


George V. Johnson

This property appears to be out of the 100 year flood plain, & is in insurance rate map zone X, as per map 48039C0040H Dated 6-5-89

Scale: 1" = 30'

Note: All fences are 1/2" CHAIN unless otherwise noted. LINK



F.M. 1128
VOL. 276, Pg. 394
B.C.D.R.

I hereby certify that this survey was made on the ground under my supervision on FEB. 15, 1999 and that this plat represents the facts found at the time of the survey. (DESCRIPTION ATTACHED)
Charles Brandt 2-16-99
Charles O. Brandt R.P.L.S. No. 4344 Date

Note: WEST R.O.W.
- Basis for Bearings: F.M. 1128
- Distances shown are ground distances
- All abstracting done by title company
- PIPELINE ESM.T. VOL. 414, Pg. 386;
VOL. 412, Pg. 259 & Vol. 881, Pg. 10, B.C.D.R. (Does Not Affect THE PROPERTY PER PLAT)

Inherent inaccuracies of FEMA or flood control maps preclude a surveyor from certifying to accuracies of locations based on such maps

LOT: *4	BLOCK: 12	SUBDIVISION: WEST LEA SUBDIVISION	SECTION: 3
RECORDATION: VOLUME 12, PAGE 23 PLAT RECORDS		COUNTY: BRAZORIA	STATE: TEXAS
ADDRESS: F.M. 1128		CITY: PEARLAND	LENDER:
PURCHASER: SUZANNE P. SPOON		TITLE COMPANY: TEXAS GULF TITLE, INC.	G.F. # 38-900082

* OUT OF COMMERCIAL RESERVE

GULLETT & ASSOCIATES, INC.
P.O. BOX 230187
HOUSTON, TEXAS 77223
(713) 644-3219 • FAX (713) 644-4945

DRAWN BY: wk
DRAWING NO.: 99021205

809200

The McKinley Company, Inc.

METES AND BOUNDS DESCRIPTION OF 19,761.6 SQ. FT. OR 0.4537 ACRE -

A TRACT OR PARCEL OF LAND CONTAINING 19,761.6 SQ. FT. OR 0.4537 ACRE OUT OF AND A PART OF A CERTAIN 2.5738 ACRE TRACT CONVEYED TO GEORGE V. JOHNSON, ET UX IN INSTRUMENT RECORDED IN VOLUME 306, PAGE 379 OF THE BRAZORIA COUNTY DEED RECORDS OUT OF THE SOUTH 1/2 OF LOT 25 OF ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION IN SECTION 7, ABSTRACT 219, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 23 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 0.4537 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT;

Commencing at a point marking the Northeast corner of said South 1/2 of Lot 25 being located within the right-of-way of Oday Road County Road No. 103;

Thence West with the North line of the South 1/2 of said Lot 25 a distance of 337.95 ft. to a 5/8 inch iron rod marking the Northeast corner and PLACE OF BEGINNING of the herein described 0.4537 acre tract;

THENCE South 0 degrees 07 minutes 22 seconds West with the West line of a 0.4832 acre tract passing a 5/8 inch iron rod for reference in the North right-of-way line of a 30.00 ft. public road at 199.80 ft. a distance of 214.80 ft. to a point marking the Southeast corner of the herein described tract in the center line of a 30.00 ft. public road;

THENCE West with the center line of said Public Road a distance of 92.00 ft. to a point at the Southwest corner marking the Southeast corner of another 0.4537 acre tract conveyed to James Johnson;

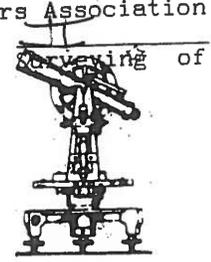
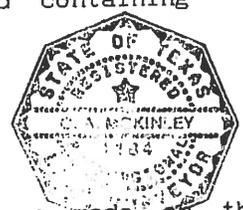
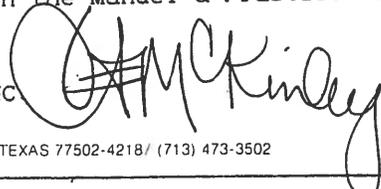
THENCE North 0 degrees 07 minutes 22 seconds East with the East line of said James Johnson tract passing a 1/2 inch iron rod for reference at 15.00 ft. in all a total distance of 214.80 ft. to a 1/2 inch iron rod at the Northwest corner being in the North line of said South 1/2 of said Lot 25 and in the North line of said George Johnson 2.5738 acre tract;

THENCE East with the North line of said 2.5738 acre tract a distance of 92.00 ft. to the PLACE OF BEGINNING and containing 0.4537 acre.

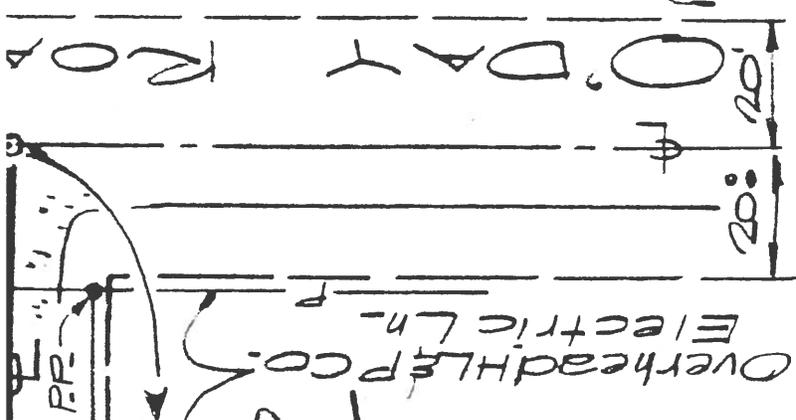
SURVEYOR'S DECLARATION

I hereby declare that this true and accurate survey made on the ground by me, or under my supervision on May 13, 1992 correctly shows the relation of the buildings and other structures to the property lines of land indicated hereon, and that there are no encroachments or overlaps onto adjoining property of property covered by this survey, or of adjoining buildings or structures on said land, except as shown, noted, or described on the survey. This survey is subject to any easements not visible on the ground, and has access to, and from, a dedicated roadway according to the current Texas Surveyors Association Standards & Specifications for a category 1A, Condition Survey, as described in the Manual & Practice of Land Surveying of Texas, 1986.

THE MCKINLEY COMPANY, INC



NOTES
(1) Tract in Zone
Not in 100yr. F
Plain Per FIRM
N: 48039C-003C



LICO P ROAD
52195

SO. F.T. OR 0.1744 AC.
RD. R/W 250' 5/8
OF T HOME 20' 1/8
1/8 SEC. 7 P/R 1/8
2, PG. 23 P/R 1/8

BOUNDARY LAND TITLE

SUBURBY EY
0.4537 AC. 0-4832 AC. 1-1832 AC. IN 2.5738 AC.
1/2 OF LOT 25 OF ALLISON RICHEY GULF COAST HOME
RD IN SEC. 7, H.T. & B.R. CO. SURVEY, A.B. ST. 2
BRAZORIA COUNTY, TEXA
MAP RECORDED IN VOL. 2, PG. 23 OF BRAZORIA CNTY. PLAT RE
DATE: MAY 13, 1992, SCALE: 1 INCH = 3
OWNER:

Suzanne P. SPOON
10221 Manselman
MANVEL, TX 77578

October 21, 1999

RE: Lot 4 Block 12 Section 3
Commercial Reserve of WEST
LEA Subdivision

PLANNING AND ZONING COMMISSION
3519 Liberty Drive
PEARLAND, TX 77581

To Whom it may concern

For several years I have resided in Manvel but previously I lived in WEST LEA Addition and appreciated said Community. It was a quiet place. the deed restrictions prevented business to be carried out within the Community, keeping strangers from reaming thru, therefore protecting the safety of the residents.

Now I wish very much to return to WEST LEA because ~~there aren't~~ any facilities in Manvel. There are no groceries stores to speak of, no drug stores. I must drive to Pearland or Alvin. My Doctor is in S.E. Houston, so is the Vet and WEST LEA is closer to S.E. Hospital.

I was anxious to move back there for all the above reasons but I found out that things have changed and it may not be as easy as I thought it would be.

I am requesting a Variance from the Subdivision Ordinance that requires me to plat this property. I would appreciate getting on the November 1st Agenda. I sincerely hope that you will give favorable consideration to my request so that my Builder and I can proceed with the building of my home.

As you can see from the enclosed Survey this property is a sub-division of a previously platted Commercial Reserve in WEST LEA subdivision. The Survey also shows the easements on the lot.

Thank you for your time.

Respectfully,

A handwritten signature in cursive script, appearing to read "Suzanne P. Spoon". The signature is written in dark ink on a white background.

October 31, 1999

Pearland Planning and Zoning Commission
City Hall
3519 Liberty Drive
Pearland, Texas

Subject: Replat of Weatherford Phase II at Silverlake

To Whom It May Concern:

The purpose of this letter is to express our opposition against the proposed replat of Lots 24, 25, and 26 of Weatherford Phase II at Silverlake. Unfortunately, we have a prior commitment that does not allow us to express our concerns in person at the public hearing to be held on November 1, 1999.

We currently reside at 3022 Brookview Drive located in Weatherford Phase II. We are concerned that the replat of our neighborhood will jeopardize the safety of the residents. In particular, more traffic will drive through and result in an increased level of noise and chance of our children being harmed.

Respectfully submitted:

Handwritten signatures of Edith and Mark Eby in blue ink. The signature 'Edith Eby' is written above 'Mark Eby'.

Edith and Mark Eby
3022 Brookview Drive
Pearland, Texas 77584

Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Elizabeth + Bruce Brewer

I am a resident at of Weatherford Subdivision in Silverlake. My address is:

2930 Brookview Dr
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

Issues of this thoroughfare that come to mind are:

- The safety of Weatherford children due to excess traffic.
- Enhancing the probability of crime by adding the access to another major thoroughfare, CR90.
- People using Weatherford as an alternate to 518.
- People using Weatherford as a back way to access the new grocery store coming adjacent to the Silverlake Visitor's Center.
- An increase in speeding through Weatherford by non-Weatherford residents.

I understand that Weatherford III can meet the state subdivision code of an ETJ zone by having a split median entrance without connecting to Weatherford II.

I also understand that the Silverlake Development Co. has requested a variance to the ETJ subdivision code to accommodate the street connection of Weatherford III to Foxglove Drive in Weatherford II.

Clearly this need for a variance can be avoided by allowing only the single entrance to Weatherford III at CR90.

The City of Pearland has already approved two single entrance neighborhoods adjacent to Weatherford in Silverlake, Sheldon Cove and Waterbury. Both Sheldon Cove and Waterbury have split median entrances and contain approximately the same number of lots as the proposed Weatherford III.

Please consider my concerns when reviewing and evaluating the plat for Weatherford III. However please only approve the single split median entrance to Weatherford III at CR90.

Sincerely,



Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Gaye Koenning
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2906 Brookview
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

Issues of this thoroughfare that come to mind are:

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Please consider my concerns when reviewing and approving the plat for Weatherford III. Please only approve the single split median entrance to Weatherford III at CR90.

Sincerely,



Date: 7/17/91

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Harold K. Joseph

I am a resident at of Weatherford Subdivision in Silverlake. My address is:

2206 Brookview Dr
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

Issues of this thoroughfare that come to mind are:

- The safety of Weatherford children due to excess traffic.
- Enhancing the probability of crime by adding the access to another major thoroughfare, CR90.
- People using Weatherford as an alternate to 518.
- People using Weatherford as a back way to access the new grocery store coming adjacent to the Silverlake Visitor's Center.
- An increase in speeding through Weatherford by non-Weatherford residents.

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Please consider my concerns when reviewing and evaluating the plat for Weatherford III. However please only approve the single split median entrance to Weatherford III at CR90.

Sincerely,



Date: 7/16/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Ernest E & Comfort Anoma
I am a resident at of Weatherford Subdivision in Silerlake. My address is:
2438 Weatherford Dr
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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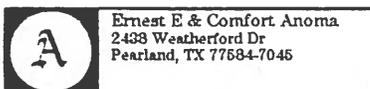
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Sincerely,

Ernest E & Comfort Anoma



Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Gilbert Valdez

I am a resident at of Weatherford Subdivision in Silerlake. My address is:

2407 Foxglove
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,

Date: 07/19/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Terry Leigh TERRY E. LEIGH
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2919 FALLSCREEN CT
Pearland, TX. 77584

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Please consider my concerns when reviewing and evaluating the plat for Weatherford III. However please only approve the single split median entrance to Weatherford III at CR90.

Sincerely,

T. Leigh

Date: 7/13/97

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Bruce Bradley
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2930 Brookview
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,



Date: 7-18-99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Ann C. Levy-Valdez
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2407 Foxglove Dr.
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,

Ann C. Levy-Valdez

Date: 7-18-99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Marvelyn Williams + Robert Passmore
I am a resident at of Weatherford Subdivision in Silerlake. My address is:
2527 Fox Glove dr.
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,

Marvelyn Williams
R. Passmore

Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is Craig Linton

I am a resident of Weatherford Subdivision in Silverlake. My address is:

3019 Hidden Mist Ct.
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,

Craig Linton

Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is CHRIS SCHATSCHEIDER
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2922 BROOKVIEW
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,



Date: 7-17-89

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is John M. Stubbins
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
2302 Weatherford Dr
Pearland, TX. 77584

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Sincerely,

Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is RENITA SCROGGINS

I am a resident at of Weatherford Subdivision in Silverlake. My address is:

3019 FAUSCREEK CT
Pearland, TX. 77584

I am very concerned about the increase of traffic that could result by connecting Weatherford III to Weatherford I & II. Specifically the connection of CR94 to CR90 through Weatherford.

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Sincerely,

Renita S. Scroggin

Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is WARREN SCROGGINS
I am a resident at of Weatherford Subdivision in Silverlake. My address is:
3019 FALLSCREEK Ct.
Pearland, TX. 77584

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Sincerely,



Date: 7/17/99

To: Mr. John Hargrove
Pearland Engineering Department
&
Mary Starr
Pearland Planning and Zoning
3519 Liberty Drive
Pearland, TX 77581

My name is MARK EBY

I am a resident at of Weatherford Subdivision in Silerlake. My address is:

3022 Brookview Dr
Pearland, TX. 77584

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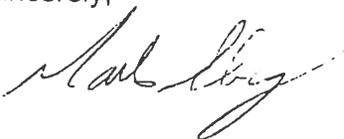
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Sincerely,



Flynn, Hoefker & Thayer, P.C.

ATTORNEYS AND COUNSELORS AT LAW
WELLS FARGO TOWER
1300 POST OAK BLVD., SUITE 750
HOUSTON, TEXAS 77056-3011
(713) 840-7474 • FAX (713) 840-0311

BARRY G. FLYNN*
PAUL A. HOEFKER
MARK W. THAYER

* BOARD CERTIFIED-CIVIL TRIAL
TEXAS BOARD OF LEGAL SPECIALIZATION
NATIONAL BOARD OF TRIAL ADVOCACY

August 4, 1999

Mr. Allen Mueller
Zoning Commission
Pearland City Hall
3519 Liberty Drive
Pearland, Texas 77581

Re: LEGAL PROTEST of Replat of Weatherford (Phase II)
Subdivision of Silverlake Development, Pearland, Texas

Dear Pearland Planning and Zoning Commission:

I represent several concerned citizens of the Weatherford subdivision at Silverlake. It has come to my clients' attention that the developer of Silverlake has attempted to replat Weatherford Phase II to provide for a street to extend east of the Hidden Mist cul de sac presently in Weatherford Phase II. My clients believe, and the consensus of the Weatherford Subdivision, is that the homeowners in Weatherford do **not** want their subdivision replatted to facilitate a road heading east as described above. Therefore, pursuant to Section 212.015 of the Texas Local Government Code, please accept this letter as a legal protest of the proposed replat described above, and of any proposed replat of Weatherford Phase I or Phase II.

My clients have also been advised that the Silverlake developer has plans to develop a Weatherford Phase III, with a road having access to and through Weatherford I and II. It is our understanding that local law provides that a subdivision with 75 or fewer lots may have a single, split median entrance, rather than more than one access road. Weatherford III will only have 50 lots therein. My clients are against any more roads accessing Weatherford I and II. Therefore, please consider this letter as a legal protest of Weatherford III to the extent that the developer plans to connect Weatherford III with Weatherford I and II by a road.

My clients, including the undersigned petitioners, request that if Weatherford III is developed, that it be allowed to have a single, split median entrance from the East, with no connecting road to Weatherford I and II at the West end of Weatherford III.

The residents of Weatherford I and II who are in agreement with this protest of the road in question have affixed their names, signatures, and addresses hereto.

Finally, please provide the undersigned with the required statutory notice of any proposed replat of Weatherford Phase I or Phase II, or any hearing thereon, so that my clients may have a full and fair opportunity to protest the proposed replat or variance.

Thank you for your assistance in this matter.

Sincerely,


Paul A. Hoefker, Attorney

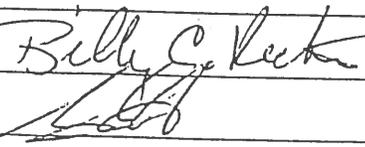
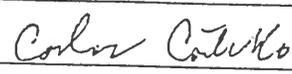
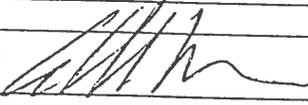
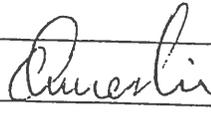
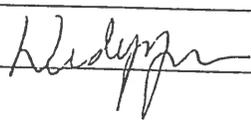
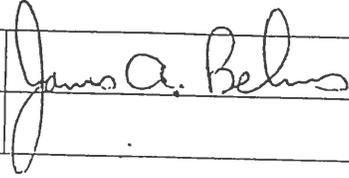
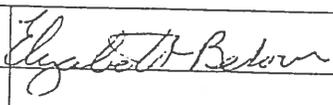
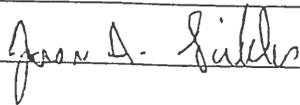
PAH/mhp

cc: Mr. Allan D. Goldstein
Morris, Lendais, Hollrah & Snowden
1980 Post Oak Blvd., Suite 700
Houston, Texas 77056

Mr. Richard L. Rose
Coats, Rose, Yale, Ryman & Lee
800 First City Tower
1001 Fannin
Houston, Texas 77002-6707

Petition for Weatherford II

Plat Revision of lots 24, 25, 26

Printed Name	Signature	Address
Billy C. Rector Georow Hemphill-Rector		2910 Marble Falls Dr Pearland, TX 77584
CARLOS CASTILLO		3022 HIDDEN HILL CT. 3022 PEARLAND, TX 77584
Gilbert Valdez Ann Valdez		2407 Foxglove Pearland, TX 77584
WAQAR QURESHI LINDA MCFADDEN		2414 Weatherford Dr Pearland TX 77584
WENDY & DING YUAN		3007 BROOKVIEW DR. PEARLAND, TX 77584
Bruce Brewer		2930 Brookview Pearland, TX 77584
Jim Behrens		3026 Brookview Drive Pearland, TX 77584
Elizabeth Behrens		3026 Brookview Drive Pearland, TX 77584
Jason A. Sickler		3019 Brookview Drive Pearland, TX 77584

Petition for Weatherford II

Plat Revision of lots 24, 25, 26

Printed Name	Signature	Address
NINA SMITH	Nina Smith	2903 MARBLE Falls Dr Pearland, TX 77584
DARYL R. SMITH	Daryl R. Smith	
Audrey Stubblefield	Audrey Stubblefield	2302 Pearland, TX 77584 Weatherford Drive
John Stubblefield	John Stubblefield	
Omar C. Longoria	Omar C. Longoria	2603 Weatherford Drive Pearland, TX 77584
Trudy O. Longoria	Trudy Longoria	
ALFRED CAVALLAN	Alfred Cavallan	2903 BROOKVIEW DR. PEARLAND, TX. 77584
Marion Magno	Marion Magno	2503 FOX GLOVE DR. Pearland, TX 77584
Jade Magno	Jade Magno	
IRENE LEIGH	Irene Leigh	2919 Falls Creek Ct Pearland, TX 77584
TERRY LEIGH	Terry Leigh	
Daniel C. Markel	Daniel C. Markel	3015 FALLS CREEK CT PEARLAND, TX 77584
Lou Russo	Lou Russo	2914 Brookview Dr. Pearland, TX 77584
Tracy Muñoz	Tracy Muñoz	2915 Marble Falls Dr Pearland, TX 77584

Petition for Weatherford II

Plat Revision of lots 24, 25, 26

Printed Name	Signature	Address
David Maxwell	<i>David Maxwell</i>	2442 Weatherford Dr Pearland, TX 77584
MARK & EDITH EBY	<i>Mark Eby</i>	3022 BROOKVIEW DR PEARLAND, TX 77587
Susan Sicker	<i>Susan J. Sicker</i>	3019 Brookview Dr Pearland, TX 77584
MICHELLE G. BRISTOL	<i>M. Bristol</i>	2927 Brookview Dr. Pearland, Tx 77584
MARVIN D. RYAN	<i>Marvin D. Ryan</i>	2927 Brookview Dr. Pearland, Tx 77584
MATTHEW DIAZ	<i>Matthew Diaz</i>	2910 BROOKVIEW DRIVE PEARLAND, TX 77584
BRUCE & KATHY NIED	<i>Bruce W. Nied</i> <i>Kathy D. Nied</i>	2907 FALLSCREEK CT PEARLAND, TX











AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD NOVEMBER 1, 1999 IMMEDIATELY FOLLOWING THE PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: October 18, 1999 – Regular Meeting Minutes

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 831

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Light Industrial District (M-1) on the following described property, to wit:

Legal Description Being 23.69 acres of land, out of a 43.3143 acre tract, F.B. Drake Survey, A-1181, Harris Co., TX (2900 Fellows Road)

Owner Turbo Care
5710 Ransom Street
Houston, TX 77087

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 821

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Legal Description Being approximately 10 acres, a.k.a., Lot 34, Allison Richey Gulf Coast Home Co. Survey, A-304, recorded in Vol. 2, pg 107, plat records of Brazoria Co., TX (Miller Ranch Road)

Owner The Ritson Morris Corporation
2621 Joanel Street
Houston, TX 77027

Agent John N. Taylor
2709 Lighthouse Drive
Houston, TX 77058

C. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NOS. 761, 822, 823, 826.

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Single Family Dwelling District (R-1) on the following described properties to wit:

1. Zoning Application No. 761

Legal Description Lot 1, Block 2, Masuda subdivision, according to the plat recorded in Vol. 19, pgs 37-38, of the plat records of Brazoria Co., TX (7021 W. Cliff Stone Road)

Owner Alf & Kathy Shatto
7021 West Cliff Stone Road
Pearland, TX 77581

2. Zoning Application No. 822

Legal Description Lot 2, a 1.0101 acre tract, and Lot 3, a 1.0101 acre tract, of Bethel Subdivision, Section 2, out of Lots 39, 40, 55 & 56, Allison Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. Survey, A-243, deed records of Brazoria Co., TX (1033 Lee Road)

Owner Timothy & Dale Nguyen
1033 Lee Road
Pearland, TX 77581

3. Zoning Application No. 823

Legal Description A 1.0101 acre tract, known as Lot 4, Bethel Subdivision, Section 2, Allison Richey Gulf Coast Home Co. Subdivision, Section 19, H. T. & B. R.R. Co. Survey, A-243, Brazoria Co., TX (Lee Road)

Owner William & Sandra Bailey
13607 Broken Bridge Drive
Houston, TX 77085-1327

4. Zoning Application No. 826.

Legal Description Lot 9, Block 1, Hickory Place Subdivision, H. T. & B. R.R. Co. Survey, A-310 (Bryan Court)

Owner Will York
 12531 Sorsby
 Houston, TX

- D. CONSIDERATION & POSSIBLE ACTION – Final Plat of Garden Gate Section**
One, 4.891 acres, being a partial replat of reserves “A” and “F”, & lot 9, block 1 of replat of Final Plat of Audubon Place, Section One, Vol. 20 , pg. 195-196 B.C.P.R., and being out of lot 8 of the southeast one-quarter of the northwest one-quarter, H.T.&B. R.R. Co. survey, section 14, A-509, Brazoria County, Texas.
- E. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Weatherford Phase 3 at Silverlake, a subdivision of 23.0546 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.**
- F. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Autumn Lake Section One, a subdivision of 79.6121 acres of located in the H.T.&B. R.R. Co. Survey, Abstract 304 Brazoria County, Texas.**
- Variance Request:**
1. For Block 2 to be longer than 1,200 ft. because of the layout dictated by the configuration of the land in Section One.
 2. For Blocks 3, 5, 6, 8, & 9 to be less than 300 ft. due to the configuration of the lots West of Harrison Drive in Section One.
- G. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Lakeside Estates Section One, a subdivision of 44.0735 acres of land being a part of lots 10, 11, 12, 35, 36, and 37 of the Allison Richey Gulf Coast Home Company Subdivision of Section 10 out of the H.T.&B R.R. Company survey, A-505 as recorded in Volume 406, page 635 of B.C.D.R., Brazoria County, Texas.**
- H. CONSIDERATION & POSSIBLE ACTION – The purpose of this replat is to convert a residential lot to a public R.O.W– Final Replat of Lots 24, 25, and 26, Block 1, a tract of 0.5372 acres of land being a Replat of Weatherford Phase II at Silverlake, a subdivision of 12.5102 acres of land out of the R.B. Lyle Survey, A-539, Brazoria County, Texas.
(Approved by P&Z on April 5, 1999 – brought back for a Public Hearing per request of Darrin Coker, City Attorney)**
- I. CONSIDERATION & POSSIBLE ACTION – Partial Replat of Hickory Place Subdivision Lot 9, Block 1, a tract or parcel of land containing 0.904 acres out of lot 9 of Hickory Place Subdivision, recorded in volume 18, page 333**

and 334 of the plat records of Brazoria County, Texas, situated in section 1 of the H.T.&B.B. R.R. Co. Survey, Abstract 310, Brazoria County, Texas.

- J. **CONSIDERATION & POSSIBLE ACTION** - Partial Replat of Audubon Place, Section One, 1.4686 acres, being all of lots 4 & 5, Block 2, and reserve "G", of the replat of Final Plat Audubon Place, Section One, Vol 20, pg 195-196, B.C.P.R., H.T.&B. R.R. Co. Survey, A-509, Brazoria County, Texas.
- K. **CONSIDERATION & POSSIBLE ACTION** – Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (George V. Johnson)
- L. **CONSIDERATION & POSSIBLE ACTION** - Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (Suzanne P. Spoon)

IV. **NEXT MEETING DATE:** November 8, 1999 – (Joint Public Hearing)
November 15, 1999 – (Regular Meeting)

V. **ADJOURNEMENT**

Posted: 29th Day of October, 1999 A.D.
Removed: 2nd Day of November, 1999 A.D.

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.