

AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 21, 2000 AT 6:30 P.M. IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY OF PEARLAND, 3519 LIBERTY DRIVE, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of February 6, 2000 (Regular Meeting)

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 864

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

1. Zoning Application No. 864

Legal Description: Lot 3 of the Partition of the East ½ of the Northwest 1/4 of Section 15 of H. T. & B. R.R. Co. survey, A-241 of Brazoria Co., TX according to the map or record in Vol. 441, pg 265 of the deed records of Brazoria Co., TX (5518 Broadway)

Owner: Bob G. York
5518 Broadway
Pearland, TX 77581

Agent: E. Mauris Hardcastle

B. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 898, 899, 900, 901, and 902.

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

1. Zoning Application No. 898

Legal Description: 10.00 acres of land situated in the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (2411 CR 89)

Owner: Earl M. Onitsuka
P.O. Box 1461
Pearland, TX 77588

2. Zoning Application No. 899

Legal Description: 2.5 acres of land out of a 40 acre tract of land in the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8017 Fite Road)

Owner: Gerald W. Olson
P.O. box 1087
Manvel, TX 77578

3. Zoning Application No. 900

Legal Description: Lot 1A-6, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8101 Fite Road)

Owner: Barker & Bucek
8101 Fite Road
Pearland, TX 77584

4. Zoning Application No. 901

Legal Description: Lot 1A, H. T. & B. R. R. Co. survey, A-242, Parcel No. 42, Brazoria Co., TX (Fite Road)

Owner: Blaine F. Barker II ABA Barker Development Co.
P.O. Box 24
Manvel, TX 77589

5. Zoning Application No. 902

Legal Description: Tract 1A-3, out of a 40 acre tract of land, known as the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8001 Fite Road)

Owner: Earl M. Onitsuka
P.O. Box 1461
Pearland, TX 77588

C. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 885

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Single Family Dwelling District (R1) to Single Family Dwelling District Planned Unit Development (R2-PUD) on the following described property, to wit:

1. Zoning Application No. 885

Legal Description: Being a 120.417 acre tract in the W.D.C. Hall League, A-70 & parts of Lots 13-24, S.W. Narregang subdivision, Vol. 1, pg 92 & also Lots 1 & 2, George W. Jenkins subdivision, Vol. 79, pg 616, Brazoria Co. map records (Oakbrook Estates)

Owner: Oakbrook Estates Ltd
7676 Woodway, Suite 238
Houston, TX

Agent: Ken Caffey

D. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 865, 866, 867, 880, and 887.

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 property, to wit:

1. Zoning Application No. 865

Legal Description: 4.9991 acre tract, being the North ½ of Lot 19, Allison Richey Gulf Coast Home Co. Suburban Gardens Subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX as per map or plat thereof recorded in Vol. 2, pg 23 & 24, Brazoria Co., TX (Adamo Lane)

Owners: Charles & Delores Garcia
6759 Ridgeway
Houston, TX 77087

2. Zoning Application No. 866

Legal Description: 2.9799 acre tract out of Lot 1, Allison-Richey Gulf Coast Home Co. subdivision of Section 10, H. T. & B. R.R. Co. survey, A-505, Brazoria Co., TX (12931 Stone Road)

Owners: Juanita Sutherland
2458 Country Club Drive
Pearland, TX 77581

3. Zoning Application No. 867

Legal Description: 8.88 acres out of Lot 1-F of the W.W. Stone Estate, located in the W.T. Dobson Survey, A-187, Brazoria Co., TX (12906 Stone Road)

Owners: Byron & Juanita Sutherland
2458 Country Club Drive
Pearland, TX 77581

4. Zoning Application No. 880

Legal Description: Lot 18, Block 3, Wagon Wheel, Section 14 of H. T. & B. R.R. Co. survey, A-509, in Brazoria Co., TX, according to the map or plat thereof recorded in Vol. 8, pg 79, plat records of Brazoria Co., TX (5917 Larrycrest)

Owner: Violet M. Robertson
5917 Larrycrest
Pearland, TX 77584

5. Zoning Application No. 887

Legal Description: The East 2/3 of Tract 71, Hahl's Figland Orchard Subdivision No. 1, a subdivision of Section 13, H. T. & B. R.R. Co. survey, A-240, Brazoria Co., TX, according to the map of record in Vol. 3, pg 77, plat records of Brazoria Co., TX (5917 Fite Road)

Owner: Ysidoro C. Meza
7727 Satsuma
Houston, TX 77023

E. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 868, 869, 870, 871, 872, 873, 874, 878, 879, 882, and 883.

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 (R1) on the following described property, to wit:

1. Zoning Application No. 868

Legal Description: A tract of land being situated in Lot 59, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (14210 Gardens Road (CR 556))

Owners: Jose J. Cavazos
14210 Gardens Road
Pearland, TX 77581

2. Zoning Application No. 869

Legal Description: .9995 acre, the North ½ of 1.999 acres, described in Vol. 1506, pg. 419, deed records of Brazoria Co., TX, in Lot 59, Allison-Richey Gulf Coast Home Co. Suburban Gardens, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX , Vol. 2, pg. 23, Brazoria Co., TX (14215 Gardens Road(CR 556))

Owners: Stephen W. Long
14215 CR 556
Pearland, TX 77581

3. Zoning Application No. 870

Legal Description: 1.0 acres of land situated in Lots 56 & 58, of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, of the plat records of Brazoria Co., TX (14019 Gardens Road (CR 556))

Owners: Gilbert & Frances Ramirez
14019 Gardens Road
Pearland, TX 77581

4. Zoning Application No. 871

Legal Description: 1.0 acre of land situated in Lot 59, Allison-Richey Gulf Coast Home subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX according to the plat recorded in Vol. 2, pg. 23 & 24, plat records of Brazoria Co., TX (14211 Gardens Rd (CR 556))

Owners: John T. Browne, Jr.
14211 Gardens Road
Pearland, TX 77581

5. Zoning Application No. 872

Legal Description: 1.0 acres of land, more or less, out of Lot 58 of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243 of Brazoria Co., TX (14103 Gardens RD (CR 556))

Owners: Arnout C. & Judith A. Ruifrok
14103 Gardens Road
Pearland, TX 77581

6. Zoning Application No. 873

Legal Description: A 1.2490 acre tract out of Lot 57, Allison-Richey Gulf Coast subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map or plat thereof recorded in Vol. 2, pg. 23, of the plat records of Brazoria Co., TX (14002 Gardens Road (CR 556))

Owner: Danny G. & Linda Beeman
14002 Gardens Road
Pearland, TX 77581

7. Zoning Application No. 874

Legal Description: 1.0 acres of land situated in Lots 57 & 58 of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (14020 Gardens Road (CR 556))

Owner: Donald R. Murray
14020 Gardens Road
Pearland, TX 77581

8. Zoning Application No. 878

Legal Description: 1.0 acres in Lot 58, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R. R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, plat records of Brazoria Co., TX (14155 Gardens Road (CR 556))

Owner: Wallace Mize
14155 Gardens Road
Pearland, TX 77581

9. Zoning Application No. 879

Legal Description: A 1.75 acre tract out of Lots 58 & 59, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map as recorded in Vol. 2, pgs 23-24, plat records, Brazoria Co., TX (14203 Gardens Road (CR 556))

Owner: Dale & Billie Moore
14203 Gardens Road
Pearland, TX 77581

Agent: Patricia Jo Murphy

10. Zoning Application No. 882

Legal Description: 1 acre of land in Lot 59, Allison-Richey Gulf Coast Home Company's part of Suburban Gardens, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map or plat recorded in Vol. 2, pg 23 of the plat records of Brazoria Co., TX (Gardens Road (CR 556))

Owner: Grace Hawk
P.O. Box 1204
Manvel, TX 77578

11. Zoning Application No. 883

Legal Description: 1 acre in Lot 57, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, plat records of Brazoria Co., TX (14018 Gardens Road (CR 556))

Owner: Ava Lynn Free
14018 Gardens Road
Pearland, TX 77581

F. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 876, and 877.

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 (R1) on the following described property, to wit:

1. Zoning Application No. 876

Legal Description: 6.68 acres out of a 10 acre tract in the North part of Lot 6, H. T. & B. R.R. Co. survey, Section 19, A-243, Brazoria Co., TX (925 Cullen Boulevard (FM 865))

Owner: Raymond & Ernma Vaughan
925 FM 865
Pearland, TX 77581

2. Zoning Application No. 877

Legal Description: 3.32 acres, more or less, out of the southerly portion of Lot 6, a subdivision of Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (927 Cullen Boulevard (FM 865))

Owner: Robert & Elizabeth Melinder

2911 Abbey Field Drive
Pearland, TX 77584

G. CONSIDERATION & POSSIBLE ACTION – Final Plat of South Hampton Section One, a subdivision of 21.487 acres located in the H.T.&B. R.R. Co. Survey, Abstract 304, Brazoria County, Pearland, Texas.

Variance Request:

1. Use of a 20-foot front building line.

H. CONSIDERATION & POSSIBLE ACTION – Final Plat of South Hampton Section Two, a subdivision of 18.513 acres located in the H.T.&B. R.R. Co Survey, Abstract 304, Brazoria County, Pearland, Texas.

Variance Request:

1. Use of a 20-foot front building line.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Bellavita at Green Tee Section One, Being 55.9481 acres of land in the W.D.C. Hall Survey, A-23 Harris County, Texas.

Variance Request:

1. Use of 20-foot front building lines around cul-de-sacs, eyebrows, elbows, and streets.
2. Use of a 3-foot side building setbacks on lots 1 and 9 of block 1; lots 1, 10, 11, and 14 of block 2; lots 1 and 21 of block 3; lots 1, 10, 11, and 13 of block 4; lots 1, 37, 38, and 51 of block 5; and lots 1, 19, 20, and 26 of block 6.
3. Variance for yard requirement to allow zero lot lines on one side.

J. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southdown Section Twelve, 11.47 acres of land out of the H.T.&B. R.R. co. Survey, Section One, Abstract 310, Brazoria County, Texas.

Variance Request:

1. Use of a 20-foot building line on cul-de-sac and thumbnail lots.
2. Use of a 5-foot side building setback.

K. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of The Lakes at Countryplace Section Five, Brazoria County, Texas, being 13.447 acres of land located in the F. B. Drake Survey, Abstract no. 503, (N. ½ Sec. 2).

Variance Request:

1. Use of a 20-foot front building line on front access garages.
2. Use of a 15-foot building line on houses with garages that do not face the street right-of-way.
3. Use of a 10-foot side setback between houses.

L. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Willow Lake Estates Section Two, 17.0570 acres out of lots 1 and 2 Narregang's Subdivision (Vol. 01, Pg. 92, B.C.D.R) and being 25 O.W. Willits Subdivision (Vol. 03, Pg. 65, B.C.D.R.) and being in the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.

M. CONSIDERATION & POSSILBE ACTION - Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (Jesse Bowman and Cary McDonald for 119 Herbert Dr)

IV. NEXT MEETING DATE: February 22, 2000 (Workshop with City Council)
March 6, 2000 (Regular Meeting)

V. ADJOURNMENT

Posted: 18th Day of February, 2000, A.D.
Removed: 2nd Day of February, 2000, 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.

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND HELD ON MONDAY, FEBRUARY 21, 2000 AT 6:30 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER:

The meeting was called to order at 6:35 P.M. with the following present:

Chairperson	Mary Starr
Vice-Chairman	Tommy L. Scott
Commissioner	Emil A. Beltz
Commissioner	Donald Glenn
Commissioner	Todd Iocco
Commissioner	Russ Selemon
Commissioner	Charles Viktorin
Director of Community Development and Services	Gene Tumlinson
City Engineer	John Hargrove
P & Z Secretary	Jennifer Gonzales

II. APPROVAL OF MINUTES:

Commissioner Viktorin made a motion to approve the February 6, 2000 minutes, and Commissioner Iocco seconded the motion.

Motion to approve passed 7 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 864

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

1. Zoning Application No. 864

Legal Description: Lot 3 of the Partition of the East ½ of the Northwest 1/4 of Section 15 of H. T. & B. R.R. Co. survey, A-241 of Brazoria Co., TX according to the map or record in Vol. 441, pg 265 of the deed records of Brazoria Co., TX (5518 Broadway)

**Owner: Bob G. York
5518 Broadway
Pearland, TX 77581**

Agent: E. Mauris Hardcastle

Vice-Chairman Scott made a motion to forward Zoning Application No. 864 to City Council for approval, and Commissioner Iocco seconded the motion.

Motion to approve passed 7 to 0.

B. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 898, 899, 900, 901, and 902.

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

1. Zoning Application No. 898

Legal Description: 10.00 acres of land situated in the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (2411 CR 89)

**Owner: Earl M. Onitsuka
P.O. Box 1461
Pearland, TX 77588**

2. Zoning Application No. 899

Legal Description: 2.5 acres of land out of a 40 acre tract of land in the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8017 Fite Road)

**Owner: Gerald W. Olson
P.O. box 1087
Manvel, TX 77578**

3. Zoning Application No. 900

Legal Description: Lot 1A-6, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8101 Fite Road)

**Owner: Barker & Bucek
8101 Fite Road
Pearland, TX 77584**

4. Zoning Application No. 901

Legal Description: Lot 1A, H. T. & B. R. R. Co. survey, A-242, Parcel No. 42, Brazoria Co., TX (Fite Road)

Owner: Blaine F. Barker II ABA Barker Development Co.
P.O. Box 24
Manvel, TX 77589

5. Zoning Application No. 902

Legal Description: Tract 1A-3, out of a 40 acre tract of land, known as the Southwest 1/4 of the Northwest 1/4 of Section 17, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8001 Fite Road)

Owner: Earl M. Onitsuka
P.O. Box 1461
Pearland, TX 77588

Director of Community Development and Services Gene Tumlinson stated that four of the areas are on Fite Rd and one area is around the corner but it does back up to the other four properties.

Commissioner Iocco made a motion to exclude Zoning Application Nos. 898 and 902 from the group of applications, which contain existing businesses and Vice-Chairman Scott seconded the motion.

Motion to exclude application nos. 898 and 902 passed 7 to 0.

Commissioner Iocco made a motion to forward Zoning Application Nos. 899, 901, and 902 to City Council for approval, and Commissioner Glenn seconded the motion.

Motion to approve application nos. 899, 901 and 902 passed 7 to 0.

Vice-Chairman Scott asked what is on the properties of Zoning Application Nos. 898 and 902. Mr. Tumlinson stated that if you drive down Fite Road, the first property is a warehouse, the second property is a boat storage yard, and the following two properties are owned by the same owner. He then stated that one of the properties contains a warehouse and it's close to Fite, while the other is further back and they are both tied together into the next acreage and it does give the appearance that it is vacant.

Vice-Chairman Scott asked if the owner of Zoning Application Nos. 898 and 902 plans to expand his business and Mr. Tumlinson replied that possibly in the future the owner will, but as of this time he has not heard anything about expansion.

Commissioner Iocco stated his concern for approving Commercial zoning on 10 acres of land. He then stated that the area is mostly residential and he does not feel comfortable with allowing this request.

Commissioner Selemo argued that there is also Commercial zoning in that area.

Commissioner Iocco made a motion to forward Zoning Application No. 902 to City Council for approval since there is an existing business and Commissioner Selemo seconded the motion.

Commissioner Beltz asked if there is an existing business, and Mr. Tumlinson replied that there is a warehouse that sits to the rear of the property.

Motion to approve application no. 902 passed 7 to 0.

Commissioner Iocco made a motion to forward Zoning Application No. 898 to City Council for denial.

There was no second.

Commissioner Glenn made a motion to forward Zoning Application No. 898 to City Council for approval, and Vice-Chairman Scott seconded the motion.

Commissioner Selemo asked Commissioner Iocco if he would be in favor of the request if it were only five acres, and Commissioner Iocco answered that it does not matter because that is not the question and he stated that he is just one person with an opinion.

Chairperson called for a vote.

Motion to approve application no. 898 passed 4 to 1 (2 abstentions).

C. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 885

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Single Family Dwelling District (R1) to Single Family Dwelling District Planned Unit Development (R2-PUD) on the following described property, to wit:

1. Zoning Application No. 885

Legal Description: Being a 120.417 acre tract in the W.D.C. Hall League, A-70 & parts of Lots 13-24, S.W. Narregang subdivision, Vol. 1, pg 92 & also Lots 1 & 2, George W. Jenkins subdivision, Vol. 79, pg 616, Brazoria Co. map records (Oakbrook Estates)

**Owner: Oakbrook Estates Ltd
7676 Woodway, Suite 238
Houston, TX**

Agent: Ken Caffey

Commissioner Iocco made a motion forward Zoning Application No. 885 to City Council for approval, and Commissioner Glenn seconded the motion.

Commissioner Selemon asked if the developer resolved the park situation.

Ken Caffey stated that they have already made the changes and they have brought the road down to where the parks department wants. He then asked if P & Z would approve the request subject to the Parks and Recreation approval.

Commissioner Glenn asked about the road, and Mr. Caffey explained that they are extending the road down into the park area where they had a tear of lots with and had a couple of entrances, and they felt like they needed it for police men and security reasons.

Chairperson Starr called for a vote.

Motion to approve passed 7 to 0.

D. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 865, 866, 867, 880, and 887.

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 property, to wit:

1. Zoning Application No. 865

Legal Description: 4.9991 acre tract, being the North ½ of Lot 19, Allison Richey Gulf Coast Home Co. Suburban Gardens Subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX as per map or plat thereof recorded in Vol. 2, pg 23 & 24, Brazoria Co., TX (Adamo Lane)

**Owners: Charles & Delores Garcia
6759 Ridgeway
Houston, TX 77087**

2. Zoning Application No. 866

Legal Description: 2.9799 acre tract out of Lot 1, Allison-Richey Gulf Coast Home Co. subdivision of Section 10, H. T. & B. R.R. Co. survey, A-505, Brazoria Co., TX (12931 Stone Road)

Owners: Juanita Sutherland

**2458 Country Club Drive
Pearland, TX 77581**

3. Zoning Application No. 867

Legal Description: 8.88 acres out of Lot 1-F of the W.W. Stone Estate, located in the W.T. Dobson Survey, A-187, Brazoria Co., TX (12906 Stone Road)

**Owners: Byron & Juanita Sutherland
2458 Country Club Drive
Pearland, TX 77581**

4. Zoning Application No. 880

Legal Description: Lot 18, Block 3, Wagon Wheel, Section 14 of H. T. & B. R.R. Co. survey, A-509, in Brazoria Co., TX, according to the map or plat thereof recorded in Vol. 8, pg 79, plat records of Brazoria Co., TX (5917 Larrycrest)

**Owner: Violet M. Robertson
5917 Larrycrest
Pearland, TX 77584**

5. Zoning Application No. 887

Legal Description: The East 2/3 of Tract 71, Hahl's Figland Orchard Subdivision No. 1, a subdivision of Section 13, H. T. & B. R.R. Co. survey, A-240, Brazoria Co., TX, according to the map of record in Vol. 3, pg 77, plat records of Brazoria Co., TX (5917 Fite Road)

**Owner: Ysidoro C. Meza
7727 Satsuma
Houston, TX 77023**

Vice-Chairman Scott made a motion to forward Zoning Application Nos. 865, 866, 867, 880, and 887 to City Council for approval, and Commissioner Beltz seconded the motion.

Motion to approve passed 7 to 0.

E. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 868, 869, 870, 871, 872, 873, 874, 878, 879, 882, and 883.

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 (R1) on the following described property, to wit:

1. Zoning Application No. 868

Legal Description: A tract of land being situated in Lot 59, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (14210 Gardens Road (CR 556))

Owners: Jose J. Cavazos
14210 Gardens Road
Pearland, TX 77581

2. Zoning Application No. 869

Legal Description: .9995 acre, the North ½ of 1.999 acres, described in Vol. 1506, pg. 419, deed records of Brazoria Co., TX, in Lot 59, Allison-Richey Gulf Coast Home Co. Suburban Gardens, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX , Vol. 2, pg. 23, Brazoria Co., TX (14215 Gardens Road(CR 556))

Owners: Stephen W. Long
14215 CR 556
Pearland, TX 77581

3. Zoning Application No. 870

Legal Description: 1.0 acres of land situated in Lots 56 & 58, of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, of the plat records of Brazoria Co., TX (14019 Gardens Road (CR 556))

Owners: Gilbert & Frances Ramirez
14019 Gardens Road
Pearland, TX 77581

4. Zoning Application No. 871

Legal Description: 1.0 acre of land situated in Lot 59, Allison-Richey Gulf Coast Home subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX according to the plat recorded in Vol. 2, pg. 23 & 24, plat records of Brazoria Co., TX (14211 Gardens Rd (CR 556))

Owners: John T. Browne, Jr.

14211 Gardens Road
Pearland, TX 77581

5. Zoning Application No. 872

Legal Description: 1.0 acres of land, more or less, out of Lot 58 of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243 of Brazoria Co., TX (14103 Gardens RD (CR 556))

Owners: Amout C. & Judith A. Ruifrok
14103 Gardens Road
Pearland, TX 77581

6. Zoning Application No. 873

Legal Description: A 1.2490 acre tract out of Lot 57, Allison-Richey Gulf Coast subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map or plat thereof recorded in Vol. 2, pg. 23, of the plat records of Brazoria Co., TX (14002 Gardens Road (CR 556))

Owner: Danny G. & Linda Beeman
14002 Gardens Road
Pearland, TX 77581

7. Zoning Application No. 874

Legal Description: 1.0 acres of land situated in Lots 57 & 58 of the Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (14020 Gardens Road (CR 556))

Owner: Donald R. Murray
14020 Gardens Road
Pearland, TX 77581

8. Zoning Application No. 878

Legal Description: 1.0 acres in Lot 58, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R. R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, plat records of Brazoria Co., TX (14155 Gardens Road (CR 556))

Owner: Wallace Mize
14155 Gardens Road

Pearland, TX 77581

9. Zoning Application No. 879

Legal Description: A 1.75 acre tract out of Lots 58 & 59, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map as recorded in Vol. 2, pgs 23-24, plat records, Brazoria Co., TX (14203 Gardens Road (CR 556))

**Owner: Dale & Billie Moore
14203 Gardens Road
Pearland, TX 77581**

Agent: Patricia Jo Murphy

10. Zoning Application No. 882

Legal Description: 1 acre of land in Lot 59, Allison-Richey Gulf Coast Home Company's part of Suburban Gardens, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the map or plat recorded in Vol. 2, pg 23 of the plat records of Brazoria Co., TX (Gardens Road (CR 556))

**Owner: Grace Hawk
P.O. Box 1204
Manvel, TX 77578**

11. Zoning Application No. 883

Legal Description: 1 acre in Lot 57, Allison-Richey Gulf Coast Home Co. subdivision, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX, according to the plat recorded in Vol. 2, pgs 23-24, plat records of Brazoria Co., TX (14018 Gardens Road (CR 556))

**Owner: Ava Lynn Free
14018 Gardens Road
Pearland, TX 77581**

Chairperson Starr stated that "Gardens Rd" has changed to "Hawk Meadows" as of the Council meeting held on February 14, 2000.

Commissioner Beltz made a motion to forward Zoning Application Nos. 868, 869, 870, 871, 872, 873, 874, 878, 879, 882, and 883 to City Council for approval and Commissioner Iocco seconded the motion.

F. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 876, and 877.

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 (R1) on the following described property, to wit:

1. Zoning Application No. 876

Legal Description: 6.68 acres out of a 10 acre tract in the North part of Lot 6, H. T. & B. R.R. Co. survey, Section 19, A-243, Brazoria Co., TX (925 Cullen Boulevard (FM 865))

**Owner: Raymond & Emma Vaughan
925 FM 865
Pearland, TX 77581**

2. Zoning Application No. 877

Legal Description: 3.32 acres, more or less, out of the southerly portion of Lot 6, a subdivision of Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (927 Cullen Boulevard (FM 865))

**Owner: Robert & Elizabeth Melinder
2911 Abbey Field Drive
Pearland, TX 77584**

Vice-Chairman Scott made a motion to forward Zoning Application No. 876 and 877 to City Council for approval and Commissioner Beltz seconded the motion.

Motion to approve passed 7 to 0.

G. CONSIDERATION & POSSIBLE ACTION – Final Plat of South Hampton Section One, a subdivision of 21.487 acres located in the H.T.&B. R.R. Co. Survey, Abstract 304, Brazoria County, Pearland, Texas.

Variance Request:

- 1. Use of a 20-foot front building line.**

Vice-Chairman Scott asked if the 20-foot front building line is for the whole subdivision and City Engineer Hargrove replied that it is for the whole subdivision.

City Engineer Hargrove pointed out that most of the lots are 100'.

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

1. Before acceptance of the subdivision by City Council, the developer needs to pay ½ of their 50% share of the fees for the construction of Hooks Road. He explained that ½ of the fees will be paid with Section One and the other ½ of the fees will be paid with Section Two.
2. The construction drawings need to be approved before the City Engineer and the City Attorney sign the plat.

Vice-Chairman Scott made a motion to approve the Final Plat of South Hampton Section One with the variance and the two comments outlined by the City Engineer, and Commissioner Beltz seconded the motion.

Motion to approve passed 7 to 0.

H. CONSIDERATION & POSSIBLE ACTION – Final Plat of South Hampton Section Two, a subdivision of 18.513 acres located in the H.T.&B. R.R. Co Survey, Abstract 304, Brazoria County, Pearland, Texas.

Variance Request:

1. **Use of a 20-foot front building line.**

City Engineer Hargrove stated that he has the same comments that he had first section and listed them as:

1. Before acceptance of the subdivision by City Council, the developer needs to pay ½ of their 50% share of the fees for the construction of Hooks Road.
2. The construction drawings need to be approved before the City Engineer and the City Attorney sign the plat.

Commissioner Viktorin made a motion to approve the Final Plat of South Hampton Section Two with the variance and the two comments outlined by the City Engineer, and Commissioner Iocco seconded the motion.

Motion to approve passed 7 to 0.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Bellavita at Green Tee Section One, Being 55.9481 acres of land in the W.D.C. Hall Survey, A-23 Harris County, Texas.

Variance Request:

1. **Use of 20-foot front building lines around cul-de-sacs, eyebrows, elbows, and streets.**
2. **Use of a 3-foot side building setbacks on lots 1 and 9 of block 1; lots 1, 10, 11, and 14 of block 2; lots 1 and 21 of block 3; lots 1, 10, 11, and 13 of block 4; lots 1, 37, 38, and 51 of block 5; and lots 1, 19, 20, and 26 of block 6.**
3. **Variance for yard requirement to allow zero lot lines on one side.**

Vice-Chairman Scott made a motion to table the Final Plat of Bellavita at Green Tee Section One until the area is annexed into the City limits, and Commissioner Iocco seconded the motion.

Motion to table passed 6 to 1.

J. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southdown Section Twelve, 11.47 acres of land out of the H.T.&B. R.R. co. Survey, Section One, Abstract 310, Brazoria County, Texas.

Variance Request:

- 1. Use of a 20-foot building line on cul-de-sac and thumbnail lots.**
- 2. Use of a 5-foot side building setback.**

City Engineer Hargrove stated that Southdown Section 13 is shown to the North of this section. He then asked where the recordation information is for Section 13 and explained that the drainage of Section 12 goes into Section 13. He then stated that staff recommends approval but he would like to have his signature and the City Attorney's signature withheld until we get the recordation information on the mylar.

Jaime Salinas stated that they are already in the construction process and they are working on getting the Southdown Section 13 plat approved.

Vice-Chairman Scott asked how they could be in construction when the plat is not recorded, and Mr. Hargrove replied that this is a common situation in the E.T.J.

Vice-Chairman Scott made a motion to approve the Final Plat of Southdown Section 12 with the variances and the comment made a motion by the City Engineer, and Commissioner Beltz seconded the motion.

Motion to approve passed 7 to 0.

K. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of The Lakes at Countryplace Section Five, Brazoria County, Texas, being 13.447 acres of land located in the F. B. Drake Survey, Abstract no. 503, (N. ½ Sec. 2).

Variance Request:

- 1. Use of a 20-foot front building line on front access garages.**
- 2. Use of a 15-foot building line on houses with garages that do not face the street right-of-way.**
- 3. Use of a 10-foot side setback between houses.**

City Engineer Hargrove stated that staff recommends approval with the following comments:

1. The 8' offsite utility easement recordation information needs to be entered on the plat.

2. An agreement needs to be made with the Parks and Recreation Department on the parkland situation. They either need to provide a park or pay the \$350.00 per lot fee.

Mr. Hargrove stated that the Parks and Recreation Director Ed Hersh stated that he would like a park out there, but if they do not provide a park they will need to pay the due fees.

Vice-Chairman Scott made a motion to approve the Preliminary Plat of The Lakes at Countryplace Section 5 with the variances and the comments outlined by the City Engineer, and Commissioner Glenn seconded the motion.

Motion to approve passed 7 to 0.

L. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Willow Lake Estates Section Two, 17.0570 acres out of lots 1 and 2 Narregang’s Subdivision (Vol. 01. Pg. 92, B.C.D.R) and being 25 O.W. Willits Subdivision (Vol. 03, Pg. 65, B.C.D.R.) and being in the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.

Commissioner Beltz asked what they are amending, and City Engineer Hargrove explained that they are just correcting some lot dimensions. Mr. Hargrove then stated that staff recommends approval as presented.

Motion to approve passed 7 to 0.

M. CONSIDERATION & POSSILBE ACTION - Request for variance from the requirements in the subdivision Ordinance that require building permits to be issued only on platted lots. (Jesse Bowman and Cary McDonald for 119 Herbert Dr)

City Engineer Hargrove stated that they have already approved a few other variances similar to this request and he stated that he let the others go through with out any conditions. He stated that this request should be handled differently and he does have recommendations, and listed them as:

1. The owner needs to provide a 35’ right of way dedication.
2. The owner needs to provide a 10’ water and sewer easement dedication.
3. A drainage plan will need to be approved before issuance of a building permit.

Commissioner Selemon asked what the homeowner will have to provide, and Mr. Hargrove replied that the homeowners will need to provide the requested easements. Mr. Hargrove explained that if we accept this request at face value then we can not conduct orderly development. He stated that by accepting this variance with these conditions, the applicant can avoid having to plat the property, yet we get the terms we need to provide orderly development.

Vice-Chairman Scott made a motion to approve the variance request from the requirements in the Subdivision Ordinance that require building permits to be issued only on platted lots with the requirements requested by the City Engineer, and Commissioner Iocco seconded the motion.

Motion to approve passed 7 to 0.

- IV. **NEXT MEETING DATE:** February 22, 2000 (Workshop with City Council)
February 28, 2000 (Joint Public Hearing)

Director of Community Development and Services Gene Tumlinson stated that the Workshop with City Council has been cancelled.

IV. **ADJOURNMENT**

The meeting adjourned at 7:40 P.M.

These minutes respectfully submitted by:


Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 7 day of March, 2000.


Mary Starr, Planning & Zoning Chairperson

Jesse Bowman and
Cary McDonald
4317 Wells Dr
Pearland, TX 77584

February 10, 2000

City of Pearland
Planning and Zoning Commission
3519 Liberty Drive
Pearland TX 77581

RE: Proposed variance to Subdivision Ordinance §27-3(a)(2)(b)
To 1 ¼ acres located at 119 Herbert Drive, Pearland Texas

Dear Commissioners:

The undersigned hereby request a variance to Subdivision Ordinance §27-3(a)(2)(b) on the above referenced property. The property has been approved for Zoning of R-1. Attached zoning permit # 862 has been approved by the commission and is in the final stages of counsel approval (Exhibit 1)

The reference property was purchased by myself and my wife on or about October 10, 1989 from Juan and Vera Perez. The original tracts are deeded together as one 1 ¼ lot and to our knowledge have never been subdivided.
The tract was purchased with the intent of building a single- family residence.

The referenced tract will not be subdivided, but is intended solely for the purpose of building a residential, single-family dwelling, the plans for which have already been submitted for approval by the city engineering department.

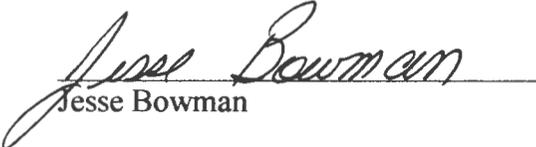
We have been advised that no Building Permit will be issued without re-platting as required by the Subdivision Ordinance. The issuance of the variance will be in keeping with the overall general purpose of the ordinance and in no way will the requested variance undermine the intent of the ordinance.

Already on file at the city is a copy of the plot plan, building permit application and new survey.

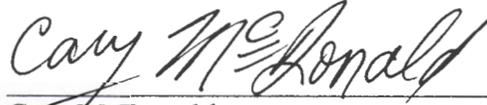
Also attached for your review are copies of the plot plan (Exhibit 2), original survey of property dated 1984 by Juan and Vera Perez (Exhibit 3), and the new survey dated 1999 that had been initiated for new construction.

Thank you in advance for your cooperation with this matter.

Sincerely,



Jesse Bowman



Cary McDonald

CITY OF PEARLAND
ZONE CHANGE APPLICATION
revised 3/5/96

Change in Zoning Classification from: SD to: R1
Change in Regulations in Section #: _____
Specific Use for: *

Property address: 119 Herbert Dr. Pearland Tx. 77584

Lot: 169 Block: 308 Subdivision: Zychlinski

Metes & Bounds Description: Attached Legal Disc and Survey
(unplatted property only; attach survey)

Tax I.D. number: 03080023125 (copies attached)

Proposed use of land within requested designation: Family Residence

Record owner's name: Jesse H. Bowman & Cary E. McDonald

Owner's mailing address: 4317 Wells Dr. Pearland Tx. 77584

Owner's telephone number: 281-489-1696 Home 281-489-5461 Work

Agent's name: n/a

Agent's mailing address: n/a

Agent's telephone number: n/a

PETITION: As owner/agent, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland. *On a Specific Use Permit request to allow a residential use in a business zone (OP, NS, GB), I acknowledge that such use may be incompatible with current and future uses on properties in my vicinity.

Owner's signature: Jesse H. Bowman
Cary E. McDonald

Agent's signature:

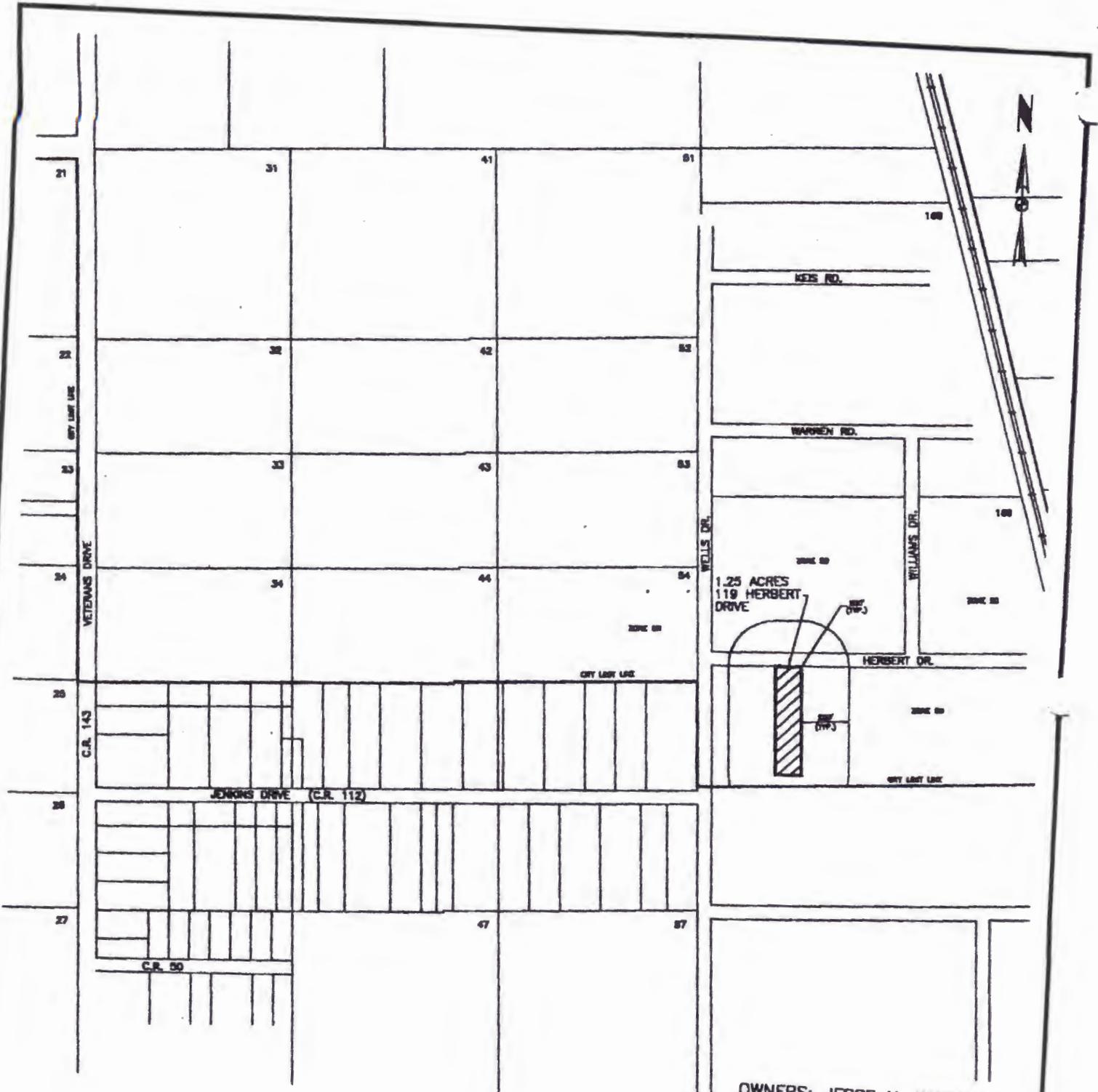
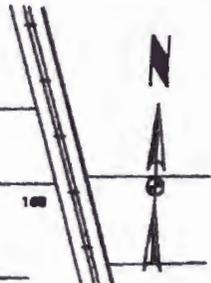
Fees paid: \$ 250.00

Date paid: 10-28-99

Received by Mona Phipps

Application number: 862

2 photos
2 letters
Approved 2/4/00



OWNERS: JESSE H. BOWMAN & CARY E. McDONALD



City of Pearland, Texas

**ZONE CHANGE
FROM
SD TO R-1**

App. No. 082	Scale: HORIZ 1"=300' VERT 1"=	SHEET
Date: NOV., 1999	CAD FILE:	1
Drawn By: J.E.B.	99-8183	OF 1
Checked By: C. TUMLINSON		



ANNON SURVEYING

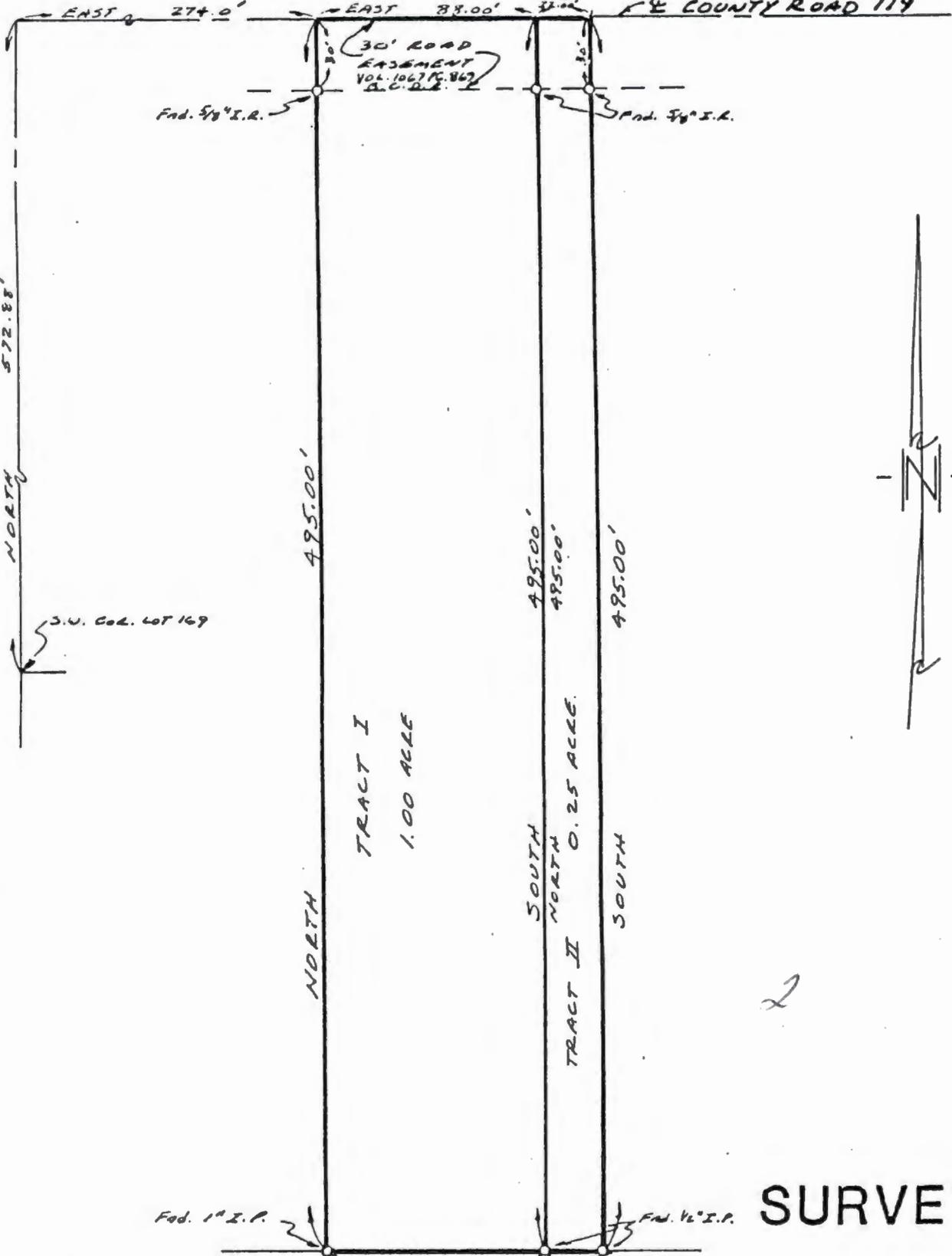
SUBDIVISION
BOUNDARY
ACREAGE
CONSTRUCTION

RT 1 BOX 47

6750 F.M. 1128

MANVEL, TEXAS 77578

PHONE: 713 - 489 7059



SURVEY

ADDRESS #
 PURCHASER *Juan Vera Perez*
 JUAN & VERA PEREZ
 6-27-84
 CF # 84-0378-P
 TEXAS FIDELITY TITLE CO. - PEARLAND



1.00 ACRE TRACT I & 0.25 ACRE TRACT II OUT OF LOT 169 OF THE ZYONHINSKI SUBDIVISION IN SECTION 27, T.15 S., R.6 E., CO. BRAZORIA, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAN THEREON IN VOL. 29, PG. 9 OF THE RECORD BOOKS OF BRAZORIA COUNTY, TEXAS.

SCALE: 1" = 60'

THE STATE OF TEXAS :
 COUNTY OF BRAZORIA : This is to certify that I, W. Sid Cannon, Jr., did cause to be surveyed and the ground the above described property and the above sketch reflects the findings on the ground, and that the improvements are visibly within the bounds of said property and there are no encroachments on said property by improvements on adjoining properties, except as shown. This certifies only to easements which are shown on Recorded Plat of said Addition.

Given under my hand and Seal this 20th day of JUNE 19 84.

W. Sid Cannon, Jr.
 W. SID CANNON JR., Registered Surveyor No. 1953

This property was located by witness & found to be within the boundaries of the plat.

PROPERTY EXHIBIT "A"

TRACT I

1.00 acre out of Lot 169 of the ZYCHLINSKI SUBDIVISION in Section 27, H. T. & B. RR. Co. Survey, A-308, Brazoria County, Texas, according to the Map or Plat thereof in Volume 29, Page 9 of the Deed Records of Brazoria County, Texas, said 1.00 acre being more particularly described as follows:

BEGINNING at a point for the Northwest corner of the herein described tract in the centerline of County Road 119, same point being NORTH a distance of 572.88 feet and EAST a distance of 274.0 feet from the Southwest corner of Lot 169;

THENCE EAST along the centerline of County Road 119 a distance of 88.0 feet to a point for corner;

THENCE SOUTH at a distance of 30.00 feet pass a found 5/8 inch iron rod for reference corner in the South R. O. W. line of County Road 119 and continue a total distance of 495.00 feet to a found 1/2 inch iron pipe for corner;

THENCE WEST a distance of 88.00 feet to a found 1 inch iron pipe for corner;

THENCE NORTH at a distance of 465.00 feet pass a found 5/8 inch iron rod for reference corner in the South R.O.W. line of County Road 119 and continue a total distance of 495.00 feet to the PLACE OF BEGINNING and containing 1.00 acre of land.

TRACT II

0.25 acre of land out of Lot 169 of the ZYCHLINSKI SUBDIVISION in Section 27, H. T. & B. RR. Co. Survey A-308, Brazoria County, Texas according to the Map or Plat thereof in Volume 29, page 9, of the Deed Records of Brazoria County, Texas, said 0.25 acre being more particularly described as follows:

BEGINNING at a point for the Northwest corner of the herein described tract in the centerline of County Road 119, same point being NORTH a distance of 572.88 feet and East a distance of 362.00 feet from the Southwest corner of Lot 169;

THENCE EAST along the centerline of County Road 119 a distance of 22.00 feet to point for corner;

THENCE SOUTH at a distance of 30.00 feet pass a found 5/8 inch iron rod for reference corner in the South R. O.W. line of County Road 119 and continue a total distance of 495.00 feet to a found 1/2 inch iron pipe for corner;

THENCE WEST a distance of 22.00 feet to a found 1/2 inch iron pipe for corner;

THENCE NORTH at a distance of 465.00 feet pass a found 5/8 inch iron rod in the South R.O.W. line of County Road 119 for reference corner and continue a total distance of 495.00 feet to the PLACE OF BEGINNING. and containing 0.25 acre of land.

THE STATE OF TEXAS
COUNTY OF BRAZORIA

I, DOLLY BAILEY, Clerk of the County Court in and for Brazoria County, Texas, do hereby certify that this instrument was FILED FOR RECORD in Volume 29, Page 9, of the Deed Records of Brazoria County, Texas, on the 19th day of October, 1989, at the time and date as stamped hereon by me.



Dolly Bailey
County Clerk of Brazoria Co., TX

FILED FOR RECORD

OCT 19 3 02 PM '89

Dolly Bailey
COUNTY CLERK
BRAZORIA COUNTY, TEXAS