MINUTES OF THE SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD JULY 13, 2009 AT 6:00 P.M., IN THE 2ND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Chairperson Jerry Koza, Jr. called the meeting to order at 6:10 p.m. with the following present:

P&Z Chairperson Jerry Koza, Jr.
P&Z Vice-Chairperson Charles Gooden, Jr.
P&Z Commissioner Darrell Diggs
P&Z Commissioner Neil West
P&Z Commissioner Susan Sherrouse
P&Z Commissioner Ron Capehart
P&Z Commissioner Henry Fuertes

Also in attendance were: Senior Planner Angela Gantuah, Plans and Plat Administrator Richard Keller, Deputy City Attorney Nghiem Doan, and Planning Secretary Judy Krajca.

NEW BUSINESS

INTRODUCTION OF DAVID WHITTAKER, CHIEF BUILDING OFFICIAL

Chairperson Jerry Koza, Jr. introduced Mr. Whittaker and asked him to speak. Mr. Whittaker talked of his background work in various cities in Arizona.

CONSIDERATION & POSSIBLE ACTION – Variance Request No. 2009-01 to Plat Undersized Lot at the Northeast Corner of Broadway and Roy Road

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Vice-Chairperson Charles Gooden, Jr. seconded.

Plans and Plat Administrator Richard Keller read the staff report explaining the need for this variance.

Chairperson Jerry Koza, Jr. asked why this was coming before the P&Z Commission and not the Zoning Board of Adjustment. Deputy City Attorney Nghiem Doan explained that it would need to go before each Board/Commission for approval.

Brief discussion ensued with regards to the need for a variance, as well as, the zoning, General Commercial (GC), staying as is.

The vote was 7-0. Variance Request No. 2009-01 was approved.

ADJOURNMENT
P&Z Chairperson Jerry Koza, Jr. adjourned the meeting at 6:25 p.m.

These minutes are respectfully submitted by:

Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 20th day of July A.D., 2009.

P&Z Acting Chairperson Charles Gooden, Jr. 8/3/09

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I. CALL TO ORDER

II. NEW BUSINESS

A. INTRODUCTION – David Whittaker, Chief Building Official

B. CONSIDERATION & POSSIBLE ACTION – Variance Request No. 2009-01 to Plat Undersized Lot at the Northeast Corner of Broadway and Roy Road

Request by Michael Smith, Accent Dental Association, PA, owner, to plat an undersized lot through approval of a variance from Section 2.4.4.5(c)(1)b. of the Unified Development Code requiring a minimum lot width of 150 feet in the GC Zone for a lot at the northeast corner of Broadway (F.M. 518) and Roy Road described as follows :

Being out of Lot 23, of the Allison-Richey Gulf Coast Home Company's Suburban Gardens Subdivision, as recorded in Volume 2, Page 23, Plat Records, Brazoria County, Texas, and being that certain 1.000 acre tract conveyed from Bill Holley to Rudolf L. Martinez and Randy B. Martinez, as recorded in Volume 1717, Page 185, Deed Records, Brazoria County, Texas, and being situated in the H. T. & B. R.R. Co. Survey, Section 8, Abstract No. 504. Brazoria County, Texas

IV. ADJOURNMENT

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

I, Judy Krajca, Planning Secretary of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 10th day of July 2009 A.D., at 5:30 p.m.

_____
Judy Krajca, Planning Secretary

Agenda removed _____ day of 2009.

CITY OF PEARLAND
PLANNING & ZONING

TO: **Pearland Planning & Zoning Commission**

FROM: **Richard Keller, Plans & Plat Administrator**

DATE: **July 7, 2009**

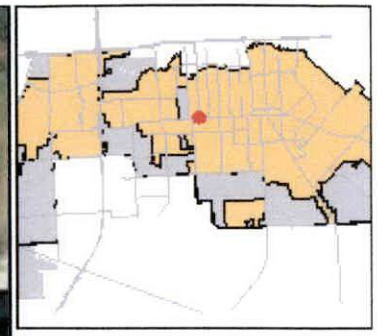
SUBJECT: **Variance Request No. 2009-01**

The owner of a one-acre parcel of land at the northeast corner of Broadway (F.M. 518) and Roy Road, Accent Dental Association, PA, wishes to plat this property for development. The proposed site plan and address dictates that the property have frontage on Broadway. GC zoning for this property requires a minimum lot frontage width of 150 feet.

The original one-acre tract had 155.57 feet of frontage on Broadway. The adopted Thoroughfare Plan for Pearland requires an 80-foot right-of-way for Roy Road. This necessitated dedication of a 10-foot wide strip of right-of-way from this tract for additional right-of-way for Roy Road. This decreased the frontage on Broadway to 145.57 feet, less than the required 150 feet. The purpose of this variance request is to allow the property to be platted with 145.57 feet of frontage on Broadway. This is less than the required 150 feet of frontage.

Staff supports this variance request. The property owner is donating additional right-of-way for both adjoining streets through platting at no cost to the City of Pearland. If this additional right-of-way were not donated in this manner, the City would have to purchase this additional right-of-way, possibly through condemnation procedures, from the owner. We recommend that the Pearland Planning & Zoning Commission grant this variance request.

Broadway & Roy



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I. **CALL TO ORDER** 6:10 p.m.

II. **NEW BUSINESS**

A. **INTRODUCTION – David Whittaker, Chief Building Official** Jerry Koza, Jr. Chairperson introduced Mr. whittak

B. **CONSIDERATION & POSSIBLE ACTION – Variance Request No. 2009-01 to Plat Undersized Lot at the Northeast Corner of Broadway and Roy Road** Ron M, Charles - 2nd

Jerry asked Legal Counsel if this was an issue for P&Z to consider

Request by Michael Smith, Accent Dental Association, PA, owner, to plat an undersized lot through approval of a variance from Section 2.4.4.5(c)(1)b. of the Unified Development Code requiring a minimum lot width of 150 feet in the GC Zone for a lot at the northeast corner of Broadway (F.M. 518) and Roy Road described as follows :

RK read Staff rpt.

Being out of Lot 23, of the Allison-Richey Gulf Coast Home Company's Suburban Gardens Subdivision, as recorded in Volume 2, Page 23, Plat Records, Brazoria County, Texas, and being that certain 1.000 acre tract conveyed from Bill Holley to Rudolf L. Martinez and Randy B. Martinez, as recorded in Volume 1717, Page 185, Deed Records, Brazoria County, Texas, and being situated in the H. T. & B. R.R. Co. Survey, Section 8, Abstract No. 504. Brazoria County, Texas

Highway 518

This variance comes before P&Z 1st, as well as, the ZBA before

IV. **ADJOURNMENT**

Henry asked if the UDC could be revised in a case such as this in order to avoid going before the P&Z & ZBA.

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See shorten lot 150' to 145'

I, Judy Krajca, Planning Secretary of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 10th day of July 2009 A.D., at 5:30 p.m.

UDC requires 150'. However, he is having to give up ROW - leaving w/him 145'.

_____
Judy Krajca, Planning Secretary

Zoning is GC and remains GC.

Agenda removed _____ day of 2009.

7-0 approved

adjourned @ 6:25 pm

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PLANNING & ZONING

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Broadway & Roy

PLANNING & ZONING COMMISSION MEETING

DATE: 7-13-09

NAME	COMPANY	ITEM OF INTEREST	COMMENTS
David Whittaker	COP		
Mike Hodge	COP		