

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JULY 7, 1997, 6:00 P.M. IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of June 23, 1997

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Sedgefield, Section 1 at Silverlake. A subdivision of 32.3584 acres of land out of the John W. Maxey Survey, Abstract No. 721 and the G.C. Smith Survey, Abstract No. 548, Brazoria County, Texas.

Variance Request

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

B. CONSIDERATION AND POSSIBLE ACTION - Final Replat of Lot 32, Block 2 and Reserves "C" & "D", a tract of 0.2954 acres of land being a replat out of Winfield at Silverlake, a subdivision of 24.9232 acres of land out of the G.C. Smith Survey, A-548, Brazoria County, Texas, as recorded in Volume 19, Page 549-552 B.C.P.R.

D. CONSIDERATION AND POSSIBLE ACTION - Discussion item to review City Council's action on recent zone change applications.

IV. NEXT MEETING DATE: Monday, July 14, 1997, 6:30 p.m.
Joint Public Hearing

V. ADJOURNMENT

Posted: 3rd Day of July, A.D., 1997
1:30 A.M. (P.M.)

Removed: 8th Day of July, A.D., 1997

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JUNE 23, 1997, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 8:50 p.m. with the following present:

Vice Chairman	Pat Lopez
Commissioner	Don Baker
Commissioner	Emil Beltz
Commissioner	Jack D. Mathis
Commissioner	Randy Patro
Commissioner	Tommy L. Scott
Commissioner	Mary Starr
City Projects Coordinator	Alan Mueller
Secretary	Judy Highburger

City Engineer John Hargrove, Assistant City Manager Richard Burdine, and City Planning and Development Director Dennis Smith were absent.

II. APPROVAL OF MINUTES:

Minutes of June 16, 1997

A motion was made by Commissioner Jack D. Mathis, and seconded by Commissioner Mary Starr to approve the Minutes of June 16, 1997, with a correction to the date of the Minutes to be changed from June 2, 1997, to June 16, 1997.

Motion passed to Approve 7 to 0.

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - 29 TRACTS IN GARDEN ACRES SUBDIVISION

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:

Located in Garden Acres Subdivision, being the H.C. Johnston 99 Acre Tract, also being the south 99 acres of Section 7 of the H.T. & B.R.R. Company Survey, A-219, Brazoria County, Texas, and being more particularly described as follows:

Zoning Application No. 139

Legal Description: The north ½ of Lot A (175' x 300'), also being Lot A-1, Section 1, Garden Acres Subdivision.

Address: 2411 Garden Road

Owner: Billy T or Joyce J. Hill

Zoning Application No. 140

Legal Description: The south ½ of Lot A, Section 1, Garden Acres Subdivision.

Address: 6507 Laurie Street

Owner: Dinh Kim Pham

Zoning Application No. 141

Legal Description: 1.24 acres out of Tract C, Section 1, Garden Acres Subdivision.

Address: 6329 Laurie Street

Owner: Richard L & Betty Jo Gilbert

Zoning Application No. 142

Legal Description: 1.17 acres out of Tract C, also being Lot C-1, Section 1, Garden Acres Subdivision.

Address: 6325 Laurie Street

Owner: Doyle R. & Jean A. Rains

Zoning Application No. 143

Legal Description: 1.00 acre out of Lot D, also being Lot D-1, Section 1, Garden Acres Subdivision.

Address: 6221 Laurie Street

Owner: William & Julie Boughter

Zoning Application No. 144

Legal Description: Lot N, Section 1, Garden Acres Subdivision.

Address: 6330 Laurie Street

Owner: Ottis B. Lynch

Zoning Application No. 145

Legal Description: Lot M, Section 1, Garden Acres Subdivision.

Address: 6326 Laurie Street

Owner: John F. & Rosie R. Barta

Zoning Application No. 146

Legal Description: Lot L, Section 1, Garden Acres Subdivision.

Address: 6310 Laurie

Owner: Herman Edward Rhodes

Zoning Application No. 147

Legal Description: Lot K, Section 1, Garden Acres Subdivision.
Address: 6222 Laurie Street
Owner: Frank Simms

Zoning Application No. 148

Legal Description: Lot 1, Block 5, Section 2-A, Garden Acres Subdivision.
Address: 6319 Gardenia Street
Owner: Gerald D. McManus

Zoning Application No. 149

Legal Description: Lots 3 and 4, Block 5, Section 2-A, Garden Acres Subdivision.
Address: 6221 Gardenia Street
Owner: David L. & Carolyn Osteen

Zoning Application No. 150

Legal Description: Lot 8, Block 5, Section 2-A, Garden Acres Subdivision.
Address: 6113 Gardenia Street
Owner: W.E. Wittze

Zoning Application No. 151

Legal Description: Lot 5, Block 2, Section 2, Garden Acres Subdivision.
Address: 2609 Garden Road
Owner: Dave Mitchell Parrish & Dorrilla Dinnece Parrish

Zoning Application No. 152

Legal Description: Lot 3, Block 3, Section 2, Garden Acres Subdivision.
Address: 2544 Lazybend Street
Owner: Rupert Hugh Brown

Zoning Application No. 153

Legal Description: Lot 6, Block 3, Section 2, Garden Acres Subdivision.
Address: 2620 Lazybend Street
Owner: Rick D. Bertram

Zoning Application No. 154

Legal Description: Lot 2, Block 4, Section 2, Garden Acres Subdivision.
Address: 2537 Lazybend Street
Owner: Kenneth R. & Billie W. Williams

Zoning Application No. 155

Legal Description: Lot 3, Block 4, Section 2, Garden Acres Subdivision.
Address: 2620 Lazybend Street
Owner: Michael E. Cotter

Zoning Application No. 156

Legal Description: Lot 5, Block 4, Section 2, Garden Acres Subdivision.

Address: 2613 Lazybend Street

Owner: George H. McCaa

Zoning Application No. 157

Legal Description: A 2.5922 acre tract out of a 12.00 acre tract, Garden Acres Subdivision.

Address: 6220 Gardenia Street

Owner: Thomas E. & Melinda W. Rosinski

Zoning Application No. 158

Legal Description: Lot D, Section 3, Garden Acres Subdivision.

Address: 6204 Gardenia Street

Owner: Bill McNutt

Zoning Application No. 159

Legal Description: Lot 4, 5, & 6, Section 3, Garden Acres Subdivision.

Address: 2550 Thelma Street

Owner: Robert L. & Bettye L. Osteen

Zoning Application No. 160

Legal Description: Lots 1 & 2, Section 3, Garden Acres Subdivision.

Address: 2626 Thelma Street

Owner: Arthur & Janice Kneeland

Zoning Application No. 161

Legal Description: Lot 9, Section 3, Garden Acres Subdivision.

Address: 2613 Thelma Street

Owner: J.T. & Anna Taylor

Zoning Application No. 162

Legal Description: Lots 7 & 8, Section 3, Garden Acres Subdivision.

Address: 2629 Thelma Street

Owner: Mrs. Lee Latino

Zoning Application No. 195

Legal Description: 1.205 acres out of Tract E, Section 1, Garden Acres Subdivision.

Address: 6201 Laurie Street

Owner: Cary A. Johnston

Zoning Application No. 204

Legal Description: 1.41 acres out of Lot D, Section 1, Garden Acres Subdivision.

Address: 6309 Laurie Street

Owner: Robert L. & Jeanne Mizell

Zoning Application No. 205

Legal Description: Lots 10 & 15, Section 3, Garden Acres Subdivision.

Address: 2603 Thelma Street

Owner: William & Rhonda Cross

Zoning Application No. 209

Legal Description: Lot 11, Section 3, Garden Acres Subdivision.

Address: 2551 Thelma Street

Owner: Harold E. Forster

Zoning Application No. 210

Legal Description: Lots 16 & 17, Section 3, Garden Acres Subdivision.

Address: 2626 O'Day

Owner: E.E. & Wilma Rader

A motion was made by Commissioner Tommy L. Scott, and seconded by Commissioner Randy Patro to approve 29 Tracts in Garden Acres Subdivision, with the exception of an address correction on Application No. 155 from 2620 Lazybend Street to 2549 Lazybend Street.

Motion passed to approve 7 to 0.

B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 215

Request of Charlie Vatterott, agent for Frank D. Barringer, Trustee, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from the Classification of Suburban Development (SD) to Multi Family Dwelling District (MF) on the following described property, to-wit:

32.72 Acres out of the west 1/2 of the northeast 1/4, Section 15, of the H.T. & B.R.R. Survey, A-241, as Recorded in Volume 297, Page 98, Brazoria County, Texas.

A motion was made by Commissioner Patro to deny Application No. 215, and seconded by Vice Chairman Beltz.

Discussion began with Commissioners' concerns on the use of the property. Chairman Pat Lopez said the use of the property is a challenge, and thinks the requested application is a good use of the land. He is not going to make a recommendation for a zone change to Planned Unit Development (PUD). Commissioner Patro said approval of the application with the requested MF category will be like giving a blank check to the developers. He is in favor of changing the category to PUD, which is more restrictive.

Motion passed to deny 6 to 1 (Chairman Lopez voted nay).

C. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 197

Request of Bert & Ursula Jones, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to

General Business (GB) on the following described property, to-wit:

Lots 13 & 14, Section 3, Garden Acres Subdivision of the H.C. Johnston 99 Acre Tract, also being the south 99 acres of Section 7 of the H.T. & B.R.R. Company Survey, A-219, Brazoria County, Texas. (2538 O'Day)

Mr. Bert Jones was present seeking approval of Application No. 197.

A motion was made by Commissioner Scott, and seconded by Commissioner Patro to deny Application No. 197.

Commissioner Patro asked if the reason for the General Business category request was because of the proposed feed store, to which Mr. Jones said yes.

Motion passed to deny 7 to 0.

D. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE PERMIT NO. 51

Request of Bert & Ursula Jones, owner, for a Specific Use Permit for a residential dwelling in a General Business District on the following described property, to-wit:

Lot 13, Section 3, Garden Acres Subdivision of the H.C. Johnston 99 Acre Tract, also being the south 99 acres of Section 7 of the H.T. & B.R.R. Company Survey, A-219, Brazoria County, Texas. (2538 O'Day)

A motion was made by Commissioner Patro and seconded by Commissioner Scott to deny Specific Use No. 51.

Motion passed to deny 7 to 0.

E. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE PERMIT NO. 52

Request of Bert & Ursula Jones, owner, for a Specific Use Permit for a animal husbandry in a General Business District on the following described property, to-wit:

Lot 14, Section 3, Garden Acres Subdivision of the H.C. Johnston 99 Acre Tract, also being the south 99 acres of Section 7 of the H.T. & B.R.R. Company Survey, A-219, Brazoria County, Texas. (2538 O'Day)

A motion was made by Commissioner Patro and seconded by Commissioner Scott to deny Specific Use No. 52.

Motion passed to deny 7 to 0.

IV. NEXT MEETING DATE:

July 7, 1997, 6:00 p.m.

V. ADJOURNED:

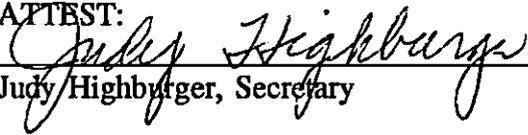
9:09 p.m.

Minutes approved as submitted this 7 day of July
A.D., 1997.



Pat Lopez, Chairman

ATTEST:



Judy Highburger, Secretary



JONES & CARTER, INC.

Consulting Engineers

6335 Gulfton, Suite 200
Houston, Texas 77081-1169

713/777-5337
Fax 713/777-5976

RECEIVED DEC 02 1996

November 25, 1996

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

Re: Variance Request
Sedgefield Sec. 1 at Silverlake

Dear Members:

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

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

Our request is based on the following considerations:

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

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

5-foot side lot building line setback

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

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

Sincerely,

Catherine G. Mitchell

Catherine Garza Mitchell

CGM/dmw

ENG\CG\PEARLAND\VAR-SDG1.DOC