

## Planning and Zoning Commission

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### **AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON JULY 08, 2002 IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

#### **I. CALL TO ORDER**

#### **II. NEW BUSINESS**

##### **A. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1043**

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Heavy Industrial District (M-2) on the following described property, to wit:

Zone Change Application No. 1043

Legal Description: 10.0597 acres, being Lot 3, Allison Richey Gulf Coast Home Co. Subdivision, Section 10, H. T. & B. R.R. Co. survey, A-505, Brazoria Co., TX, as recorded in Volume 2, page 24, plat records of Brazoria Co., TX (7717-7817 Thomson Street)

Owner: Marie Thomson  
7730 Thomson Street  
Pearland, TX 77581

##### **B. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 109**

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Light Industrial District (M-1) to Light Industrial District – Specific Use (M-1(S)) for mini-warehouse storage, on the following described property, to wit:

Specific Use Application No. 109

Legal Description: 8.2126 acres, being Tract A, out of 17.3151 acres in the H. T. & B. R.R. Co. survey, Section 11, A-239, Brazoria Co., TX (4181 Magnolia Street)

Owner: Mancel C. Beam  
4181 Magnolia  
Pearland, TX 77584

## Planning and Zoning Commission

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### **C. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 110**

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Single Family Dwelling District (R2) to Single Family Dwelling District – Specific Use (R2(S)) for a daycare, on the following described property, to wit:

Specific Use Application No. 110

Legal Description: Being a tract of land out of a 31.606 acre tract of the H. T. & B. R.R. co. survey, Section 11, A-239, Brazoria Co., TX (4604 Walnut)

Owner: Don & Janell Moore  
4604 Walnut  
Pearland, TX 77581

Agent: Donna Moore

### **D. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1049**

Request 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:

Zone Change Application No. 1049

Legal Description: Lot 11, Robin Cove Subdivision, Section 2, Brazoria Co., TX, according to the map or plat thereof recorded in Volume 19, pages 185-186, plat records of Brazoria Co., TX (7105 Robin Meadow)

Owner: Everett & Liz Alley  
P.O. Box 3332  
Pearland, TX 77588

### **E. CONSIDERATION & POSSIBLE ACTION – Zone Change Application Nos. 1044, 1045 and 1045.**

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

1. Zone Change Application No. 1044

Legal Description: 8.750 acres, being Tracts 17A, 17B and 18, 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 or plat thereof

# Planning and Zoning Commission

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recorded in Volume 2, page 23, plat records of Brazoria Co., TX  
(8210 Brookside Road)

Owner: Beatrice Lejsal  
8210 Brookside Road  
Pearland, TX 77581

## 2. Zone Change Application No. 1045

Legal Description: .6190 acres, being the East 135.66' of Tract 66, Hahl's Figland  
Orchard Subdivision, as recorded in Volume 3, page 77, Brazoria Co.  
plat-records, Brazoria Co., TX (5920 Fite Road)

Owner: Jesus M. Vasquez  
3202 Hatfield Road  
Pearland, TX 77584

## 3. Zone Change Application No. 1048

Legal Description: 8.11 acres of land, being part of Lot 46, Allison Richey Gulf Coast  
Home Co.'s Subdivision, Section 80, H. T. & B. R.R. Co. survey, A-  
564, Brazoria Co., TX, according to the plat recorded in Volume 2,  
page 98, plat records of Brazoria Co., TX  
(2657 CR 59)

Owner: Jose M. and Sandra R. Martinez  
6762 Richwood  
Houston, TX 77087

**III. NEXT MEETING DATES:** July 15, 2002 (Regular Meeting)

## **IV. ADJOURNMENT**

**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.**

# Planning and Zoning Commission

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## MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JULY 08, 2002, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

### I. CALL TO ORDER

The meeting was called to order at 7:55 p.m. with the following present:

P&Z Chairman	Todd Iocco
P&Z Commissioner	Kevin McDonald
P&Z Commissioner	Robert Scherrer
P&Z Commissioner	Don Sederdahl
P&Z Development Coordinator	Mona Phipps
P&Z Secretary	Jennifer Gonzales

### II. NEW BUSINESS

Chairman Iocco decided to take action on agenda items D and E first because the applications are less controversial.

#### D. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1049

**Request 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:**

##### **Zone Change Application No. 1049**

**Legal Description:** Lot 11, Robin Cove Subdivision, Section 2, Brazoria Co., TX, according to the map or plat thereof recorded in Volume 19, pages 185-186, plat records of Brazoria Co., TX (7105 Robin Meadow)

**Owner:** Everett & Liz Alley  
P.O. Box 3332  
Pearland, TX 77588

Commissioner Sederdahl made a motion to forward Zoning Application No. 1049 to City Council for approval. Commissioner Scherrer seconded the motion.

**Motion to approve passed 4 to 0.**

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**Mission Statement:** To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.

## Planning and Zoning Commission

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### **E. CONSIDERATION & POSSIBLE ACTION – Zone Change Application Nos. 1044, 1045 and 1048.**

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

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**Owner:** Beatrice Lejsal  
8210 Brookside Road  
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#### **2. Zone Change Application No. 1045**

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**Owner:** Jesus M. Vasquez  
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**Owner:** Jose M. and Sandra R. Martinez  
6762 Richwood  
Houston, TX 77087

Commissioner Scherrer made a motion to forward the Zoning Applications No. 1044, 1045, and 1048 to City Council for approval. Commissioner McDonald seconded the motion.

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**Mission Statement:** To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.

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**Motion to approve passed 4 to 0.**

### **A. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1043**

**Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Heavy Industrial District (M-2) on the following described property, to wit:**

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**Owner: Marie Thomson  
7730 Thomson Street  
Pearland, TX 77581**

Chairman Iocco asked for staff's comments.

Development Coordinator Mona Phipps stated the business is an existing use that was grandfathered into the city. She stated the owner can change tenants, however the owner cannot change uses under the present zoning classification.

Commissioner Sederdahl questioned how the city defines what use is actually being used. Development Coordinator Mona Phipps replied that for example, if a machine shop changes to a machine shop then that would be acceptable, however it would not be acceptable for a machine shop to change to a paint shop.

Commissioner Scherrer made a motion to forward Zoning Application No. 1043 to City Council for denial. Commissioner Sederdahl seconded the motion.

Commissioner McDonald asked if the request were to be approved, would the City keep up with making sure the business stays in compliant with regulations (and referred to storage, pouring, etc.). Development Coordinator Mona Phipps explained the EPA and Fire Marshall's office would enforce most of those issues, however they would probably only work off of complaints.

Commissioner Sederdahl showed concern regarding how the City would even know what kind of business is really there. Development Coordinator Mona Phipps replied that the City does rely on the applicant to let us know the existing use and what the proposed use of the property is. Commissioner Sederdahl pointed out that in reality the property owners have ultimate flexibility to say whatever for their business use of the property.

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Commissioner Scherrer stated the businesses have the ability to continue working in the same fashion as they have the past 22 years.

Mr. Cecil Boyles brought pictures for the Commission to review of the property. He stated he appreciates the Commission's consideration for the residents on this request.

Chairman Iocco stated there are four homes (three mobile homes and one house) on the property and three commercial buildings. He asked if the Heavy Industrial is granted what would happen to the homes. Development Coordinator Mona Phipps replied the homes could continue to stay on the property as a non-conforming use.

The Commission discussed which buildings were actually commercial.

Discussion ensued regarding the cell tower, and Development Coordinator Mona Phipps pointed out that a specific use permit is now required for a cell tower. She stated that if the cell tower on the property has a specific use permit then that permit would stay with the tower regardless of the zoning.

Chairman Iocco stated he is almost sure the cell tower was put in before this area was annexed or before the ordinance was changed. Cecil Boyken stated that he remembers receiving a notice from the City regarding the land use change for the cell tower.

Cecil Boyken stated that he would like to see the City of Pearland get with the City of Brookside and go to Kender Morgan and have them look at the pipeline.

Chairman Iocco stated the Commission cannot do anything about the pipeline at this time and the Commission is dealing with the land over the pipeline. He added that situation could be something for the city staff to look into.

**Motion to deny passed 4 to 0.**

### **B. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 109**

**Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Light Industrial District (M-1) to Light Industrial District – Specific Use (M-1(S)) for mini-warehouse storage, on the following described property, to wit:**

#### **Specific Use Application No. 109**

**Legal Description: 8.2126 acres, being Tract A, out of 17.3151 acres in the H. T. & B. R.R. Co. survey, Section 11, A-239, Brazoria Co., TX (4181 Magnolia Street)**

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**Mission Statement:** To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.

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**Owner:** Mancel C. Beam  
4181 Magnolia  
Pearland, TX 77584

Commissioner Sederdahl made a motion to forward Specific Use Application No. 109 to City Council for approval. Commissioner McDonald seconded the motion.

Commissioner McDonald asked if anything has been built yet and if the property is surrounded by any residential zoning. Development Coordinator Phipps replied the business is not built yet and the property to the south is residential (R-2) with a Commercial buffer along Magnolia.

Commissioner McDonald asked if they would still have to conform to the masonry requirement or any architectural overlays although the subdivision to the south is not complete. Development Coordinator Phipps replied they would have to comply.

Commissioner Scherrer asked if they were going to make the long building into a mini-storage warehouse. Development Coordinator replied they are and at this time the existing building is not being used.

Chairman Iocco asked if there is currently an existing machine shop or a wood shop. Development Coordinator Mona Phipps replied that staff did not get to meet with the applicant, however the application states the existing facility is not being used.

Commissioner Sederdahl explained that outside storage is his main concern (boats, trailers, etc). He stated the residents who are going to live across the street are not going to be happy about any outside storage. He asked what Pearland's restrictions are for the mini-storage.

Development Coordinator Mona Phipps explained that the ordinance was just revised and if any Commercial/Industrial property adjoins residential zoning then they cannot have any outside storage at all. She explained that the new ordinance would not pertain to this application because it is surrounded by industrial to the north side of the property.

Commissioner Sederdahl stated that he could never approve the request unless the approval specified that the specific use permit be for inside storage only.

Development Coordinator Mona Phipps pointed out that with a Specific Use Permit the Commission can add stipulations.

Chairman Iocco stated that he would rather see a line of RV's in a well-maintained area versus a giant pipeline company with piles of pipe or a fabrication shop, which could very well go in the surrounding Light Industrial area. He explained that we have request for an outside storage facility in a zoning area that is applicable to outside storage.

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Commissioner Scherrer stated he does not think the boats and RV's need to be visible from the street directly across from a residential subdivision.

Chairman Iocco pointed out that there is another business in the area that is an "eye sore", and the City has not done anything about that company. He suggested some kind of masonry fence be required around the subject property.

Commissioner Scherrer recapped their options to either approve the request with stipulations, approve the request as is, or deny the request.

Development Coordinator Mona Phipps stated they would not have to provide a masonry fence unless it is specified.

Commissioner Sederdahl pointed out that Missouri City does not play games with how they want their businesses to look. He asked what kind of vision is Pearland looking for. He clarified that he doesn't need the fencing to be masonry, however he would like some kind of fencing. Development Coordinator Mona Phipps suggested stating that outside storage cannot be visible from the street.

Commissioner Sederdahl brought up the possibility of having the business gated and how nice it would make Pearland look. Chairman Iocco stated that most of the mini-storage companies are already doing that.

Chairman Iocco suggested that all outside storage must be surrounded by a continuous structure.

A lengthy discussion ensued regarding the different types of fencing and visibility.

Commissioner Scherrer amended his motion for approval to add the stipulation that a masonry fence is required and no outside storage must be visible from the surrounding property. Commissioner McDonald seconded the motion.

**Motion to approve passed 4 to 0.**

### **C. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 110**

**Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Single Family Dwelling District (R2) to Single Family Dwelling District – Specific Use (R2(S)) for a daycare, on the following described property, to wit:**

**Specific Use Application No. 110**

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**Mission Statement:** To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.

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**Legal Description:** Being a tract of land out of a 31.606 acre tract of the H. T. & B. R.R. co. survey, Section 11, A-239, Brazoria Co., TX (4604 Walnut)

**Owner:** Don & Janell Moore  
4604 Walnut  
Pearland, TX 77581

**Agent:** Donna Moore

Chairman Iocco asked how big the property is. Development Coordinator Mona Phipps replied one acre.

Commissioner McDonald asked for staff's recommendation. Development Coordinator Mona Phipps replied staff is recommending approval.

Commissioner Scherrer stated his concerns regarding the traffic along Walnut Street.

Chairman Iocco pointed out that ultimately Walnut Street is going to be a four-lane road.

Commissioner Sederdahl asked if the property owner could enlarge the business with a specific use permit. Development Coordinator Phipps replied they could enlarge the facility.

Commissioner Sederdahl commented that an acre of land is a lot of land and he is sure the applicant would provide sufficient parking.

Commissioner Sederdahl asked for Planner Theresa Grahmann's opinion. Planner Grahmann replied that she would go with staff's recommendation for approval.

Chairman Iocco referred to the brown spot on the zoning map, which is a barbershop, and the zoning down the street for the other day care center (which turned out nicely). He reminded the Commission that they should think about what kind of vision they want to create for Walnut Street.

Commissioner Sederdahl commented that a day care center fits almost anywhere.

Commissioner McDonald stated his son goes to a day care along FM 518 in which there is always accidents, so he actually supports this location.

Commissioner Sederdahl asked if the Commission could put a stipulation on the request that only the land would be used since the owner is actually buying the lot so the kids would have some additional land to play on. Development Coordinator Mona Phipps replied they could not do that because the applicant is applying for a day care center.

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Discussion ensued between staff and the Commission regarding fence requirements.

Chairman Iocco stated they are going beyond the scope of their duty and they need to focus on what is the best zoning for the land.

Commissioner Scherrer argued that he just wants to make sure this request is appropriate for this property.

Commissioner McDonald asked what would have to be brought up to code. Development Coordinator replied that the ADA standards, electrical, plumbing, parking and landscaping would have to be brought up to code.

Commissioner Sederdahl suggested that the Commission approve this request and he pointed out that this is a young couple just trying to start a business in a good location.

Commissioner Scherrer amended the original motion for approval to add in a stipulation that all play area is fenced. Commissioner Sederdahl seconded the motion.

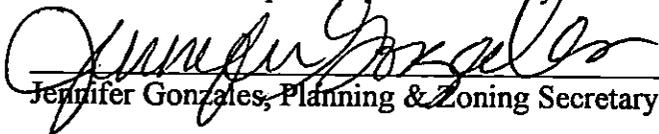
**Motion to approve passed 4 to 0.**

**III. NEXT MEETING DATES: July 15, 2002 (Regular Meeting)**

**IV. ADJOURNMENT**

The meeting adjourned at 8:59 p.m.

These minutes respectfully submitted by:

  
Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this \_\_\_ day of \_\_\_\_\_, 2002.

  
Todd Iocco, Planning & Zoning Chairman

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**III. NEXT MEETING DATES:** July 15, 2002 (Regular Meeting)

## IV. ADJOURNMENT

**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.**

Posted: 28<sup>th</sup> day of June, 2002 A.D.

Removed: \_\_\_\_\_ day of \_\_\_\_\_, 2002 A.D.



RECEIVED  
CITY OF PEARLAND  
CITY SECRETARY'S OFFICE

2002 JUL -8 PM 4:27

## PUBLIC COMMENT FORM

(Please type or print in black ink)

Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
281-652-1635

Zone Change Application No. 1049

Joint Public Hearing to be held Monday, July 8, 2002, at 6:30 PM  
in the City Hall Council Chamber, 3519 Liberty Drive, Pearland, Texas

If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address prior to the Joint Public Hearing.

I am **FOR** the requested zoning as explained on the attached public notice.

I am **AGAINST** the requested zoning as explained on the attached public notice.

Name: JERALD R LANDIS

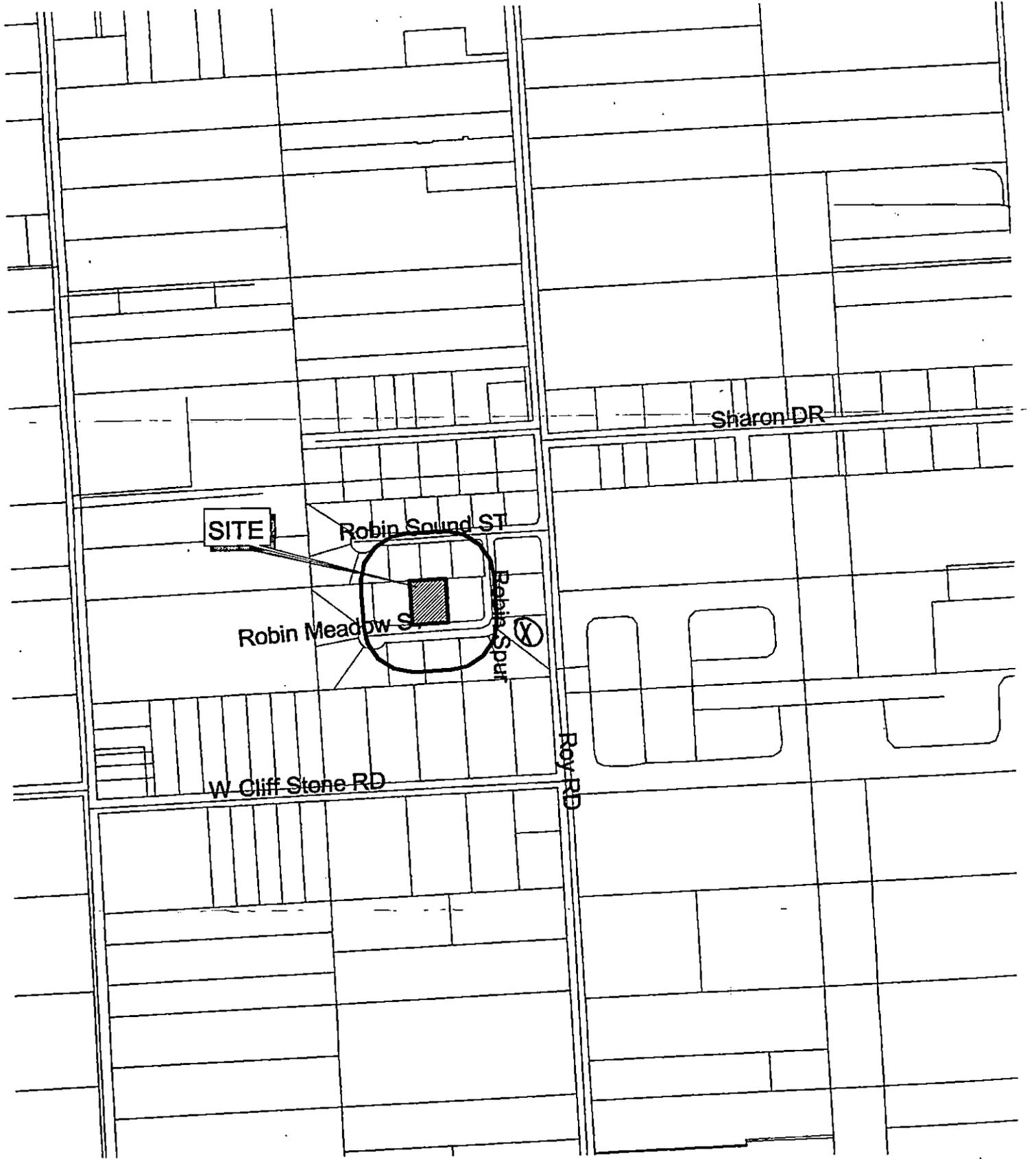
Address: 1913 ROBIN MEADOW

Pearland Tax Account No.  
(If shown on enclosed map): \_\_\_\_\_

Signature: [Handwritten Signature] Date: 7-8-02

### COMMENTS:

See Map for location of Landis Home,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zone Change Application No. 1049  
Everett & Liz Alley  
7105 Robin Meadow  
(SD-R1)





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CITY OF PEARLAND  
CITY SECRETARY'S OFFICE

2002 JUL -8 PM 4:27

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Name: JERALD R. LANDIS

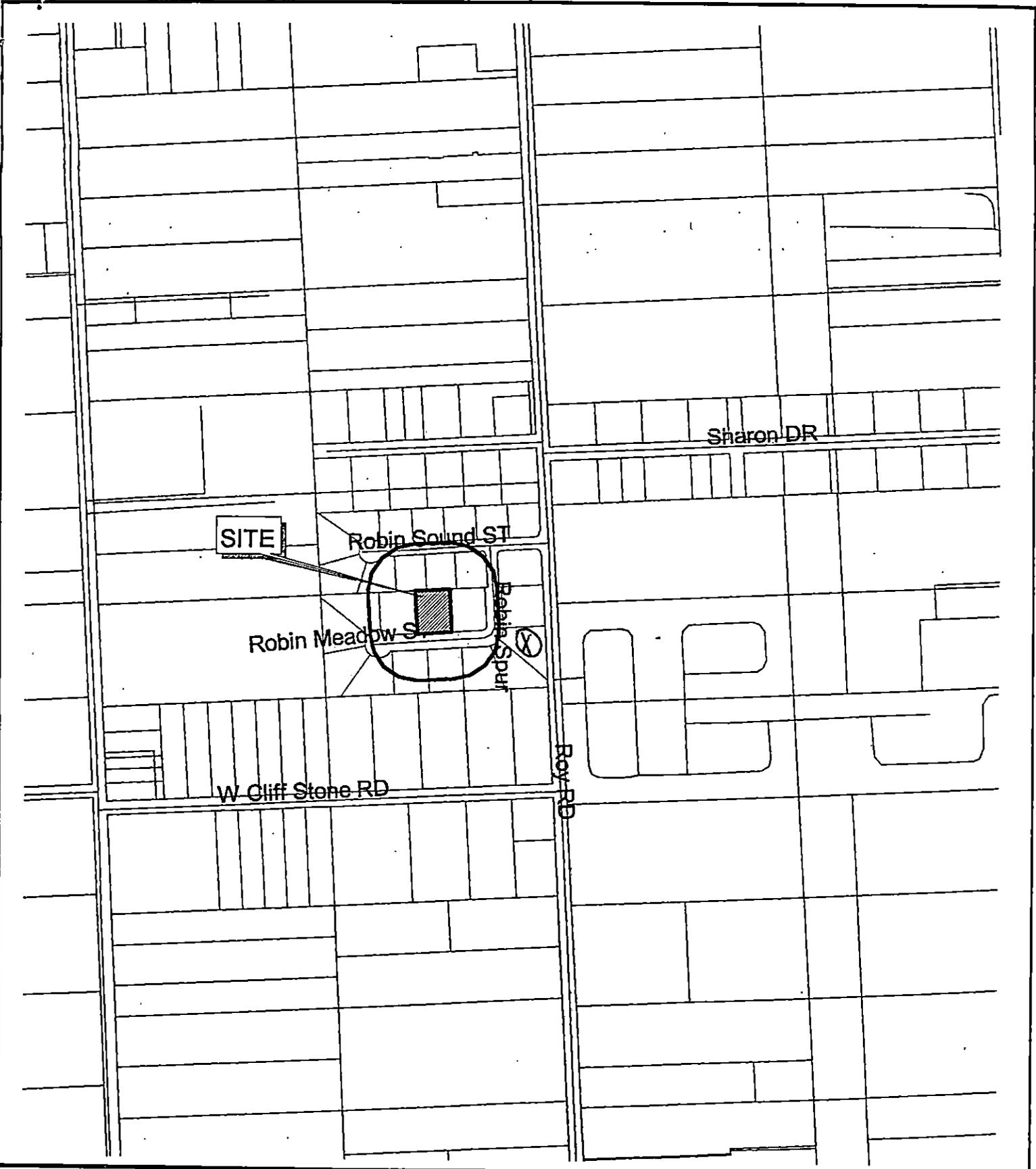
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Pearland Tax Account No.  
(If shown on enclosed map): \_\_\_\_\_

Signature: *Jerald R. Landis* Date: 7-8-02

**COMMENTS:**

See Map for location of Landis Home,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SITE

Robin Sound ST

Robin Meadow St

Robin Spur

Sharon DR

W Cliff Stone RD

Roy RD

Zone Change Application No. 1049  
Everett & Liz Alley  
7105 Robin Meadow  
(SD-R1)





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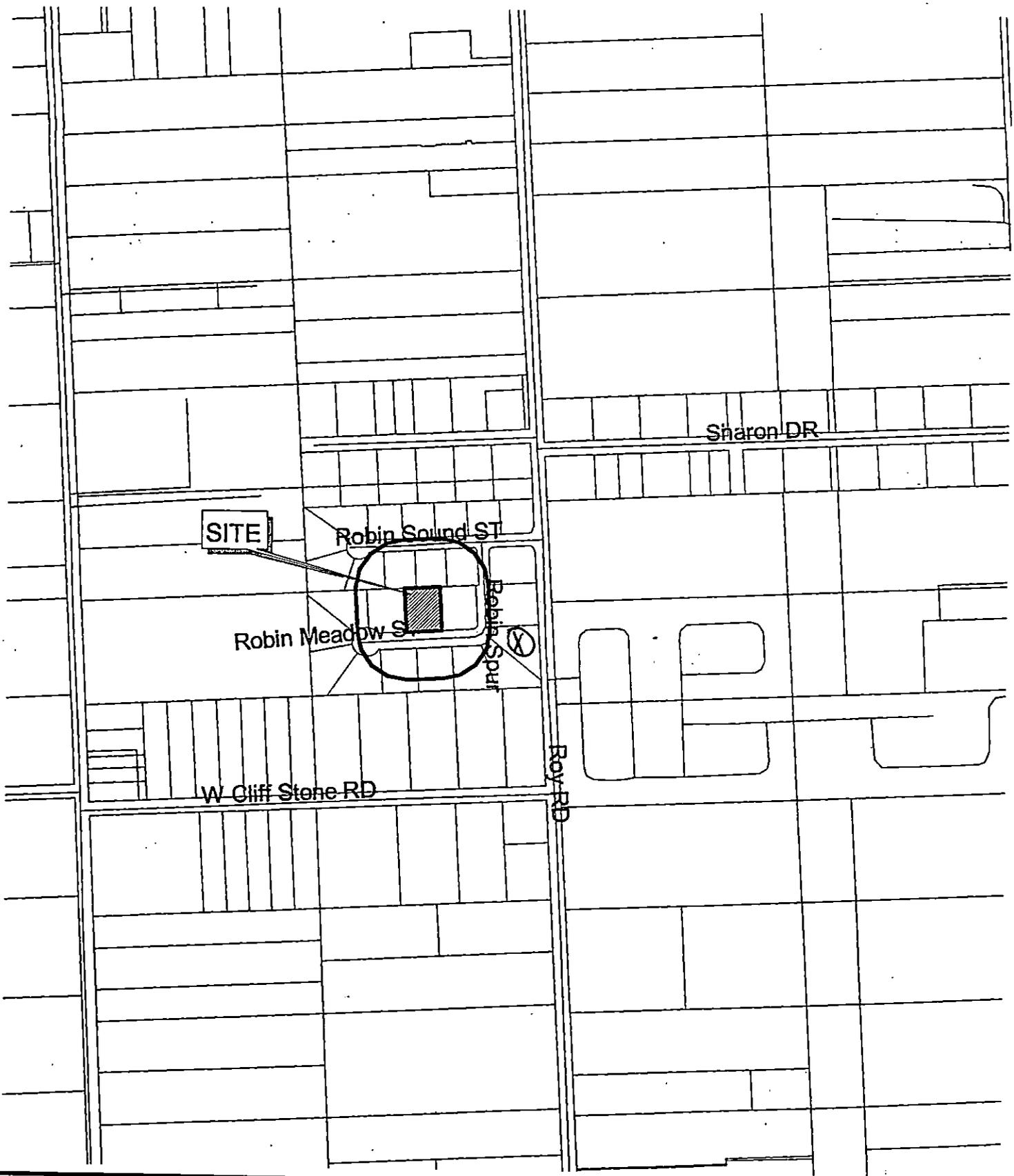
Name: JERALD R. LANDIS

Address: 1913 ROBIN MEADOW

Pearland Tax Account No.  
(If shown on enclosed map): \_\_\_\_\_

Signature: [Handwritten Signature] Date: 7-8-02

COMMENTS:  
See Map for location of Landis Home,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zone Change Application No. 1049  
Everett & Liz Alley  
7105 Robin Meadow  
(SD-R1)





RECEIVED  
CITY OF PEARLAND  
CITY SECRETARY'S OFFICE

2002 JUL -8 PM 4:27

## PUBLIC COMMENT FORM

Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
281-652-1635

(Please type or print in black ink)

Zone Change Application No. 1049

Joint Public Hearing to be held Monday, July 8, 2002, at 6:30 PM  
in the City Hall Council Chamber, 3519 Liberty Drive, Pearland, Texas

If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address prior to the Joint Public Hearing.

I am FOR the requested zoning as explained on the attached public notice.

I am AGAINST the requested zoning as explained on the attached public notice.

Name: JERALD R LANDIS

Address: 1913 ROBIN MEADOW

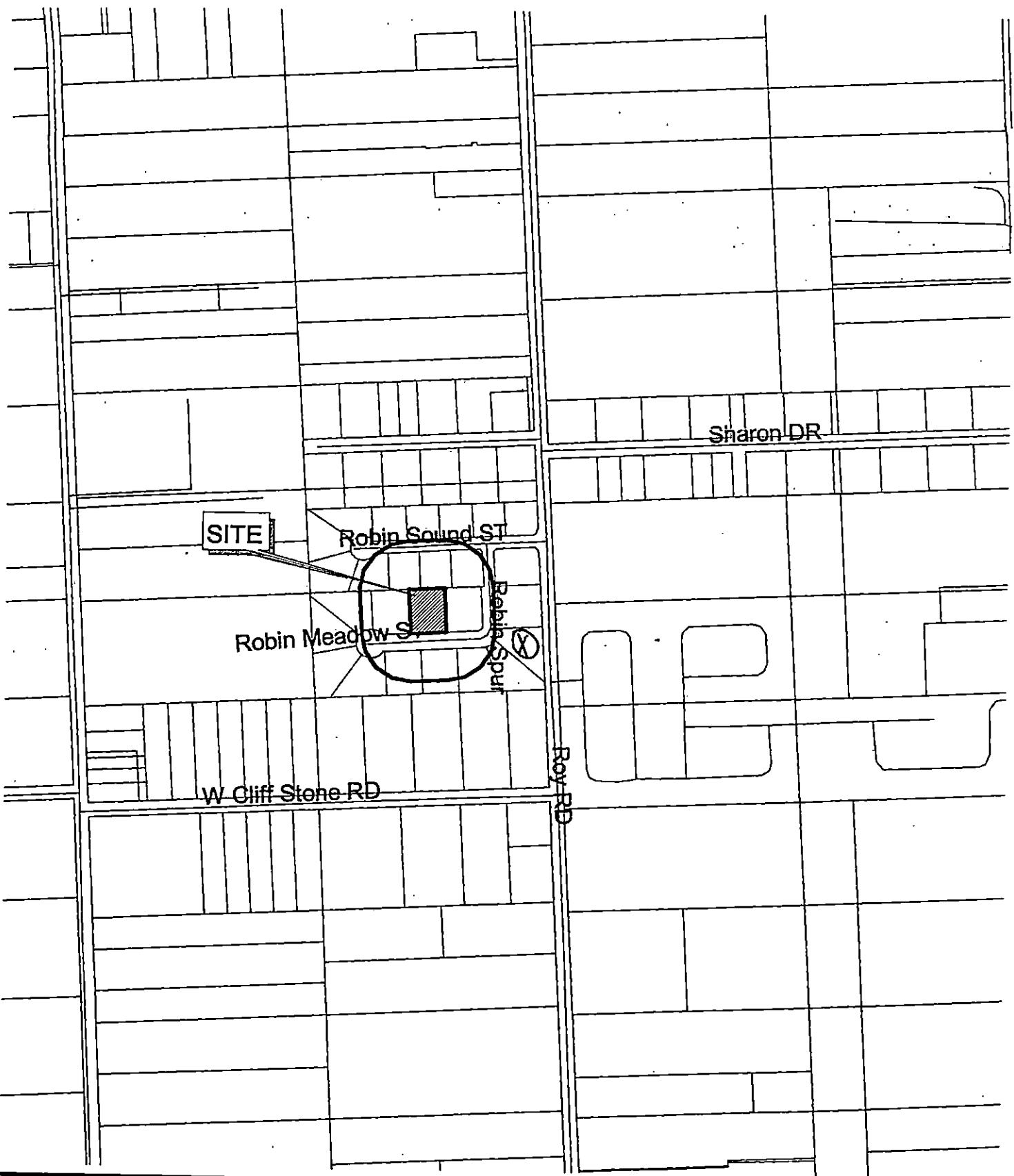
Pearland Tax Account No.  
(If shown on enclosed map): \_\_\_\_\_

Signature: [Handwritten Signature] Date: 7-8-02

### COMMENTS:

See Map for location of Landis Home.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zone Change Application No. 1049  
Everett & Liz Alley  
7105 Robin Meadow  
(SD-R1)





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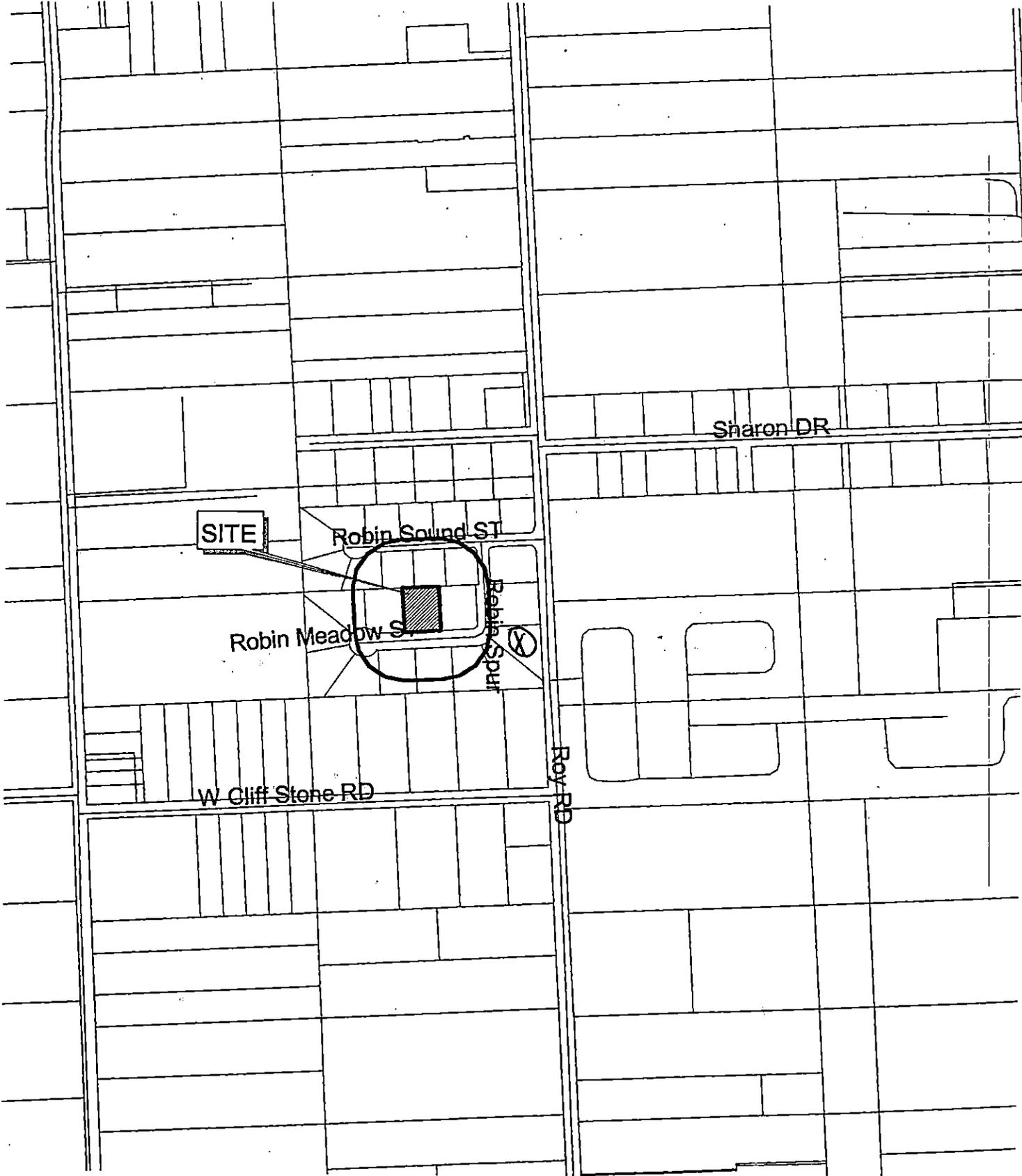
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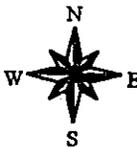
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See Map for location of Landis Home.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zone Change Application No. 1049  
Everett & Liz Alley  
7105 Robin Meadow  
(SD-R1)



7/18/02  
JPH

**MEMBERS OF THE PLANNING & ZONING COMMISSION  
(3 YEAR TERM)  
(2 TERMS ALLOWED)  
as of 09/20/01**

<u>MEMBER</u>	<u>TERM EXPIRES</u>	<u>PHONE #'S</u>
<del>H. CHARLES VIKTORIN, Chairman 2905 Smith Road Pearland, TX 77584</del>	November, 2002	Home: 281-485-4111 Mobile: 281-413-1844 Work: 281-997-3438 Fax: 281-997-3728
<del>DONALD GLENN, Vice-Chairman 1112 Gulfon Pearland, TX 77581</del>	March, 2002	Home: 281-996-1809 Office: 713-599-4141 Fax: 713-599-0058
<i>Yes</i> TODD IOCCO, CHAIRMAN 3510 Shadycrest Pearland, TX 77581	March, 2002	Office: 281-997-3747 Mobile: 281-923-8633 Fax: 281-403-1433
<i>Yes</i> KEVIN A. MCDONALD 1802 Oak Hollow Dr. W Pearland, TX 77581	September, 2004	Office: 832-736-9300 Home: 281-992-1693 Fax: 832-736-9333 Cell: 832-736-9300
<i>Yes</i> ROBERT SCHERRER 5315 Colonial Drive Pearland, TX 77584	April, 2004	Office: 713-529-3992 Fax: 713-529-8161
<i>Yes</i> DON W. SEDERDAHL 3418 Shady Crest Pearland, TX 77581	September, 2004	Office: 713-942-7575 Work: 281-412-0091
<i>No</i> <del>RUSS SELEMON 2312 John Pearland, TX 77581</del>	November, 2002	Office: 409-766-6445 Home: 281-996-9785 Fax: 409-766-6541