

MINUTES OF A SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON APRIL 8, 1993, AT 7:00 P. M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

The meeting was called to order with the following present:

Chairman	Richard Tetens
Vice Chairman	Emil Beltz
Commissioner	Pat Lopez
Commissioner	Jack Womack
Commissioner	Mary Starr
Planning Dir.	Richard Burdine
Building Official	Don Guynes
City Secretary	Pat Jones

Absent from the meeting: Commissioners Helen Beckman and James Garner had excused absences.

APPROVAL OF MINUTES

Chairman Tetens noted the City Secretary had asked that approval of the minutes be passed to a future meeting.

NEW BUSINESS

SP-24, REQUEST OF BILL WOOTTON, OWNER, TO RAISE AND SELL LIVE-STOCK IN AN R-1, SINGLE FAMILY DWELLING DISTRICT ON PROPERTY LOCATED AT 1325 E. BROADWAY

The Commission discussed the memo from City Health Officer John Hobson in which he informed that the keeping of emus and ostriches was prohibited inside the city limits.

Further discussion concerned the vagueness of the application which requests a specific use permit. The Commissioners expressed the opinion that the request should be specific and voiced concern that a precedent might be set by allowing a business in an R-1 zone.

It was moved by Commissioner Jack Womack, seconded by Commissioner Emil Beltz, that recommendation be made to Council that SP-24 be denied.

Motion passed 5 to 0.

SP-25, REQUEST OF JAMES AND JANICE PASKET, OWNERS, TO ERECT A METAL BUILDING FOR USE AS A GENERAL MACHINE SHOP IN A COMMERCIAL ZONE ON PROPERTY LOCATED AT 3425 AND 3427 SWENSEN

The Commission discussed the exact location of the site, area property usage, and the zoning for this site under the City's former zoning ordinance. Chairman Tetens explained that Ordinance No. 246, the original zoning ordinance, would have allowed this type of request; however, it was changed when Ordinance No. 509 was enacted because of some gray areas that Ordinance 246 allowed.

It was moved by Commissioner Mary Starr, seconded by Commissioner Pat Lopez, that recommendation be made to Council that SP-25 be approved.

Motion passed 5 to 0.

SP-26, REQUEST OF SUZANNE S. STOREY, AGENT FOR CUELLAR, ET AL, OWNERS, TO BUILD A CHURCH IN AN R-1, SINGLE FAMILY DWELLING DISTRICT ON PROPERTY LOCATED ON E. BROADWAY

The Commissioners consulted the zoning map in the Chambers and discussed the zoning of the homes adjacent to this property. It was noted there is another church nearby.

It was moved by Commissioner Mary Starr, seconded by Commissioner Emil Beltz, that recommendation be made to Council that SP-26 be approved.

Motion passed 5 to 0.

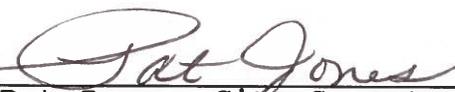
ADJOURNMENT

The meeting adjourned at 7:15 P. M.

Minutes approved as submitted and/or corrected this 20th day of April, A. D., 1993.


Richard Tetens, Chairman

ATTEST:


Pat Jones, City Secretary

SPECIFIC USE APPLICATION

ZONING CHANGE REQUESTED

BOARD OF ADJUSTMENT & APPEAL

- Change in Regulations in Section _____
- Change in Zone Class _____

- Variance Appeal
- Appeal from Interpretation
- Specific Use

From: _____

For: Raising Livestock

To : _____

in an R-1 zone

PROPERTY IDENTIFICATION:

Street or Road Address: 1325 E Broadway

Lot _____, Block _____, Addition See attached

SUBMITTAL INFORMATION:

- | | |
|--|--|
| 1. Must be professionally drawn _____ | 5. Tract Dimension _____ |
| 2. Minimum scale of 100' to inch _____ | 6. Location, size, relationship of all existing structures to boundary lines _____ |
| 3. North arrow _____ | |
| 4. Site map attached _____ | |

LEGAL DESCRIPTION:

Describe from Deed Records, attach copy of Deed, and use metes and bounds description:
Platted Land: See attached

Unplatted Land: (Must have metes and bounds description) _____

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

Raising & Selling of Livestock

RECORD OWNER: Bill m Woodson

OWNER'S MAILING ADDRESS & PHONE NO.: 1325 E Broadway
Pearland TX 77581 713 992 1589

AGENT'S NAME: _____ NO. _____

AGENT'S MAILING ADDRESS: _____

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.

SIGNATURE: Bill m Woodson OWNER SIGNATURE: Bill m Woodson OWNER

FEE: \$ 250.00 DATE PAID: 1-11-93 RECEIVED BY: M. Puel

DATE FILED: 1-12-93 APPLICATION NO. SP-24



City of Pearland

P. O. Box 2068 • Pearland, Texas 77588-2068 • 485-2411

NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL

AND

THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that on the 5th day of April , 1993, at 7:00 P. M., the City Council and the Planning and Zoning Commission of the City of Pearland, Brazoria and Harris Counties, Texas, will conduct a Joint Public Hearing in the Council Chambers, City Hall, 3519 Liberty Drive, Pearland, Texas, on the request of Bill Wootton, Owner, for a Specific Use Permit in an R-1, Single-Family Dwelling District to raise and sell livestock on the following described property, to-wit:

14.06 Acres of land, more or less out of a 36.3870 acre tract, out of the Einar Hoidale Subdivision, Perry and Austin League, A-111, Brazoria County, Texas. (1325 E. Broadway)

Site map is attached hereto for your information.

At said hearing all interested parties shall have the right and opportunity to appear and be heard on the subject.

Sincerely yours,

Pat Jones
City Secretary

Encl.

SP-24

Location Map



Subject

6 MINI MAP
© KEY MAPS, INC.
1411 W. Alaban
713-522-7949



City of Pearland

P. O. Box 2068 • Pearland, Texas 77588-2068
(713) 485-2411 • Fax (713) 485-8764

To: City Council
Planning and Zoning Commission
From: John D. Hobson, Health Officer *JH*

Date: March 17, 1993

Re: Bill Wooton request for Specific Use Permit

It has come to my attention that Mr. Wooton's request for a specific use permit is to raise emu or ostrich. An oversight has been made in relation to the City of Pearland's Code of Ordinance. In Chapter 6 (Animals and Fowl) the keeping of wild animals is forbidden.

(a) It shall be unlawful to keep, possess or to maintain, or to cause to be kept, possessed or maintained, any wild animal within the city, unless such animal is kept at all times within the confines of a properly licensed and permitted zoo, according to Texas Department of Parks and Wildlife regulations and applicable state statutes.
Sec. 6-21

Therefore, this permit should not be issued if emu or ostrich are to be raised.

direct physical control over such animal. In addition, any animal which is staked or tied down shall be considered to be at large, unless such animal is confined in a fenced yard or other fenced enclosure. Further, any animal left unattended in any vehicle in such manner that such animal is capable of extending his head beyond the physical bounds of such vehicle or outside such vehicle shall be considered to be at large.

Cat: All domestic species or varieties of the genus felis catus, male or female, four (4) months of age or older.

Department: The animal control department of the City of Pearland.

Dog: All domestic species or varieties of the genus canis familiaris, male or female, four (4) months of age or older.

Humane organization: A nonprofit organization or corporation which maintains a permanent shelter facility within the city for the care and custody of sick, injured, lost, abandoned or strayed animals and which provides veterinary services for the care of the animals kept there, which services are provided by a licensed veterinarian.

Kennel: Any lot, premise, building, structure or enclosure whereon or wherein four (4) or more dogs, cats or any combination thereof, over the age of six (6) months, are kept or maintained, regardless of purpose. This definition shall include shelter facilities operated by humane organizations, but shall exclude veterinary hospitals.

Owner: Any person or persons owning, possessing, harboring, keeping or sheltering any animal.

Veterinarian: Any person duly licensed to practice as a doctor of veterinary medicine by the licensing authority of the State of Texas or other jurisdiction whose licensing is reciprocal with the State of Texas.

Unprovoked attack: Unprovoked with respect to an attack by an animal shall mean that the animal was not hit, kicked or struck by a person with an object or part of a person's body, nor was any part of the animal's body pulled, punched or squeezed by a person.

Wild animal: Any mammal, amphibian, reptile or fowl which is of a species that is wild by nature, and of a species which, due

to size, vicious nature or other characteristics is dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, bears, wolves, raccoons, skunks (whether deodorized or not), apes, gorillas, monkeys, foxes, elephants, rhinoceroses, crocodiles, alligators and all forms of poisonous reptiles, but such term shall not include animals expressly allowed in this chapter. (Ord. No. 528, § 1(2), 9-22-86; Ord. No. 528-3, § 1, 4-23-90)

Sec. 6-3. Animal at large—Prohibited.

It shall be unlawful for any person to allow or permit any animal or fowl to be at large within the territorial limits of the city. (Ord. No. 528, § 1(6), 9-22-86)

Cross reference—Vicious animals at large, § 6-47.

Sec. 6-4. Same—Responsibility.

The owner or any other person having the right of possession of an animal shall ensure that such animal shall not be at large in violation of this chapter and shall be subject to punishment under the provisions of same without regard to whether he was acting with a culpable mental state. (Ord. No. 528, § 1(4), 9-22-86)

Sec. 6-5. Nuisance abatement.

(a) *At large.* Any animal or fowl at large within the territorial limits of the city is hereby declared to be a nuisance, and the animal control officer of the city is hereby empowered to use all reasonable means necessary to abate such nuisance when the same exists within the city.

(b) *Noise.* Any animal or fowl, which by the loud and habitual making of noise shall cause serious annoyance within the neighborhood where such animal or fowl is kept, is hereby declared to be a nuisance, and the keeping harboring or possession of such animal or fowl is hereby declared to be unlawful, and any court having jurisdiction over either such animal or fowl or any person keeping, harboring or possessing the same shall have the authority to require the abatement of such nuisance. (Ord. No. 528, § 1(5), 9-22-86)

ZONING CHANGE REQUESTED

- () Change in Regulations in Section _____
- (.) Change in Zone Class _____

- () Variance Appeal
- () Appeal from Interpretation
- (x) Specific Use

From: _____
 To: _____

for: Machine Shop in
a Commercial zone

PROPERTY IDENTIFICATION:

Street or Road Address: 3425, 3427 Swensen Drive
 Lot 9210, Block _____, Addition _____

SUBMITTAL INFORMATION:

- | | |
|--|--|
| 1. Must be professionally drawn _____ | 5. Tract Dimension _____ |
| 2. Minimum scale of 100' to inch _____ | 6. Location, size, relationship of all existing structures to boundary lines _____ |
| 3. North Arrow _____ | |
| 4. Site map attached _____ | |

LEGAL DESCRIPTION:

Describe from Deed Records, attach copy of Deed, and use metes and bounds description:

Platted Land: _____

 Unplatted Land: (Must have metes & bounds description) _____

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

Erection of metal Building for General Machine Shop use

RECORD OWNER: James R. Pasket & Janice Pasket wife

OWNER'S MAILING ADDRESS & PHONE NO.: 10429 Chambers
(943-3389 Hm.) (946-2032 wk) Houston, Tx. 77034

AGENT'S NAME: _____ NO. _____

AGENT'S MAILING ADDRESS: _____

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.

SIGNATURE James R. Pasket Owner SIGNATURE Janice Pasket Owner

FEE: \$ 250.00 DATE PAID: 2-3-93 RECEIVED BY: M. P. P.

DATE FILED: 2-4-93 APPLICATION NO. SP-25



City of Pearland

P. O. Box 2068 • Pearland, Texas 77588-2068 • 485-2411

NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL

AND

THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that on the 5th day of April, 1993, at 7:00 P. M., the City Council and the Planning and Zoning Commission of the City of Pearland, Brazoria and Harris Counties, Texas, will conduct a Joint Public Hearing in the Council Chambers, City Hall, 3519 Liberty Drive, Pearland, Texas, on the request of James R. and Janice Pasket, Owners, for a Specific Use Permit in a Commercial Zone to erect a metal building for use as a general machine shop on the following described property, to-wit:

Lots 9 and 10 of the Thomas A. Gilbert Industrial Tract Subdivision out of Tract 119 of the A. C. H. & B. Survey, Section 1, Abstract 147, Brazoria County, Texas. (3425 and 3427 Swensen Drive)

Site map is attached hereto for your information.

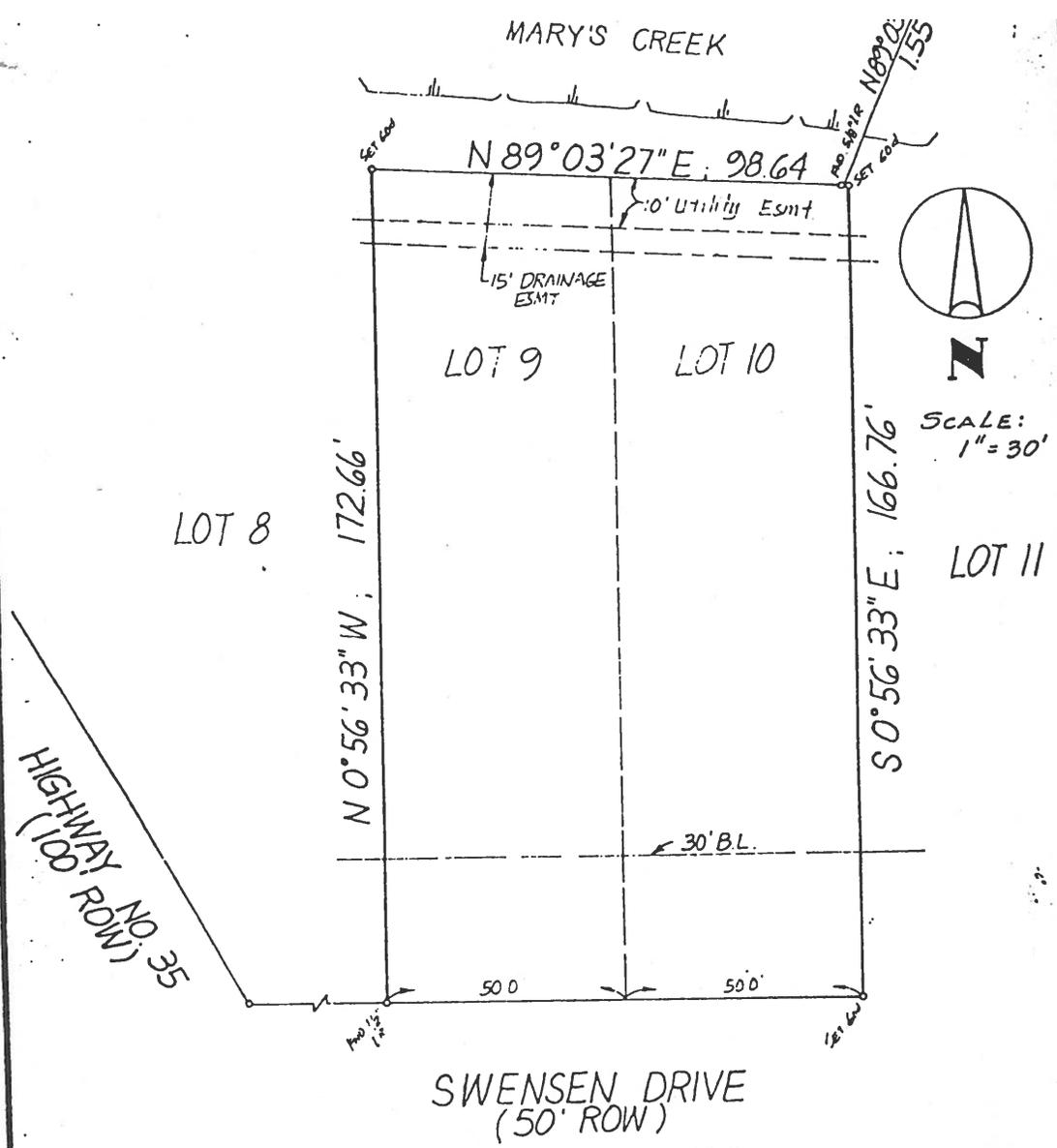
At said hearing all interested parties shall have the right and opportunity to appear and be heard on the subject.

Sincerely yours,

Pat Jones
City Secretary

Encl.

SP-25



SWENSEN DRIVE
(50' ROW)
GP No.

Property of: James R. Pasket and wife, Janet Pasket
 Location: Swensen Drive
 Survey of Lots 9 and 10 of the Thomas Gilbert Industrial Tracts Subdivision out of Tract 119 of the ACH&K Survey, Section 1, Abstract 14, Brazoria County, Texas, according to the map or plat thereon recorded in Volume 15, pages 317-318, of the Map records of Brazoria County, Texas.
 The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is correct and that there are no discrepancies, conflicts, or shortages in area or boundary lines or any overlapping of improvements, of any easements or rights-of-way, except as shown hereon, and that said property has access to and from a dedicated roadway.

This survey conforms to the current Texas Surveyors Association Standards and Specifications for a Category 1A, Condition III survey.

This property is in the 100-year Flood Zone per FEMA Map Community Panel No. 480077 0005 B, effective July 5, 1984.

Dated this the 22nd day of March 1991.

Signed: James D. Snowden
 James D. Snowden
 Registered Public Surveyor, No. 2646



SNOWDEN ENGINEERING, INC.
 CONSULTING ENGINEERS-SURVEYORS
 2404 S. Grand Blvd.
 Pearland, Texas 77581
 (713) 485-2028

Prepared for Westside National Bank

S. E. Job No. 91-053
 Dwg. No.

ZONING CHANGE REQUESTED

BOARD OF ADJUSTMENT & APPEAL

- Change in Regulations in Section _____
- Change in Zone Class _____

- Variance Appeal
- Appeal from Interpretation
- Specific Use

From: _____

For: Allow Church in

To : _____

R1 Area

PROPERTY IDENTIFICATION:

Street or Road Address: Property on East Broadway (518)

Lot N/A, Block N/A, Addition N/A

SUBMITTAL INFORMATION:

- | | |
|--|--|
| 1. Must be professionally drawn _____ | 5. Tract Dimension _____ |
| 2. Minimum scale of 100' to inch _____ | 6. Location, size, relationship of all existing structures to boundary lines _____ |
| 3. North arrow _____ | |
| 4. Site map attached _____ | |

LEGAL DESCRIPTION:

Describe from Deed Records, attach copy of Deed, and use metes and bounds description:

Platted Land: Survey 25.33650 acres, being the Southeastly portion of lot 31 S of 32-39 and lot 41 of the Navasota Sub. ABSTRACT 20 OF THE W.C. HALL LEAGUE BEARWATER COUNTY, TX

Unplatted Land: (Must have metes and bounds description) _____

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

Build a church

RECORD OWNER: SANTIAGO Cuellar Hortencia Cuellar
Marela Cuellar Graciela Cuellar

OWNER'S MAILING ADDRESS & PHONE NO.: 1920 East Broadway
Mexico

AGENT'S NAME: Suzanne S. Storey NO. _____

AGENT'S MAILING ADDRESS: 1020 W Nasa Rd. 1, #216 Webster Tx.
77598

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.

SIGNATURE: _____ SIGNATURE: _____

OWNER Receipt # 78265 OWNER
FEE: \$ 250.00 DATE PAID: 2-8-93 RECEIVED BY: Memo P.

DATE FILED: 2-9-93 APPLICATION NO. 5P-26



City of Pearland

P. O. Box 2068 • Pearland, Texas 77588-2068 • 485-2411

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AND

THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that on the 5th day of April, 1993, at 7:00 P. M., the City Council and the Planning and Zoning Commission of the City of Pearland, Brazoria and Harris Counties, Texas, will conduct a Joint Public Hearing in the Council Chambers, City Hall, 3519 Liberty Drive, Pearland, Texas, on the request of Suzanne S. Storey, Agent for Cuellar, et al, Owners, for a Specific Use Permit in an R-1, Single Family Dwelling District build a church on the following described property, to-wit:

A 9.81470 Acre tract of land being Lot 25B, Willits Subdivision, and Lots 32 and 33, Narregangs Subdivision out of the W. D. C. Hall Survey, A-70, Brazoria County, Texas. (Property on E. Broadway (FM 518)).

Site map is attached hereto for your information.

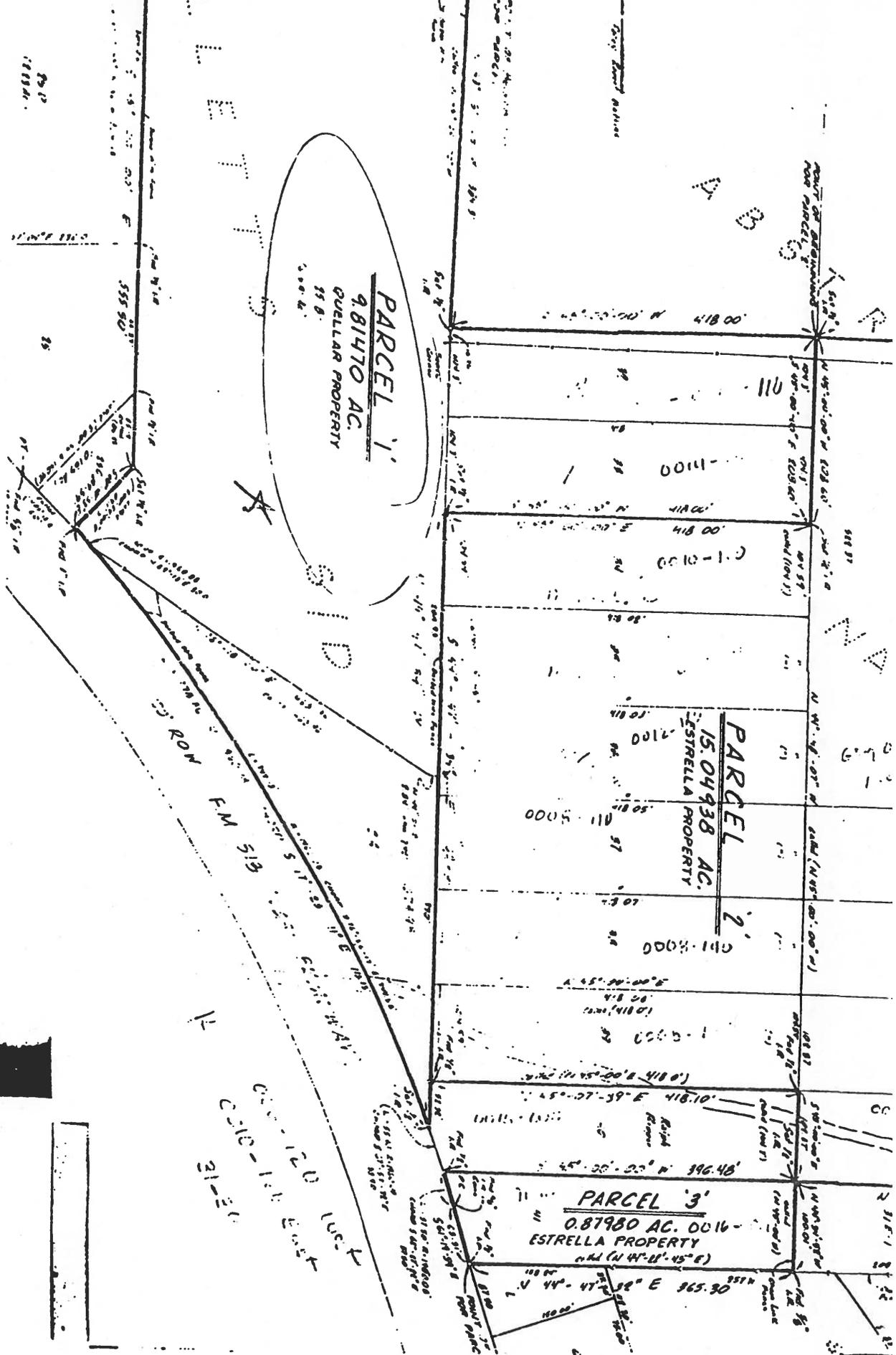
At said hearing all interested parties shall have the right and opportunity to appear and be heard on the subject.

Sincerely yours,

Pat Jones
City Secretary

Encl.

SP-26



SPECIFIC USE 24, 25, & 26 ITEMS WERE INADVERTENTLY LEFT OFF THE 4-5-93 AGENDA FOR THE SPECIAL MEETING OF THE P&Z, SO ANOTHER SPECIAL MEETING WAS HELD ON 4-8-93 FOR RECOMMENDATIONS FOR THESE ITEMS.

AGENDA - SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD THURSDAY, APRIL 8, 1993, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES: Special Meeting of April 5, 1993
- III. NEW BUSINESS
 - 1. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 24, REQUEST OF BILL WOOTTON, OWNER, FOR A SPECIFIC USE PERMIT IN AN R-1, SINGLE FAMILY DWELLING DISTRICT TO RAISE AND SELL LIVESTOCK ON PROPERTY LOCATED AT 1325 E. BROADWAY - 14.06 ACRES OF LAND, MORE OR LESS, OUT OF A 36.3870 ACRE TRACT, OUT OF THE EINAR HOIDALE SUBDIVISION, PERRY AND AUSTIN LEAGUE, A-111, BRAZORIA COUNTY, TEXAS.
 - 2. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 25, REQUEST OF JAMES R. AND JANICE PASKET, OWNERS, FOR A SPECIFIC USE PERMIT IN A COMMERCIAL ZONE TO ERECT A METAL BUILDING FOR USE AS A GENERAL MACHINE SHOP ON PROPERTY LOCATED AT 3425 AND 3427 SWENSEN DRIVE - LOTS 9 AND 10 OF THE THOMAS A. GILBERT INDUSTRIAL TRACT SUBDIVISION OUT OF TRACT 119 OF THE A.C.H. & B SURVEY, SECTION 1, ABSTRACT 147, BRAZORIA COUNTY, TEXAS.
 - 3. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 26, REQUEST OF SUZANNE S. STOREY, AGENT FOR CUELLAR, ET AL, OWNERS, FOR A SPECIFIC USE PERMIT IN AN R-1, SINGLE FAMILY DWELLING DISTRICT, TO BUILD A CHURCH ON PROPERTY LOCATED ON FM 518 - A 9.81470 ACRE TRACT OF LAND BEING LOT 25B, WILLITS SUBDIVISION, AND LOTS 32 AND 33, NARREGANGS SUBDIVISION OUT OF THE W.D.C. HALL SURVEY, A-70, BRAZORIA COUNTY, TEXAS.

IV. ADJOURNMENT

POSTED: 5th DAY OF April, A.D., 1993 5:00 P.M.

REMOVED: 9 DAY OF April, A.D., 1993.