

**CITY OF ANGLETON, TEXAS**  
**PLANNING & ZONING COMMISSION**  
Meeting @ 12 p.m., Wednesday, July 13, 2016  
Located at 120 S. Chenango in the Council Chambers,  
Angleton, Texas 77515

- 1.) Declaration of Quorum and Call to Order.
- 2.) Discussion and Possible Action on approving the June 1, 2016 meeting minutes.
- 3.) Public Hearing on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.
- 4.) Discussion and Possible Action on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.
- 5.) Public Hearing on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.
- 6.) Discussion and Possible Action on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.
- 7.) Discussion and Possible Action on the Preliminary Plat, which is a replat, of Tract 5 of the Angleton Commercial Subdivision No. 4, in the J De J Valderas Survey, Abstract 380, Brazoria County, Texas, According to the Plat of Said Subdivision Recorded in Volume 24, Pages 109-110, of the Plat Records of Brazoria County, Texas, located on the southwest corner of Highway 288B and FM 523.

- 8.) Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.
- 9.) Discussion and Possible Action on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.
- 10.) Adjourn.

*In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending Planning and Zoning Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Shelly Deisher, City Secretary, at 979-849-4364, extension 2115.*

**CERTIFICATION**

I certify that copies of this agenda of items to be considered by the Planning and Zoning Commission were posted in the following locations:

City Hall Bulletin Board: Date: \_\_\_\_\_ Time: \_\_\_\_\_

City of Angleton Website: Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_  
Alyssa Deaton, Assistant City Secretary





## Planning and Zoning Commission

City of Angleton, Texas  
Meeting Minutes  
Wednesday, June 1, 2016

### COMMISSIONERS, STAFF & GUESTS

Bill Garwood - Chairman  
Henry Munson - Vice-Chairman  
Regina Bieri - Commissioner  
Dorothy Hernandez - Commissioner (Absent)  
Jason Perez - Commissioner  
Deborah Spoor - Commissioner  
Travis Townsend - Commissioner (Absent)

Michael Stoldt - City Manager  
Patti Worfe - Assistant City Manager, Economic Development Director  
Karen Barclay - Building Services Department Director  
Shelly Deisher - City Secretary  
Alyssa Deaton - Assistant City Secretary

Christi Beard - Applicant for Downing/Cedar Day Care SUP  
Duane Lindsey - Realtor  
Elroy & Kaye Griggs - Applicants for 921/911 & 1100 E. Mulberry SUP's  
Carl & Nancy Bertoncelj - Property owners of 911 E. Mulberry  
Artie Tropoli - Tropoli Townhomes

### AGENDA

1. Declaration of Quorum and Call to Order at **12:00pm**.
2. Discussion and Possible Action on approving the May 4, 2016 meeting minutes.

**Motion by Commissioner Bieri to approve the minutes;  
Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

3. Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

**Motion by Vice-Chairman Munson to open the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

Christi Beard with Happy Faces Learning Center explained that this will be her third location.

**Motion by Vice-Chairman Munson to close the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

4. Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

Chairman Garwood: So Mrs. Beard, you were telling us that this will be your third location?

Christi Beard: Yes

Chairman Garwood: In our community?

Christi Beard: No, two in Lake Jackson.

Vice-Chairman Munson: What are your ages?

Christ Beard: Our ages are from 4 weeks to 12 years of age. Our two locations... one on Garland Street, one on Flag Lake Dr.; both of them have a capacity of 110 and we've been to full capacity pretty much since we opened.

Chairman Garwood: Is this the old auto-parts store?

Christi Beard: It is the old one. Upstairs will be primarily for the big kids' afterschool program.

Vice-Chairman Munson: What is your capacity at this location?

Christi Beard: Probably about 150, but upstairs will be the before or after, or big kids during the summer and then the lower level will be the younger kids; each having their own classroom - three infant rooms, a one's, a two's, a three's, a four's and a cafeteria. It expands all the way to the corner so there will be a large play area.

**Motion by Vice-Chairman Munson to recommend approval of the**

**request for the Specific Use Permit;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

5. Public Hearing on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING “MICRO WINERY” AS LAND USE THAT MAY BE APPROVED WITH A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR “MICRO WINERY”; AND AMENDING THE REQUIREMENTS FOR “SIGHT VISIBILITY” AT INTERSECTIONS.

**Motion by Commissioner Perez to open the Public Hearing;  
Second by Vice-Chairman Munson.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

No one wished to speak.

**Motion by Vice-Chairman Munson to close the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

6. Discussion and Possible Action on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING “MICRO WINERY” AS LAND USE THAT MAY BE APPROVED WITH A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR “MICRO WINERY”; AND AMENDING THE REQUIREMENTS FOR “SIGHT VISIBILITY” AT INTERSECTIONS.

Michael Stoldt, City Manager explained that there is no land use for micro-winery in the zoning ordinance and this would create one, limiting it to 5,000 gallons per year. He also explained that the sight visibility is being amended because there are two conflicting regulations in the zoning ordinance.

**Motion by Commissioner Perez to recommend approval of Ordinance No. 2016-O-6A;  
Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

7. Public Hearing on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas.

**Motion by Commissioner Spoor to open the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

The property owner and the applicant state they are both in favor of the SUP.

**Motion by Commissioner Spoor to close the Public Hearing;  
Second by Vice-Chairman Munson.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

8. Discussion and Possible Action on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas, with an effective date after June 24, 2016.

Vice-Chairman Munson: So you're going to be making wine?

Darrell Schwebel: Yes sir

Vice-Chairman Munson: And you're currently doing that out of your house?

Darrell Schwebel: I'm currently producing wine out of my home, under the limit of the law and I'm working through the process of getting a permit through the federal government to produce at above the limit. You can produce up to 200 gallons without a permit, but you can't sell it, so I've just been giving it away to friends.

Commissioners, staff and owner discuss the exact location and which part of the building he will utilize.

Mr. Schwebel explains that he will just use this building on a small scale and once he gets his permits, he will begin to sell. He also explained that it will be a manufacturing facility only and that it will not be open to the public nor will there be a sign advertising what is in the building. He stated that if his business takes off, he will move to a larger facility and produce on a larger scale. He states that the permit he will receive from the federal government is for 10,000 gallons, which is the smallest permit they issue.

Chairman Garwood: Does the City have any recommendations concerning conditions on this special use permit?

Michael Stoldt: Not for this. I think this is a great addition to the city. Something new that we don't have.

**Motion by Commissioner Perez to recommend approval of the request**

**for the Specific Use Permit;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

9. Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

**Motion by Commissioner Spoor to open the Public Hearing;  
Second by Commissioner Perez.**

**Motion carries 4 for; 0 against; 2 absent (Hernandez, Townsend); 1 abstain (Bieri)**

\*Commissioner Bieri exited the room for this agenda item due to a conflict of interest.

Carl Bertoncelj, property owner stated that he and his wife are in favor.

Kaye Griggs: I am the owner of Kingdom Class Academy in Angleton. We just completed four years here in the City. This project will allow us to expand our facility and also add parking to the location where we currently are.

**Motion by Vice-Chairman Munson to close the Public Hearing;  
Second by Commissioner Perez.**

**Motion carries 4 for; 0 against; 2 absent (Hernandez, Townsend); 1 abstain (Bieri)**

10. Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

Michael Stoldt: 911 actually goes all the way back to Myrtle Street.

Chairman Garwood: So you're looking to expand your business? Does the city have any comments?

Michael Stoldt: All of the 911 E Mulberry property must be owned by the daycare and reserved for the daycare's use. They need to understand that if you open back up pizza hut as a restaurant, you're going to be taking away from parking. There's not enough parking there right now for a business in the pizza hut building and the daycare so 911 has to be reserved for the daycare center. If you ever open up a business other than

daycare in the old pizza hut building, then this SUP would no longer be valid because you couldn't meet your parking requirements.

Second comment we've got is no pick-up and drop-off from 921; that's because 921 doesn't really have any parking. The parking that is there is partly in the right-of-way and everybody uses that, but it can't count toward parking requirement for the daycare and we really don't want to see parents dropping off kids, essentially within the highway right-of-way, so drop-off and pick-up has got to be from 911 where they can get off the street and the kids are not out in the right-of-way going from the car to the facility.

We wanted to make sure they kept the 15 foot access open on the east side so if an emergency happens and an ambulance has to come, they can get off the road, get in there and take care of an emergency and not have all this blocked off with parking and suddenly EMS is sitting out here in the right-of-way trying to address the emergency situation.

The last one is all the parking has got to be paved and striped. Pizza Hut parking is, parking on this lot is not.

Vice-Chairman Munson: Mrs. Griggs, y'all are aware of those restrictions and are okay with that?

Kaye Griggs: Yes sir.

**Motion by Vice-Chairman Munson to recommend approval of the requested Specific Use Permit subject to the staff recommendations; Second by Commissioner Perez.**

**Motion carries 4 for; 0 against; 2 absent (Hernandez, Townsend); 1 abstain (Bieri)**

Chairman Garwood: Let the record reflect that Mrs. Bieri has re-entered the room.

11. Public Hearing on a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

**Motion by Commissioner Bieri to open the Public Hearing; Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

Elroy Griggs: We are just adding the fence for the playground area.

**Motion by Commissioner Spoor to close the Public Hearing; Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

12. Discussion and Possible Action on a request to extend the current

Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

Kaye Griggs: We're going to include an outdoor space for our infant and toddler center that's going to be tucked in the corner.

Chairman Garwood: So this is an entirely different location?

Kaye Griggs: Correct, we just have infants and toddlers from 0-18mos at this facility, well actually it's 0-3, it's just a toddler group.

Elroy Griggs: It's going to be 20 feet deep and 40 feet long.

Michael Stoldt: We actually approved the SUP for the four indoor places a year ago maybe. At the time they thought that the outdoor playground area would not be required.

Kaye Griggs: Right. The plan was to do a waiver for the outdoor space. Since then, we've just decided to allow our children to use the outdoor space and it's been recommended by licensing to have a outdoor space where they can get some sun even though we have gross motor activities for them inside. They'll be able to go outside and get some sun and run around a bit.

Michael Stoldt: Originally it was not proposed to you that there would be an outdoor playground area. This is just simply adding the playground area to the SUP.

Karen Barclay: It will be fenced and screened.

**Motion by Commissioner Perez to recommend approval of the requested Specific Use Permit with the hours of operation set from 6 a.m. to 8 p.m. and the duration set to expire with the existing SUP on the daycare;**

**Second by Vice-Chairman Munson.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

13. Public Hearing on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

**Motion by Commissioner Spoor to open the Public Hearing;**  
**Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

No one wished to speak.

**Motion by Vice-Chairman Munson to close the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

14. Discussion and Possible Action on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

Chairman Garwood: Does staff have any recommendations on this one?

Michael Stoldt: In the past for games rooms, we've always limited it to one year to have them come back and renew operations. With game rooms, we're thinking that's maybe not a bad idea, because sometimes there are some legalities there to make sure they are operating within the rules, so if you want to keep that one year duration, we certainly have no objection to that, and then last time we had a limit on hours of operation; 8 a.m. to 12 a.m.

Commissioner Perez: Are those hours of operation the same for all the other ones we have in place?

Michael Stoldt: I think we've been basing this on other ones y'all have done in the past.

Commissioner Perez: I'm assuming this one has been running efficiently without problems that we know of.

Michael Stoldt: Nothing that we've heard of that would make us change this recommendation.

Karen Barclay: They did put in their retention pond and put in hard surface parking and striped it. They have done that in the past year, so they are in compliance with that portion.

Commissioner Perez: Is there visibility... I know the frontage had to have so much exposure to the building?

Karen Barclay: When I saw them parking outside of the striped parking the other day, I did go in and tell them that they can't allow people to just pull up and park basically in the right-of-way, and they had to park in the striped designated locations.

Commissioner Perez: And then also, the part where they can see into the building?

Karen Barclay: Yes, they can see into the building.

Commissioner Perez: So they have the proper amount to look in and non-tinted windows?

Karen Barclay: Right.

**Motion by Commissioner Perez to approve the requested Specific Use Permit with the operating hours set from 8 a.m. to 12 a.m. and for a duration of one year;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

15. Discussion and Possible Action on the Final Plat for the Tropoli Townhomes, a Subdivision Plat of a 1.8878 acre tract situated in the J de J Valderas Survey, A-380, Brazoria County, Texas, located at the northeast corner of Henderson Road and Valderas Street.

Michael Stoldt: All the comments in the preliminary plat have basically been addressed except for two problems we ran into, and they are being addressed now... it was fitting in the ditch and the sidewalk together.

Michael Stoldt explained that he and the engineer have studied the plans and how they could maintain the ditch capacity and still have room for a sidewalk, but came to the conclusion that they just can't. Keeping the ditch and adding a sidewalk would only leave 10 foot from the front door to the ditch and there's just not enough room to do both and keep the sidewalk to ADA standards.

He explained that the other problem is when you go downstream, there is no room for the sidewalk to continue north up Valderas Street. He suggests that in the future, a sidewalk will have to go on the other side of the street and that his immediate concern is with maintaining the drainage capacity over having a sidewalk on that side of the road.

Michael Stoldt outlines the three recommendations to P&Z Commissioners:

1. Extend the sidewalk from the subdivision entrance to the existing sidewalk on Henderson.
2. Revise the ditch cross-section to include retaining blocks along the property side of the ditch.
3. Change the 15 foot utility easement to be a drainage and utility easement.
4. Plat must be signed and sealed by an engineer.

Michael Stoldt stated that with these comments, staff recommends approval.

**Motion by Commissioner Perez to approve the Final Plat subject to staff comments;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

16. Public Hearing on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS.

**Motion by Commissioner Spoor to open the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

No one wished to speak.

**Motion by Commissioner Bieri to close the Public Hearing;  
Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

17. Discussion and Possible Action on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS.

Michael Stoldt explained that these are just clerical changes.

**Motion by Vice-Chairman Munson to approve Ordinance No. 2016-O-6B;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

18. Public Hearing on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

**Motion by Commissioner Perez to open the Public Hearing;  
Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

No one wished to speak.

**Motion by Vice-Chairman Munson to close the Public Hearing;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

19. Discussion and Possible Action on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

Michael Stoldt: This is something we do periodically; as we do rezones and SUPs, that map becomes out of date.

Chairman Garwood: So we're simply cleaning up?

Michael Stoldt: We're simply printing out an updated version of that so that we have an up-to-date zoning map.

Chairman Garwood: So we're not changing zones from commercial to residential that weren't...

Michael Stoldt: ... that weren't previously approved.

Chairman Garwood: Thank you.

**Motion by Vice-Chairman Munson to approve Ordinance No. 2016-O-6C;  
Second by Commissioner Spoor.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

20. Adjourned at 12:50pm.

**Motion by Commissioner Spoor to adjourn;  
Second by Commissioner Perez.**

**Motion carries 5 for; 0 against; 2 absent (Hernandez, Townsend)**

CERTIFICATION

\_\_\_\_\_  
Bill Garwood, Chairman

\_\_\_\_\_  
Alyssa Deaton, Asst. City Secretary



**PLANNING & ZONING AGENDA ITEM**  
**Meeting Date: July 13, 2016**

**SUBJECT: Public Hearing on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.**

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Claire Nichols, designated agent for Stephen Ramsower, property owner

**Budgeted amount:**                      **Funds requested:**                      **Fund:**

**Attachments:** (Attachment description)  
Notice to the facts and to residents within 200ft.

**Executive Summary:**

**Recommendation:**  
Staff recommends approval

**Alyssa Deaton**  
\_\_\_\_\_  
**Name**

**6-13-16**  
\_\_\_\_\_  
**Date**

## Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton  
121 South Velasco  
Angleton, Texas 77515  
Attn: Shelly Deisher, City Secretary

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

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Date: June 13, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, June 26<sup>th</sup>, 2016

**Please provide publisher's affidavit and total amount to be billed**

If you have any questions, please contact Alyssa @ 979-849-4364 ext. 2114.



June 30, 2016

**Public Hearing Notice**

The City of Angleton has received a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary’s Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary’s Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

*Alyssa Deaton*  
Asst. City Secretary

Mayor  
Randy Rhyne

Mayor Pro Tem  
Hardwick Bieri  
Position 1

Williams Tigner  
Position 2

Wesley Rolan  
Position 3

Bonnie McDaniel  
Position 4

Cody Vasut  
Position 5

City Manager  
Michael Stoldt

City of Angleton  
121 South Velasco  
Angleton, Texas 77515  
Attn: Shelly Deisher, City Secretary

This notice has been sent to you as it has been determined that the property you own possibly lies within 200 feet of the above-referenced property. Property owners within 200 feet of this property have the legal right to protest the request by filing a written protest signed by the property owner. In such event, the City will have a surveyor determine which properties are within exactly 200 feet of the subject property. Property owners should be aware that if they oppose or protest the requested Specific Use Permit, such opposition must be submitted in written form, with the property owner’s signature and address included.

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at 979-849-4364, ext. 2114.

Cordially,

Alyssa Deaton  
Assistant City Secretary

121 S Velasco  
Angleton, TX 77515  
Phone: 979-849-4364  
Fax: 979-849-5561

[www.angleton.tx.us](http://www.angleton.tx.us)



**PLANNING & ZONING AGENDA ITEM**  
**Meeting Date: July 13, 2016**

**SUBJECT: Discussion and Possible Action on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.**

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Claire Nichols, designated agent for Stephen Ramsower, property owner

**Budgeted amount:**                      **Funds requested:**                      **Fund:**

**Attachments:** (Attachment description)  
Application, appointment of agent, site plan and GIS map.

**Executive Summary:**  
Mrs. Nichols use to sell portable buildings in front of the old Merit Medical off of 288B and was bought out. Mr. Ramsower is going to lease her the property so she can continue selling the buildings, but since SUPs are tied to the property, she must apply for another SUP for this address.

**Recommendation:**  
Staff recommends approval

**Alyssa Deaton**  
\_\_\_\_\_  
**Name**

**6-13-16**  
\_\_\_\_\_  
**Date**



CITY OF ANGLETON  
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 1409 S. Velasco (288B) Angleton

PROPERTY DESCRIPTION (Legal description): see attached

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER:  
R.R. Ramsower, Inc.  
Angleton, TX 77516-0819

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER:  
Stephen Ramsower

PROPOSED USE FOR THE ABOVE:  
Lease for Cook's Portable Warehouses

A site plan (prepared and approved) in accordance with Section 35.4 of the City of Angleton Code of Ordinances (City Code) must be attached to the application. If a base zoning district amendment is required or requested, such rezoning application shall accompany the application for a Specific Use Permit. If the proposed use requires a division of land, an application for subdivision approval must be submitted with this application for a Specific Use Permit.

SIGNATURE: Claire J. Nichols  
DATE: 6/1/2012

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: \$150.00 due upon submittal

OFFICE USE ONLY	
Date received: _____	Admin Fee Received: _____
P&Z Public Hearing date: _____	
Date to send cert. letters: _____	Date to publish: _____
Site Plan submitted: Yes _____ No _____	
Site Plan received & evaluated by City Staff: Yes _____ No _____	
Proof of taxes paid: _____	Date verified: _____



**CITY OF ANGLETON  
APPOINTMENT OF AGENT**

As owner of the property described as 1409 S. Velasco,  
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: ~~ST~~ Claire J. Nichols

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: Angleton State: TX Zip: 77516

Home Phone: \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.**

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner [Signature] Title VP operations

Printed/Typed Name of owner Stephen Ramsower Date 6/1/2016

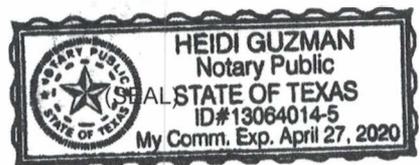
\*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §

COUNTY OF BRAZORIA

Before me, HEIDI GUZMAN, on this day personally appeared STEPHEN RAMSOWER known to me (or proved to me on the oath of TYDL or through (\_\_\_\_) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 2<sup>nd</sup> day of June, 2016



[Signature]  
Notary Public Signature  
04-27-2020  
Commission Expires



OFFICE

PARKING

PORTABLE BUILDINGS

Forever Strong Strength & Conditioning

Google

S Velasco St

S Velasco St

Philly Station





**PLANNING & ZONING AGENDA ITEM**  
**Meeting Date: July 13, 2016**

**SUBJECT: Public Hearing on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.**

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Zion Lovingier

**Budgeted amount:**                      **Funds requested:**                      **Fund:**

**Attachments:** (Attachment description)  
Notice to Facts and to owners within 200 feet in the original subdivision

**Executive Summary:**  
According to the Texas Local Government Code, Section 212.015, owners within 200 feet of the original subdivision must be notified of the replat. This parcel was originally platted to be part of the Angleton Country Estates Subdivision, but was never developed.

**Recommendation:**  
Staff recommends approval contingent upon comments.

Alyssa Deaton  
\_\_\_\_\_  
**Name**

6/13/16  
\_\_\_\_\_  
**Date**

## Public Hearing Notice

The City of Angleton has received a request for the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested replat. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton  
121 South Velasco  
Angleton, Texas 77515  
Attn: Shelly Deisher, City Secretary

State law requires that on residential replats, the following language be included in the notice of the public hearing: *If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.* No variance is being requested, therefore, the above provision will not apply.

For additional information concerning this replat, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

---

Date: 6-13-16  
To: The Facts – Public Hearing  
From: City of Angleton  
To be published once on: Sunday, June 26<sup>th</sup>, 2016

**Please provide publisher's affidavit and total amount to be billed**  
If you have any questions, please contact Alyssa @ 979-849-4364 ext. 2114.



June 30, 2016

**Public Hearing Notice**

The City of Angleton has received a request for the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested replat. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

Alyssa Deaton  
Asst. City Secretary

Mayor  
Randy Rhyné

Mayor Pro Tem  
Hardwick Bieri  
Position 1

Council Members  
Williams Tigner  
Position 2

Wesley Rolan  
Position 3

Bonnie McDaniel  
Position 4

Cody Vasut  
Position 5

City Manager  
Michael Stoldt

121 S Velasco  
Angleton, TX 77515  
Phone: 979-849-4364  
Fax: 979-849-5561

[www.angleton.tx.us](http://www.angleton.tx.us)

City of Angleton  
121 South Velasco  
Angleton, Texas 77515  
Attn: Shelly Deisher, City Secretary

State law requires that on residential replats, the following language be included in the notice of the public hearing: *If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.* No variance is being requested, therefore, the above provision will not apply.

This notice has been sent to you because property you own is in the original subdivision and is within 200 feet of the parcel to be replatted, as indicated on the most recently approved municipal tax roll.

For additional information concerning this replat, please contact Alyssa Deaton at 979-849-4364, ext. 2114.

Cordially,

Alyssa Deaton  
Assistant City Secretary





# APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 5-17-16

TYPE OF APPLICATION: \_\_\_\_\_ SHORT FORM  
\_\_\_\_\_ PRELIMINARY/FINAL PLAT  
\_\_\_\_\_ COMMERCIAL  
 X  RESIDENTIAL

Address of property Buchta Rd.

Name of Applicant: Zion Louingier Phone: \_\_\_\_\_

Name of Company: Diakonos Holdings + MZR Residential LLC Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Name of Owner of Property: Diakonos Holdings LLC + MZR Residential LLC

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) [Signature]

### NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 19 day of may, 2014.



[Signature]  
Notary Public for the State of ~~Texas~~ nevada  
Commission Expires: 9-18-19

APPLICATION, ALL REQUIRED DOCUMENTATION AND PLATS MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 15 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. (Note - Any form that is not completely filled out may be delayed, may result in a denial or may be returned to the Applicant).

PROJECT SUMMARY FORM

Address of property East side of Buente and one  
block South of

The subject property fronts 330 feet on the East side of Buente Rd.

Depth: 1,320' Area: 10.0 Acres: 435,600 square feet

INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):

Development of 97 townhomes to be  
Sold individually

Is this platting a requirement for obtaining a building permit?  YES  NO

INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.

Drainage + Detention Plan has been  
reviewed + approved by Angleton  
Drainage District

Name: Zion Louingier  
by: Robin Crouch

Date: 5-18-16

**AFFIDAVIT OF  
AUTHORIZATION BY PROPERTY OWNER**

I swear that I am the owner of (indicate address and/or legal description)  
S/2 LT 45 375 F T Tinsley Acres 10.00  
Buchta Rd

which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.

I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.

NAME OF APPLICANT: DOUG ROESLER of BAKER + Lawson INC.

ADDRESS: \_\_\_\_\_

APPLICANT PHONE # \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PRINTED NAME OF OWNER: Zion Lovinger (DIAKonos Holdings LLC)

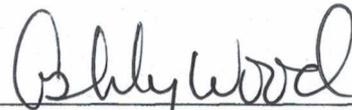
SIGNATURE OF OWNER:  DATE: 05-25-2016

*NOTARIAL STATEMENT FOR PROPERTY OWNER:*

Sworn to and subscribed before me this 25 day of May, 2016.

(SEAL)



  
Notary Public for the State of Texas ~~TEXAS~~ NEVADA  
Commission Expires: April 15, 2019



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.



Operated by:  
 City of Angleton  
 121 S. Velasco St.  
 Angleton, TX 77515  
 979-849-4364

# City of Angleton GIS Mapping

1" = 337'



# ZION TOWNHOMES

BRAZORIA COUNTY, TEXAS

ANGLETON COUNTRY ESTATES  
VOLUME 11, PAGE 48, O.R.B.C.T.

BLOCK 4

VICINITY MAP

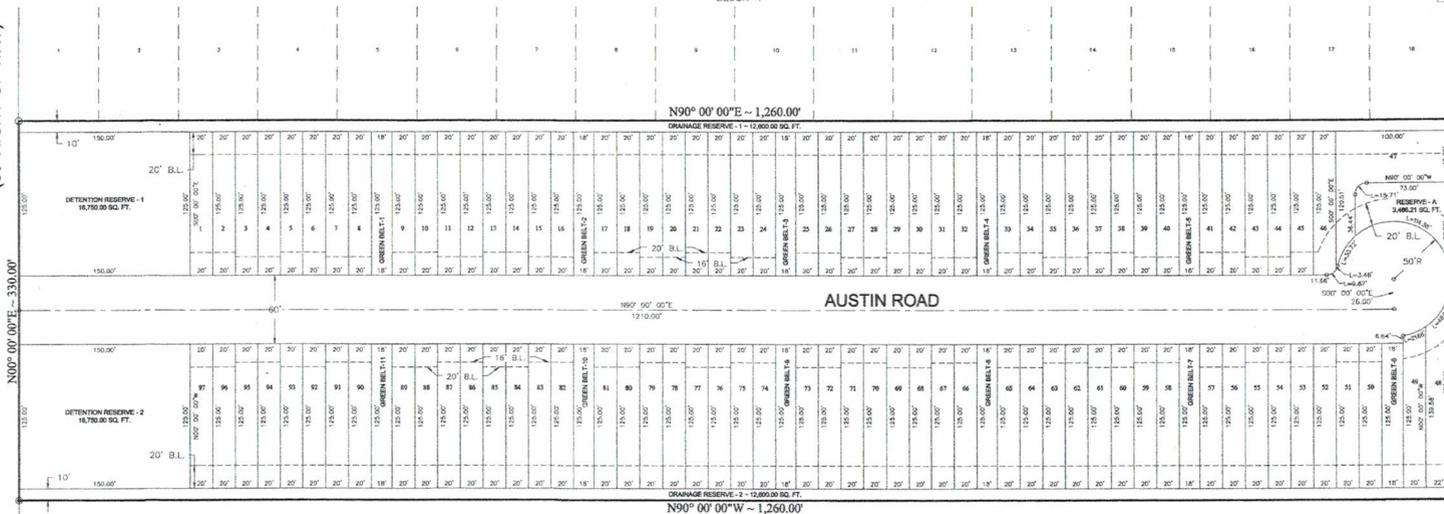


LEGEND

O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS  
C.C.F.NO. = COUNTY CLERK'S FILE NUMBER  
D.E. = DRAINAGE EASEMENT  
B.L. = BUILDING LINE  
U.E. = UTILITY EASEMENT  
⊙ = FOUND 12" IRON ROD  
⊙ = SET 6" IRON ROD WITH "BAKER & LAWSON" CAP



BUCHTA ROAD  
(60' RIGHT-OF-WAY)



BENCHMARK  
(SEE NOTE 3)

ANGLETON BOULEVARD  
(60' RIGHT-OF-WAY)

**SURVEYOR'S NOTES:**

- ALL BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, SOUTH CENTRAL ZONE, U.S. SURVEY FEET.
- THE AREA INCLUDED IN THIS SUBDIVISION IS ZONE "F" AS SHOWN ON THE F.S.M.A. 7884-1 4889240431 AND IS OUTSIDE OF THE 100-YEAR FLOODPLAIN.
- BENCHMARK: 600-NAIL IN WEST FACE OF POWER POLE LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION OF ANGETON & AUSTIN. ELEVATION=23.28' BASED ON NAVD-83, 1/3 SURVEY FEET.

DIAKONOS HOLDINGS, LLC  
& MZK RESIDENTIAL, LLC  
9.99 ACRES BEING THE SOUTH HALF OF  
TRACTS 45, BRYAN AND KIBER SUBDIVISION  
C.C.F.NO. 2015053344, O.R.B.C.T.

**SUBDIVISION APPROVALS**

CITY PLANNING COMMISSION  
I CERTIFY THAT THE ABOVE AND FOREGOING ZION TOWNHOMES SUBDIVISION,  
AS APPROVED:  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE CITY PLANNING COMMISSION OF ANGETON, TEXAS.

CHAIRMAN  
WITNESS MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY SECRETARY

**ANGLETON DRAINAGE DISTRICT**

ANGLETON DRAINAGE DISTRICT ACCEPTED, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
THE BOARD OF SUPERVISORS OF THE ANGETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- THAT DRAINAGE FACILITIES EXIST OR THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
- THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
- THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGETON DRAINAGE DISTRICT.

4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES. THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.

THE DISTRICT'S REVIEW IS MY INTENDED WORK WILL BEHAVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THIS PARTY SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN \_\_\_\_\_ MEMBER \_\_\_\_\_  
MINOR \_\_\_\_\_

AREA TABLE		
LOT #S / NAME	AREA (SQ.FT.)	
1-45	2,280.00	
46	2,488.91	
47	5,504.00	
48	3,341.42	
49	2,695.56	
50-97	2,560.00	
GREEN BELT 1-11	2,250.00	

**CITY COUNCIL**

I CERTIFY THAT THE ABOVE AND FOREGOING ZION TOWNHOMES SUBDIVISION,  
WAS APPROVED:  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE CITY COUNCIL OF ANGETON, TEXAS.

MAYOR \_\_\_\_\_

SAID ADOPTION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODES OF ORDINANCES OF THE CITY OF ANGETON, TEXAS.  
WITNESS MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY SECRETARY

**Baker & Lawson, Inc.**  
ENGINEERS - PLANNERS - SURVEYORS

300 EAST CEDAR ST.  
ANGLETON, TEXAS 77515  
OFFICE: (979) 849-6881  
TBPLS No. 10052500

SCALE:	SCALE:	REVISION NO.:	REVISION DESCRIPTION:	DRAWN BY:	JK
DATE:	5/4/2016	CHECKED BY:	AK		
PROJECT NO.:	11611	DRAWING NO.:			1 OF 1

**PRELIMINARY RE-PLAT**  
OF  
**LOTS 19-36, BLOCK-4, & LOTS 1-18, BLOCK-5**  
**ANGLETON COUNTRY ESTATES SUBDIVISION**  
AS RECORDED IN  
**VOLUME 11, PAGE 48, O.R.B.C.T.**  
SITUATED IN  
**I. TINSLEY LEAGUE, ABSTRACT-375,**  
**CITY OF ANGETON**  
**BRAZORIA COUNTY, TEXAS**

OWNER:  
**ZION LOVINGIER**  
3042 DURANGO DRIVE  
LAS VEGAS, NEVADA 89117

JOBELIA A. MCCOIN DATE \_\_\_\_\_  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6467

STATE OF TEXAS  
COUNTY OF BRAZORIA  
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JOBELIA A. MCCOIN,  
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT,  
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION  
THEREIN EXPRESSED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS THAT:  
I, ZION LOVINGIER, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING COPY OF SAID  
SUBDIVISION, DO HEREBY MAKE THIS SUBDIVISION OF SAID  
PROPERTY ACCORDING TO THE LINES, LOTS AND LABORERS SHOWN HEREON AND  
DESIGNATE SAID SUBDIVISION AS THE PLAT OF "ZION TOWNHOMES SUBDIVISION"  
OF 9.99 ACRES IN THE CITY OF ANGETON, BRAZORIA COUNTY, TEXAS AND TO HEREBY  
BIND MYSELF, OUR HEIRS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE  
LAND SO DESCRIBED.  
WITNESS MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

ZION LOVINGIER

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ZION LOVINGIER,  
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT,  
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION  
THEREIN EXPRESSED AND AS THE ACTING PRESIDENT FOR THE PURPOSES AND CONSIDERATION  
THEREIN EXPRESSED AND AS THE ACTING PRESIDENT FOR THE PURPOSES AND CONSIDERATION  
THEREIN EXPRESSED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES \_\_\_\_\_

# Zion Townhomes Preliminary Plat

## Staff Comments

### Zoning Ordinance Review:

#### Area Regulations

1. Size of lots
  - a. **Minimum Lot Area (2,500sqft)**

Ok - except lot 46, which is 1.09sqft small (room to adjust with lot 47 & Reserve A - avoids a variance and possible protest)
  - b. Maximum Density (10 lots per acre)

OK
  - c. Maximum Project Size (25 acres)

OK
  - d. Minimum Lot Width (20 feet)

OK (except greenbelts)
  - e. Minimum Lot Depth (100 feet)

OK
2. Size of Yards
  - a. **Minimum Front Yard**

Needs to be at least 20 feet with front entry garage
  - b. **Minimum Side Yard**

Lots 47 & 48 need 15 foot side yard on Angleton Blvd.
  - c. **Minimum Rear Yard**

OK, but may reduce to 15 feet to make up for larger front yard
3. Maximum Lot Coverage (70%)

N/A for plat approval, but should be considered for home building permits.

  - a. Minimum Parking Spaces

OK
  - b. **Visitor Parking Spaces (25 spaces required)**

Plans only show 22, need 3 more (could fit on "Reserve A")
4. Minimum Floor Area

N/A for plat approval but 800sqft of conditioned space required
5. Special Requirements
  - a. **Maintenance of Common Areas**

Property owners association required
  - b. Streets

OK
  - c. Refuse

OK if using individual service to each unit

- d. Utilities  
OK
- e. **Single Family Detached**  
Lot 47? Must comply with SF-6.3.
- f. Private Yard  
N/A for approval, but OK as shown on plat
- g. Elimination of Garage Space  
N/A for plat approval.  
Other zoning requirements not applicable to plat review/approval but developer should review all requirements before developing lots

### Public Improvements/Infrastructure

1. **Streets**  
Rename Street since it does not actually connect through to back part of Austin Street (eliminates confusion with public trying to access existing Austin Street)
2. **Emergency Access**  
Cul-de-sac must include emergency access to Angleton Blvd
3. **Fire Hydrants**  
Add two more fire hydrants; one at beginning of lots and one in or near cul-de-sac (600 ft. spacing).
4. **Water Lines**
  - a. Scale for water line is incorrect on page C3.
  - b. Water service taps should be 1.5 inches and serve to 1 inch taps.
  - c. Show size of casing for water lines.
5. **Drainage**
  - a. Verify flow lines of proposed swales. It appears some of them are higher than the adjacent natural ground.
  - b. Adjust the depth of the proposed swales to a minimum depth of 4 inches.
  - c. Verify the required detention calculations.
  - d. Verify the available detention provided in the plans.

### Dedicatory Statement

1. Dedicatory statement must dedicate easements & R.O.W. to the public – use following sentence in dedicatory statement: "...hereby dedicate to the public all easements and rights-of-way shown hereon for their use forever..."
2. Acreage in dedicatory statement does not match other acreage statement





# APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 6-20-16

TYPE OF APPLICATION:  SHORT FORM  
 PRELIMINARY/FINAL PLAT  
 COMMERCIAL  
 RESIDENTIAL

Address of property Tract 5 of Angleton Commercial  
Subdivision No. 4

Name of Applicant: Paul O' Farrell Phone: \_\_\_\_\_

Name of Company: \_\_\_\_\_ Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name of Owner of Property: Paul O' Farrell

Address: \_\_\_\_\_ Tx

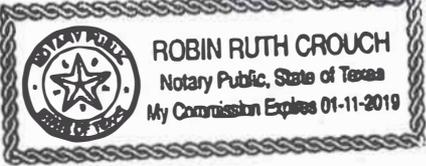
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) Paul O' Farrell

### NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 20 day of June, 2016.

(SEAL) 

Robin R Crouch  
Notary Public for the State of Texas  
Commission Expires: 1-11-19

APPLICATION, ALL REQUIRED DOCUMENTATION AND PLATS MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 15 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. (Note - Any form that is not completely filled out may be delayed, may result in a denial or may be returned to the Applicant).

PROJECT SUMMARY FORM

Address of property Tract 5 of Angleton Commercial  
Subdivision No. 4

The subject property fronts 542886 feet on the \_\_\_\_\_ side of \_\_\_\_\_

Depth: \_\_\_\_\_ Area: \_\_\_\_\_ Acres: \_\_\_\_\_ square feet  
Replat of Tracts 5A + 5B (3 Acre Tracts)

INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):

Replat Tract 5 to Subdivide 2 3 Acre  
Tracts - Tracts 5A + 5B

Is this platting a requirement for obtaining a building permit? \_\_\_\_\_ YES  NO

INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.

Name: Robin Crowe

Date: 5-6-20-14



# CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the property described as Tract 5 of Angleton Commercial  
I hereby appoint the person designated below to act for me, as my agent in this request. SID # 4

Name of Agent: Josh McGuinn

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: Angleton State: Tx Zip: 77515

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.**

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner Paul O'Farrell Title Agent

Printed/Typed Name of owner Paul O'Farrell Date 6-17-16

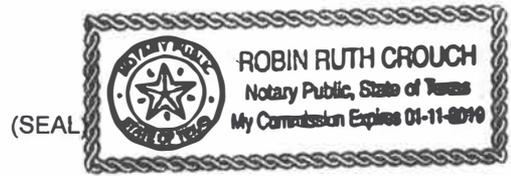
\*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §

COUNTY OF Brazoria  
Robin Crouch

Before me, Paul O'Farrell, on this day personally appeared Paul O'Farrell  
known to me (or proved to me on the oath of \_\_\_\_\_ or through Personally) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 17th day of June, 2016



Robin R. Crouch  
Notary Public Signature  
1-11-19  
Commission Expires

**AFFIDAVIT OF  
AUTHORIZATION BY PROPERTY OWNER**

I swear that I am the owner of (indicate address and/or legal description)  
Tract 5 of Angleton Commercial Subdivision No. 4

which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.

I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.

NAME OF APPLICANT: Paul O'Farrell

ADDRESS: Angleton, Tx 77515

APPLICANT PHONE # \_\_\_\_\_

E-MAIL: \_\_\_\_\_

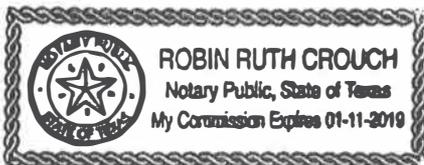
PRINTED NAME OF OWNER: Paul O'Farrell

SIGNATURE OF OWNER: Paul O'Farrell DATE: 6-17-16

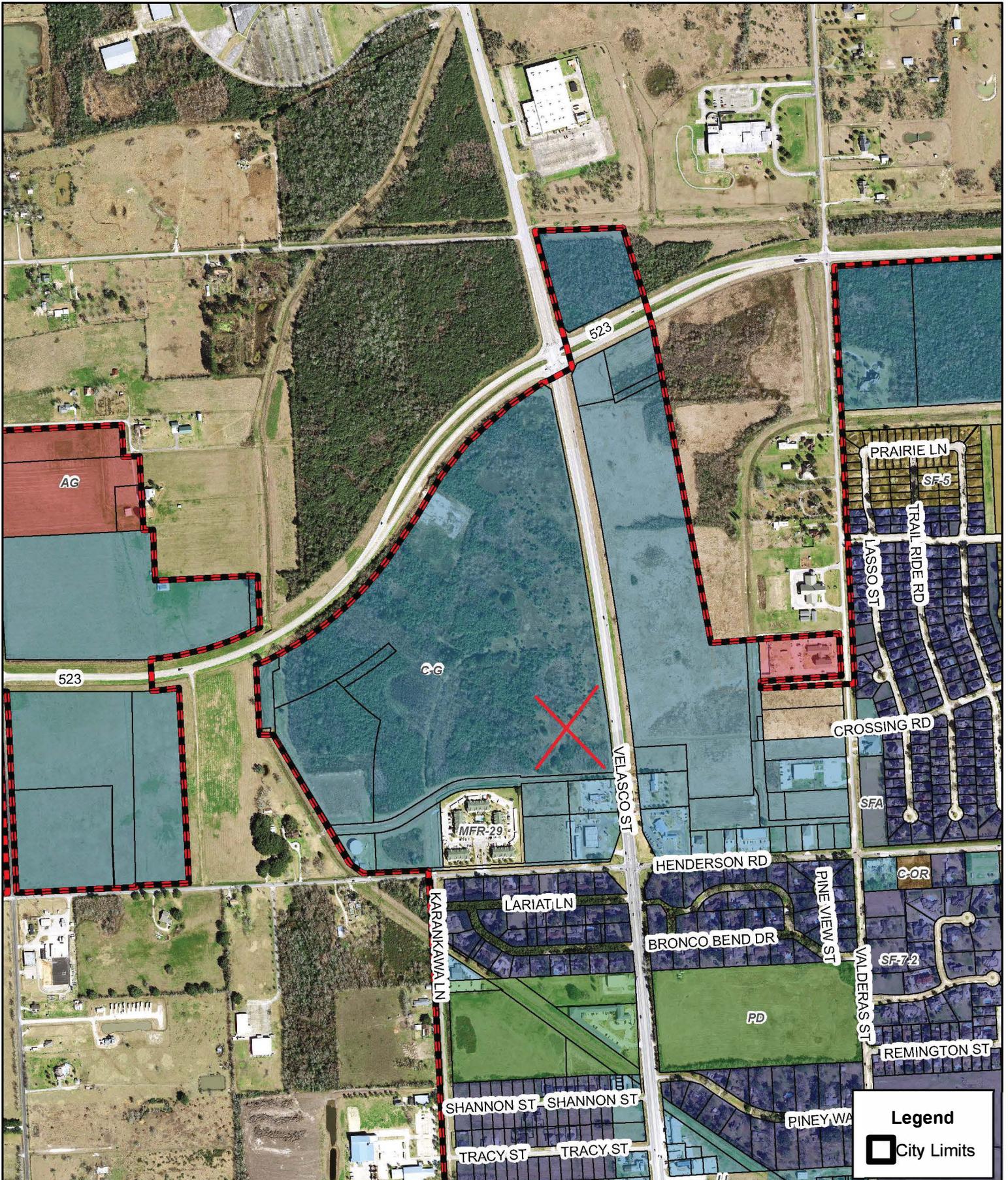
*NOTARIAL STATEMENT FOR PROPERTY OWNER:*

Sworn to and subscribed before me this 16<sup>th</sup> day of June, 20 16.

(SEAL)



Robin R. Crouch  
Notary Public for the State of Texas  
Commission Expires: 6-17-16



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.



Operated by:  
 City of Angleton  
 121 S. Velasco St.  
 Angleton, TX 77515  
 979-849-4364

# City of Angleton GIS Mapping

1" = 799'



BRAZORIA COUNTY,  
TEXAS

# REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4

STATE OF TEXAS  
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS, THAT:  
PAUL O'FARRELL, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 386, AN ADDITION TO THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID PROPERTY IN ACCORDANCE WITH THE LINES, LOTS, EASEMENTS AND DRAINAGE RIGHTS-OR-WAY SHOWN HEREON AND DO HEREBY OBLIGATE TO THE PUBLIC ALL EASEMENTS SHOWN HEREON FOR THEIR USE FOREVER, AND DO BIND OURSELVES, OR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE SO DESCRIBED.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

PAUL O'FARRELL  
STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY APPEARED PAUL O'FARRELL, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

NOTARY PUBLIC  
STATE OF TEXAS

**CITY PLANNING COMMISSION**

I CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, WAS APPROVED

THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016

BY THE CITY PLANNING COMMISSION OF ANGLETON, TEXAS.

CHAIRMAN  
WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

CITY SECRETARY

**CITY COUNCIL**

I CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, WAS APPROVED

THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016

BY THE CITY COUNCIL OF ANGLETON, TEXAS.

MAYOR  
SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

CITY SECRETARY

ANGLETON DRAINAGE DISTRICT  
ACCEPTED, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2016.

THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.  
THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLANS HEREON, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN MEMBER  
MEMBER

- NOTES:**
1. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN HEREON.
  2. THE DOCUMENTS REFERRED TO HEREON, WHETHER THOSE OF PUBLIC RECORD OR OTHERWISE, WERE OBTAINED BY THE SURVEYOR AND/OR PROVIDED BY THE CLIENT, EXCEPT AS SPECIFICALLY STATED OR KNOWN ON THIS PLAT. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE ON THE GROUND AT THE TIME OF MAKING THIS SURVEY; RESTRICTIVE COVENANTS, SUBDIVISION REGULATIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND OTHER FACTS OTHER THAN THOSE WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
  3. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83 U.S. FEET.
  4. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HEREON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 4804000430 H, WITH EFFECTIVE DATE OF JUNE 05, 1993, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS WITHIN ZONE "X" UNDEVELOPED AREAS DETERMINED TO BE OUTSIDE THE 50-YEAR FLOODPLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT MEAN THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
  5. THE PROPERTY SURVEYED IS WITHIN THE CITY LIMITS OF THE CITY OF ANGLETON.

- BENCHMARKS**
- ELEVATIONS ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1928, 1973 ADJUSTMENT.
1. TOP BRASS CAP ON CONCRETE HEADWALL ELEV. 26.70 ON SOUTH SIDE OF F.M. 523 AT BRUSHY BAYOU.
  2. RAILROAD SPIKE IN POWER POLE ELEV. 33.34 WEST SIDE OF S.H. 2888 AND 1130' NORTH OF HENDERSON ROAD.
  3. RAILROAD SPIKE IN POWER POLE ELEV. 34.94 ON WEST SIDE OF S.H. 2888 AND 205' NORTH OF HENDERSON ROAD.
  4. RAILROAD SPIKE IN POWER POLE ELEV. 36.01 ON WEST SIDE OF S.H. 2888 AND 12' SOUTH OF EASTERN CORNER AT F.M. 523.
  5. SQUARE CUT ON TOP EAST END OF HEADWALL ELEV. 31.07 NORTH SIDE OF HENDERSON ROAD AT BRUSHY BAYOU.



CITY OF ANGLETON  
VICINITY MAP  
APPROX. SCALE: 1" = 1/2 MILE



TRACT 5  
68.79 ACRES  
(2,996,583 S.F.)

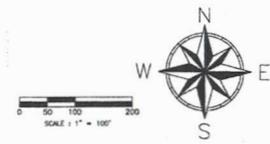
CA= 05°48'51"  
R= 24475.35'  
L= 2483.62'  
CHD= S 00°11'39" E  
2482.56'

CA= 28°03'09"  
R= 2100.00'  
L= 1028.16'  
CHD= N 50°05'58" E  
1017.94'

CA= 12°13'43"  
R= 2100.00'  
L= 448.25'  
CHD= N 42°11'19" E  
447.35'

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 1 SURVEY.

SIGNED: JOSEPH A. MCGINN DATE \_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 0467



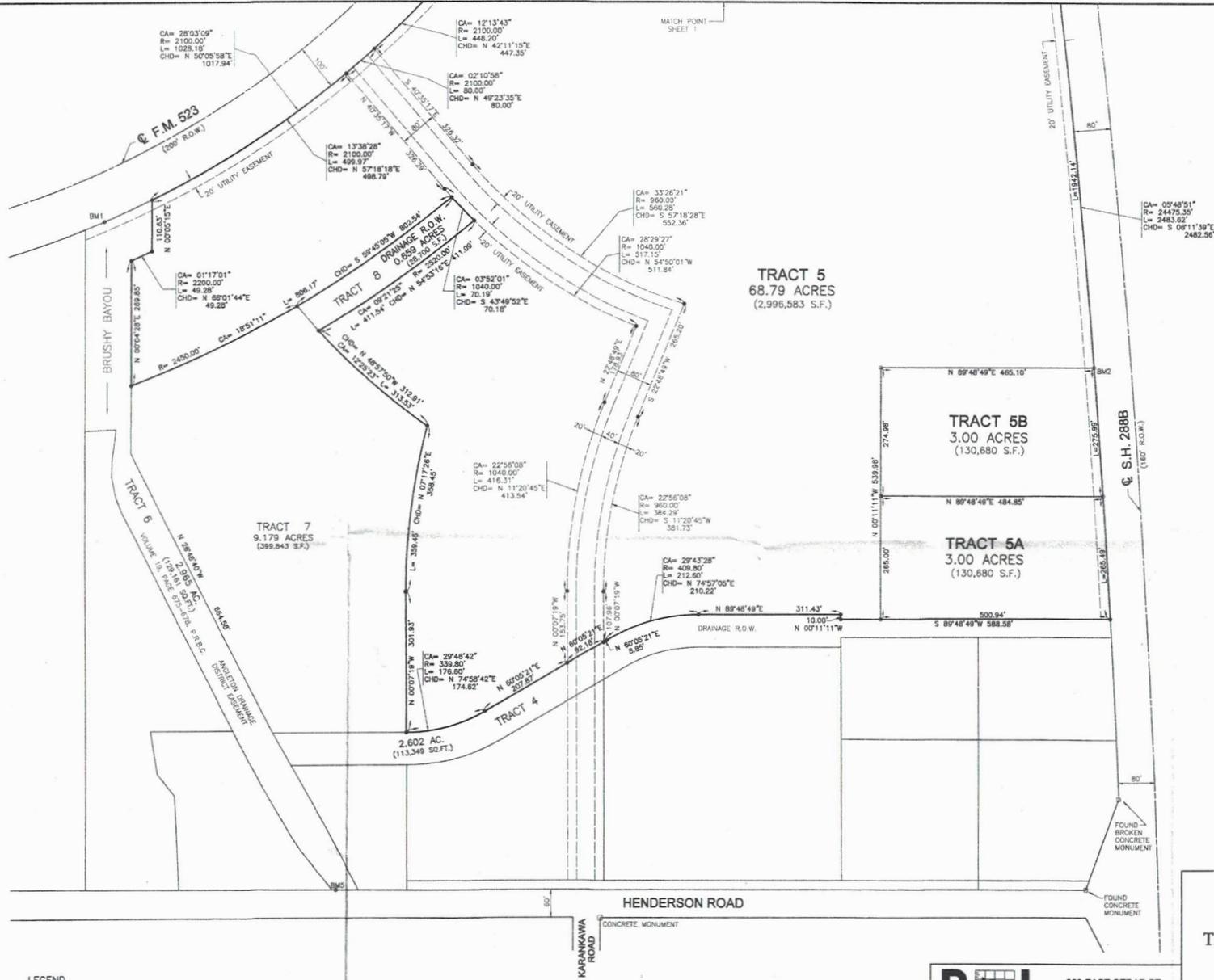
**LEGEND**

O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS  
P.R.B.C.T. = PLAT RECORDS OF BRAZORIA COUNTY, TEXAS  
O.B.R.C.T. = DEED RECORDS OF BRAZORIA COUNTY, TEXAS  
C.C.F.NO. = COUNTY CLERK'S FILE NUMBER

- = FND 1/2" IRON ROD UNLESS OTHERWISE SHOWN
- = SET 5/8" IRON ROD W/CAP MARKED 'BAKER & LAWSON'

<b>B</b> BAKER & LAWSON, INC. ENGINEERS & SURVEYORS		300 EAST CEDAR ST. ANGLETON, TEXAS 77516 OFFICE: (979) 849-8681 TBPLS No. 10052500	
SCALE: 1" = 100'	PERSONNEL:	DESCRIPTION:	DRAWN BY: BT
DATE: 08-08-16			CHECKED BY: BC
PROJECT NO: 12078			DRAWING NO: 1 OF 2

**REPLAT**  
OF  
TRACT 5 OF ANGLETON COMMERCIAL  
SUBDIVISION NO. 4, IN THE J. DE J. VALDERAS  
SURVEY, ABSTRACT 380, BRAZORIA COUNTY,  
TEXAS, ACCORDING TO THE PLAT OF SAID  
SUBDIVISION RECORDED IN VOLUME 24,  
PAGES 109-110, PLAT RECORDS OF  
BRAZORIA COUNTY, TEXAS.



**TRACT 5**  
68.79 ACRES  
(2,996,583 S.F.)

**TRACT 5B**  
3.00 ACRES  
(130,680 S.F.)

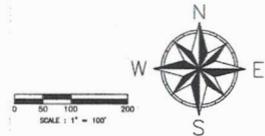
**TRACT 5A**  
3.00 ACRES  
(130,680 S.F.)

**TRACT 7**  
9.179 ACRES  
(399,843 S.F.)

**TRACT 6**

**TRACT 8**  
0.559 ACRES  
(24,700 S.F.)

- LEGEND**
- D.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
  - P.R.B.C.T. = PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
  - S.R.B.C.T. = SEED RECORDS OF BRAZORIA COUNTY, TEXAS
  - C.C.F.NO. = COUNTY CLERK'S FILE NUMBER
  - = FIND 1/2" IRON ROD UNLESS OTHERWISE SHOWN
  - o = SET 3/8" IRON ROD W/CAP MARKED "BAKER & LAWSON"



**REPLAT**  
OF  
**TRACT 5 OF ANGLETON COMMERCIAL**  
SUBDIVISION NO. 4

**B&L**  
BAKER & LAWSON, INC.  
SURVEYING • PLANNING • SERVICES

300 EAST CEDAR ST.  
ANGLETON, TEXAS 77515  
OFFICE: (979) 849-6681  
TBPLS No. 10052500

DATE: 08-08-18	REVISION NO.	REVISION DESCRIPTION	DRAWN BY: JT
PROJECT NO: 12078			CHECKED BY: MS
			DRAWING: 2 OF 2



**PLANNING & ZONING AGENDA ITEM**  
**Meeting Date: July 13, 2016**

**SUBJECT: Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.**

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Michael Stoldt

**Budgeted amount:**                      **Funds requested:**                      **Fund:**

**Attachments:** (Attachment description)  
Notice to the Facts

**Executive Summary:**

**Recommendation:**  
Staff recommends approval.

**Alyssa Deaton**  
\_\_\_\_\_  
**Name**

**6/21/16**  
\_\_\_\_\_  
**Date**

## **Public Hearing Notice**

Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING. The Planning and Zoning Commission will conduct a Public Hearing on Wednesday, July 13, 2016 at 12:00 pm. The City Council will conduct a Public Hearing on Tuesday, July 26, 2016 at 6:00 pm. The Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. If you are unable to attend the public hearings, comments may be sent to: City of Angleton; 121 South Velasco; Angleton, Texas 77515; Attn: Shelly Deisher, City Secretary. For additional information concerning the proposed Ordinance, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

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Date: June 21, 2016

To: The Facts – Legal Notices

From: City of Angleton

To be published once on: Sunday, June 26, 2016

Please provide publisher's affidavit and total amount to be billed.

If you have any questions, please contact Alyssa Deaton @ 979-849-4364 ext. 2114.



**ORDINANCE NO. 2016-O-7A**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the definition being amended is to protect the investment of property owners, if such an event were to occur that their Residential dwelling, Existing should be damaged or destroyed by fire, force of nature or other unintentional cause, they shall be allowed to rebuild by right in the zoning district(s) shown in Section 28-81 (b) Use Charts in the Code of Ordinances as a Residential dwelling, Existing; and

**WHEREAS**, Chapter 28 of the Code of Ordinances authorizes the City Council to amend, supplement, or change the regulations of the Zoning Ordinance or the boundaries of zoning districts specified in the zoning map; and

**WHEREAS**, any amendment to the zoning ordinance text or to zoning district boundaries may be initiated by the Planning and Zoning Commission, who shall then make a recommendation to the City Council; and

**WHEREAS**, pursuant to state law, notice was published in the newspaper advising that the Planning and Zoning Commission was conducting a public hearing on Wednesday, July 13, 2016 and the City Council was conducting a public hearing on Tuesday, July 26, 2016, to discuss amending the definition for Residential dwelling, Existing; and

**WHEREAS**, after conducting a public hearing, the Planning and Zoning Commission recommended the approval of the change to amend the definition for Residential dwelling, Existing by a vote of \_\_\_ for, \_\_\_ against, \_\_\_ absent;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**SECTION 1:** That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

**SECTION 1:** That Section 28-112 Definition of Residential dwelling, Existing of the Code of Ordinances is hereby amended to read:

*Residential dwelling, Existing:* any Single-family dwelling (attached or detached), Patio Home, or Two-family dwelling (duplex) constructed before 2014 and located in a Non-Residential Zoning District or any Single-family dwelling (attached or detached), Patio Home, or Two-family dwelling (duplex) constructed after 2014 and located on property

receiving a subsequent re-zoning designation, after the residential construction, to a Non-Residential Zoning District. Existing Residential Dwellings that are changed to a non-residential use shall cease to be defined as an Existing Residential Dwelling. Any Existing Residential Dwelling that is damaged or destroyed to the extent of more than 50 percent by fire, force of nature or other unintentional cause, shall be allowed to be reconstructed; provided the reconstruction meets all development standards and requirements set forth by the City and shall thereafter continue to be defined as a Residential dwelling, Existing.

**SECTION 2:** That the definition noted above is hereby amended in accordance with the provisions of this Ordinance.

**SECTION 3:** That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no wise affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

**SECTION 4:** That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

**SECTION 5:** That this ordinance shall be effective not less than 10 days from the date of its passage and in accordance with the time set forth in the City Charter and the City Secretary is directed to cause the descriptive caption of this Ordinance to be published in the official newspaper of the City, at least once within ten days after the passing of the Ordinance.

**SECTION 6:** That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

**SECTION 7:** That this Ordinance shall be effective from and after August 5<sup>th</sup>, 2016.

PASSED AND ADOPTED THIS 26<sup>TH</sup> DAY OF JULY, 2016.

---

RANDY RHYNE, Mayor

ATTEST:

---

SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

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MARY KAY FISCHER, City Attorney