CITY OF ANGLETON, TEXAS

PLANNING & ZONING COMMISSION

Meeting @ 12 p.m., Wednesday, October 5, 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 September 7, 2016 and September 13, 2016 meeting minutes.

3.) Public Hearing on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA); 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.

4.) Discussion and Possible Action on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA); 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.

5.) Public Hearing on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

6.) Discussion and Possible Action on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

7.) Discussion and Possible Action on approving the plat for the H.W. Munson 2nd Subdivision, a plat of a 1.00 and 1.68 acre tract being out of a 2.68 acre tract, all being out of Tract 13 of the H. H. Cornwall Survey, Abstract 180, Brazoria County, Texas.

8.) 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, September 7, 2016

COMMISSIONERS, STAFF & GUESTS

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

Michael Stoldt – City Manager
Mary Kay Fischer – City Attorney
Karen Barclay – Building Services Department Director
Shelly Deisher – City Secretary
Alyssa Deaton – Assistant City Secretary

Josh McGinn – Baker & Lawson Surveyor

AGENDA

1. Declaration of Quorum and Call to Order at **12:00 pm**.

2. Discussion and Possible Action on approving the August 23, 2016 meeting minutes.

   Motion by Vice-Chairman Munson to approve the minutes;
   Second by Commissioner Hernandez.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

3. Public Hearing on the Zion Townhomes Subdivision Final 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.

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

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

No one wished to speak.

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

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

4. Discussion and Possible Action on the Zion Townhomes Subdivision Final 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.

   Michael Stoldt, City Manager reviewed the comments and stated that they have already been addressed, with the exception of #3. The comments have been attached to the minutes.

   Motion by Commissioner Spoor to approve the final plat subject to staff comments;
   Second by Commissioner Bieri.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

5. Discussion and Possible Action on the replat of the Lila West Subdivision, Lots 1 & 2, a Subdivision of 15.039 Acres of Land in the Jose de Jesus Valderas Survey, Abstract No. 380, Brazoria County, Texas.

   Michael Stoldt, City Manager reviewed the comments and stated that they have already been addressed. He added that the new plat they submitted showed 15.784 acres and needs to be changed to 15.039.

   Motion by Commissioner Hernandez to approve the replat subject to staff comments;
   Second by Vice-Chairman Munson.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

6. Adjourned at **12:09 pm**.

   Motion by Commissioner Spoor to adjourn;
   Second by Vice-Chairman Munson.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

CERTIFICATION

Bill Garwood, Chairman

Alyssa Deaton, Asst. City Secretary

Planning and Zoning Commission

City of Angleton, Texas
Meeting Minutes
Wednesday, September 13, 2016

COMMISSIONERS, STAFF & GUESTS

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

Michael Stoldt – City Manager
Mary Kay Fischer – City Attorney
Karen Barclay – Building Services Department Director
Shelly Deisher – City Secretary
Alyssa Deaton – Assistant City Secretary

Terry & Lee Packard – 406 E. Myrtle
Liz & Nicole Sardelich – 305 E. Mulberry, Sardelich Counseling

AGENDA

1. Declaration of Quorum and Call to Order at **12:00 pm**.

2. Public Hearing on a request for a Specific Use Permit to allow the construction of a non-residential accessory building in the CBD – Central Business District located at 305 East Mulberry Street, with a legal description of: Moore & Miller Addn (Angleton), Block 37, Lot 1 to 5.

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

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

   Liz Sardelich stated that she was present and available to answer any questions.

   Mr. Packard, property owner within 200 feet, stated that he was just curious to know what was going on.

   Motion by Vice-Chairman Munson to close the Public Hearing;

Second by Commissioner Bieri.

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

3. Discussion and Possible Action on a request for a Specific Use Permit to allow the construction of a non-residential accessory building in the CBD – Central Business District located at 305 East Mulberry Street, with a legal description of: Moore & Miller Addn (Angleton), Block 37, Lot 1 to 5.

   Chairman Garwood asked Ms. Sardelich to come up and explain the purpose of the building.

   Ms. Sardelich explained that it will be a 1,600 sq. ft. metal pole barn that she will be using for both personal and business use.

   Motion by Vice-Chairman Munson to approve the SUP with no special conditions;
   Second by Commissioner Bieri.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

4. Adjourned at **12:05 pm**.

   Motion by Commissioner Spoor to adjourn;
   Second by Commissioner Bieri.

   Motion carries 6 for; 0 against; 1 absent (Jason Perez)

CERTIFICATION

Bill Garwood, Chairman

Alyssa Deaton, Asst. City Secretary

PLANNING & ZONING AGENDA ITEM
Meeting Date: October 5, 2016

SUBJECT: Public Hearing on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA); 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.

__ Consent item __ Discussion item
__ Discussion and possible action _x_ Public Hearing

REQUESTED BY: Michael Stoldt

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

Attachments: (Attachment description)
Notice to Facts

Executive Summary:

Alyssa Deaton **9/12/16**

Name **Date**

Public Hearing Notice

Public Hearing on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA). The Planning and Zoning Commission will conduct a Public Hearing on Wednesday, October 5, 2016 at 12:00 pm. The City Council will conduct a Public Hearing on Tuesday, October 25, 2016 at 6:00 pm. The Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. The purpose of the public hearings is to receive comments from residents and property owners on the proposed ordinance. 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.

Date: September 12, 2016

To: The Facts – Legal Notices

From: City of Angleton

To be published once on: Sunday, September 18, 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.

PLANNING & ZONING AGENDA ITEM
Meeting Date: October 5, 2016

SUBJECT: Discussion and Possible Action on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA); 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.

__ Consent item
__ Discussion item
_x_ Discussion and possible action
__ Public Hearing

REQUESTED BY: Michael Stoldt

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

Attachments: (Attachment description)
Ordinance 2016-O-10B

Executive Summary:
Currently, Market only includes Public and Flea market uses. We have nothing in our ordinance as it pertains to Farmers Market and felt this would be the best way to regulate them. AG and MFR have been added, but will still require an SUP.

Recommendation:
Staff recommends approval.

Alyssa Deaton **9/12/16**

Name **Date**

ORDINANCE NO. 2016-O-10B

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA); 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, 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, October 5, 2016, at 12:00 p.m. and the City Council was conducting a public hearing on Tuesday, October 25, 2016 at 6:00 p.m., to discuss amending the use chart for Market (Public, Flea); and

WHEREAS, after conducting a public hearing, the Planning and Zoning Commission recommended the approval of amending the use chart for Market (Public, Flea) on Wednesday, October 5, 2016 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 2: That Section 28-81 (b) Use Charts in the Code of Ordinances is hereby amended to read as follows:

Type of Land Uses:

Retail Uses

Market (Public, Flea)

Use Chart is amended to read **Market (Public, Flea, Farmers)** to include Farmers Markets as an additional *Retail Use* land use that may be approved as a **Specific Use Permit** in **AG and MFR Residential Zoning Districts and all Non-Residential Zoning Districts.**

The Use Chart is hereby amended to read as follows:

Legend
P – The land use is permitted by right in the zoning district indicated.
□ – The land use is prohibited in the zoning district indicated.
S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

Types of Land Uses	Residential Zoning Districts													Non-Residential Zoning Districts						
	AG	SFE-20	SF-10	SF-7.2	SF-6.3	SF-5	SF-PH	2F	SFA	MFR-14	MFR-29	MFR-36	MH	C-N	C-MU	C-G	C-O/R	CBD		LI
Market (Public, Flea, Farmers)	S									S	S	S		S	S	S	S	S		S

SECTION 3: That the Use Chart is hereby amended in accordance with the provisions of this Ordinance.

SECTION 4: 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 5: 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 6: 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 7: 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 8: That this Ordinance shall be effective from and after November 4th, 2016.

PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER, 2016.

_____
RANDY RHYNE, Mayor

ATTEST:

_____
SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

_____
MARY KAY FISCHER, City Attorney

PLANNING & ZONING AGENDA ITEM
Meeting Date: October 5, 2016

SUBJECT: Public Hearing on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

__ Consent item __ Discussion item
__ Discussion and possible action _x_ Public Hearing

REQUESTED BY: Travis Smith, Designated Agent

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

Attachments: (Attachment description)
Notice to Facts and to owners within 200 feet of each property

Executive Summary:

Alyssa Deaton **9/12/16**

Name **Date**

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, October 5, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, October 25, 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.

Date: 9-12-16
To: The Facts – Public Hearing
From: City of Angleton
To be published once on: Sunday, September 18, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

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

September 14, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, October 5, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, October 25, 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

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

PLANNING & ZONING AGENDA ITEM
Meeting Date: October 5, 2016

SUBJECT: Discussion and Possible Action on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

__ Consent item __ Discussion item
_x_ Discussion and possible action __ Public Hearing

REQUESTED BY: Travis Smith, Designated Agent

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

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

Executive Summary:
If approved, this will allow the Peach Street Farmers Market, a 501(c)(3) organization that is separate from Holy Comforter Church, to operate a farmers market every Saturday from 8am – 12pm. They are proposing to have all of the vendors at the church site and will utilize the other properties for parking and restroom facilities.

Recommendation:
Staff recommends approval.

Alyssa Deaton **9/12/16**

Name **Date**

_____ COUNTY, TEXAS

SCALE: 1" = 100'

SCHOOL DIST. ANGLETON
NAVIGATION DIST. N
DRAINAGE DIST. ANGLETON
ROAD DIST. 20

ANGLETON TOWNSITE

16

25

MYRTLE STREET

MULBERRY STREET

ORANGE STREET

PEACH STREET

VELASCO STREET

CHENANGO STREET

ARCOLA STREET

BANK

POST OFFICE

2.41 Ac.

see page 10 for Bottom

GINAL GRANTEE

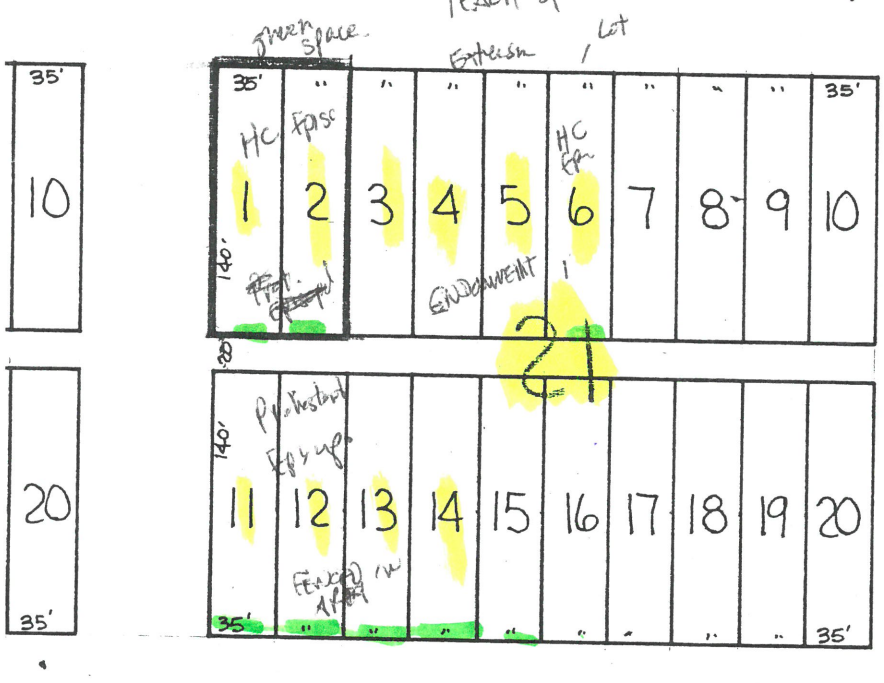
TEXAS

D'

SCHOOL DIST. ANGLETON
NAVIGATION DIST. N
DRAINAGE DIST. ANGLETON
ROAD DIST. 20

10

ANGLETON TOWNSITE



See Vol. Pg. 12

N

Blk 40 - not drawn
See AB 375 pg 14-17

Masterson Park
E Orange St
S Arcola St
S Arcola St
E Plum St
Holy Comforter Episcopal Church
E Peach St
E Peach St
E Orange St
S Chenango St
S Chenango St
Google

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.

City of Angleton

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

City of Angleton GIS Mapping

1 " = 110 '

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 234 S. ARCOLA ST., 227 S. CHENANGO, 212 E. PEACH, 218 S. CHENANGO, 335 S. CHENANGO

PROPERTY DESCRIPTION (Legal description): BLOCK 22-LOTS 17-20; BLOCK 22, LOTS 11-16; BLOCK 21-LOTS 4-5; BLOCK 19-LOTS 19-20; BLOCK 21-LOTS 11-14 Block 21-LOTS 1-3 & Lot 6

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER: HOLY COMFORTER EPISCOPAL CHURCH, P.O. BOX 786, ANGLETON, TX 77516, 979-849-1269

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER: THE REV. TRAVIS SMITH, RECTOR, 234 S. ARCOLA

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: PEACH STREET FARMERS MARKET: SATURDAY MORNING MARKET SELLING FRESH PRODUCE AND CRAFTS AND FOOD FROM LOCAL VENDORS

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: _____

DATE: SEPTEMBER 2, 2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY. N/A

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 HOLY COMFORTER EPISCOPAL CHURCH
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: THE REV. TRAVIS SMITH - RECTOR

Mailing Address: P.O. BOX 786, ANGLETON, TX 77516 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.

HOLY COMFORTER EPISCOPAL CHURCH

Signature of owner By: _____ Title Sr. Warden

Printed/Typed Name of owner Barbara J. Marin Date 9/21/16

*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 §

Before me, Susie A. Devens, on this day personally appeared Barbara J. Marin, known to me ~~(or proved to me on the oath of _____ 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 2nd day of September, 2016

(SEAL) SUSIE A. DEVENS Notary Public, State of Texas My Commission Expires 11-29-2017

Susie A. Devens
Notary Public Signature

11-29-2017
Commission Expires

Gated Playground
B
P P
V
V
V
V
V
V
V
V
V
V
M
P P
W
Volunteer
Vendor
E Peach St
E Peach St
S Arcola St
S Arcola St
S Chenango St
S Chenango St
Vendor
Bounce House
Lavatories
Musician/Bandstand
Parking
Safety Cones
Seating/Picnic Tables
Vendor Stalls
Waste/Recycling Receptacles
Welcome Tent

PLANNING & ZONING AGENDA ITEM
Meeting Date: October 5, 2016

SUBJECT: Discussion and Possible Action on approving the plat for the H.W. Munson 2nd Subdivision, a plat of a 1.00 and 1.68 acre tract being out of a 2.68 acre tract, all being out of Tract 13 of the H. H. Cornwall Survey, Abstract 180, Brazoria County, Texas.

__ Consent item
_x_ Discussion and possible action
__ Discussion item
__ Public Hearing

REQUESTED BY: Henry & Karyn Munson, property owners

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

Attachments: (Attachment description)
Application, appointment of agent, GIS map, plat

Executive Summary:
Mr. Munson wishes to plat this subdivision out as 1.00 and 1.68 acre tracts so he can deed the 1.00 acre property to a family member.

Recommendation:
Staff recommends approval.

Alyssa Deaton **9/29/16**

Name **Date**

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.

City of Angleton

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

City of Angleton GIS Mapping

1 " = 257 '

I, HENRY W. MUNSON, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF H.W. MUNSON 2ND SUBDIVISION, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, LOTS, BUILDING LINES AND EASEMENTS SHOWN HEREON, AND DEDICATE FOR PUBLIC USE, THE EASEMENTS AND RIGHT-OF-WAYS SHOWN HEREON, FOREVER, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

HENRY W. MUNSON

WITNESS MY HAND THIS ____ DAY OF _____, 2016.

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED HENRY W. MUNSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED OF SAID SUBDIVISION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC IN AND FOR BRAZORIA COUNTY, TEXAS

MY COMMISSION EXPIRES _____

I, KARYN McCOY MUNSON, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF H.W. MUNSON 2ND SUBDIVISION, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, LOTS, BUILDING LINES AND EASEMENTS SHOWN HEREON, AND DEDICATE FOR PUBLIC USE, THE EASEMENTS AND RIGHT-OF-WAYS SHOWN HEREON, FOREVER, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

KARYN McCOY MUNSON

WITNESS MY HAND THIS ____ DAY OF _____, 2016.

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KARYN McCOY MUNSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED OF SAID SUBDIVISION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC IN AND FOR BRAZORIA COUNTY, TEXAS

MY COMMISSION EXPIRES _____

ANGLETON CITY COUNCIL

I, HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF H.W. MUNSON 2ND SUBDIVISION WAS APPROVED THIS DAY ____ OF _____, 2016, BY THE CITY COUNCIL OF ANGLETON, TEXAS.

RANDY RHYNE, MAYOR

SHELLY DESHER, CITY SECRETARY

ANGLETON PLANNING AND ZONING COMMISSION

I, HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF H.W. MUNSON 2ND SUBDIVISION WAS APPROVED THIS DAY ____ OF _____, 2016, BY THE ANGLETON PLANNING AND ZONING COMMISSION OF ANGLETON, TEXAS.

CHAIRMAN

WITNESS MY HAND THIS THE ____ DAY OF _____ 2016.

SHELLY DESHER, CITY SECRETARY

FROM THE OFFICE OF:
RANDY L. STROUD, P.E.
FIRM NO. 10020500
201 SOUTH VELASCO
ANGLETON, TEXAS 77515
979-849-3141

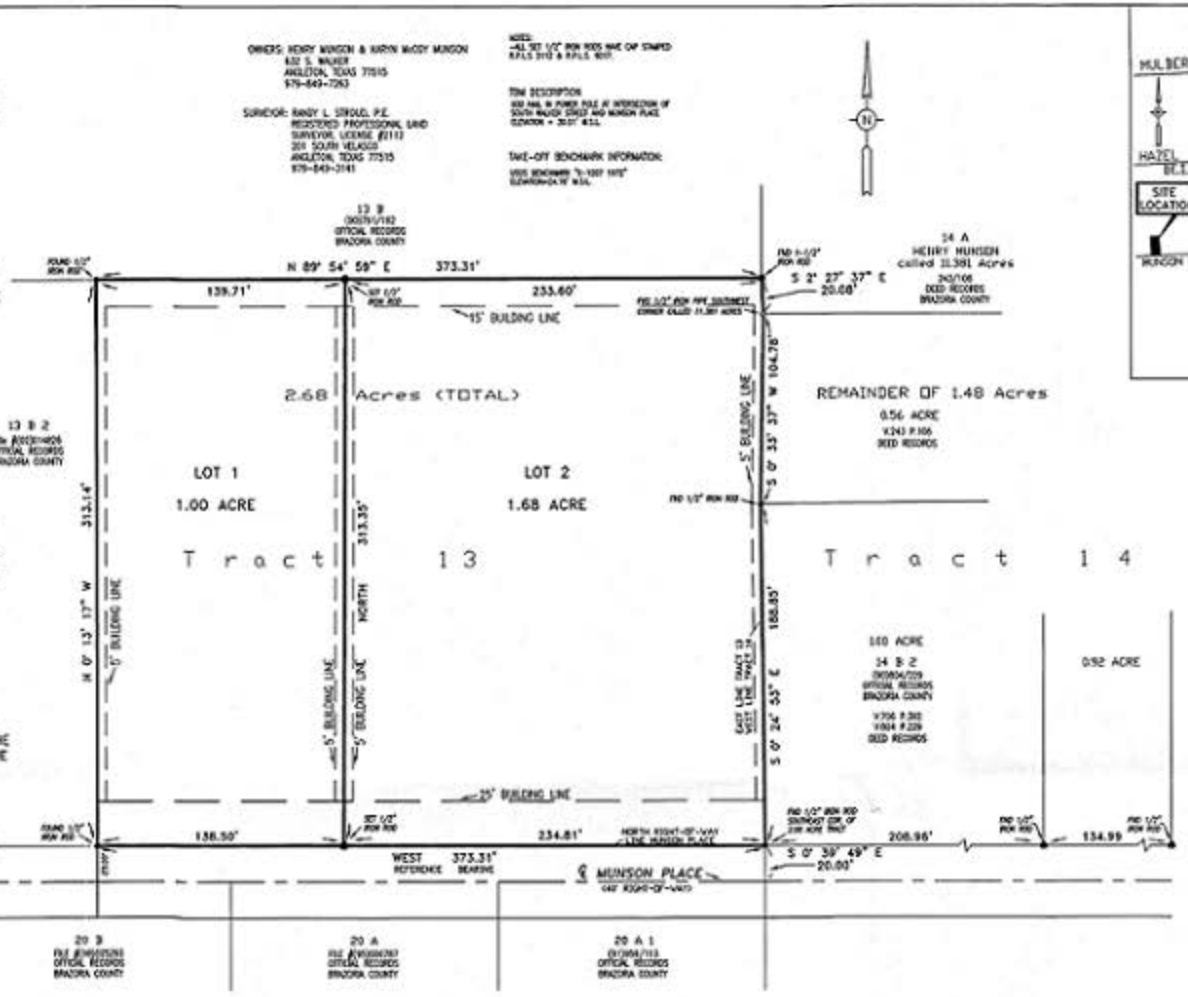
OWNERS: HENRY MUNSON & KARYN McCOY MUNSON
632 S. WALKER
ANGLETON, TEXAS 77515
979-849-7263

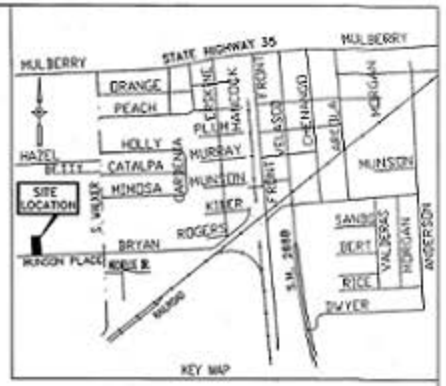
SURVEYOR: RANDY L. STROUD, P.E.
REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSE #2112
201 SOUTH VELASCO
ANGLETON, TEXAS 77515
979-849-3141

NOTES:
-#4 ST. 1/2" IRON RODS HAVE CAP STAMPED R.P.L.S. 2112 & R.P.L.S. 4001.

TBM DESCRIPTION
600 FEET ± NORTH OF INTERSECTION OF SOUTH WALKER STREET AND MUNSON PLACE.
ELEVATION = 39.01' M.S.L.

TAKE-OFF BENCHMARK INFORMATION:
USGS BENCHMARK "D-1007 1972"
ELEVATION=34.19' M.S.L.





ANGLETON DRAINAGE DISTRICT

ACCEPTED THIS THE ____ DAY OF _____, 2016, BY THE ANGLETON DRAINAGE DISTRICT.

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 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 OF 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 PART SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

DAVID SPOOR

TERRY NOVAK

WELDON ZGABA

THIS PROPERTY IS LOCATED IN ZONE "X" AND IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO THE FLOOD HAZARD MAP FOR THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS

COMMUNITY # 480064
PANEL #0445
SUFFIX H
DATE: 10-6-04
ZONE: "X"

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF THE LAND AND THAT CORNER MONUMENTS SHOWN THEREON HAVE BEEN PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE CODE OF REGULATIONS OF THE CITY OF ANGLETON, TEXAS.

STATE OF TEXAS
RANDY L. STROUD
2112
REGISTERED
LAND SURVEYOR

RANDY L. STROUD, RPLS 2112

9-23-16
DATE

H.W. MUNSON 2ND SUBDIVISION
SHORT FORM PLAT

2 LOTS - 2.68 ACRES

A PLAT OF A 1.00 AND 1.68 ACRE TRACT BEING OUT OF A 2.68 ACRE TRACT DESCRIBED IN FILE NO. 2003-063749 OF THE OFFICIAL RECORDS, ALL BEING OUT OF TRACT 13 H.H. CORNWALL SURVEY, ABSTRACT 180, BRAZORIA COUNTY, TEXAS

GRAPHIC SCALE
0 50 100 150

SCALE: 1" = 50'

9-23-16

4T 11,041 38-153R(M-468)

HW Munson 2nd Subdivision
Staff Comments
9/29/16

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1. Please show where additional fire hydrant is to be installed.
2. Please provide a metes and bounds description on plat.

APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 9-28-16

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

Address of property A 1.00 and 1.68 acre tract being out of a 2.68 acre tract described in file No. 2003-063749 of the official records tract 13 HH Cornwall Survey Ab Stract 180 B.C. Texas

Name of Applicant: H. W. Munson Phone: _____

Name of Company: _____ Phone: _____

E-mail: _____

Name of Owner of Property: Henry Munson & Karyn McCoy Munson

Address: ____ St. Angleton

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) Henry Munson Karyn Munson

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 28th day of September, 2016.

(SEAL)

ALYSSA DEATON
NOTARY PUBLIC, STATE OF TEXAS
COMMISSION EXPIRES 08-05-2019

Alyssa Deaton
Notary Public for the State of Texas
Commission Expires: 9-28-16 AD
8-5-2019

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).

AFFIDAVIT OF
AUTHORIZATION BY PROPERTY OWNER

I swear that I am the owner of (indicate address and/or legal description) A plat of 1.00 & 1.68 acre tract of a 2.68 acre tract in file no. 2003-063749 out of tract 13 H.H. Cornwall Survey Abstract 180 B.C. Texas 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: H. W. Munson

ADDRESS: __ St. Angleton

APPLICANT PHONE # _____ E-MAIL: _

PRINTED NAME OF OWNER: Henry Munson & Karyn McCoy Munson

SIGNATURE OF OWNER: Karyn Munson DATE: 9/28/2016

NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 28th day of September, 2016.

(SEAL)

Alyssa Deaton
Notary Public for the State of Texas
Commission Expires: 8-5-19

PROJECT SUMMARY FORM

Address of property A plat of 1.00 & 1.68 acre tract out of a 2.68 acre tract file no. 2003-063749 out of tract 13 HH Cornwall Abstract 180 B.C. Texas

The subject property fronts 138.50 feet on the North side of Munson Place

Depth: 313.14 feet Area: _____ Acres: 1 acre square feet

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

Home Site

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: Henry Munson Date: 9-28-16