



**CITY OF ANGLETON
PLANNING AND ZONING COMMISSION AGENDA
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
THURSDAY, NOVEMBER 04, 2021 AT 12:00 PM**

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, NOVEMBER 4, 2021, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

This meeting will also be live-streamed:
City's website at <https://angleton.tx.us/445/Meeting-Videos>
Facebook at <https://www.facebook.com/cityofangleton/>

DECLARATION OF A QUORUM AND CALL TO ORDER

PUBLIC HEARINGS AND ACTION ITEMS

- 1.** Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance to rezone a portion of undeveloped land being 35.89 acres out a 39.783-acre parcel of land being the same called 40.00 acres as recorded in the Brazoria County Clerk's File 2003041292, also known as 1101 W. Mulberry Street, from the Commercial-General (C-G) zoning district to the Multifamily Residential-29 (MFR-29) zoning district. The subject property is located to the east of Interstate 288 and to the south of State Highway 35 (West Mulberry).

REGULAR AGENDA

- 2.** Discuss, consider, and act on a recommendation for the Preliminary Plat of the Mulberry Fields Subdivision and variances.

ADJOURNMENT

CERTIFICATION

I, Lindsay Koskiniemi, Development Services Assistant Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, www.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, November 1, 2021 by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Lindsay Koskiniemi
Lindsay Koskiniemi
Development Services Assistant Director

In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending City Council meetings. The facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary at 979-849-4364, extension 2115 or email faguilar@angleton.tx.us.



AGENDA ITEM SUMMARY FORM

MEETING DATE: November 4, 2021

PREPARED BY: Lindsay Koskiniemi, Assistant Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance to rezone a portion of undeveloped land being 35.89 acres out a 39.783-acre parcel of land being the same called 40.00 acres as recorded in the Brazoria County Clerk's File 2003041292, also known as 1101 W. Mulberry Street, from the Commercial-General (C-G) zoning district to the Multifamily Residential-29 (MFR-29) zoning district. The subject property is located to the east of Interstate 288 and to the south of State Highway 35 (West Mulberry).

AGENDA ITEM SECTION: Public Hearing

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request from Jose Guerrero to rezone 35.89 acres out of a 39.783-acre parcel of land owned by West Mulberry, LLC, from the Commercial-General (C-G) zoning district to the MFR-29 Multifamily Residential-29 zoning district.

The purpose of this rezoning request is to develop undeveloped land for multifamily housing. The subject property is located approximately 300 linear feet east of Highway 288 and south of State Highway 35.

Future Land Use

The Future Land Use Plan designates the subject property as being appropriate for Office/Retail/Multifamily Residential and Office/Retail.

The Office/Retail category is described in the plan as:

Office/Retail/Multi-family (Peach): This category incorporates many of the characteristics of the Office/Retail category but adds flexibility by including multifamily development outside of SH 288. The Office/Retail/Multifamily category recognized both the need to promote quality office development, as well as the opportunity to permit a transition between uses when considered necessary. Examples of the category are found along FM 523, Business 288, and SH35. While visibility remains important,

Office/Retail/Multifamily may also be located away from corridors or as a transition category for low intensity areas.

Office/Retail (Coral): *This district is designed to reserve the most desirable retail area for office and retail uses, such as sites along SH 288. Office/Retail areas capture many of the locations in Angleton offering the high visibility needed for retail activity. In several instances, such as along SH 288, SH 288 and Business 288, the Office/Retail also serves as a buffer between arterial traffic and low-density residential areas.*

The proposed rezoning is further supported by Goals 1 & 2 of the Chapter 8 Housing of the Comprehensive Plan.

Goal One: *A community in which quality housing is attractive, available, and affordable to all residents.*

Goal Two: *A variety of housing options that meets the needs of an increasingly diverse population.*

Existing Land Use and Zoning

North: Shady Acres subdivision, zoned Single-Family.

East: Westside Elementary School, zoned Commercial General.

South: Undeveloped land outside of the limits of the City of Angleton (Extraterritorial Jurisdiction).

West: Undeveloped land with a Planned District overlay.

The subject property is bordered by State Highway 35 to the north, which is designated as an Existing Arterial roadway in the City's Mobility Plan. The proposed rezoning is consistent with the Future Land Use Plan and aligns with the City's housing goals.

RECOMMENDATION:

Staff recommends approval of the request to rezone 35.89 acres of a 39.783-acre parcel of land currently zoned Commercial-General to the Multifamily Residential-29 zoning district.

SUGGESTED MOTION:

I move we recommend approval of the request to rezone 35.89 acres of a 39.783-acre parcel of land currently zoned Commercial-General to the Multifamily Residential-29 zoning district.

ORDINANCE NO. 20211104-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS REZONING 35.89 ACRES FROM CHAPTER 28, ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-57 C-G - COMMERCIAL-GENERAL DISTRICT TO CHAPTER 28 ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-52 MFR-29 MULTIFAMILY RESIDENTIAL-29 DISTRICT (APARTMENTS) OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities; and

WHEREAS, the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, on November 4, 2021 the Angleton Planning and Zoning Commission conducted a public hearing regarding a request by Jose Guerrero to rezone 35.89 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-52 Multifamily Residential-29 District (Apartments) of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

WHEREAS, on November 4, 2021 after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that the request by Jose Guerrero, to rezone 35.89 acres from Chapter 28 Zoning, Article III Zoning Districts, Section 28-57 C-G – Commercial General District to Chapter 28 Zoning, Article III Zoning Districts, Section 28-52 MFR-29 Multifamily Residential-29 District (Apartments) be approved; and

WHEREAS, on December 14, 2021 the City Council of the City of Angleton conducted a public hearing regarding a request by Jose Guerrero, to rezone 35.89 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to Chapter 28 Zoning, Article III Zoning Districts Section 28-52 MFR-29 Multifamily Residential-29 District (Apartments) of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, on December 14, 2021 the City Council of the City of Angleton, Texas approved the request by Jose Guerrero, to rezone 35.89 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to Chapter 28 Zoning, Article III Zoning Districts Section 28-52 MFR-29 Multifamily Residential-29 District (Apartments) of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of Angleton, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

WHEREAS, the City Council desires to rezone 35.89 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to Chapter 28 Zoning, Article III Zoning Districts Section 28-52 MFR-29 Multifamily Residential-29 District (Apartments) of the Code of Ordinances, City of Angleton, Texas;

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

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof as if copied herein verbatim.

SECTION 2. The request by Jose Guerrero, to rezone 35.89 acres, as described in Exhibit “A,” from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to Chapter 28 Zoning, Article III Zoning Districts Section 28-52 MFR-29 Multifamily Residential-29 District (Apartments) of the Code of Ordinances, City of Angleton, Texas be approved.

SECTION 3. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of the Ordinance occurs shall constitute a separate offense.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. In the event any clause, phrase provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be on or more parts.

SECTION 6. This ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said

meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

PASSED AND APPROVED THIS THE 14TH DAY OF DECEMBER 2021.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Frances Aguilar, TRMC, CMC
City Secretary

EXHIBIT A



METES AND BOUNDS
 35.890 ACRE PARCEL
 LOCATED IN THE
 M.C. TOBIN SURVEY,
 ABSTRACT 699,
 BRAZORIA COUNTY, TEXAS

Being a 35.890 acre parcel of land situated in the M.C. Tobin Survey, Abstract 699, Brazoria County, Texas, and being out of the 39.783 acres being the same called 40.00 acres as described in deed recorded in Brazoria County Clerk's File 2003041292, with the basis of bearings being said deed, and being more particularly described as follows:

BEGINNING, at a 5/8 inch iron rod found in the northern line of Tracts 2-8 called 52.106 acre tract Brazoria County Appraiser District R180456 for the southwest corner of the Angleton I.S.D. as recorded in Volume 890, Page 629 Brazoria County Deed Records, the southeast corner of the 39.783 acres (called 40.00 acres), and marking the southeast corner of the herein described parcel;

THENCE, South 86° 47' 24" West, a distance of 562.70 feet along the northern line of the called 52.106 acres to a 5/8" iron rod with plastic cap set for the southeast corner of 20.9735 acre tract as recorded under B.C.C.F. 2008058547, and marking the southwest corner of the herein described parcel;

THENCE, North 03° 12' 36" West, a distance of 2778.33 feet along the eastern line of the called 20.9735 acre tract to a 5/8 inch iron rod set with plastic cap for the southwest corner of the 3.894 acres remainder of the parent 39.783 acres, and marking the northwest corner of the herein described parcel, and from which a 5/8" iron rod found in the southern right of way of West Mulberry Street for the northeast corner of the called 20.9735 acres, the northwest corner of the parent 39.783 acres, and the northwest corner of the 3.894 acres remainder tract bears North 03° 12' 36" West, a distance of 284.22 feet;

THENCE, North 86° 47' 24" East, a distance of 562.70 feet along the southern line of the 3.894 acres remainder tract to a 5/8" iron rod set with plastic cap in the western line of the Angleton I.S.D. tract for the southeast corner of the 3.894 acres, and marking the northeast corner of the herein described parcel, and from which a 5/8" iron rod set with plastic cap in the southern right of way of West Mulberry Street for the northwest corner of the Angleton I.S.D. tract, the northeast corner of the parent 39.783 acres, and the northeast corner of the 3.894 acres bears North 03° 12' 36" West, a distance of 300.00 feet;

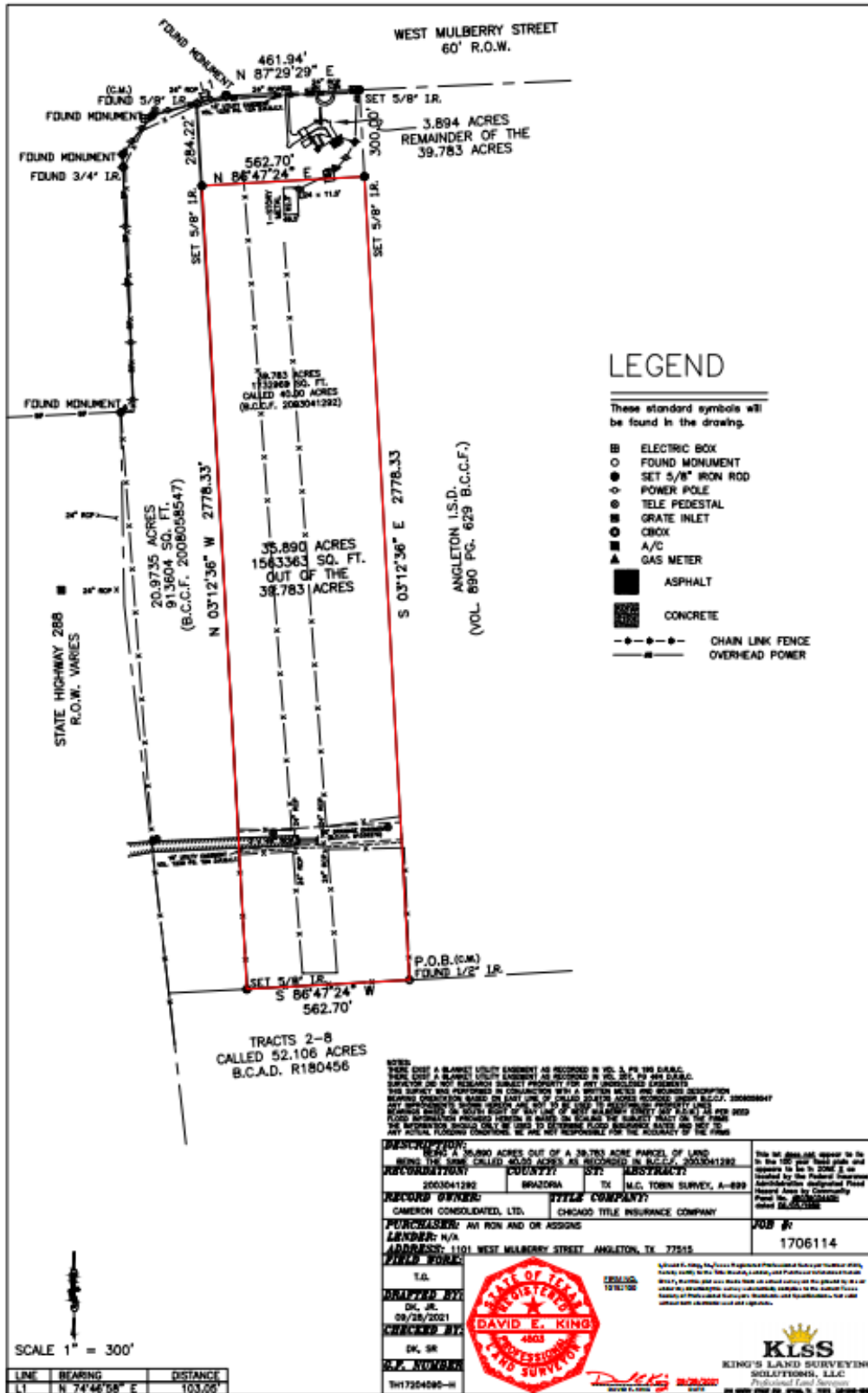
THENCE, South 03° 12' 36" East, a distance of 2778.33 feet along the western line of the Angleton I.S.D, Tract back to the **POINT OF BEGINNING** and containing 35.890 acres of land.

This metes and bounds description was made in conjunction with a survey plat.

David E. King

David E. King, Sr.
 King's Land Surveying Solutions, LLC
 September 28, 2021
 Job Number 1706114
 Firm Number 10152100





NOTES:
 THESE DATA A BLANKET UTILITY EASEMENT AS RECORDED IN VOL. 5, PG. 124, C.A.D. 2003041282.
 THESE DATA A BLANKET UTILITY EASEMENT AS RECORDED IN VOL. 261, PG. 149, C.A.D. 2003041282.
 SURVEY FOR THE PURPOSES OF THIS SURVEY WAS CONDUCTED BY THE SURVEYOR IN CONFORMANCE WITH THE SURVEYING ACT AND THE SURVEYING REGULATIONS.
 THIS SURVEY WAS PERFORMED IN CONFORMANCE WITH THE SURVEYING ACT AND THE SURVEYING REGULATIONS.
 ANY INFORMATION PROVIDED HEREIN IS BASED ON THE DATA PROVIDED AND THE SURVEYOR'S BEST JUDGMENT.
 THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY ANY UTILITY FAILURE.
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 THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY ANY UTILITY FAILURE.

DESCRIPTIVE: 39.783 ACRES OUT OF A 39.783 ACRE PARCEL OF LAND BEING TRACTS 2-8 CALLED 52.106 ACRES AS RECORDED IN B.C.C.F. 2003041282		This set of plans appear to be in the 100-foot final plan and appears to be in 2003. It is located by the Robert Curran Administration enclosed Plat. Hazard Area by Community Plan No. 180456.
RECORD NUMBER: 2003041282	COUNTY: MADISON TX	
RECORD OWNER: CAMERON CONSOLIDATED, LTD.	TITLE COMPANY: CHICAGO TITLE INSURANCE COMPANY	JOB #: 1706114
PREPARED BY: L.A.K.	ADDRESS: 1101 WEST MULBERRY STREET ANGLETON, TX 77515	

FILED FOR:
 T.G.
 DATED BY: 09/28/2021
 CHECKED BY: DK, SR
 S.P. NUMBER: TH17204090-H

I, **DAVID E. KING**, 4603
 PROFESSIONAL LAND SURVEYOR

KING'S LAND SURVEYING SOLUTIONS, L.L.C.
 Professional Land Surveyors
 2020

SCALE 1" = 300'

LINE	BEARING	DISTANCE
11	N 74°44'58" E	103.66'



OFFICE USE ONLY	
Date received: _____	Fee: \$ _____
P&Z Public Hearing date: _____	
Date to send cert. letters: _____	
Date to publish: _____	
Proof of taxes paid: _____	date verified: _____

CITY OF ANGLETON RE-ZONE APPLICATION

Name(s) of Property Owner: Avishai Ron

Current Address: 4808 Gibson Street Email: laura@bondrestoration.com

City: Houston State: Texas Zip: 77007

Home Phone: _____ Business Phone: 713-457-5555 Cell: _____

ATTACH PROOF THAT ALL TAXES, FEES AND OBLIGATIONS HAVE BEEN PAID TO THE CITY OF ANGLETON.

Name of Applicant: Jose Guerrero

(If different than Property Owner)

Address: 1824 Spring Street, Suite 100 Email: jguerrero@estudiogroup.com

City: Houston State: Texas Zip: 77007

Home Phone: _____ Business Phone: 713-433-5000 Cell: _____

Address/Location of Property to be Re-zoned: _____

1101 West Mulberry Street, Angleton, Texas 77515

Legal Description: <small>Being a 35.89 acres out of a 39.783 acre parcel of land being the same called 40.00 acres as recorded in B.C.C.F. 2003041292</small>	N/A	N/A	N/A
Metes & Bounds	Lot(s)	Block	Subdivision

ATTACH MAP/SURVEY OF PROPERTY

Has the property been platted? YES NO

Current Zoning: C-G Current Use: N/A

Proposed Zoning: MFR-29 Proposed Use: Multifamily

Application Fee: \$150.00 (must be submitted with application)


KLS
KING'S LAND SURVEYING
SOLUTIONS, LLC
Professional Land Surveyors
www.kingslandsurveying.com
"We set the boundaries you need in life"

Item 1.

METES AND BOUNDS
35.890 ACRE PARCEL
LOCATED IN THE
M.C. TOBIN SURVEY,
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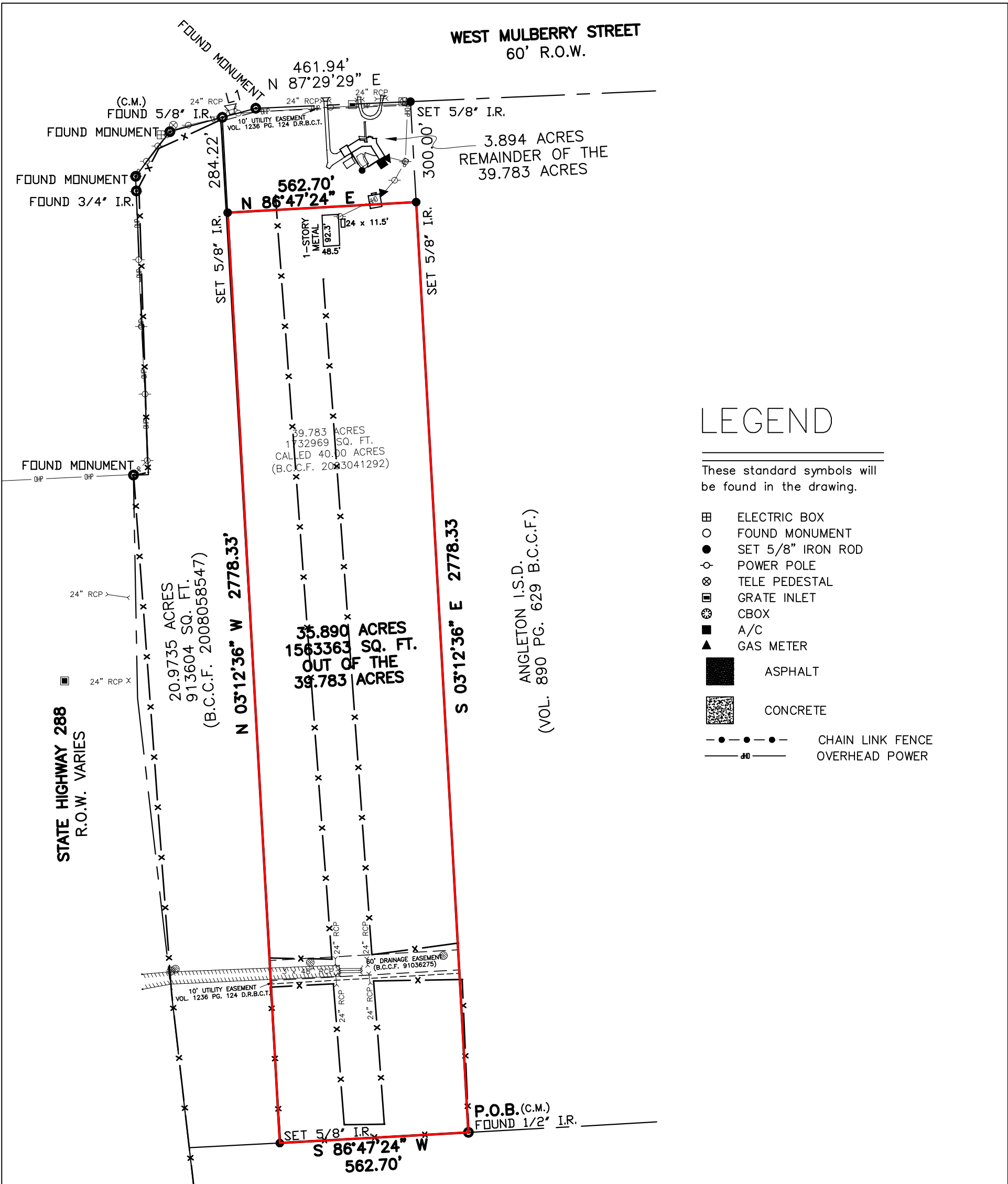
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This metes and bounds description was made in conjunction with a survey plat.



David E. King, Sr.
King's Land Surveying Solutions, LLC
September 28, 2021
Job Number 1706114
Firm Number 10152100





LEGEND

These standard symbols will be found in the drawing.

- ⊠ ELECTRIC BOX
- FOUND MONUMENT
- SET 5/8" IRON ROD
- ⊙ POWER POLE
- ⊗ TELE PEDESTAL
- ⊠ GRATE INLET
- ⊙ CBOX
- A/C
- ▲ GAS METER
- ASPHALT
- ▨ CONCRETE
- - - - - CHAIN LINK FENCE
- #0 — OVERHEAD POWER

NOTES:
 THERE EXIST A BLANKET UTILITY EASEMENT AS RECORDED IN VOL 3, PG 195 D.R.B.C.
 THERE EXIST A BLANKET UTILITY EASEMENT AS RECORDED IN VOL 207, PG 464 D.R.B.C.
 SURVEYOR DID NOT RESEARCH SUBJECT PROPERTY FOR ANY UNDISCLOSED EASEMENTS
 THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH A WRITTEN METES AND BOUNDS DESCRIPTION BEARING ORIENTATION BASED ON EAST LINE OF CALLED 20.9735 ACRES RCORDED UNDER B.C.C.F. 2008058547
 ANY IMPROVEMENTS SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES
 BEARINGS BASED ON SOUTH RIGHT OF WAY LINE OF WEST MULBERRY STREET (60' R.O.W.) AS PER DEED
 FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE SUBJECT TRACT ON THE FIRMS
 THE INFORMATION SHOULD ONLY BE USED TO DETERMINE FLOOD INSURANCE RATES AND NOT TO ANY ACTUAL FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE FIRMS

DESCRIPTION: BEING A 35.890 ACRES OUT OF A 39.783 ACRE PARCEL OF LAND BEING THE SAME CALLED 40.00 ACRES AS RECORDED IN B.C.C.F. 2003041292		This lot does not appear to lie in the 100 year flood plain and appears to be in ZONE X as located by the Federal Insurance Administration designated Flood Hazard Area by Community Panel No. 48039C0440H dated 06/05/1989
RECORDATION: 2003041292	COUNTY: BRAZORIA	
RECORD OWNER: CAMERON CONSOLIDATED, LTD.	TITLE COMPANY: CHICAGO TITLE INSURANCE COMPANY	JOB #: 1706114
PURCHASER: AVI RON AND OR ASSIGNS LENDER: N/A ADDRESS: 1101 WEST MULBERRY STREET ANGLETON, TX 77515		

FIELD WORK: T.G.
DRAFTED BY: DK, JR. 09/28/2021
CHECKED BY: DK, SR
G.F. NUMBER TH17204090-H



FIRM NO.
10152100

I, David E. King, Sr., Texas Registered Professional Surveyor Number 4503, hereby certify to the Title Insurer, Lender, and Purchaser referenced herein ONLY, that this plat was made from an actual survey on the ground by me or under my direction; this survey substantially complies to the current Texas Society of Professional Surveyors Standards and Specifications. Not valid without both electronic seal and signature.

KLSS
KING'S LAND SURVEYING SOLUTIONS, LLC
 Professional Land Surveyors
 315 GENTRY STREET #C5 SPRING, TX 77373 (281)350-8003

SCALE 1" = 300'

LINE	BEARING	DISTANCE
L1	N 74°46'58" E	103.05'

DUPLICATE RECEIPT VIA WEB

Item 1.



KRISTIN R. BULANEK
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Certified Owner:

WEST MULBERRY LLC
4808 GIBSON ST
HOUSTON , TX 77077

Legal Description:

A0699 M C TOBIN TRACT 45A-45A1 ACRES
40.00

Parcel Address: 1101 W MULBERRY
Legal Acres: 40.0000

Remit Seq No: 46638545
Receipt Date: 02/01/2021
Deposit Date: 02/02/2021
Print Date: 09/21/2021 01:02 PM
Printed By: WEB USER

Deposit No: EC210321
Validation No: 167
Account No: **0699-0004-110**
Operator Code: STACEY

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2020	Brazoria County	TL	816,420	0.342017	2,792.30	0.00	0.00	2,792.30
2020	Special Road & Bridge	TL	816,420	0.050000	408.21	0.00	0.00	408.21
2020	Angleton Isd	TL	816,420	1.331300	10,869.00	0.00	0.00	10,869.00
2020	Angleton - Danbury Hospital	TL	816,420	0.205909	1,681.08	0.00	0.00	1,681.08
2020	Port Freeport	TL	816,420	0.040100	327.38	0.00	0.00	327.38
2020	Angleton Drainage Dist. No 1	TL	816,420	0.109962	897.75	0.00	0.00	897.75
2020	City Of Angleton	TL	816,420	0.665144	5,430.37	0.00	0.00	5,430.37
					\$22,406.09	\$0.00	\$0.00	\$22,406.09

> - -

- - <

Check Number(s):

PAYMENT TYPE:

Credit Card Authorization No: 0

Credit Cards: \$22,406.09

Exemptions on this property:

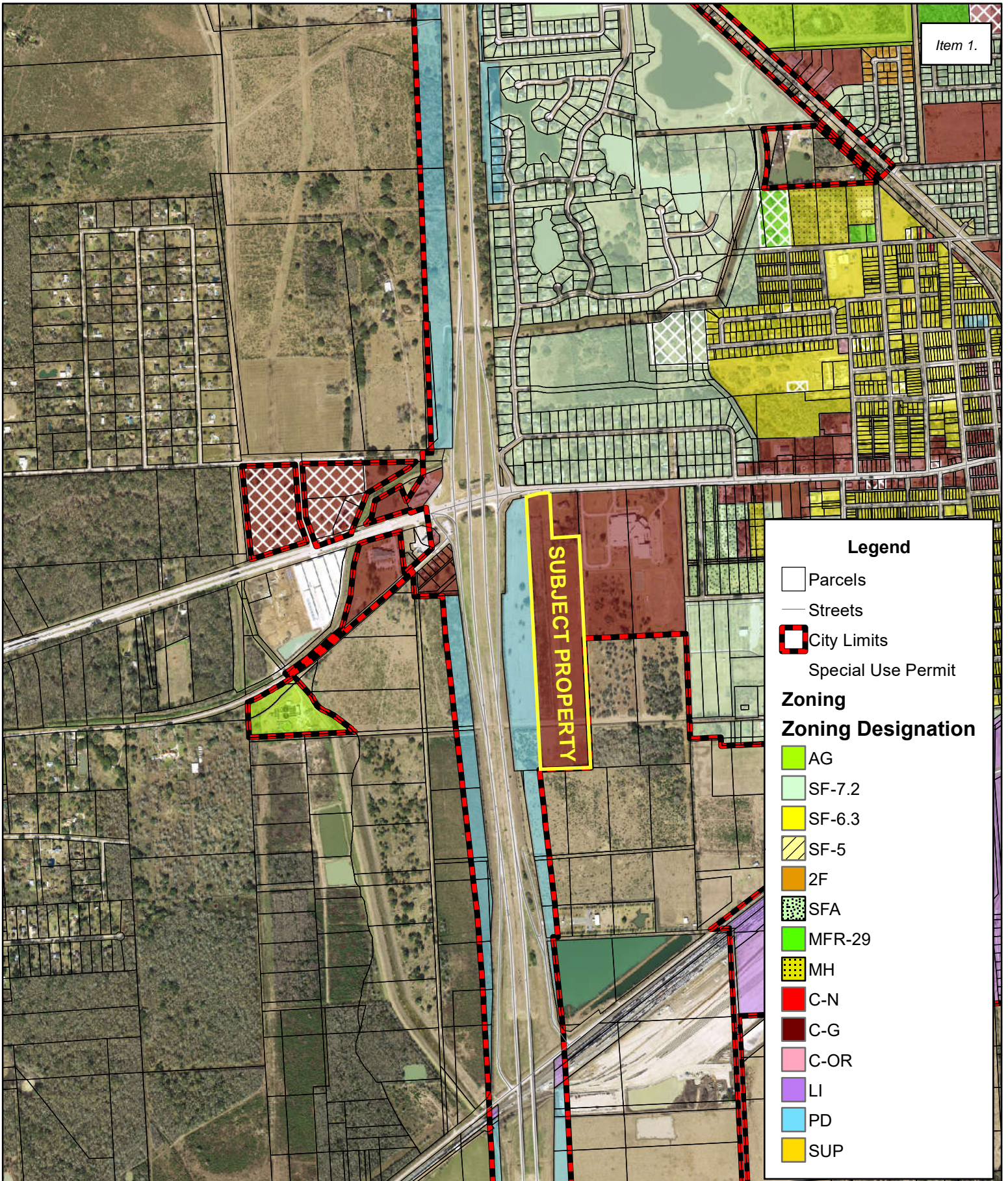
Total Applied: \$22,406.09

Change Paid: \$0.00

Account No: 0699-0004-110
PAYER: 29417621

MB INVESTMENTS IV LLC
4828 ASHFORD DUNWOODY ROAD, SU
ATLANTA , GA 30338

(979) 864-1320, (979) 388-1320, (281) 756-1320



Legend

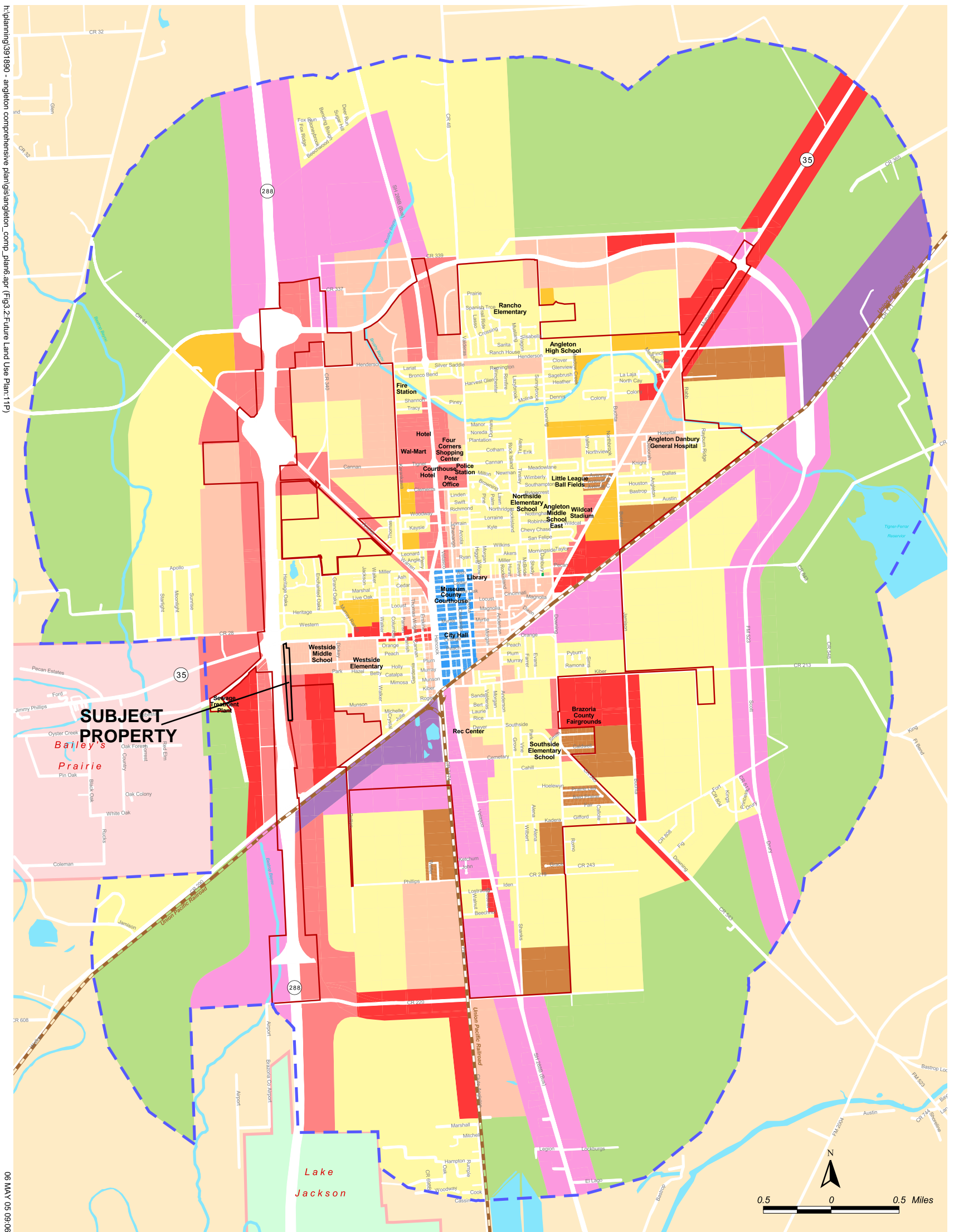
- Parcels
- Streets
- City Limits
- Special Use Permit

Zoning

Zoning Designation

- AG
- SF-7.2
- SF-6.3
- SF-5
- 2F
- SFA
- MFR-29
- MH
- C-N
- C-G
- C-OR
- LI
- PD
- SUP

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.



h:\planning\391890 - angleton comprehensive plan\angleton_comp_plans\app (Fig3.2\Future Land Use Plan.1)P

06 MAY 05 09:06

Figure 3.2
Future Land Use Plan

- | | |
|--|-----------------------|
| Agricultural | Industrial/Commercial |
| Single Family Residential | Industrial |
| Multi-Family Residential | Downtown |
| Manufactured Housing | Right Of Way |
| Office/Retail/Multi-Family Residential | Angleton Study Area |
| Office/Retail | Angleton City Limits |
| Commercial | |

NOTE: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.





AGENDA ITEM SUMMARY FORM

MEETING DATE: November 4, 2021

PREPARED BY: Lindsay Koskiniemi, Assistant Director of Development Services

AGENDA CONTENT: Discuss, consider, and act on a recommendation for the Preliminary Plat of the Mulberry Fields Subdivision and variances.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A **FUNDS REQUESTED:** N/A

FUND: N/A

EXECUTIVE SUMMARY:

The subject property is currently undeveloped and is located on the north side of State Highway 35 (West Mulberry) and consists of 13.0044 acres. The proposed subdivision is within the Single Family Residential 6.3 (SF-6.3) zoning district and will have forty-six (46) lots with a 2.33-acre detention pond abutting neighboring property to the east. The developer has requested a variance of the minimum lot width for Lot 5, Block 2 and variances of the minimum lot depth for Lots 5, 6, 7, 14, 15, 16, and 17 of Block 3.

Section 23-11.A.1 states: "New lots shall comply with applicable requirements set out in Code of Ordinances Chapter 28 – Zoning." The minimum standards for lots within this project are:

1. Minimum lot area: 6,300 square feet.
2. Minimum lot width: 60 feet.
3. Minimum lot depth: 100 feet.

Minimum lot requirements vary from zoning district and are applied by reference in Section 23-11.A.1. As this requirement is part of Chapter 23 Land Development Code and the variances requested are associated with the requirements applied to a plat and not zoning variances (although the some of the standards applied are found within Chapter 28 Zoning), the variance approval standards of Section 23-103 Land Development Code Variances apply. An example-of a zoning variance would be if a building permit application were submitted and the proposed structure did not meet the required side yard setback, or the proposed structure exceeded the maximum height of the applicable zoning district. Under those examples, any variance request would be directed to the Board of Adjustment (BOA) for action. In the case of these requested variances, direction to the BOA is neither process efficient nor correct as the standards apply to subdivision of the property and the subdivision process Section 23-103 is applicable and requires the Planning and Zoning Commission review and recommend and City Council review and approve.

Lot Width Variance for Lot 5, Block 2. This variance is unnecessary. Pursuant to Section 28-114 Illustrations the lot width is measured at the front building line. While the preliminary plat does not show the front building line (required pursuant to Section 23-117.B.5) the minimum front yard is 20 ft. The minimum lot width can be achieved by adjusting the front building line to a point where the minimum lot width is met.

Lot Depth Variance for Lots 5, 6, 7, 14, 15, 16, and 17 of Block 3. Pursuant to Section 23-103.B Variance Approval Standards: Variances may be granted when:

- 1. There are circumstances specific to the property that create an undue hardship that generally do not apply to surrounding properties; such as, but not limited to, its shape, or topography;**

The property is undeveloped and while not being entirely regularly shaped, there are no specific circumstances identified that create an undue hardship that would prevent a subdivision design fully compliant with City of Angleton requirements.

- 2. Special consideration is necessary to allow an applicant the same right of use enjoyed under the LDC by surrounding properties;**

As there are no specific circumstances creating an undue hardship no special consideration is necessary to allow an applicant the same right of use enjoyed under the LDC by surrounding properties. A subdivision design compliant with City of Angleton requirements can be achieved.

- 3. Consideration is unique to the subject property and would not generally set an adverse precedent for other applications;**

As there are no specific circumstances creating an undue hardship and no special consideration is applicable, consideration is not unique and would generally set an adverse precedent.

- 4. The hardship was not created by the applicant; and**

No undue hardship has been identified other than the property not being regularly shaped.

- 5. A variance would not be detrimental to any adjacent properties or to public health and safety.**

It is hard to imagine how a variance would be detrimental to any adjacent properties or to public health and safety.

The proposed preliminary plat does not provide streets meeting minimum City of Angleton requirements. Pursuant to Table 23-12.1, local streets are required to have 60 ft. of right-of-way, the proposed streets have only 50 ft. of right-of-way.

The City's engineer has provided an extensive list of comments for correction. As of the time of preparation of this agenda summary, no response to those comments has been received.

A traffic impact analysis (TIA) is not required for this subdivision, as it does not meet the thresholds described in Section 23-25.B; however, a permit for street access to W. Mulberry Street from the Texas Department of Transportation (TXDOT) will be required.

A heritage tree preservation survey and plan will accompany construction plan for the public improvements.

Staff finds that the criteria for granting the requested variances of the required minimum lot depth are not met and the proposed subdivision does not meet minimum street right-of-way requirements.

RECOMMENDATION:

Staff recommends denial of the proposed Preliminary Plat of the Mulberry Fields.

SUGGESTED MOTION:

I move we recommend approval of the proposed Preliminary Plat of Mulberry Fields subdivision subject to the following conditions:



October 18, 2021

Mr. Walter Reeves
Director of Development Services
City of Angleton
121 S. Velasco
Angleton, TX 77515

Re: On-Going Services
Mulberry Fields Subdivision Preliminary Plat – 1st Submittal Review
Angleton, Texas
HDR Job No. 10293241

Dear Mr. Reeves:

HDR Engineering, Inc. (HDR) has reviewed the plat for the above referenced subdivision and offers the following comments:

Preliminary Plat

Sheet 1

1. Provide the following plat certificates found in the Angleton Land Development Code (LDC) Sec. 23-114:
 - a. Owner's Acknowledgement
 - b. Dedication Statement
 - c. Surveyor's Certificate
 - d. Engineer's Certificate
 - e. P&Z and City Council Certificate
 - f. Standard Notes for all Plats (Item L.)
 - g. Drainage Easements Maintained by a Homeowners' Association (Item G.)
 - h. Drainage and Detention Easement Certificate (Item I.)
2. Verify Note 4 and update according to reserves shown on the plat. The specific use (i.e. drainage and detention) for which each piece of land is to be reserved must be shown by appropriate label or description on the subdivision plat. A table detailing the number of reserves (by order), size, and use can also be provided. It is noted that reserve tracts shall have a minimum area as necessary to satisfy the purposes of the reserve.
3. Verify Note 9 shown on the sheet and update the plat notes accordingly.
4. Remove the plat signature where noted on the sheet.

Sheet 2

1. Verify datum referenced is in accordance to Angleton LDC Sec. 23-117, 11. Preliminary Plats.

2. For the metes and bounds legal description, review the attached plat drawing for comments regarding the requirement to provide the information highlighted to the plat drawing where noted in order to reference the information. Additionally, verify the information where noted regarding the bearings shown on the plat drawing.
3. The plat drawing shall graphically include all locations of the corner monuments, by type, noted in the metes and bounds description.
4. Provide a symbols and abbreviations sheet legend for the plat. The symbols shall notate all graphics used on the plat including corner monuments noted.
5. Provide notation of the “point of beginning” on the plat drawing to match the metes and bounds notes.
6. Provide the filing information for all lots on the plat drawing as described in the metes and bounds description.
7. Provide a summary table of lots and blocks detailing the lot square footage, in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
8. Provide the names of all proposed streets shown on the plat, in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
9. Where noted on the plat, 60-ft minimum right-of-way (ROW) is required for Local Streets per Angleton LDC Sec. 23-12 Streets and Driveways.
10. At least one corner of the plat shall reference a survey (abstract) corner on the plat in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
11. Provide street centerline information on the plat (Typical), in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
12. Provide topographic contours at 1-ft intervals on the plat in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
13. Notate the building line setbacks on the plat in accordance to Angleton LDC Sec. 23-117, Preliminary Plats.
14. Show all existing and proposed easements in accordance to Angleton LDC Sec. 23-117, Preliminary Plats. Per utility schematic, locations are shown where proposed water line will be encroaching lots. Verify locations and provide additional easements/ROW width accordingly.
15. Verify perimeter drainage has been reviewed and applicable drainage easements have been provided withing in the subdivision.
16. Notate right-of-way (ROW) information (dimension on plat) and filing information for Heritage Drive. If it is a private road, notate on the plat.
17. Notate ROW information (dimension on plat) and filing information for both Walker and Magnolia Street. The street jog/offset from Magnolia shall be reviewed and verified in accordance to Angleton LDC Sec. 23-12 Streets and Driveways.
18. Notate ROW information (dimension on plat) and filing information for SH 35. Notate Mulberry Street in the plat drawing under SH 35 as shown in the metes and bounds.
19. Visibility easement requirement shall be reviewed and provided for the portion of subdivision fronting SH 35 and shall be based on driveway location and access to SH 35.
20. Show the south boundary line of the SH 35 ROW and notate applicable tracts/lots on the plat.

21. Plan and Plats Review and Referral. Plans and plats shall be referred to City staff, the City Engineer; each utility provider; and Angleton Volunteer Fire Department for review and comment. **Plats will also be referred to TXDOT and Brazoria County, or other agencies, when applicable.** Per Angleton LDC 23-22 E.2 - Where a subdivision is adjacent to or served by a TXDOT highway, the City, in collaboration with TXDOT, shall determine whether developer participation in the "fair share" cost of any improvements, **or if the dedication of right-of-way or any other improvements, such as, but not limited to, drainage or utility relocation, is required.** Coordination shall also follow Angleton LDC Sec. 23-12. Streets and Driveways, C. - Coordination with Texas Department of Transportation (TXDOT) and Brazoria County Required. For projects adjoining, or accessing TXDOT right-of-way, the engineer will contact the TXDOT to determine all TXDOT requirements and copy the City on all correspondence.
22. Provide a 1-ft reserve strip for Lot 17, Block 1. Driveway access will not be allowed to Walker Street.
23. The proposed detention pond shall incorporate an allowance for extreme storm events in excess of 100-yr storm event as well as maintenance access. Sufficient easement width shall be provided for this feature and access in accordance to Brazoria County Drainage Criteria Manual, Chapter 6.
24. A private drainage easement shall be provided for the proposed storm outfall shown on utility schematics between Lots 6-7, Block 1.
25. Verify Lot 12, Block 3 meets the easement owner's requirements for construction on the lot. Verify there is sufficient lot space for a house to be constructed on this lot in accordance to City Ordinances.
26. This street design near Lot, 12-13, Block 3 does not appear to meet Angleton LDC requirements regarding alignment Sec. 23-12. Streets and Driveways, F-G. Verify and update to meet City Requirements.
27. In cursory review of the utility schematic, it is noted that the water line near Lot 1, Block 1 shall be connected and looped to the existing water line running along SH 35 (Mulberry St.)

The proposed plat is incomplete. We are unable to complete the review until the recommended corrections/changes are made and the additional information requested is submitted. HDR recommends that the Mulberry Fields Subdivision Preliminary Plat be Revised and Resubmitted.

If you have any questions, please feel free to contact us at our office (713)-622-9264.

Sincerely,

HDR Engineering, Inc.



Javier Vasquez, P.E., CFM
Project Engineer

cc: Files (10293241)

Attachments

STATE OF TEXAS :
COUNTY OF BRAZORIA:

We, Mulberry Fields, LLC, owner (or owners); hereinafter referred to as Owners (whether one or more) of the foregoing map of MULBERRY FIELDS SUBDIVISION, do hereby make subdivision of said property according to all the lines, lots, and easements, shown hereon and dedicate to the public all easements and rights-of-way shown hereon for their use forever and designate said subdivision as the plat of 45 lots, being a subdivision of 13.0044 acres in the City of Angleton, Brazoria County, Texas, and do hereby bind ourselves, our heirs assigns to warrant and forever defend the title to the land so dedicated.

IN TESTIMONY WHEREOF, Mulberry Fields, LLC, acting by and through Corey Boyer, Officer, thereunto authorized, this ____ day of _____, 2021.

Mulberry Fields, LLC

By: _____
Corey Boyer, Officer

STATE OF TEXAS:
COUNTY OF BRAZORIA:

BEFORE ME, the undersigned authority, on this day personally appeared Corey Boyer, Officer of Mulberry Fields, LLC, 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.

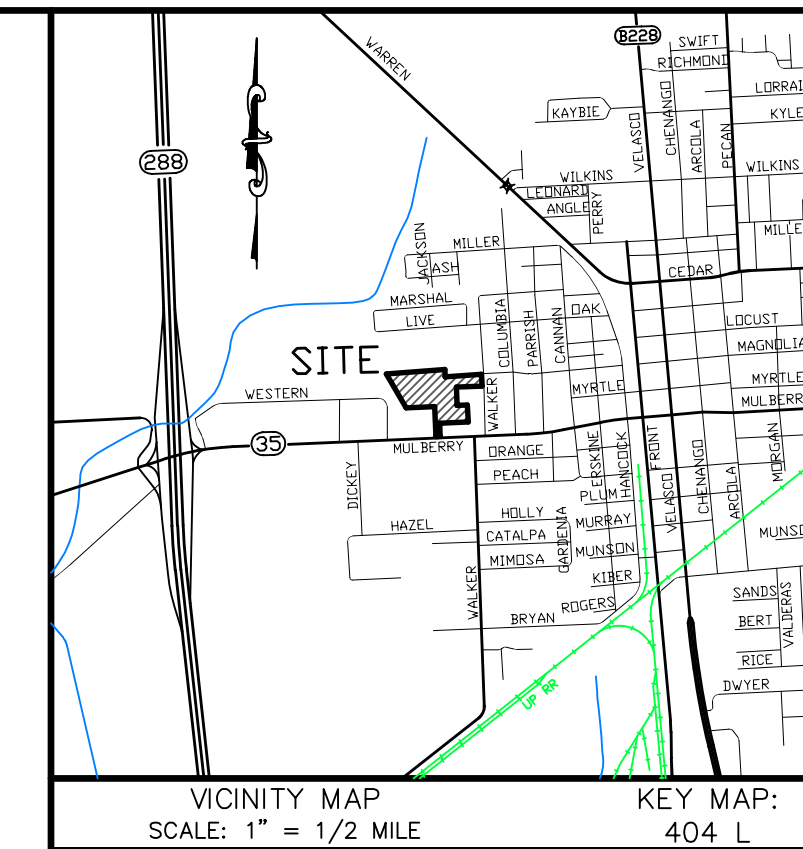
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2021.

Notary Public in and for the State of Texas

My Commission Expires _____, _____
Notary Public

Provide
- Owner's Acknowledgement
- Dedication Statement
found in the Angleton LDC Sec. 23-114 Certification Forms

Provide
- G. Drainage Easements Maintained by a Homeowners' Association
- I. Drainage and Detention Easement Certificate
found in the Angleton LDC Sec. 23-114 Certification Forms



Per Angleton LDC Sec. 23-14,
Sidewalks shall be required in
all locations that adjoin public
streets on both sides of streets
in all new plats, excluding Minor
Plats, in the City and the ETJ.

Verify Note 4 and update
according to reserves shown
on the plat.

The specific use (i.e. drainage
and detention) for which each
piece of land is to be reserved
must be shown by appropriate
label or description on the
subdivision plat. It is noted that
reserve tracts shall have a
minimum area as necessary to
satisfy the purposes of the
reserve.

Verify Note 9 and update the
plat accordingly.

NOTES:
1.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99990556439.
2.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48039-C-0440K EFFECTIVELY DATED DECEMBER 30, 2020, THIS PROPERTY LIES IN ZONE "X", AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
3.) * - INDICATES A SET 5/8" IRON ROD WITH CAP STAMPED: T.E.A.M. - 281-491-2525, UNLESS OTHERWISE NOTED.
4.) RESERVES A, B, AND C, AS SHOWN HEREON THIS PLAT, WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
9.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS OF RESTRICTIONS, EASEMENTS, AND AGREEMENTS RECORDED IN VOLUME 510, PAGE 498 OF THE BRAZORIA COUNTY CLERK'S DEED RECORDS.

Provide
- L. Standard Notes for all Plats
found in the Angleton LDC Sec. 23-114 Certification Forms

ANGLETON DRAINAGE DISTRICT

Angleton Drainage District accepted this the ____ day of _____, 2021. The board of supervisors of the Angleton Drainage District does not warrant, represent, or guarantee

- 1. That the facilities outside the boundaries of the subdivision are available to receive runoff from the facilities 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 party submitting the plan or plan herein, their or its principals and agents.

Chairman, Board of Supervisors _____ Board Member _____
Board Member _____

SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.
WITNESS MY HAND the ____ day of _____, 2021.

City Secretary _____

Remove certificate

CITY PLANNING COMMISSION

This is to certify that the city planning commission of the City of Angleton, Texas, has approved MULBERRY FIELDS SUBDIVISION, this ____ day of _____, 2021.

BY THE CITY PLANNING COMMISSION OF ANGLETON, TEXAS.

Chairman _____

WITNESS MY HAND the ____ day of _____, 2021.

City Secretary _____

CITY COUNCIL

This is to certify that the city council of the City of Angleton, Texas, has approved this plat and subdivision of MULBERRY FIELDS SUBDIVISION, this ____ day of _____, 2021.

BY THE CITY COUNCIL OF ANGLETON, TEXAS.

Mayor _____

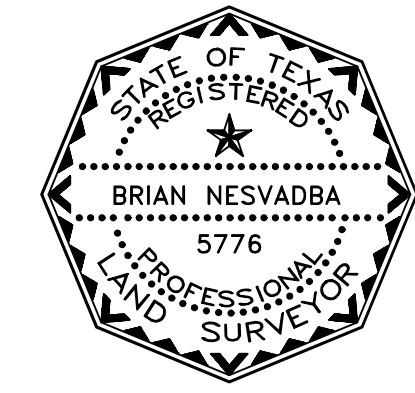
SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.

WITNESS MY HAND the ____ day of _____, 2021.

City Secretary _____

I, Brian Nesvadba, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron rods having an outside diameter of not less than five-eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

Brian Nesvadba, R.P.L.S.
Texas Registration No. 5776



Provide
Surveyor's Certificate
Engineer's Certificate
P&Z and City Council Certificate
found in the Angleton LDC Sec. 23-114
Certification Forms

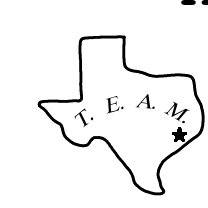
PRELIMINARY PLAT OF
MULBERRY FIELDS
SUBDIVISION

A SUBDIVISION OF 13.0044 ACRE TRACT OF LAND
IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO.
380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO.
699, AND IN THE H. H. CORNWALL SURVEY,
ABSTRACT NO. 180, CITY OF ANGLETON,
BRAZORIA COUNTY, TEXAS

46 LOTS 1 RESERVE 3 BLOCKS

~ OWNER ~
MULBERRY FIELDS, LLC
a Texas limited liability company
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

~ SURVEYOR ~
TEXAS ENGINEERING AND MAPPING COMPANY
12718 Century Drive
Stafford, Texas 77477
PHONE: 281.491.2525 FAX: 281.491.2535
SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. F-2906
www.team-civil.com
Job No. 1486-3
SEPTEMBER 27, 2021



METES AND BOUNDS

A FIELD NOTE DESCRIPTION of a 13.0044 acre (566,471 square feet) tract of land in the J. De J. Valderas Survey, Abstract No. 380, in the M. C. Tobin Survey, Abstract No. 699, and in the H. H. Cornwall Survey, Abstract No. 180, City of Angleton, Brazoria County, Texas; said 13.0044 acre tract being that some tract of land conveyed to Mulberry Fields LLC, as recorded in Brazoria County Clerk's File No. 2021037827, said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 1/2-inch iron rod found in the northeast right-of-way line of Heritage Drive (width varies), according to the map or plat recorded in Volume 20, Page 211 of the Brazoria County Plat Records for the northwest corner of original 20.751 acre tract of land, as recorded in Volume 1090, Page 796 of the Brazoria County Deed Records, for the southwest corner of a 13.203 acre tract of land conveyed to Community Public Service Company, as recorded in Volume 1467, Page 234 of the Brazoria County Deed Records, and for the northwest corner of this tract; from which a 1/2-inch iron rod found bears North 45° 00' 18" West - 332.03 feet (called North 45° 00' 18" West - 332.03 feet per Volume 1467, Page 234 of the Brazoria County Deed Records);

THENCE, North 85° 46' 48" East - 807.91 feet (called North 88° 04' East - 808.25 feet per Brazoria County Clerk's File No. 2021037827) with the north line of said 20.751 acre tract and with the south line of said 13.203 acre tract to a 5/8-inch iron rod with aluminum cap stamped "TNP" found for the northwest corner of a 1.1478 acre tract of land conveyed to Texas-New Mexico Power Company, as recorded in Volume 362, Page 838 of the Brazoria County Deed Records and for a northeast corner of this tract;

THENCE, South 02° 26' 18" East - 99.83 feet (called South 00° 06' 57" East - 99.86 feet per Brazoria County Clerk's File No. 2021037827) (called South 00° 04' 00" East - 100.05 feet per Volume 362, Page 838 of the Brazoria County Deed Records) with the west line of said 1.1478 acre tract to a 5/8-inch iron rod with aluminum cap stamped "TNP" found for the southwest corner of said 1.1478 acre tract and for an interior corner of this tract;

THENCE, North 85° 44' 50" East - 499.94 feet (called North 88° 03' 44" East - 499.92 feet per Brazoria County Clerk's File No. 2021037827) (called North 88° 04' 00" East - 500.00 feet per Volume 362, Page 838 of the Brazoria County Deed Records) with the south line of said 1.1478 acre tract to a 5/8-inch iron rod with aluminum cap stamped "TNP" found for the southwest corner of said 1.1478 acre tract and for a northeast corner of this tract;

THENCE, South 02° 20' 40" East - 164.41 feet (called South 00° 04' 17" East - 164.36 feet per Brazoria County Clerk's File No. 2021037827) with the west right-of-way line of said Walker Street and with the east line of said 20.751 acre tract to a 1/2-inch iron pipe found inside a 2-inch PVC pipe for the northeast corner of Reserve "B", Block 1, Short Form Plat Communication Tower, according to the map or plat recorded in Volume 21, Page 189 of the Brazoria County Plat Records and for a southeast corner of this tract;

THENCE, South 87° 41' 11" West - 350.24 feet (called North 89° 58' 33" West - 350.50 feet per Brazoria County Clerk's File No. 2021037827) (called West - 350.54 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the north line of said Reserve "B" to a 1/2-inch iron rod found for the northwest corner of said Reserve "B" and for an interior corner of this tract;

THENCE, South 02° 13' 37" East - 249.99 feet (called South 00° 02' 04" West - 250.00 feet per Brazoria County Clerk's File No. 2021037827) (called South - 249.96 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the west line of said Reserve "B" and with the west line of Reserve "A" (Communication Tower Tract) of said Short Form Plat Communication Tower to a 5/8-inch iron rod with cap stamped "COTTON" found for the southwest corner of said Reserve "A" and for an interior corner of this tract;

THENCE, North 87° 41' 44" East - 142.02 feet (called South 89° 57' 11" East - 141.97 feet per Brazoria County Clerk's File No. 2021037827) with the south line of said Reserve "A" to a 1/2-inch iron rod with cap stamped "PINPOINT" found for an interior corner of said 20.751 acre tract, for the northwest corner of a 1.00 acre tract of land conveyed to HED Properties, LLC, as recorded in Brazoria County Clerk's File No. 2010004582, and for a northeast corner of this tract;

THENCE, South 02° 20' 54" East - 233.55 feet (called South 00° 03' 51" East - 233.72 feet per Brazoria County Clerk's File No. 2021037827) with the east line of said 20.751 acre tract, with the west line of said Reserve "A", L.C. tract, and with the west line of a 1.00 acre tract of land conveyed to J. Angel Hernandez, et ux, as recorded in Brazoria County Clerk's File No. 2013050912 to a 1/2-inch iron rod with cap stamped "RPLS 2112" found for a southeast corner of this tract; from which a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of State Highway 35 (West Mulberry Street) (width varies) for a southeast corner of said 20.751 acre tract and for the southwest corner of said 1.00 acre Hernandez tract bears South 02° 20' 54" East - 183.36 feet;

THENCE, South 87° 03' 34" West - 392.00 feet (called South 89° 14' 32" West - 392.02 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "2112" found for an interior corner of this tract;

THENCE, South 02° 10' 40" East - 178.81 feet (called South 00° 02' 09" West - 178.77 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of said State Highway 35 and in the south line of said 20.751 acre tract for the southeast corner of this tract;

THENCE, South 87° 43' 31" West - 60.00 feet (called North 89° 57' 50" West - 60.00 feet per Brazoria County Clerk's File No. 2021037827) with the north right-of-way line of said State Highway 35 and with the south line of said 20.751 acre tract to a 4-inch by 4-inch concrete monument found for a southwest corner of said 20.751 acre tract and for a southwest corner of this tract;

THENCE, North 02° 46' 23" West - 7.95 feet (called North 00° 21' 33" West - 7.81 feet per Brazoria County Clerk's File No. 2021037827) with a peg in the north right-of-way line of said State Highway 35 and with a 4-inch by 4-inch concrete monument found for the southeast corner of a 2.97 acre tract conveyed to Tiny Treasures Learning Center, Inc., as recorded in Brazoria County Clerk's File No. 2000046058 and for an angle point of this tract; from which a 1/2-inch iron rod found for a southwest corner of said 2.97 acre tract and for a southwest corner of said 20.751 acre tract bears South 88° 01' 43" West - 208.13 feet (called North 89° 36' 58" West - 208.35 feet per Brazoria County Clerk's File No. 2000046058) (called West - 208.56 feet per Volume 1090, Page 796 of the Brazoria County Deed Records);

THENCE, North 02° 10' 20" East - 402.32 feet (called North 00° 02' 44" East - 402.37 feet per Brazoria County Clerk's File No. 2021037827) (called North 0° 02' 13" East - 402.41 feet per Brazoria County Clerk's File No. 2000046058) with the east line of said 2.97 acre tract to a 1/2-inch iron rod found for the northeast corner of said 2.97 acre tract and for an interior corner of this tract;

THENCE, South 87° 44' 16" West - 391.91 feet (called North 89° 59' 46" West - 391.46 feet per Brazoria County Clerk's File No. 2021037827) (called North 89° 59' 38" West - 391.46 feet per Brazoria County Clerk's File No. 2000046058) with the north line of said 2.97 acre tract to a 1/2-inch iron rod found in the east right-of-way line of said Heritage Drive for an angle point of said 20.751 acre tract, for the northwest corner of said 2.97 acre tract, and for a southwest corner of this tract; from which a 5/8-inch iron rod found at the intersection of the east right-of-way line of said Heritage Drive with the north right-of-way line of said State Highway 35 bears South 02° 24' 15" East - 400.98 feet;

THENCE, North 30° 31' 28" West - 540.66 feet (called North 28° 17' West - 541.04 feet per Volume 1090, Page 796 of the Brazoria County Deed Records) (called North 28° 15' 19" West - 540.89 feet per Brazoria County Clerk's File No. 2021037827) with the northeast right-of-way line of said Heritage Drive and with the southwest line of said 20.751 acre tract to the POINT OF BEGINNING and containing 13.0044 acres (566,471 square feet) of land.

Note this information on the plat drawing

Provide a summary table of lots and blocks detailing the lot square footage

Building Lines. Minimum front yard setbacks shall be shown. A "Typical Interior Lot" and "Corner Lot" detail showing all setbacks and the building envelope.

Provide a table on the plat noting all curves (and lines if necessary) shown on the plat. Show lot bearings on the plat

All necessary dimensions, including linear, angular and curvilinear and other surveying information necessary to reproduce the Plat on the ground with the linear and curvilinear dimensions shown in feet and decimals of a foot.

The angular dimensions shall be shown by true bearings. The length of all straight lines, deflection angles, radii, tangents, central angle of curves shall be shown. All curve information shall be shown for the center line of the street. Dimensions shall be shown from all angle points and points of curve of lot lines. All lots on curves shall be shown with curve length dimensions based on arc definitions.

Information shown on metes and bounds does not match plat drawing (Typical)

Information shown on metes and bounds does not match plat drawing (Typical)

Note this information on the plat drawing

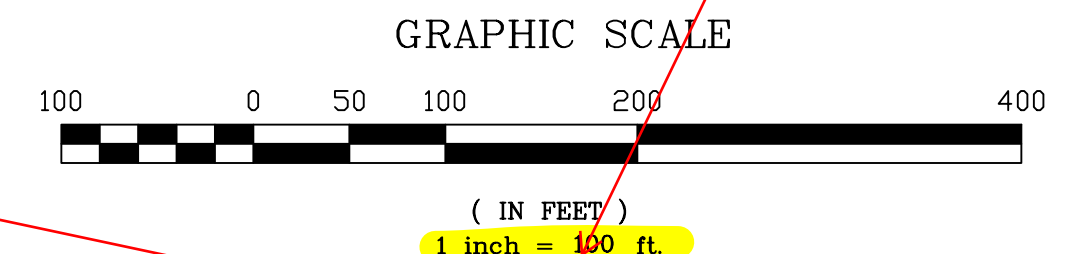
Verify Lot 12 meets the owner's requirements for construction on the lot. There does not appear to be sufficient room for a house on this lot

Note the point of beginning of the metes and bounds on the plat

Provide filing information

A private drainage easement shall be provided for the proposed storm outfall along this area

If needed, plat can be scaled to enlarge the drawing (i.e. 1"=60')



Verify perimeter drainage has been reviewed and applicable drainage easements have been provided within in the subdivision

Provide street names on the plat (Typical)

Provide a 1-ft reserve strip for this lot. Driveway access will not be allowed to Walker Street.

Note ROW information (dimension on plat) and filing information for Magnolia Street. Verify offset from proposed street

Verify datum referenced is in accordance to Angleton LDC Sec. 23-117, 11. Preliminary Plats

ELEVATIONS ARE BASED ON GPS OBSERVATIONS IN THE FIELD USING NGS C.O.R.S. (NAVD '88, GEOID 12a)
TBM A: BOX CUT "X" ON C-INLET AT THE NORTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY 35 (W. MULBERRY STREET) WITH WALKER STREET, AS SHOWN. ELEVATION = 26.45'
TBM B: 600 NAIL IN THE WEST SIDE OF A POWER POLE ALONG THE NORTH SIDE STATE HIGHWAY 35 (W. MULBERRY STREET), AS SHOWN. ELEVATION = 28.76'
TBM D: BOX CUT ON BACK OF CURB NEAR NORTHEAST PROPERTY CORNER, AS SHOWN. ELEVATION = 27.75'

Note this information on the plat drawing

This street design near Lot 12-13, Block 3 does not appear to meet Angleton LDC requirements regarding alignment Sec. 23-12. Streets and Driveways, F-G. Verify and update to meet City Requirements.

60-ft minimum ROW required per Angleton LDC Sec. 23-12 Streets and Driveways

Note ROW information (dimension on plat) and filing information for Walker Street

PRELIMINARY PLAT OF MULBERRY FIELDS SUBDIVISION

A SUBDIVISION OF 13.0044 ACRE TRACT OF LAND IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO. 699, AND IN THE H. H. CORNWALL SURVEY, ABSTRACT NO. 180, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS

46 LOTS 1 RESERVE 3 BLOCKS

~ OWNER ~
MULBERRY FIELDS, LLC
a Texas limited liability company
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

~ SURVEYOR ~
TEXAS ENGINEERING AND MAPPING COMPANY

12718 Century Drive
Stafford, Texas 77477
PHONE: 281.491.2525 FAX: 281.491.2535
SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. F-2906
www.team-civil.com
Job No. 1486-3
SEPTEMBER 27, 2021



Plans and Plats Review and Referral. Plans and plats shall be referred to City staff, the City Engineer, each utility provider, and Angleton Volunteer Fire Department for review and comment. Plans will also be referred to TXDOT and Brazoria County, or other agencies, when applicable

Angleton LDC 23-22 E.2
Where a subdivision is adjacent to or served by a TXDOT highway, the City, in collaboration with TXDOT, shall determine whether developer participation in the "fair share" cost of any improvements, or if the dedication of right-of-way or any other improvements, such as, but not limited to, drainage or utility relocation, is required

Provide a symbols and abbreviations sheet legend for the plat.

The plat shall include locations of the corner monuments noted in the metes and bounds

Show all proposed easements including private utility easements required by utilities such as electric, gas, cable. Verify easement requirements with TNMP for standard width and location.

Per utility schematic, locations are shown where proposed water line will be encroaching lots. Verify locations and provide additional easements/ROW width.

Note this information on the plat drawing

Visibility easement requirement shall be reviewed for this area based on driveway location and access to SH 35

Show south boundary line of the SH 35 ROW and applicable tracts/lots

Provide topographic contours at 1-ft intervals on the plat

At least one corner referencing a survey (abstract) corner shall be provided.



Item 2.

SUBJECT PROPERTY

Legend

- Parcels
- City Limits

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.



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

City of Angleton GIS Mapping

1" = 299'



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 9/27/2021

TYPE OF PLAT APPLICATION

ADMINISTRATIVE		PRELIMINARY		FINAL
MINOR	<input type="checkbox"/>	RESIDENTIAL	<input checked="" type="checkbox"/>	RESIDENTIAL
AMENDING/REPLAT	<input type="checkbox"/>	COMMERCIAL	<input type="checkbox"/>	COMMERCIAL

Address of property: 710 W. Mulberry St.

Name of Applicant: Ryan Moeckel - Platting Manager Phone: 832-595-7926

Name of Company: McKim and Creed Phone: 281-491-2525

E-mail: rmoeckel@mckimcreed.com

Name of Owner of Property: Mulberry Fields, LLC Attn: Corey Boyer

Address: 12618 Rolling Valley Drive, Cypress, Texas 77429

Phone: 832.525.1633 E-mail: corey@bhgcllc.com

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) *R Moeckel*

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 30th day of September, 2021.



Nancy Morales
Notary Public for the State of Texas
Commission Expires: 10/15/24

APPLICATION AND ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 35 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. INCOMPLETE FORMS MAY BE DELAYED, DENIED, RETURNED TO THE APPLICANT; PLANNING & ZONING COMMISSION MEETS ON THE FIRST THURSDAY OF THE MONTH.

AFFIDAVIT OF AUTHORIZATION BY PROPERTY OWNER

I swear that I am the owner of (indicate address and/or legal description) 710 W. Mulberry St., Angleton, TX

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

Ryan Moeckel

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: Ryan Moeckel

ADDRESS: 12718 Century Drive, Stafford, Texas 77477

APPLICANT PHONE # 281-491-2525 E-MAIL: rmoeckel@mckimcreed.com

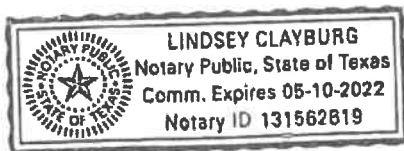
PRINTED NAME OF OWNER: Corey Boyer w/ Mulberry Fields, LLC

SIGNATURE OF OWNER: [Handwritten Signature] DATE: 9/29/21

NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 29 day of September, 2021.

(SEAL)



[Handwritten Signature] Notary Public for the State of Texas Commission Expires: 5/16/22

PROJECT SUMMARY FORM

Address of property 710 W. Mulberry St, Angleton, TX

The subject property fronts 60 feet on the north side of Mulberry St.

Depth: 910 feet Area: 566,471 sq.ft. Acres: 13.0044 acres square feet

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

Proposed single family residential development

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

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

The purpose of submitting this preliminary plat is to make sure we have an approved subdivision through the City of Angleton before committing to much time/money into the project. Saying this, there are a few items on the checklist the we are not including. We are fully aware that pending the approval of this preliminary plat, we will submit all the items required before or at time of the final plat being submitted.

Name: Ryan Moeckel

Date: 09/30/2021

SUBMITTAL REQUIREMENTS

Land Development Code, Chapter 23 §117 – Preliminary Plats

https://library.municode.com/tx/angleton/codes/code_of_ordinances?nodeId=PTIICOOR_CH23LADECO_APXAPLLASULI_SUBAPPEN_DIX_A-1PLCE_S23-117PRPL

SUBMITTAL REQUIREMENTS. THE FOLLOWING INFORMATION SHALL BE FILED:

- M&C** 1. A completed application form and application fee; No issues.
- M&C** 2. One full size, 24-inch × 36-inch, paper copy of the plat (prepared consistent with §117.B) and a .pdf file of the same and one paper copy and electronic copy of all items submitted in support of the plat; No issues.
- ADICO** 3. A preliminary utility plan showing all existing and proposed utilities; No issues.
- N/A** 4. A TIA, if the development meets the threshold requirements set out in section 23-24, Traffic impact analysis (TIA). If a TIA is required, the applicant shall meet with the city engineer and a TXDOT representative (if applicable) in advance of the submittal to define the TIA parameters. An incomplete or deficient TIA shall constitute grounds to find a plat to be incomplete, or to deny the plat; No required size of development per trip count.
- ADICO** 5. Utility and drainage reports with adequate information to determine conformity with the utility and drainage requirements of this LDC. Physical features, including the location and size of watercourses, 100-year floodplains per FIRM maps, proposed CLOMR boundaries, regulated wetlands and areas where water drains into and out of the subdivision; No issues.
- ADICO** 6. A drainage report, as set out in section 23-15, Drainage and utilities; No issues.
- N/A** 7. A soil suitability report (geotechnical report), as set out in section 23-25. Drainage and utilities, subsection G. Soil suitability report; This has not been completed. We are awaiting approval on the preliminary plat to confirm the location of the utilities will be acceptable prior to completing the geotech report. Can this be provided with the construction plans?
- M&C** 8. A current tax certificate(s); No issues.
- N/A** 9. Construction plans may be submitted at the option of the applicant; This will be submitted at a later date.
- N/A** 10. A certification of approval of the plat by planning and zoning commission and city council, as shown in section 23-118, Final plats, subsection C; N/A Developer will pay for in lieu of park dedication.
- M&C** 11. A statement if parkland will be dedicated or fees-in-lieu of parkland dedication will be paid;
- M&C** 12. Heritage tree survey and a tree preservation plan; Can this be provided with the construction plans at a later date. We anticipate full tree mitigation offsite (within city
13. All other information necessary to demonstrate compliance with all requirements of the LDC and all other development codes of the city; and
- N/A** 14. Construction plans for any required public improvements may be submitted with the plat or after the approval of the plat but shall be filed and approved prior to the filing of a final plat. This will be submitted at a later date.

PLAT FEES:

ADMINISTRATIVE PLAT \$250.00 Plus Review Expense

REGULAR PLAT SUBMITTAL:

***RESIDENTIAL** (Preliminary and Final Plat Fees are separate and calculated as detailed herein)

200 Lots or less	\$800.00 plus \$6.00 per lot
More than 200 Lots	\$4.00 per additional lot over 200
Plan Review Fee by City Engineer	\$1,000.00

deposit (If cost of review exceeds deposit amount, balance of cost will be billed at a later time).

***COMMERCIAL** (Preliminary and Final Plat Fees are separate and calculated as detailed herein)

Less than two acres	\$1,000.00
More than Two Acres	\$1,000.00 plus 25.00/additional acre
Plan Review Fee by City Engineer	\$1,000.00

deposit (If cost of review exceeds deposit amount, balance of cost will be billed at a later time)

*Paid \$1,076.00
(See receipt)*

OFFICE USE ONLY:

Date received: _____ By: _____

Type of Plat: _____

Description of individual charges:

Total Fee Received: _____ By: _____

Proof of taxes received: _____ Yes If no, explain: _____

PRELIMINARY PLAT MEETINGS:

Pre-submission conference/meeting date: _____

Received Preliminary Plat on: _____ by _____

Preliminary plat staff meeting date: _____

Planning & Zoning meeting date: _____

City Council meeting date: _____

FINAL PLAT MEETINGS:

Received final plat on _____ by _____

Reviewed by Staff on _____ by _____

Planning & Zoning meeting date: _____

City Council meeting date: _____

Filed with County Clerk on: _____

File-stamped copy to owner/developer on: _____

September 28, 2021

Mr. Walter Reeves Jr., AICP
Development Services Director
City of Angleton
121 S. Velasco St.
Angleton, TX 77515

Re: Mulberry Fields Subdivision (13.00 acre tract)
Preliminary Plat Submittal
Utilities and Drainage Analysis

Dear Mr. Reeves:

Pursuant to the requirements for Preliminary Plat submittal for the City of Angleton, please find attached the Utilities and Drainage Analysis for the proposed Mulberry Fields Subdivision located at 710 W. Mulberry St. in Angleton, Texas.

The proposed development will include 46 single family lots with min lot size of 60' in width and min 6300 SF.


We are requesting the following water and sewer capacity commitments:

Water Demand	46 ADF @ 360 gpd	= 16,560 gpd
Wastewater Treatment	46 ADF @ 300 gpd	= 13,800 gpd

(ADF is the Average Daily Flow)

Should you have any questions, please contact me at 832.895.1093.

Sincerely,
Adico, LLC
TBPE Firm No. 16423


Dinh V. Ho, P.E.
Principal

Mulberry Fields Subdivision
Angleton, Texas
Proposed Utilities and Drainage Analysis

Introduction

The proposed development comprises of approximately 13 acres to be developed into a residential subdivision of forty-six (46) 6,300 sq. ft. single family lots.

The property is bounded to the north by a vacant tract and a Texas New Mexico Power Company substation, to the west by Heritage Lane, to the east by North Walker Street and to the south by W. Mulberry St. (SH 35).

The tract is currently overgrown with trees of various sizes. Some of which will be cleared for the construction of the development. The land is relatively flat with elevation changes throughout of approximately two to three feet (2'-3').

Storm Sewer & Drainage

A predevelopment and post-development analysis of the tract using the Malcolm's Hydrograph Method resulted in a required detention volume of 8.26 AC-FT or a detention rate of approximately 0.64 AC-FT/AC. The detention requirements are based on Angleton Drainage district criteria.

An onsite storm sewer collection system is proposed and includes a combination of 18", 24" and 30" storm sewer pipes which discharge into the proposed detention pond. The outfall of proposed detention pond will be located on N. Walker Street Right with an outfall allowable rate of 0.45 cfs/AC per the Angleton Drainage District design criteria.

Water Distribution

The proposed water distribution system includes a combination of 6" and 8" PVC pipes with fire hydrants spaced at a maximum of 500' apart. The proposed system will be connected to the City of Angleton's water distribution system located on N. Walker Street.

Sanitary Sewer System

The proposed sanitary sewer collection system includes a combination 6" and 8" PVC pipes at a maximum depth of seven (7) feet. The proposed sanitary sewer collection system will be connected to the City of Angleton's sanitary sewer collection system located on N. Walker Street.

J. DE J. VALDERAS SURVEY ABSTRACT NO. 380

COMMUNITY PUBLIC SERVICE COMPANY
13.203 ACRE
(VOL. 1467, PG. 234; B.C.D.R.)

TEXAS NEW MEXICO POWER CO.
2.140 ACRE

TEXAS NEW MEXICO POWER CO.
1.147 ACRE

TINY TREASURES LEARNING CENTER, INC.
2.97 ACRES
(B.C.C.F. NO. 2000046058)

JOE SOSA
0.6283 ACRE
(B.C.C.F. NO. 2010004208)

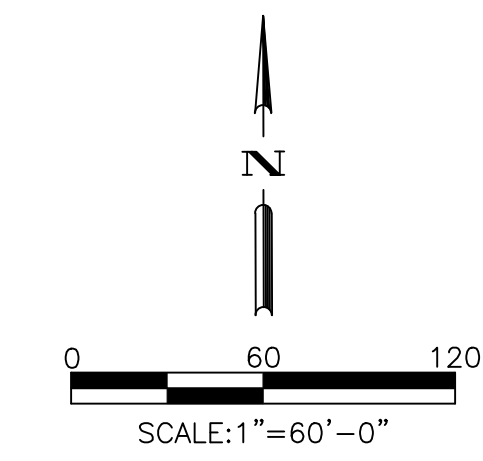
MARIE G. HILL, TRUSTEE OF THE
2002 MARIE G. HILL REVOCABLE TRUST
REMAINDER OF 20.751 ACRES
(B.C.C.F. NO. 2015006305)

HED PROPERTIES, LLC
1.00 ACRE
(B.C.C.F. NO. 2010004582)

J. ANGEL HERNANDEZ, et ux
1.00 ACRE
(B.C.C.F. NO. 2013050912)

RESERVE "B"
SHORT FORM PLAT
COMMUNICATION TOWER
(VOL. 21, PG. 189; B.C.P.R.)
BLOCK (1)
RESERVE "A" (COMMUNICATION TOWER TRACT)

DETENTION RESERVE
2.33 ACRES



CIVIL ENGINEER:

ADICO

CONSULTING ENGINEERS
2114 EL DORADO BLVD, STE. 400, FRENDSWOOD, TX 77546
PHONE: 832-895-1093 WWW.ADICO-LLC.COM
TBP# FIRM NO. 16423

BENCHMARK:
FLOODPLAIN:

CITY OF ANGLETON, TX

MULBERRY FIELDS SUBDIVISION

SUBDIVISION OF 13 ACRE TRACT OF LAND

INTERIM REVIEW
Not to be used for construction, bidding or permit purposes.

Engineer: DINH V. HO, P.E.
PE License No.: 93895
Date: 09-27-21

NO.	DATE	REVISION

PROJECT OWNER:
CITY OF

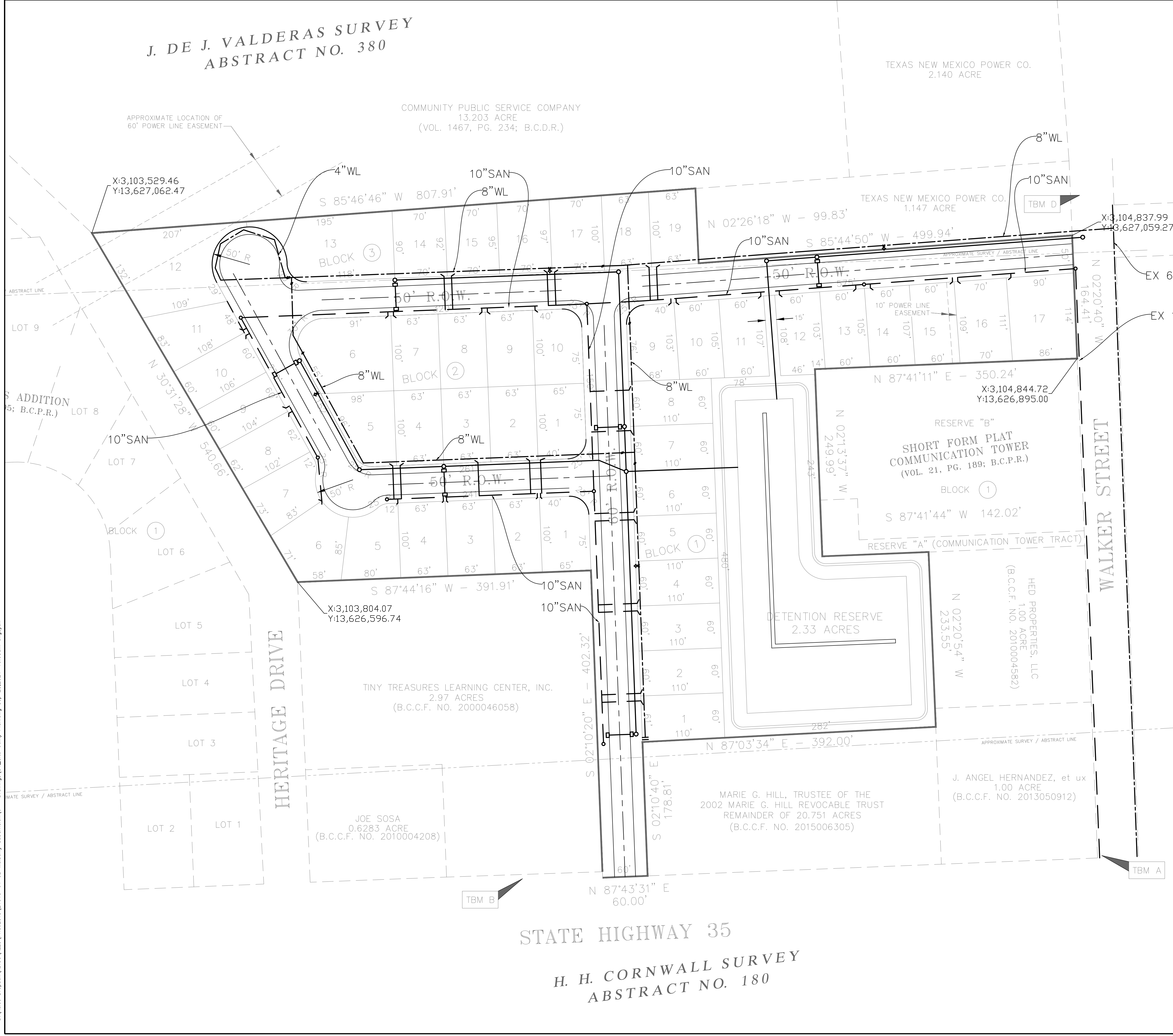
PROJECT LOCATION:
MULBERRY FIELDS SUBDIVISION

PRELIMINARY LAYOUT

ALLC PROJECT NO.	SHEET NO.
DRAWN BY: SN	PL
CHECKED BY: DH	
DRAWING SCALE:	
HORZ. VERT. DATE PLOTTED: Sep 28 2021 - 10:03am	

LEGEND:

- PROPOSED STORM SEWER LINE
- - - PROPOSED SANITARY SEWER LINE
- - - PROPOSED WATER LINE
- ⊕ PROPOSED FIRE HYDRANT
- ⊙ PROPOSED GATE VALVE
- ⊙ PROPOSED SANITARY MANHOLE
- ⊙ PROPOSED SANITARY / STORM CLEAN OUT
- ⊙ PROPOSED STORM MANHOLE
- PROPOSED CURB INLET
- ▽ PROPOSED 8" TO 4" REDUCER



D:\adico\dreppov\adico\PROJECTS\21015-01 CB Mulberry Subdivision\6 - Drawings\C4_Site Utility Plan.dwg Sep 28, 2021 - 10:03am anguyen



Proposed Sanitary Sewer Connection

Proposed Water Connection

Legend

- City Limits
- Wells
- Raw Water Transfer Lines

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 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 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.



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979-849-4364

City of Angleton GIS Mapping

1" = 324'





BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

City of Angleton
121 S. Velasco
Angleton, TX 77515
979-849-4364

Applicant: Ryan Moeckel w/McKim and Creed Phone: 281-491-2525 Cell: 832-595-7926

Address: 12718 Century Drive

City: Stafford State: Texas Zip: 77477

Applicant's Status: (check one) [] Owner [x] Representative [] Tenant

Property owner: Mulberry Fields, LLC Attn:Corey Boyer Phone: 832.525.1633 Cell: N/A

Address: 12618 Rolling Valley Drive

City: Cypress State: Texas Zip: 77429

Applicant Signature Date Owner Signature Date

Property Information:

This application must be accompanied by a site plan and any other documents requested, such as plot plans, photographs, topographic contour maps that are necessary to properly review the application.

Street address or location: 710 W. Mulberry St.

Legal Description: 13.004 ACRES (see M&Bs included in submittal)
(please provide copy of metes and bounds)

Present zoning: SF-6.3 Present land use: Undeveloped

Is a site plan, preliminary or final plat pending on the agenda of the Planning & Zoning Commission or the City Council? [x] Yes [] No

Have you applied for a building permit? [] Yes [x] No Date denied:

Has the Board of Adjustments issued an unfavorable ruling on this property within the last six months? [] Yes [x] No

If yes, when: N/A

Please provide proof of taxes paid on this property. Tax statement included in submittal showing no taxes due

Request Information:

Please answer the following questions as completely as possible. Failure to outline fully the situation by answering these questions could cause unnecessary delay in evaluating your appeal. Additional pages may be attached if necessary.

1. Describe the variance you are requesting: A few lots in this proposed subdivision are non-conforming. Specifically, Lot 5 in Block 2 does not have a 60-foot width for the entire depth of the lot; and Lots 5, 6, 7, 14, 15, 16, and 17 in Block 3 do not have the full 100-feet of depth for the full width of the lots. Each lot has greater than the minimum lot area required.

2. Describe the special or unique condition(s) of your property that exist, such as restricted area, shape, topography or physical features that are peculiar to your property: The odd shape of the parent tract for this proposal subdivision creates varying widths and angles that are non-typical. These tend to create a few lots that are close to meeting the requirements but not quite.

3. Do similar property conditions exist in your area? Explain: The configuration of the parent tract is unique in this area.

4. Explain how your need for a variance is unique to those special property-related conditions described above: The layout of this subdivision works well given the odd configuration of the parent tract except where the north and south converge and are not quite parallel, and where the worst line has an odd angle. These features create lots that are slightly non-configuration.

5. Are there special conditions affecting your property such that the strict application of the provisions of the Zoning Ordinance would deprive you of the reasonable use of your land? Explain: Yes, the odd configuration of the parent tract creates a couple of places that create slightly non-conforming lots. A strict application of the lot requirements would deprive the owner of substantial lot yield given the amount of infrastructure to be built.

6. Explain why the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area: The slightly non-conforming lot configurations have been compensated by having more than the minimum lot area. These lots will provide nice home sites and their non-conformities will hardly be noticed.

7. Describe how strict enforcement of the zoning ordinance creates a hardship that is unique to your property, imposing a hardship above that suffered by the general public: The parent tract configuration almost lays out this subdivision where all lots conform; however, it is slightly odd in its non-parallel sides and angles which create a few slightly non-conforming lots. Most other tracts do not have the constraints this one does for innovative site planning.

A completed variance application is due 30 days prior to the next Board of Adjustment meeting. Board of Adjustment meetings are held at noon on the third Wednesday of each month. At this meeting, a public hearing will be held. A public hearing notice must be published in the local newspaper (at least 14 days before the meeting) and a notice must be sent to all property owners within 200' of the property where the variance is being requested (the notice must be sent at least 10 days prior to the meeting).

Acknowledgements

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Board of Adjustments hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss the proposal either at the call of the case or after the hearing, and that such dismissal shall constitute denial.

I reserve the right to withdraw this proposal at any time upon written request filed with the City Secretary's office, and such withdraw shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdraw of the proposal after public notice.

I understand that if the request is approved, I must obtain a building permit from the City before any work is started on the property and that the Board of Adjustment action does not constitute the approval of the building permit.

Applicant's Initials: RM Date: 9-30-2021

Office use only	
Date received: _____	Received by: _____
Fee of \$150.00 received: _____	
Proof of taxes paid: _____	date verified: _____
Appointment of agent form attached if required: _____	
BOA Public Hearing date: _____	
Date to send letters to residents: _____	
Letters Mailed: _____	
Date to publish: _____	Date published: _____

Illustration 7: Lot Width

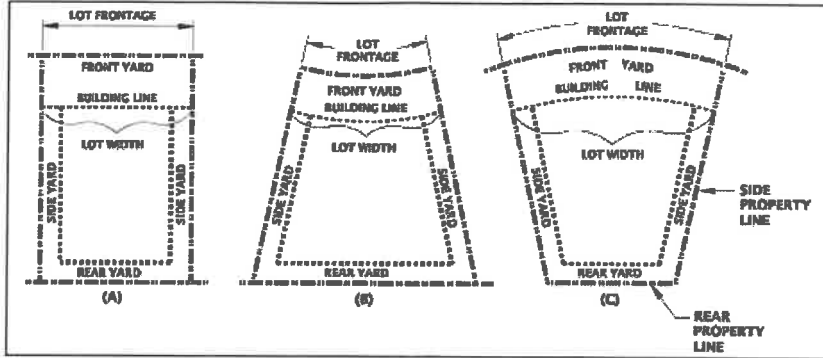


Illustration 8: Lot Area & Depth

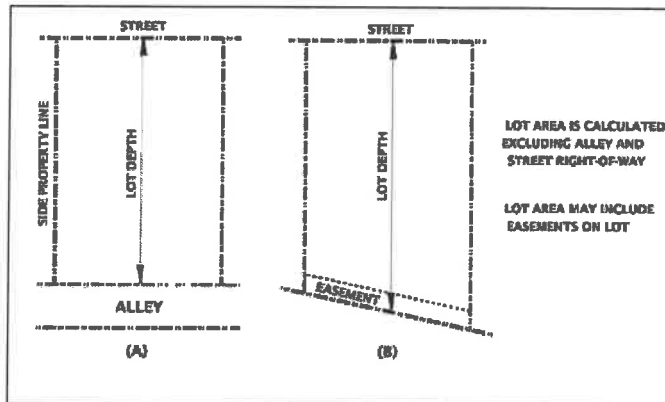


Illustration 9: Lot Width

