

**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION
MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, JANUARY 11, 2016

6:00 P.M.

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, January 11, 2016 at 6:00 P.M., City Hall, 401 Market Street Tomball, TX 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December, 14 2015.

5.0 New Business:

- 5.1 Consideration to Approve Replat of **MAHABIR PLAZA**: Being a subdivision of 0.3214 Acre Tract, 14,000 Square Feet, in the William Hurd Survey, A-371 being a Replat of Lots 21, 22, 23 and 24, Block 43. Revised map of Tomball as recorded in Volume 4, Page 25 Harris County Map Records, Harris County, Texas.
- 5.2 Consideration to Approve Replat of **SWINGHAMMER SUBDIVISION**: Being a Replat of Outlot Number 9, of TOMBALL TOWNSITE, a subdivision situated in the Jesse Pruitt Survey, Abstract Number 629, of Harris County, Texas, as recorded on map or plat thereof in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being the same land described in deeds recorded in Clerk File Numbers G899557 and 20100237128 of the Real Property Records of Harris County, Texas.
- 5.3 Consideration to Approve Preliminary Plat of **HAPPY TIRE STORE**: Being a SUBDIVISION OF 3.2687 Acre (142,387 Square Feet) of land situated in the Jesse Pruitt Survey, Abstract No. 629, Harris County, Texas and being the same land described in deed recorded in clerk's file No. R249550 of real property records of Harris County, Texas.

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 7th day of January, 2016 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2016

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2016

Data Sheet

Topic:

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Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2016

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December, 14 2015.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

P&Z Minutes - December 14, 2015

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, DECEMBER 14, 2015



6:00 P.M.

- 1.0 The meeting was called to order by Chair Barbara Tague at 6:02 p.m. Other members present were:

Commissioner Harry Byrd
Commissioner Dane Dunagin
Commissioner Richard Anderson
Commissioner Darrell Roquemore – Excused Absence

Others present:

Community Development Director – Craig Meyers
City Planner – Harold Ellis
Assistant City Planner – Amelia Lindley
Community Development Coordinator – Kim Chandler
City Attorney – Loren Smith

- 2.0 No Public Comments were received.
- 3.0 Craig Meyers, Community Development Director, announced the following:

- Lori Lakatos is no longer employed with the City of Tomball.

Harold Ellis, City Planner, announced the following:

- There are no cases for the meeting January 11, 2016. We will keep everyone updated as to the status of plat submissions.

- 4.0 Motion was made by Commissioner Anderson, second by Commissioner Dunagin to approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 9, 2015.

Motion carried unanimously.

draft

5.0 New Business:

- 5.1 Consideration to Approve Final Plat of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**: Being a subdivision of 2.3629 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.

Craig Meyers, Community Development Director, presented recommendation of approval.

Motion was made by Commissioner Byrd, second by Commissioner Anderson, to approve **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to approve **ZONING CASE P15-0122**: Request by the City of Tomball to amend Section 50-82 (b) ("Use Charts") of the Tomball Code of Ordinances by adding "Reception venue" as an additional land use in the City of Tomball.

Harold Ellis, City Planner, presented the case and recommendation.

The Public Hearing was opened by Chair Tague at 6:09 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:09 p.m.

Rachael Worthen, Owner of Ella's Garden, (26810 Riverbend Point Lane, Cypress, TX 77433) was introduced and available to answer questions.

Motion was made by Commissioner Anderson, second by Commissioner Byrd, to approve **ZONING CASE P15-0122**. Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>

Motion carried; 3 votes Aye and 1 vote Nay.

6.0 Motion was made by Commissioner Dunagin, second by Commissioner Byrd, to adjourn.

Motion carried unanimously.

The meeting was adjourned at 6:20 p.m.

PASSED AND APPROVED this _____ day of _____ 2016.

Kim Chandler
Commission Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission

Agenda Item

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Consideration to Approve Replat of **MAHABIR PLAZA**: Being a subdivision of 0.3214 Acre Tract, 14,000 Square Feet, in the William Hurd Survey, A-371 being a Replat of Lots 21, 22, 23 and 24, Block 43. Revised map of Tomball as recorded in Volume 4, Page 25 Harris County Map Records, Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Mahabir Plaza - Replat

THE STATE OF TEXAS
COUNTY OF HARRIS

WE, OMAR HAHABIR and PAMELA MAHABIR, OWNERS, HEREINAFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 0.3214 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF MAHABIR PLAZA, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET (5') IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT,, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

WITNESS OUR HANDS IN THE CITY OF TOMBALL, TEXAS, THIS DAY OF , 2016.

BY: _____ BY: _____
OMAR MAHABIR, OWNER PAMELA MAHABIR, OWNER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITIES, ON THIS DAY PERSONALLY APPEARED OMAR MAHABIR AND PAMELA MAHABIR, OWNERS, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPAPCTY THEREIN AND HEREIN STATED.

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

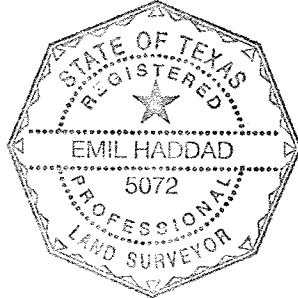
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

I, EMIL HADDAD, AM REGISTERED 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 (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR 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 NEAREST SURVEY CORNER.


EMIL HADDAD, R.P.L.S.
TEXAS REGISTRATION NO. 5072



WE, THE CITY MANAGER AND DIRECTOR OF COMMUNITY DEVELOPMENT FOR THE CITY OF TOMBALL, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CITY OF TOMBALL ORDINANCE.

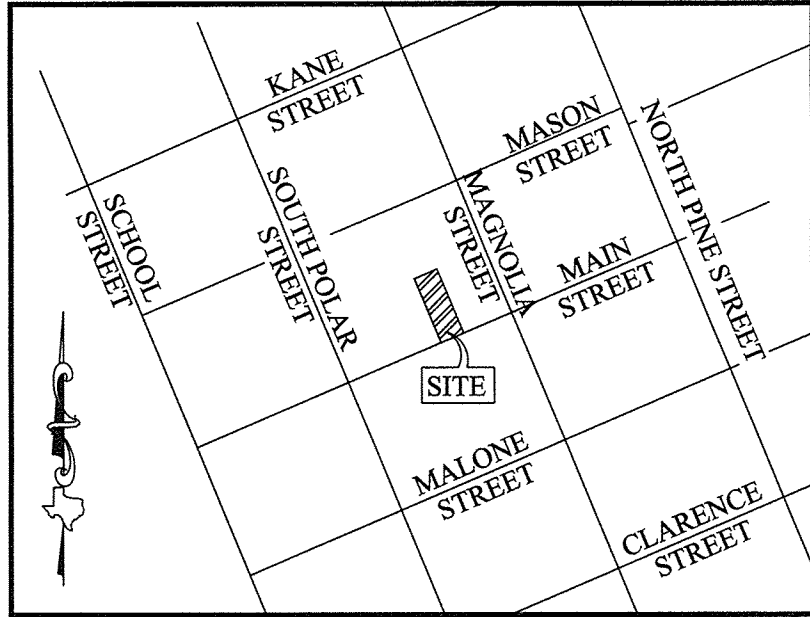
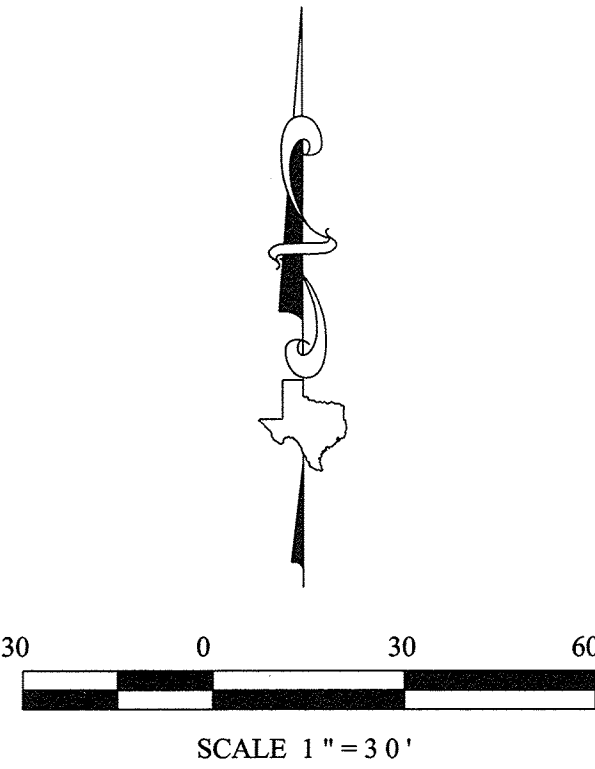
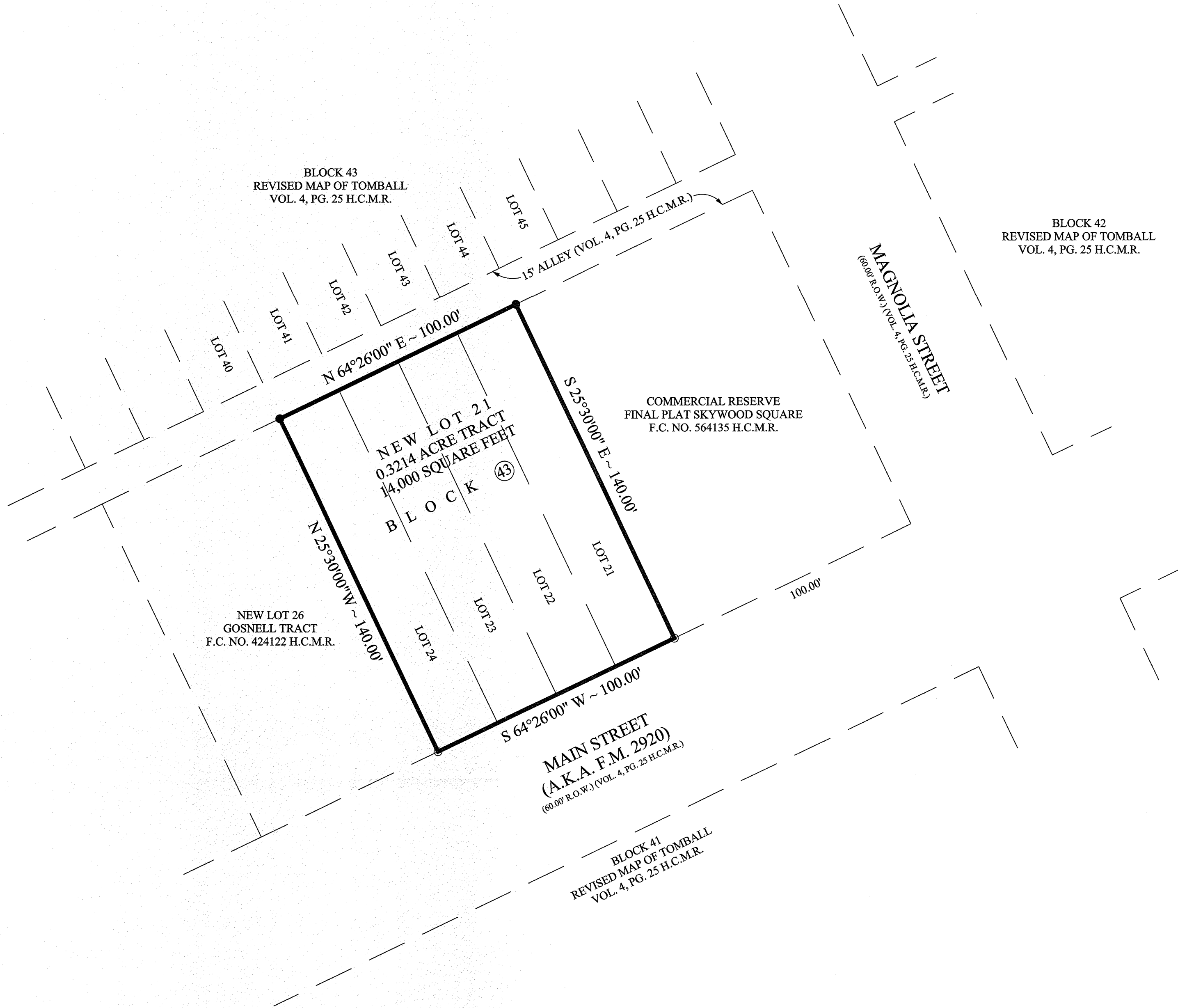
BY: _____ BY: _____
GEORGE SHACKELFORD, CITY MANAGER , DIRECTOR OF COMMUNITY DEVELOPMENT

THIS IS TO CERTIFY THAT THE CITY ACCEPTS THE PLANNING & ZONING COMMISSION'S AUTHORIZED APPROVAL AND ACCEPTANCE OF ALL DEDICATED PUBLIC EASEMENTS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS DAY OF , 2016.

BY: _____ BY: _____
GRETCHEN FAGAN, MAYOR DORIS SPEER, CITY SECRETARY

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MAHABIR PLAZA IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS DAY OF , 2016.

BY: _____ BY: _____
BARBARA TAGUE, CHAIRMAN DARRELL ROQUEMORE, VICE CHAIRMAN



VICINITY MAP
NOT TO SCALE
KEY MAP 288H

MAHABIR PLAZA
A SUBDIVISION OF A 0.3214 ACRE TRACT,
14,000 SQUARE FEET,
IN THE WILLIAM HURD SURVEY, A-371
BEING A REPLAT OF LOTS 21, 22, 23 AND 24, BLOCK 43
REVISED MAP OF TOMBALL
AS RECORDED IN
VOLUME 4, PAGE 25
HARRIS COUNTY MAP RECORDS
HARRIS COUNTY, TEXAS

CONTAINING
1 LOT 1 BLOCK

JANUARY 2016

(REASON FOR REPLAT IS TO COMBINE 4 LOTS INTO 1 COMMERCIAL LOT)

OWNER

OMAR MAHABIR and PAMELA MAHABIR
612 W. MAIN
TOMBALL, TEXAS 77375
TEL: (713) 882-0883

SURVEYOR

E.I.C. SURVEYING COMPANY
12345 JONES ROAD # 270
HOUSTON, TEXAS 77070
TEL: (281) 955 - 2772

LEGEND NOTES

- | | |
|-------------|---|
| 1. U.E. | INDICATES "UTILITY EASEMENT" |
| 2. A.E. | INDICATES "AERIAL EASEMENT" |
| 3. B.L. | INDICATES "BUILDING LINE" |
| 4. VOL. | INDICATES "VOLUME" |
| 5. PG. | INDICATES "PAGE" |
| 6. R.O.W. | INDICATES "RIGHT-OF-WAY" |
| 7. ESMT. | INDICATES "EASEMENT" |
| 8. F.C. NO. | INDICATES "FILM CODE NUMBER" |
| 9. H.C.M.R. | INDICATES "HARRIS COUNTY MAP RECORD" |
| 10. ○ | INDICATES "FOUND 5/8" IRON ROD" |
| 11. ● | INDICATES "FOUND 5/8" IRON ROD WITH CAP STAMPED E.I.C. SURVEYING COMPANY" |

GENERAL NOTES

- Public easements donated on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the city of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Panel No. 4803150230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- The Building Lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Tomball Code of Ordinances at the time of the development of the property.
- All oil/gas wells with ownership (plugged, abandoned, and/or Active) throught the subdivision have been shown.

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON , 2016, AT O'CLOCK M., AND DULY RECORDED ON , 2016, AT O'CLOCK M., AND AT FILM CODE NO. OF THE MAP RECORDS OF HARRIS COUNTY, FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2016

Data Sheet

Topic:

Consideration to Approve Replat of **SWINGHAMMER SUBDIVISION**: Being a Replat of Outlot Number 9, of TOMBALL TOWNSITE, a subdivision situated in the Jesse Pruitt Survey, Abstract Number 629, of Harris County, Texas, as recorded on map or plat thereof in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being the same land described in deeds recorded in Clerk File Numbers G899557 and 20100237128 of the Real Property Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Swinghammer Subdivision - Replat

THE STATE OF TEXAS
COUNTY OF HARRIS

I, Craig W. Swinghammer, acting individually, and We, Swinghammer Irrevocable Trust, acting by and through Craig W. Swinghammer being trustee of the Swinghammer Irrevocable Trust, owners in this section after referred to as owners of the 7.3709 acre tract described in the above and foregoing plat of SWINGHAMMER SUBDIVISION, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

WITNESS my hand in the city of Tomball, Texas, this _____ day of _____, 2016

Craig W. Swinghammer

IN TESTIMONY WHEREOF, the Swinghammer Irrevocable Trust has caused these presents to be signed by Craig W. Swinghammer, its Trustee, thereunto authorized, this _____ day of _____, 2016.

Swinghammer Irrevocable Trust

By: _____
Craig W. Swinghammer
Trustee

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Craig W. Swinghammer, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the State of Texas

My Commission Expires: _____

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Craig W. Swinghammer, Trustee of the Swinghammer Irrevocable Trust, 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, and in the capacity therein and in this section stated, and as the act and deed of said Trust.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the State of Texas

My Commission Expires: _____

Harris County Clerk Certificate of Filing:

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2016, at _____ o'clock ____ .M., and duly recorded on _____, 2016, at _____ o'clock ____ .M., and at Film Code No. _____ of the Map Records of Harris County for said County.

Witness my hand and seal of office, at Houston, the day and date last above written.

Stan Stanart
County Clerk
of Harris County, Texas

By: _____
Deputy

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of SWINGHAMMER SUBDIVISION in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2016.

By: _____
Barbara Tague
Chairman

By: _____
Darrell Roquemore
Vice Chairman

We, the City Manager and the City Engineer for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

George Shackelford, City Manager

Craig T. Meyers, P.E.,
City Engineer

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2016.

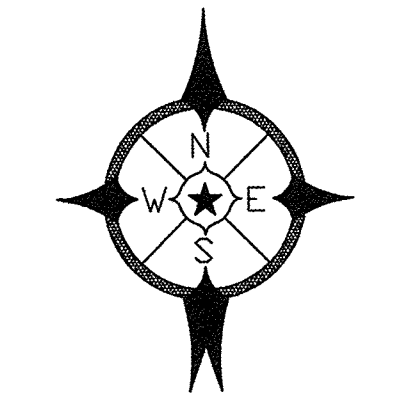
By: _____
Gretchen Fagan, Mayor

Doris Speer, City Secretary

SWINGHAMMER SUBDIVISION

Being a Replat of Outlot Number 9, of TOMBALL TOWNSITE, a subdivision situated in the Jesse Pruitt Survey, Abstract Number 629, of Harris County, Texas, as recorded on map or plat thereof in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being the same land described in deeds recorded in Clerk File Numbers G899557 and 20100237128 of the Real Property Records of Harris County, Texas.

5 LOTS, 1 BLOCK

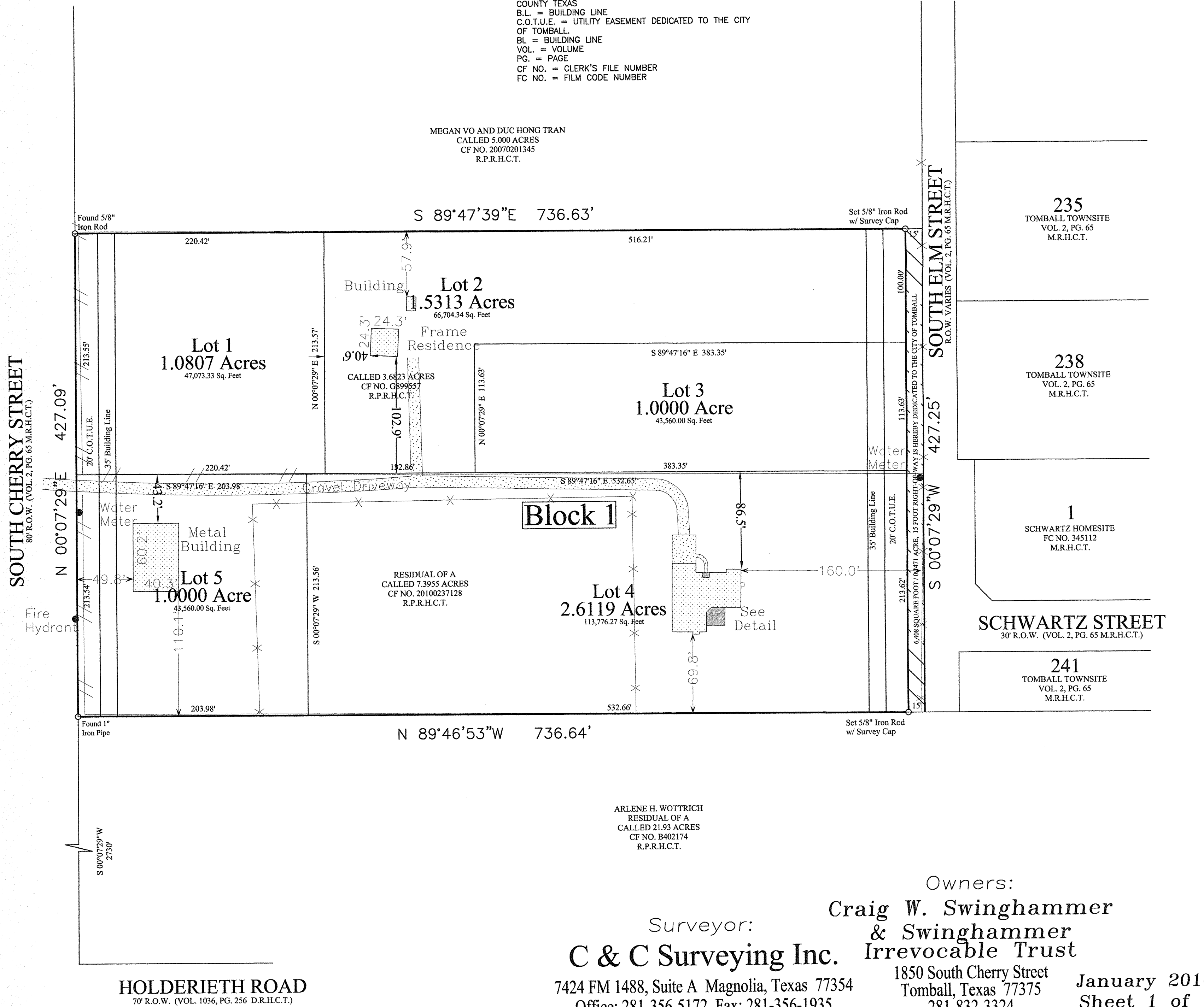


Scale: 1" = 60'

Notes:
Flood Information:
According to FEMA Firm Panel No. 4820100230-L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
Note #1:
All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
Note #2:
All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
Note #3:
No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
Note #4:
This plat does not attempt to amend or remove any valid restrictions or covenants.
Note #5:
The Basis of Bearings for this plat is the West boundary of the subject tract and the East right-of-way boundary of South Cherry Street.
Note #6:
Public Easements:
Public Easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
Note #7:
Subject to zoning ordinances of the City of Tomball now in effect.

M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY TEXAS
R.P.R.H.C.T. = REAL PROPERTY RECORDS OF HARRIS COUNTY TEXAS
B.L. = BUILDING LINE
C.O.T.U.E. = UTILITY EASEMENT DEDICATED TO THE CITY OF TOMBALL
BL = BUILDING LINE
VOL. = VOLUME
PG. = PAGE
CF NO. = CLERK'S FILE NUMBER
FC NO. = FILM CODE NUMBER

MEGAN VO AND DUC HONG TRAN
CALLED 5.000 ACRES
CF NO. 20070201345
R.P.R.H.C.T.



Owners:

Craig W. Swinghammer & Swinghammer Irrevocable Trust

Surveyor:

C & C Surveying Inc.

7424 FM 1488, Suite A Magnolia, Texas 77354
Office: 281-356-5172 Fax: 281-356-1935

1850 South Cherry Street
Tomball, Texas 77375
281-832-3324

January 2016
Sheet 1 of 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2016

Data Sheet

Topic:

Consideration to Approve Preliminary Plat of **HAPPY TIRE STORE**: Being a SUBDIVISION OF 3.2687 Acre (142,387 Square Feet) of land situated in the Jesse Pruitt Survey, Abstract No. 629, Harris County, Texas and being the same land described in deed recorded in clerk's file No. R249550 of real property records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Community Development Department

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Happy Tire Store - Preliminary Plat

