

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



MONDAY, MAY 13, 2013

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, May 13, 2013 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and 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 following meetings:
 - Regular Planning and Zoning Commission Meeting of April 8, 2013.

- Special Joint City Council and Planning and Zoning Commission Meeting of April 15, 2013

5.0 New Business:

- 5.1 Receipt of Minor Plat; **REPLAT OF PINE COUNTRY OF TOMBALL SECTION 2, PARTIAL REPLAT**: A subdivision of 0.6881 acre tract of land out of the Chauncey Goodrich Survey A-311, City of Tomball, Harris County, Texas, and also being a Replat of Lots 39 and 40, Block 1 of Replat of Pine Country of Tomball, Section 2; a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 628282 of the Map Records of Harris County, Texas.
- 5.2 Consideration to approve **PARKWAY OASIS REPLAT NO. 2**: A subdivision of a 7.8613 acre tract of land being all of Lot 5, Block 1, Parkway Oasis (Film Code No. 622219; H.C.M.R.) and all of Lot 1 and Lot 6, Block 1, Parkway Oasis Partial Replat No. 1 (Film Code No. 635087; H.C.M.R.) in the William Hurd Survey, Abstract No. 375, City of Tomball, Harris County, Texas.
- 5.3 Consideration to approve **BREAUX MACHINE WORKS**: A subdivision of 4.3402 acres being comprised of Lots 1, 2, and 3, Block 3 of Hirschfield Farms an unrecorded subdivision and 0.1246 acre reside of a call 2.8805 acre tract as recorded in H.C.C.F. No. J-904080 and 1.5918 acres reside of a call 3.5864 acre tract as recorded in Film Code 119-48-0065, H.C.C.F. located in the John M. Hooper survey, A-375 City of Tomball, Harris County, Texas.
- 5.4 Consideration to approve **GRASSI ACRES PRELIMINARY PLAT**: Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of Real Property Records of Harris County, Texas.
- 5.5 Consideration to approve **GRASSI ACRES FINAL PLAT**: Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of the Real Property Records of Harris County, Texas.
- 5.6 Consideration to approve **ZONING CASE P13-045**: Request by Kyle Phenix, on behalf of LAR Properties, LC, to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 10.95 acres of land, legally described as Reserve E, Block 1, Leslies Park, within the City of Tomball, Harris County, Texas, generally located northerly of Brown Road, easterly of Quinn Road, from the Single-Family Residential-9 District to the Planned Development - 4 District to facilitate a single-family subdivision.

- Conduct a Public Hearing on **ZONING CASE P13-045**

6.0 Adjournment

C E R T I F I C A T I O N

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 9th day of May 2013 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
Data Sheet

Meeting Date: May 13, 2013

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: May 13, 2013

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: May 13, 2013

Topic:

Consideration to Approve the Minutes of the following meetings:

- Regular Planning and Zoning Commission Meeting of April 8, 2013.
- Special Joint City Council and Planning and Zoning Commission Meeting of April 15, 2013

Background:**Origination:****Recommendation:****Funding:****Party(ies) responsible for placing this item on agenda:**

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Regular P&Z Minutes 04.08.13

Special Joint City Council and P&Z Minutes 04.15.13

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

MONDAY, APRIL 8, 2013



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Wallace at 6:00 p.m. Other members present were:

Commissioner Tague
Commissioner Chervenak
Commissioner Roquemore
Commissioner Beauvais

Others present:

Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Senior Administrative Assistant – Brandy Pate

draft

2.0 No Public Comments were received.

3.0 Reports or Announcements were received.

Craig Meyers, Community Development Director made the following announcements:

- Staff's ongoing internal review of the Zoning Ordinance, requesting the Commission review and provide comments by the June 10, 2013 meeting to openly discuss.
- Joint City Council / Planning and Zoning Commission meeting scheduled for Monday, April 15, 2013 at 6:00 p.m.

4.0 Motion was made by Commissioner Tague to approve the Minutes of the Regular Planning and Zoning Commission Meeting of March 11, 2013; second by Commissioner Beauvais.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to approve REPLAT OF QUINN TRACT:** A subdivision of 1.3104 acre tract, 57084 square feet; Being a Replat of Lots 11, Abbreviated Plat of Quinn Tract as recorded in Film Code 609204, Harris County Map Records, situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.

Lori Lakatos, City Engineer presented comment recommendations.

Commissioner Tague made a motion to approve **REPLAT OF QUINN TRACT**, with contingencies; second by Commissioner Beauvais.

Motion carried unanimously.

- 5.2 Consideration to approve **REPLAT OF ABANDONED ANIMAL RESCUE**: Being a subdivision of 6.0439 acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being a Replat of Lot 61 of Tomball Outlots; a subdivision according to the map or plat thereof recorded in Volume 2, Page 65 of the Map Records of Harris County, Texas, together with a Replat of Abandoned Animal Rescue, a subdivision according to the map plat thereof recorded in Volume 584, Page 265 of the Map Records of Harris County, Texas.

Lori Lakatos, City Engineer presented comment recommendations.

Commissioner Chervenak made a motion to approve **REPLAT OF ABANDONED ANIMAL RESCUE**, with contingencies; second by Commissioner Roquemore.

Motion carried unanimously.

- 6.0 Motion was made by Commissioner Chervenak to adjourn; second by Commissioner Tague.

Motion carried unanimously.

Meeting adjourned at 6:04 p.m.

PASSED AND APPROVED this _____ day of _____ 2013.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

MINUTES OF SPECIAL TOMBALL CITY COUNCIL AND TOMBALL PLANNING AND ZONING COMMISSION MEETING CITY OF TOMBALL, TEXAS



**MONDAY, APRIL 15, 2013
6:00 P.M.**

- 1.0 Lori Wallace, Chair, called the Tomball Planning and Zoning Commission to Order for Joint Workshop Session with the Tomball City Council. Other members present were:

Commissioner Beauvais
Commissioner Tague

Commissioner Torres
Commissioner Roquemore.

City Council:

Mayor Fagan
Councilman Townsend
Councilman Hudgens

Councilman Brown
Councilman Dodson

Councilmembers absent:

Councilman Stoll – Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Robert Hauck
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Community Development Director – Craig Meyers
Marketing Director – Mike Baxter
City Planner – Rebeca Guerra
Assistant City Engineer – Lori Lakatos
Community Events Coordinator – Rosalie Dillon
Executive Director-TEDC – Kelly Violette
E&P Senior Administrative Assistant – Brandy Pate

2.0 New Business:

- 2.1 The Tomball City Council and the Tomball Planning and Zoning Commission entered into a Workshop Session to receive a presentation from Trammell Crow Residential regarding a proposed multifamily project at the northeast corner of Holderrieth Road and State Highway 249 Business.

No action was taken.

- 3.0 Chair Lori Wallace adjourned the Tomball Planning and Zoning Commission meeting.

PASSED AND APPROVED this the _____ day of _____ 2013.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chair

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Receipt of Minor Plat; **REPLAT OF PINE COUNTRY OF TOMBALL SECTION 2, PARTIAL REPLAT**: A subdivision of 0.6881 acre tract of land out of the Chauncey Goodrich Survey A-311, City of Tomball, Harris County, Texas, and also being a Replat of Lots 39 and 40, Block 1 of Replat of Pine Country of Tomball, Section 2; a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 628282 of the Map Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Replat of Pine Country of Tomball Section 2, Partial Replat

STATE OF TEXAS
COUNTY OF HARRIS

WE, PCOT INVESTMENTS, INC. ACTING BY AND THROUGH, RUSSELL E. BROWN, PRESIDENT OR OWNERS HEREINAFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 0.6881 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF REPLAT PINE COUNTRY OF TOMBALL SECTION 2 PARTIAL REPLAT, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY TO ALL LIENS, DEDICATIONS AND 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 PURPOSE FOREVER UNOBTSTRUCTED AERIAL EASEMENTS, FIVE FEET SIX INCHES (5' 6") IN WIDTH FOR PERMETER LOTS OR SEVEN FEET (7' 0") FOR BACK-TO-BACK LOTS FROM A PLANE SIXTEEN FEET (16' 0") ABOVE 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 IS HEREBY 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 THE PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL B-YOULS, CREEKS, GULLIES, RAVINES, DRAINS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED 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, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, THE PCOT INVESTMENTS, INC HAS CAUSED THESE PRESENTS TO BE SIGNED BY RUSSELL E. BROWN, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY _____, ITS _____, THIS _____ DAY OF _____, 2013.

PCOT INVESTMENTS, INC
BY: _____
RUSSELL E. BROWN, ITS PRESIDENT

ATTEST: _____
PRINT NAME, TITLE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RUSSELL E. BROWN, PRESIDENT AND KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGEMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2013

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME

MY COMMISSION EXPIRES _____

I, HAL MOYER, 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 CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS HAVE BEEN MARKED WITH IRON RODS HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTH (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE STATE PLANE COORDINATES (NAD83) SOUTH CENTRAL ZONE (4204)

Hal Moyer
HAL MOYER
R.P.L.S. NO. 5656
STATE OF TEXAS



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'S ORDINANCES.

GEORGE SHACKELFORD
CITY MANAGER

LORI LAKATOS, PE
CITY ENGINEER

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF REPLAT OF PINE COUNTRY IN 2 TOMBALL SECTION 2 PARTIAL REPLAT 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 _____, 2013.

BY: _____, LORI WALLACE, CHAIR
BY: _____, EVELYN CHERVENAK, VICE-CHAIR

CITY OF TOMBALL

THIS IS TO CERTIFY THAT THE CITY ACCEPTS THE PLANNING AND ZONING COMMISSION'S AUTHORIZED APPROVAL AND ACCEPTANCE OF ALL DEDICATED PUBLIC EASEMENTS AND RIGHTS-OF-WAY 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 _____, 2013.

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

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2013, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 2013, AT _____ O'CLOCK _____ M., AND AT FILM CODE NUMBER NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

BY: _____, STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____, DEPUTY

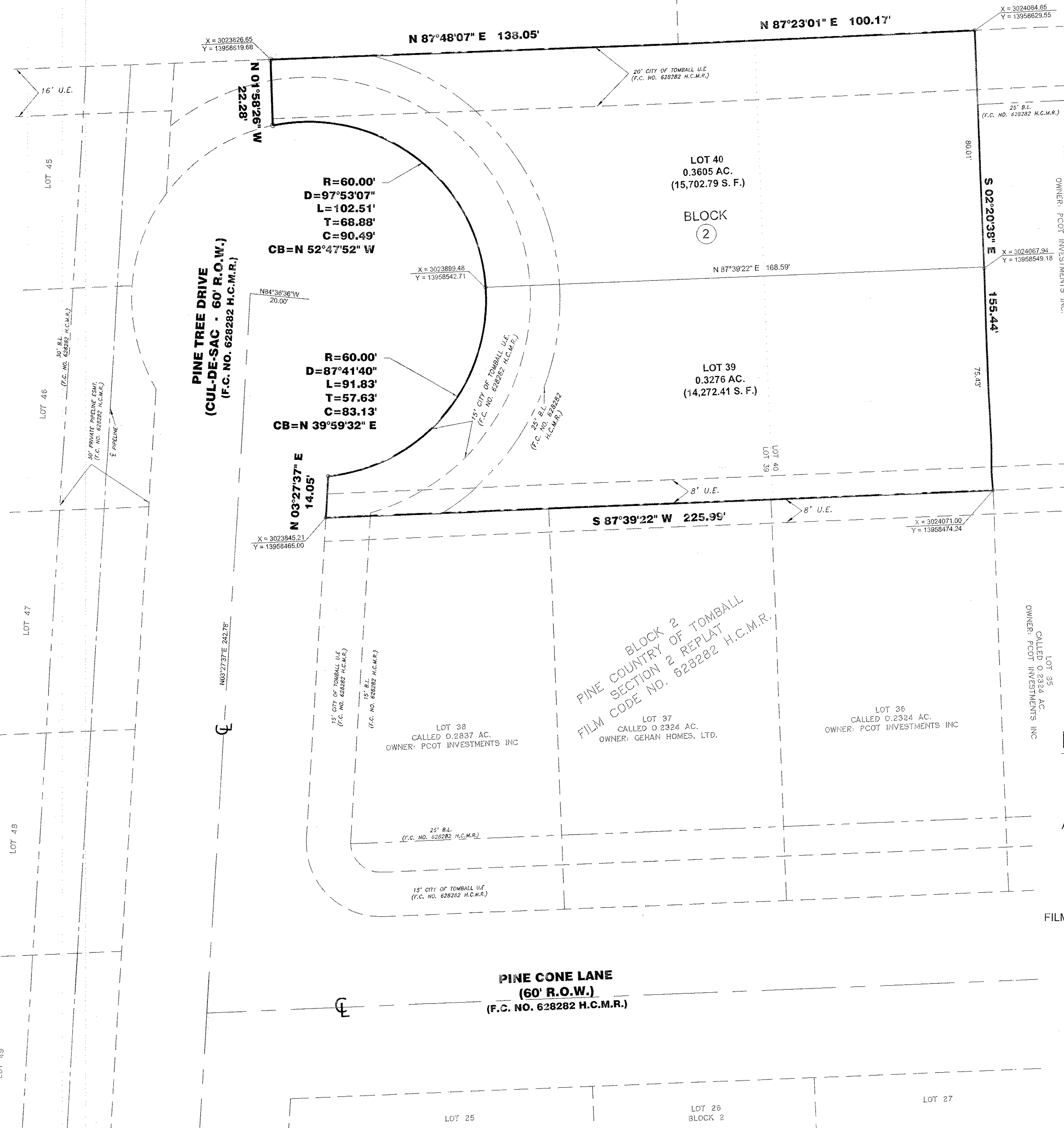
GENERAL NOTES:

- 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 EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT ANY TIME OR 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 THE PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0210L (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.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) 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 THE 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 RESTRICTIONS OR COVENANTS.
- THE REAR BUILDING LINE IS 15', ACCESS ON THE FRONT PROPERTY LINE, BEING THE PROPERTY LINE WITH A 25' B.L.
- THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF TOMBALL CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.

PINE COUNTRY OF TOMBALL
SECTION 3 2ND REPLAT

TRACT 4E
CALLED 4.43999 ACRES
OWNERS: TEDDY MCKINNEY
FILE NO. F205092 H.C.D.P.R.P.

TOMBALL CEMETERY ROAD
(60' R.O.W.)
(VOL. 582, PG. 367 H.C.D.R.)



LEGEND:

"AC." INDICATES "ACRES"
"B.L." INDICATES "BUILDING LINE"
"F.C. NO." INDICATES "FILM CODE NUMBER"
"H.C.C.F." INDICATES "HARRIS COUNTY CLERK'S FILE"
"H.C.D.R." INDICATES "HARRIS COUNTY DEED RECORDS"
"H.C.M.R." INDICATES "HARRIS COUNTY MAP RECORDS"
"NO." INDICATES "NUMBER"
"R.O.W." INDICATES "RIGHT-OF-WAY"
"S.F." INDICATES "SQUARE FEET"
"U.E." INDICATES "UTILITY EASEMENT"

REPLAT PINE COUNTRY OF TOMBALL, SECTION 2 PARTIAL REPLAT

A SUBDIVISION OF 0.6881 ACRE OR 29,975.21 SQ. FT. TRACT OF LAND
OUT OF THE CHAUNCEY GOODRICH SURVEY A-311
CITY OF TOMBALL, HARRIS COUNTY, TEXAS,
AND ALSO BEING A REPLAT OF LOTS 39 AND 40, BLOCK 2 OF
REPLAT OF PINE COUNTRY OF TOMBALL, SECTION 2
A SUBDIVISION IN HARRIS COUNTY, TEXAS,
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
FILM CODE NO. 628282 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

REASON FOR REPLAT
TO CHANGE LOT CONFIGURATION OF LOTS 39 AND 40 IN BLOCK 2
APRIL, 2013 SCALE: 1" = 20'

OWNERS:
PCOT INVESTMENTS, INC.
A TEXAS CORPORATION
15818 PINE COUNTRY BLVD.
TOMBALL, TEXAS 77377-2543

SURVEYOR:
TRI-TECH
SURVEYING COMPANY, L.P.

WWW.SURVEYINGCOMPANY.COM
10401 Westoffice Drive Phone: (713) 667-0800
Houston, Texas 77042 Fax: (713) 667-5848

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Consideration to approve **PARKWAY OASIS REPLAT NO. 2**: A subdivision of a 7.8613 acre tract of land being all of Lot 5, Block 1, Parkway Oasis (Film Code No. 622219; H.C.M.R.) and all of Lot 1 and Lot 6, Block 1, Parkway Oasis Partial Replat No. 1 (Film Code No. 635087; H.C.M.R.) in the William Hurd Survey, Abstract No. 375, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Parkway Oasis Replat No. 2

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Consideration to approve **BREAUX MACHINE WORKS**: A subdivision of 4.3402 acres being comprised of Lots 1, 2, and 3, Block 3 of Hirschfield Farms an unrecorded subdivision and 0.1246 acre residue of a call 2.8805 acre tract as recorded in H.C.C.F. No. J-904080 and 1.5918 acres residue of a call 3.5864 acre tract as recorded in Film Code 119-48-0065, H.C.C.F. located in the John M. Hooper survey, A-375 City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Breaux Machine Works Final Plat 1 of 2

Breaux Machine Works Final Plat 2 of 2

JOHN M. HOOPER SURVEY
ABSTRACT NO. 375

McCOY'S BUILDING SUPPLY-TOMBALL
BLOCK 1
RESTRICTED RESERVE "A"
(RESTRICTED TO NON-RESIDENTIAL USE)
(FILM CODE NO. 368124, H.C.M.R.)
5.3531 ACRES, BEING A RESIDUE OF A
CALLED 10.702 ACRES

McCOY REALTY CORPORATION
0.7411 ACRES (CALLED 0.7411 ACRES)
(H.C.C.F. NO. R013662)

GOLDEN CORRAL REPLAT
TRACT "A"
COMMERCIAL RESERVE
1.2541 ACRES (call 1.2545 ACRES)
(VOLUME 341, PAGE 16, H.C.M.R.)

TOMBALL LAND VENTURE I, INC., A TEXAS CORPORATION
1.8068 ACRES (call 1.807 ACRES)
(H.C.C.F. NO. U880277)

THOMAS JOHN NIETO, JR. AND
LORRI MARIE NIETO
0.5766 ACRES (call 0.5765 ACRES)
(H.C.C.F. NO. Z309929)

TOMBALL PAINT AND BODY,
INC. AND
ELWIN LEE CHAPMAN
(a.k.a. ELWIN LEE CHAPMAN,
INDIVIDUALLY)
0.7261 ACRES, BEING THE
RESIDUE OF
A CALLED 0.8559 ACRE
TRACT (LOT 4)
(H.C.C.F. NO. J295638)

GENERAL NOTES

1. AC. INDICATES "ACRE"
2. VOL. INDICATES "VOLUME"
3. PG. INDICATES "PAGE"
4. ESM. INDICATES "EASEMENT"
5. B.L. INDICATES "BUILDING LINE"
6. R.O.W. INDICATES "RIGHT-OF-WAY"
7. H.C.C.F. INDICATES "HARRIS COUNTY CLERK'S FILE NUMBER"
8. H.C.M.R. INDICATES "HARRIS COUNTY MAP RECORDS"
9. H.C.D.R. INDICATES "HARRIS COUNTY DEED RECORDS"
10. ● INDICATES "FOUND 5/8" IRON ROD"

9. UNLESS OTHERWISE INDICATED, THE BUILDING LINES (B.L.) WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF CODE OF ORDINANCES, CITY OF TOMBALL, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.

FLOOD INFORMATION

ACCORDING TO FEMA FIRM PANEL NO. 48201-C-0210-L (EFFECTIVE DATE 06/18/07), THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 1% ANNUAL CHANCE FLOOD PLAIN.

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 RAIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND 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 AT ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER, SUBJECT TO THE EXCEPTIONS IN THE DEDICATION. 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, OR OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY PART OF THE EASEMENTS SHOWN ON THIS PLAT, AND NEITHER THE CITY OF TOMBALL NO ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR THE REPLACING OR REIMBURSING THE PROPERTY OWNER DUE TO REMOVAL OR RELOCATION OF ANY OBSTRUCTION ON THE PUBLIC EASEMENTS.

NOTE 1:
ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

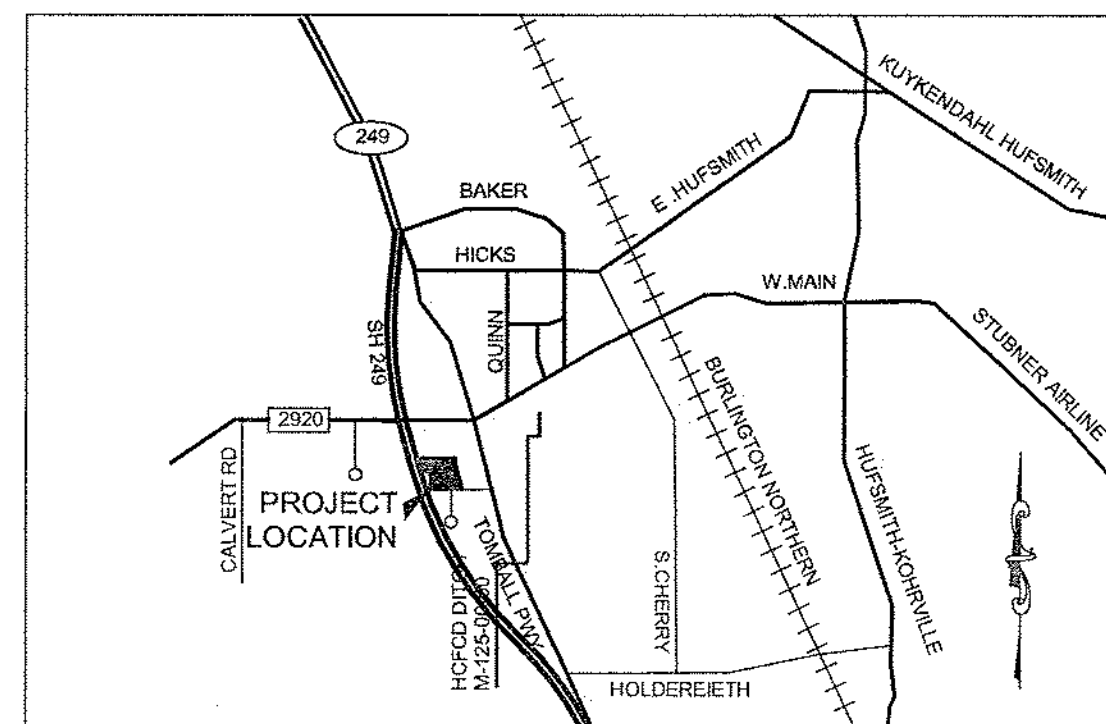
NOTE 2:
ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

NOTE 3:
NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SET BACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF THE CENTERLINE OF LOW PRESSURE GAS LINES AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.

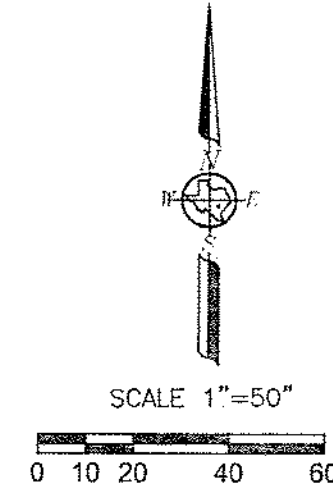
NOTE 4:
THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.

NOTE 5:
THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NO LIMIT OR REPLACE, ANY BUILDING LINE REQUIRED BY THE CITY OF TOMBALL CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.

NOTE 6:
THE BASIS OF BEARINGS IS THE RECORDED DEED



VICINITY MAP
NOT TO SCALE
KEY MAP 288-K



BENCHMARK:
H.C. FLOODPLAIN REFERENCE MARKS
T.S.A.R.P. RM NO. 120210
BRASS DISK ON SOUTH SIDE OF
MICHEAL ROAD BRIDGE AND
H.C.F.C. DITCH NO. M125-00-00
ELEV. 180.1
NAVD 1988, 2001 ADJ.

T.B.M.
NAIL IN EXPANSION JOINT IN CONC.
DRIVE, SOUTH SIDE OF HIRSCHFIELD
ROAD, APPROX. 24.65 FT. EASTWARD
ALONG THE SOUTH R.O.W. LINE FROM
THE SUBJECT TRACT'S NORTHEAST
CORNER.
ELEV 182.31

FLOODPLAIN STATEMENT
SUBJECT TRACT DOES NOT LIE
WITHIN THE 100-YEAR FLOODPLAIN
AS PER F.I.R.M. COMMUNITY
PANEL NO. 48201-C-0210-L

STATE HIGHWAY 249 (BUSINESS) (R.O.W. VARIES)

STATE HIGHWAY 249 (R.O.W. VARIES)

BLOCK 1, LOT 1

4.3402 ACRES
(189,057.94 SQ. FT.)

JOHN M. HOOPER SURVEY
A-375

N 21°39'40" W
330.50'

PLAT OF

BREAUX MACHINE WORKS

A SUBDIVISION OF 4.3402 ACRES (1 BLOCK, 1 LOT)
BEING COMPRISED OF LOTS 1, 2, AND 3, BLOCK 3 OF HIRSCHFIELD FARMS
AN UNRECORDED SUBDIVISION AND 0.1246 ACRE RESIDUE OF A CALL
2.8805 ACRE TRACT (TRACT TWO) AS RECORDED IN H.C.C.F. NO. J-904080 AND
1.5918 ACRES RESIDUE OF A CALL 3.5864 ACRE TRACT AS RECORDED IN
FILM CODE 119-48-0065, H.C.C.F.
LOCATED IN THE JOHN M. HOOPER SURVEY, A-375
CITY OF TOMBALL, HARRIS COUNTY, TEXAS
ADDRESS: 13842 HIRSCHFIELD ROAD, TOMBALL, TEXAS 77377

OWNER:
BREAUX PROPERTIES LTD
1502 RUDOLPH ROAD
TOMBALL, TEXAS 77375

BROUSSARD LAND SURVEYING, LLC
17811 GABLES BEND TOMBALL TX 77377
(281) 832-0859 www.blsurveyingco.com

DAVID S. BROUSSARD, P.E.
17527 HAWKIN LANE
TOMBALL, TEXAS 77377
JOB NO. D963 DEC., 2012

JOB NO.: BLS-858

SHEET 1 OF 2

STATE OF TEXAS
COUNTY OF HARRIS

WE , N.T. BREAUX AND DOT BREAUX, ACTING BY AND THROUGH BREAUX HOLDINGS, LLC, BEING SOLE OWNERS OF BREAUX HOLDINGS, LLC, SAME BEING THE MANAGING PARTNER OF BREAUX PROPERTIES, LLP, HEREIN AFTER REFERED TO AS OWNERS OF THE 4.3402 ACRE TRACT DESCRIBED IN ABOVE AND FOREGOING MAP OF THE PLAT OF BREAUX MACHINE WORKS COMMERCIAL SUBDIVISION , DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LIENS, 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 HEIR, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

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

THIS DEDICATION ISMADE AND ACCEPTED SUBJECT TO THE FOLLOWING EXCEPTIONS:

- A. ALL PRESENTLY RECORDED AND VALIDLY EXISTING OIL/GAS PIPELINE EASEMENTS; AND
- B. ALL RIGHTS OF PARTIES GRANTED PURSUANT TO DOCUMENTES PRESENTLY RECORDED IN THE REAL PROPERTY RECORDS OF HARRIS COUNTY.

IN TESTIMONY WHEREOF, BREAUX PROPERTIES, LLP HAS CAUSED THESE PRESENTS TO BE SIGNED BY N.T.BREAUX AND DOT BREAUX.

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS THIS _____DAY OF _____,2013

N.T. BREAUX DOT BREAUX

STATE OF TEXAS
COUNTY OF HARRIS

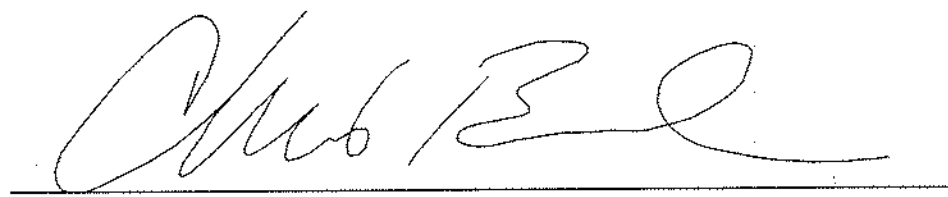
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED N.T. BREAUX AND DOT BREAUX KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF BREAUX PROPERTIES, LLC

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2013 .

NOTARY PUBLIC IN AND THE FOR
STATE OF TEXAS
MY COMMISSION EXPIRES: _____

I, CHRISTOPHER J. BROUSSARD, 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 CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4") INCH AND A LENGTH OF NOT LESS THAN THREE FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED IN TO THE NEAREST INTERSECTION OF PUBLIC STREET RIGHT-OF-WAY .




CHRISTOPHER J. BROUSSARD, R.P.L.S.
TEXAS REGISTRATION NO. 6107

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF BREAUX MACHINE WORKS 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 _____ 2013.

LORI WALLACE
CHAIRMAN

EVELYN CHERVENAK
VICE-CHAIRMAN

WE, THE CITY OF TOMBALL AND THE CITY ENGINEER OF THE CITY OF TOMBALL DO HEREBY CERTIFY THAT THIS PLAT OF BREAUX MACHINE WORKS IS IN COMPLIANCE WITH THE ORDINANCES OF THE CITY OF TOMBALL.

GEORGE SHACKELFORD
CITY MANAGER

LORI LAKATOS, P.E.
CITY ENGINEER

THIS IS TO CERTIFY THAT THE CITY ACCEPTS THE PLANNING AND ZONING COMMISSION'S AUTHORIZED APPROVAL AND ACCEPTANCE OF ALL DEDICATED PUBLIC EASEMENTS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____ 2013.

BY:
GRETCHEN FAGAN, MAYOR

DORIS SPEER, CITY SECRETARY

BREAUX PROPERTIES, LTD.
METES AND BOUNDS DESCRIPTION
4.3402 ACRES (189,058 SQUARE FEET)
JOHN M. HOOPER SURVEY, ABSTRACT-375
HARRIS COUNTY, TEXAS

ALL OF THAT CERTAIN TRACT OF LAND BEING 4.3402 ACRES (189,058 SQUARE FEET) BEING OUT THE JOHN M. HOOPER SURVEY, ABSTRACT-375, AND BEING COMPRISED OF THE FOLLOWING TRACTS: ALL OF LOT 1, BLOCK 3, HIRSCHFIELD FARMS SECTION 1 (UNRECORDED), 0.8796 ACRES (38,183 SQUARE FEET); ALL OF LOT 2, BLOCK 3 OF SAID HIRSCHFIELD FARMS, 0.8796 ACRES (38,317 SQUARE FEET); ALL OF LOT 3, BLOCK 3 OF SAID HIRSCHFIELD FARMS, 0.8676 ACRES (37,791 SQUARE FEET); 0.1246 ACRES (5,429 SQUARE FEET) BEING A RESIDUE OF A CALLED 2.8805 ACRE TRACT (TRACT TWO) AS DESCRIBED IN HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) J904080; 1.5918 ACRES (69,338 SQUARE FEET) BEING A RESIDUE OF A CALLED 3.5864 ACRE TRACT AS DESCRIBED IN FILM CODE NUMBER 119-48-0065, H.C.C.F., SAID 4.3402 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 5/8" IRON ROD BEING THE SOUTHEAST CORNER OF A 0.5766 ACRE (CALLED 0.5765 ACRE) TRACT DESCRIBED IN DEED TO THOMAS JOHN NIETO, JR. AND LORRI MARIE NIETO AS RECORDED IN H.C.C.F. NO. Z309829, SAID ROD ALSO MARKING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF HIRSCHFIELD ROAD (60 FEET WIDE) AND THE WEST R.O.W. LINE OF STATE HIGHWAY 249 (BUSINESS) (VARYING WIDTH);

THENCE S 68°20'20" W (CALL S 68°20'20" W), LEAVING SAID WEST R.O.W. LINE OF STATE HIGHWAY 249 (BUSINESS), ALONG THE SOUTH LINE OF SAID 0.5766 ACRE TRACT, IN COMMON WITH SAID NORTH R.O.W. LINE OF HIRSCHFIELD ROAD, A DISTANCE OF 202.90 FEET (CALL 202.90 FEET) TO THE CALCULATED SOUTHWEST CORNER OF SAID 0.5766 ACRE TRACT, SAME BEING THE EASTERNMOST SOUTHERLY CORNER OF A 1.8068 ACRE (CALL 1.807 ACRE) TRACT DESCRIBED IN DEED TO TOMBALL LAND VENTURE I, INC., A TEXAS CORPORATION AS RECORDED IN H.C.C.F. NO. U880277;

THENCE S 68°20'20" W (CALL S 68°20'20" W), ALONG THE SOUTH LINE OF SAID 1.8068 ACRE TRACT, IN COMMON WITH SAID NORTH R.O.W. LINE OF HIRSCHFIELD ROAD, A DISTANCE OF 173.31 FEET (CALL 173.31 FEET) TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING THE POINT OF BEGINNING , SAID ROD ALSO BEING THE WESTERNMOST SOUTHERLY CORNER OF SAID 1.8068 ACRE TRACT, SAME BEING THE SOUTHEAST CORNER OF SAID LOT 1, SAME BEING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 21°39'40" W, LEAVING SAID NORTH R.O.W. LINE OF HIRSCHFIELD ROAD, ALONG THE WESTERLY LINE OF SAID 1.8068 ACRE TRACT, IN COMMON WITH THE EAST LINE OF SAID LOT 1, IN COMMON WITH AN EASTERLY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 330.50 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" LYING IN A SOUTHERLY LINE OF A 1.2541 ACRE (CALLED 1.2545 ACRE) TRACT KNOWN AS GOLDEN CORRAL REPLAT, TRACT "A", COMMERCIAL RESERVE, AS DESCRIBED IN VOLUME 341, PAGE 16, HARRIS COUNTY MAP RECORDS (H.C.M.R.), SAID ROD BEING THE NORTHWEST CORNER OF SAID 1.8068 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF SAID LOT 1, SAME BEING AN EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 86°17'02" W, ALONG A SOUTHERLY LINE OF SAID 1.2541 ACRE TRACT, IN COMMON WITH THE NORTH LINE OF SAID LOT 1, IN COMMON WITH AN INTERIOR LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 26.06 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING THE SOUTHWEST CORNER OF SAID 1.2541 ACRE TRACT, SAME BEING THE SOUTHEAST CORNER OF SAID 1.5918 ACRE TRACT, SAME BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 04°38'32" W, LEAVING THE NORTH LINE OF SAID LOT 1, ALONG THE WEST LINE OF SAID 1.2541 ACRE TRACT, IN COMMON WITH THE EAST LINE OF SAID 1.5918 ACRE TRACT, IN COMMON WITH AN EASTERLY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 128.01 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING THE NORTHWEST CORNER OF SAID 1.2541 ACRE TRACT, SAME BEING A SOUTHERLY CORNER OF TWO TRACTS: A 0.7411 ACRE (CALL 0.7411 ACRE) TRACT DESCRIBED IN DEED TO MCCOY REALTY CORPORATION AS RECORDED IN H.C.C.F. NO. R013622 AND A 5.3531 ACRE TRACT, BEING A RESIDUE OF A CALLED 10.702 ACRE TRACT KNOWN AS MCCOY'S BUILDING SUPPLY-TOMBALL, BLOCK 1, RESTRICTED RESERVE "A" (RESTRICTED TO NON RESIDENTIAL USE) AS RECORDED IN FILM CODE NO. 368124, H.C.M.R., SAME BEING AN EASTERLY CORNER OF SAID 1.5918 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE N 04°34'45" W, ALONG A SOUTHERLY LINE OF SAID 0.7411 ACRE AND SAID 5.3531 ACRE TRACTS, IN COMMON WITH AN EASTERLY LINE OF SAID 1.5918 ACRE AND OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 9.62 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING A SOUTHERLY CORNER OF SAID 0.7411 ACRE AND SAID 5.3531 ACRE TRACTS, SAME BEING THE NORTHEAST CORNER OF SAID 1.5918 ACRE AND THE HEREIN TRACT;

THENCE S 87°31'57" W, ALONG A SOUTHERLY LINE OF SAID 0.7411 ACRE AND SAID 5.3531 ACRE TRACTS, IN COMMON WITH THE NORTHERLY LINE OF SAID 1.5918 ACRE AND THE HEREIN DESCRIBED TRACT, A DISTANCE OF 480.32 FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID 1.5918 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 0.7411 ACRE TRACT, SAME BEING A SOUTHERLY CORNER OF SAID 5.3531 ACRE TRACT, SAME BEING AN EASTERLY CORNER OF SAID 0.1246 ACRE, SAME BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT, A FOUND 5/8" IRON ROD WITH CAP BEARS N 02° W, A DISTANCE OF 0.74 FEET;

THENCE N 02°24'21" W, ALONG A SOUTHERLY LINE OF SAID 5.3531 ACRE TRACT, IN COMMON WITH AN EASTERLY LINE OF SAID 0.1246 ACRE TRACT, IN COMMON WITH THE WEST LINE OF SAID 0.7411 ACRE TRACT, IN COMMON WITH AN INTERIOR LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 35.00 FEET TO A FOUND 5/8" IRON ROD BEING THE SOUTHWEST CORNER OF SAID 5.3531 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF SAID 0.1246 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 0.7411 ACRE TRACT, SAME BEING A NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 87°31'57" W, ALONG A SOUTHERLY LINE OF SAID 5.3531 ACRE TRACT, IN COMMON WITH THE NORTH LINE OF SAID 0.1246 ACRE TRACT, IN COMMON WITH A NORTHERLY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 69.00 FEET TO A FOUND 5/8" IRON ROD (BENT) LYING ON THE EASTERLY R.O.W. LINE OF STATE HIGHWAY 249 (VARYING WIDTH), SAID ROD BEING THE SOUTHWEST CORNER OF SAID 5.3531 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 0.1246 ACRE AND THE HEREIN DESCRIBED TRACT; A FOUND TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT (BRASS DISK IN CONCRETE) LYING ON SAID R.O.W. LINE, SAME BEING THE NORTHWEST CORNER OF SAID 5.3531 ACRE TRACT BEARS N 26°05'27" W (CALL N 26°13'13" W), A DISTANCE OF 221.39 FEET (CALL 221.35 FEET); FROM WHICH A FOUND 1" IRON ROD LYING IN SAID WEST R.O.W. LINE OF STATE HIGHWAY 249 (BUSINESS), SAME BEING THE NORTHEAST CORNER OF SAID 5.3531 ACRE TRACT BEARS N 87°25'04" E (CALL N 87°23'57" E), A DISTANCE OF 1009.08 FEET (CALL 1009.08 FEET);

THENCE S 26°05'27" E, ALONG SAID WEST R.O.W. LINE OF STATE HIGHWAY 249, IN COMMON WITH THE WEST LINE OF SAID 0.1246 ACRE TRACT, IN COMMON WITH A WESTERLY LINE OF THE HEREIN DESCRIBED TRACT, PASSING AT A DISTANCE OF 171.70 FEET A POINT BEING A SOUTHWESTERLY CORNER OF SAID 1.5918 ACRE TRACT, SAME BEING THE SOUTH CORNER OF SAID 0.1246 ACRE TRACT, A FOUND 5/8" IRON ROD WITH CAP BEARS N 43° E, A DISTANCE OF 0.97 FEET, AND CONTINUING ALONG SAID R.O.W. LINE, IN COMMON WITH A WESTERLY LINE OF SAID 1.5918 ACRE AND OF THE HEREIN DESCRIBED TRACT, A TOTAL DISTANCE OF 200.68 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING A SOUTHWESTERLY CORNER OF SAID 1.5918 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A 0.0654 ACRE TRACT, BEING THE RESIDUE OF A CALLED 1.0821 ACRE TRACT AS DESCRIBED IN DEED TO JANESE W. WOODROW AS RECORDED IN H.C.C.F. NO. N157741, ALSO KNOWN AS LOT 5 OF SAID HIRSCHFIELD FARMS, SAME BEING A WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 86°17'02" E (CALL N 86°10'43" E), LEAVING SAID R.O.W. LINE, ALONG THE NORTH LINE OF SAID 0.0654 ACRE TRACT, IN COMMON WITH THE SOUTH LINE OF SAID 1.5918 ACRE TRACT, IN COMMON WITH AN INTERIOR LINE OF THE HEREIN DESCRIBED TRACT, PASSING AT A DISTANCE OF 49.99 FEET A POINT BEING THE NORTHEAST CORNER OF SAID 0.0654 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A 0.7261 ACRE TRACT, BEING THE RESIDUE OF A CALLED 0.8558 ACRE TRACT, KNOWN AS LOT 4 OF SAID HIRSCHFIELD FARMS, DESCRIBED IN DEED TO TOMBALL PAINT AND BODY, INC. AND ELWIN LEE CHAPMAN (A.K.A. ELWIN LEE CHAPMAN, INDIVIDUALLY) AS DESCRIBED IN H.C.C.F. NO. J295638, AND CONTINUING ALONG THE SOUTH LINE OF SAID 1.5918 ACRE TRACT, IN COMMON WITH THE NORTH LINE OF SAID 0.7261 ACRE TRACT, IN COMMON WITH AN INTERIOR LINE OF THE HEREIN DESCRIBED TRACT, FOR A TOTAL DISTANCE OF 181.88 FEET TO A SET 1/2" IRON ROD WITH CAP "RPLS 6107" BEING THE NORTHEAST CORNER OF SAID 0.7261 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF SAID LOT 3, SAME BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 02°17'50" E, LEAVING THE SOUTH LINE OF SAID 1.5918 ACRE TRACT, ALONG THE EAST LINE OF SAID 0.7261 ACRE TRACT, IN COMMON WITH THE WEST LINE OF SAID LOT 3, IN COMMON WITH A WESTERLY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 300.26 FEET TO A CHISELED "X" SET IN CONCRETE LYING ON THE NORTH R.O.W. LINE OF SAID HIRSCHFIELD ROAD, SAID ROD BEING THE SOUTHWEST CORNER OF SAID 0.7261 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 3 AND OF THE HEREIN DESCRIBED TRACT;

THENCE N 88°11'36" E, ALONG SAID R.O.W. LINE, IN COMMON WITH SOUTH LINE OF SAID LOT 3 AND OF THE HEREIN DESCRIBED TRACT, PASSING AT A DISTANCE OF 125.00 FEET A POINT BEING THE SOUTHEAST CORNER OF SAID LOT 3, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 2, AND CONTINUING ALONG SAID R.O.W. LINE, IN COMMON WITH SOUTH LINE OF SAID LOT 2 AND OF THE HEREIN DESCRIBED TRACT, PASSING AT A DISTANCE OF 250.04 FEET A POINT BEING THE SOUTHEAST CORNER OF SAID LOT 2, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 1, AND CONTINUING ALONG SAID R.O.W. LINE, IN COMMON WITH SOUTH LINE OF SAID LOT 1 AND OF THE HEREIN DESCRIBED TRACT, A TOTAL DISTANCE OF 427.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.3402 ACRES (189,058 SQUARE FEET) OF LAND.

CHRIS J. BROUSSARD R.P.L.S. #6107
BROUSSARD LAND SURVEYING, LLC
17811 GABLES BEND
TOMBALL TX 77377
JOB NUMBER: BLS-858

PLAT OF
BREAUX MACHINE WORKS
A SUBDIVISION OF 4.3402 ACRES (1 BLOCK, 1 LOT)
BEING COMPRISED OF LOTS 1,2, AND 3, BLOCK 3 OF HIRSCHFIELD FARMS
AN UNRECORDED SUBDIVISION AND 0.1246 ACRE RESIDUE OF A CALL
2.8805 ACRE TRACT (TRACT TWO) AS RECORDED IN H.C.C.F. NO. J-904080 AND
1.5918 ACRES RESIDUE OF A CALL 3.5864 ACRE TRACT AS RECORDED IN
FILM CODE 119-48-0065, H.C.C.F.
LOCATED IN THE JOHN M. HOOPER SURVEY, A-375
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

OWNER:
BREAUX PROPERTIES LTD
1502 RUDOLPH ROAD
TOMBALL, TEXAS 77375

BROUSSARD LAND SURVEYING, LLC
17811 GABLES BEND TOMBALL TX 77377
(281) 832-0859 www.blssurveyingco.com

DAVID S. BROUSSARD, P.E.
17527 HAWKIN LANE
TOMBALL, TEXAS 77377
JOB NO. D963 FEB., 2013

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Consideration to approve **GRASSI ACRES PRELIMINARY PLAT**: Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of Real Property Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Grassi Acres Preliminary Plat

LINE	BEARING	DISTANCE
L1	S 89°04'15" E	238.45'
L2	S 89°42'16" W	237.22'

Notes:

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 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.

Flood Information:

According to FEMA Firm Panel No. 48201C0230-L (Effective Date June 18, 2007), this property is in Zone "X" & "AE" and is within in the 0.1% Annual Chance Flood Plain.

Note #1:

All oil pipelines or pipeline easements with ownership through the subdivision have been shown.

Note #2:

All oil 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 pipelines. The setbacks of a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.

THE STATE OF TEXAS

COUNTY OF HARRIS

I, Richard R. Grassi, Jr. and Mariam A. Oshman, owners hereinafter referred to as owners of the 3.0822 acre tract described in the above and foregoing plat of GRASSI ACRES, 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, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my 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 _____, 2013.

By: Richard R. Grassi, Jr.

By: Mariam A. Ottoman

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Richard R. Grassi, Jr., 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 _____, 2013.

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 Mariam A. Oshman, 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 _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires: _____

We, Spirit of Texas Bank, owner and holder of a lien against the property described in the plat known as GRASSI ACRES, said lien being evidenced by instrument recorded in Clerk's File Number 20120042624 and 20120042625 of the Real Property Records of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedication and restrains shown herein to said plat and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: _____

×× - WIRE FENCE
- - - WOOD FENCE

Notes cont.

Note #4:
This plot does not attempt to amend or remove any valid covenants or restrictions.

Note #5:

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.

Note #6:

The Basis of Bearings for this plat is the West line of the 15.2374 acres per recorded deed.

Note #7:

Subject to a 30 foot pipeline easement per Vol. 2952, Pg. 599 D.R.H.C.T. No evidence of pipeline on the ground.

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

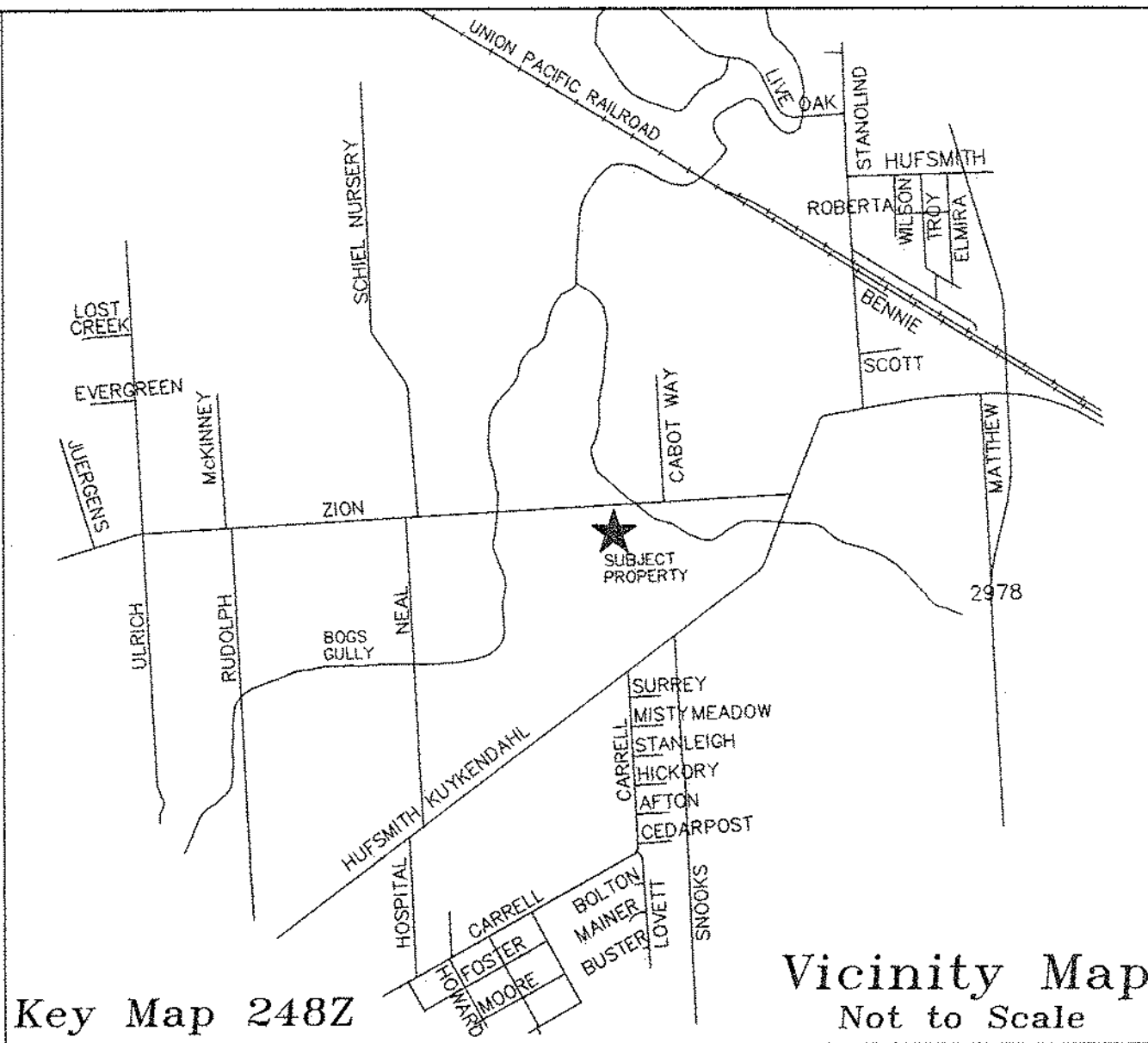
KEVIN FRANK
RESIDUAL OF A
CALLED 10.000 ACRES
CF NO. W952418 R.P.R.H.C.T.

BEVERLY HARRISON
RESIDUAL OF A
CALLED 10.4699 ACRES
CF NO. Y835944 R.P.R.H.C.T.

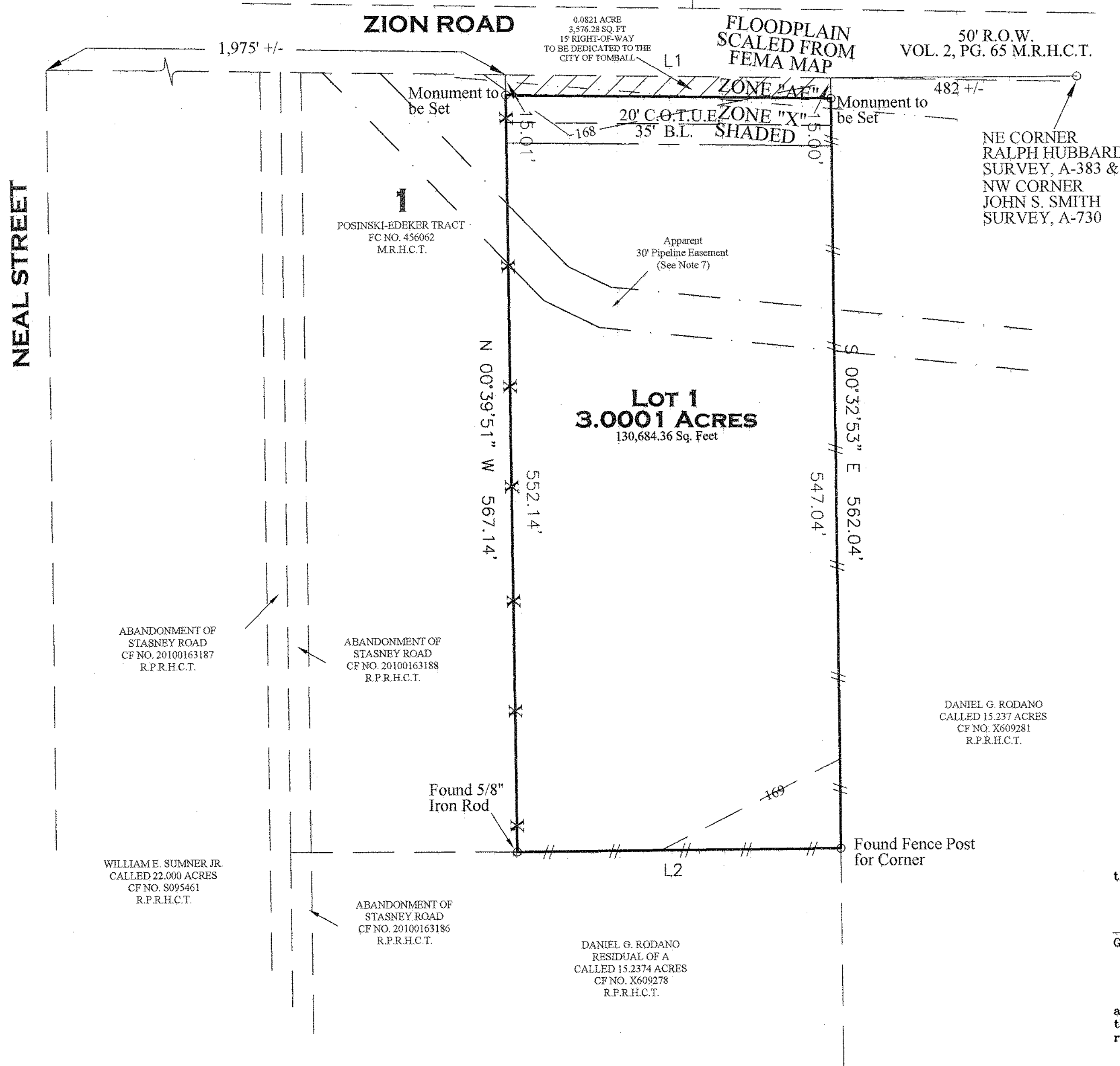
I, Steven L. Crews, am authorized under the laws of the State Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference not found have been marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

Steven L. Crews
Texas Registration Number 4141

This plat is for Review Purposes only.
NOT FOR RECORDING



NEAL STREET



ABANDONMENT OF
STASNEY ROAD
CF NO. 20100163187
R.P.R.H.C.T.

ABANDONMENT OF
STASNEY ROAD
CF NO. 20100163188
R.P.R.H.C.T.

WILLIAM E. SUMNER JR.
CALLED 22.000 ACRES
CF NO. S095461
R.P.R.H.C.T.

ABANDONMENT OF
STASNEY ROAD
CF NO. 20100163186
R.P.R.H.C.T.

DANIEL G. RODANO
RESIDUAL OF A
CALLED 15.2374 ACRES
CF NO. X609278
R.P.R.H.C.T.

DANIEL G. RODANO
CALLED 15.237 ACRES
CF NO. X609281
R.P.R.H.C.T.

Surveyor:
C & C SURVEYING, INC.
7424 FM 1488, Suite A
Magnolia, Texas 77354
Office: 281-356-5172
FAX: 281-356-1935

Owner:
**RICHARD R. GRASSI JR. &
MARIAM A. OSHMAN**
1820 South Cherry Street
Tomball, Texas 77375

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 _____, 2013, at _____ o'clock __ .M., and duly recorded on _____, 2013, 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 GRASSI ACRES 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 _____, 2013.

By: _____
Lori Wallace
Chairman

By: _____
Evelyn Chervenak
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

Lori Lakatos, 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 _____, 2013.

By: _____
Gretchen Fagan, Mayor

Doris Speer, City Secretary

PRELIMINARY PLAT OF
GRASSI ACRES
Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of the Real Property Records of Harris County, Texas.

1 LOT, 1 BLOCK

MAY 2013
Sheet 1 of 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Consideration to approve **GRASSI ACRES FINAL PLAT**: Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of the Real Property Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Grassi Acres Final Plat

LINE	BEARING	DISTANCE
L1	S 89°04'15" E	238.45'
L2	S 89°42'16" W	237.22'

* * - WIRE FENCE
 - - - WOOD FENCE

Notes:

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 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 oil 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.

Flood Information:

According to FEMA Firm Panel No. 48201C0230-L (Effective Date June 18, 2007), this property is in Zone "X" & "AE" and is within in the 0.1% Annual Chance Flood Plain.

Note #1:
All oil pipelines or pipeline easements with ownership through the subdivision have been shown.

Note #2:
All oil 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 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.

THE STATE OF TEXAS
 COUNTY OF HARRIS

I, Richard R. Grassi, Jr. and Mariam A. Oshman, owners hereinafter referred to as owners of the 3.0822 acre tract described in the above and foregoing plat of GRASSI ACRES, 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, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my 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.

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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 _____, 2013.

By: _____
Richard R. Grassi, Jr.

By: _____
Mariam A. Ottoman

THE STATE OF TEXAS
 COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Richard R. Grassi, Jr., 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 _____, 2013.

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 Mariam A. Oshman, 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 _____, 2013.

Notary Public in and for the State of Texas

My Commission Expires: _____

We, Spirit of Texas Bank, owner and holder of a lien against the property described in the plat known as GRASSI ACRES, said lien being evidenced by instrument recorded in Clerk's File Number 20120042624 and 20120042825 of the Real Property Records of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedication and restrains shown herein to said plat and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: _____

Notes cont.

Note #4:
This plat does not attempt to amend or remove any valid covenants or restrictions.

Note #5:
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.

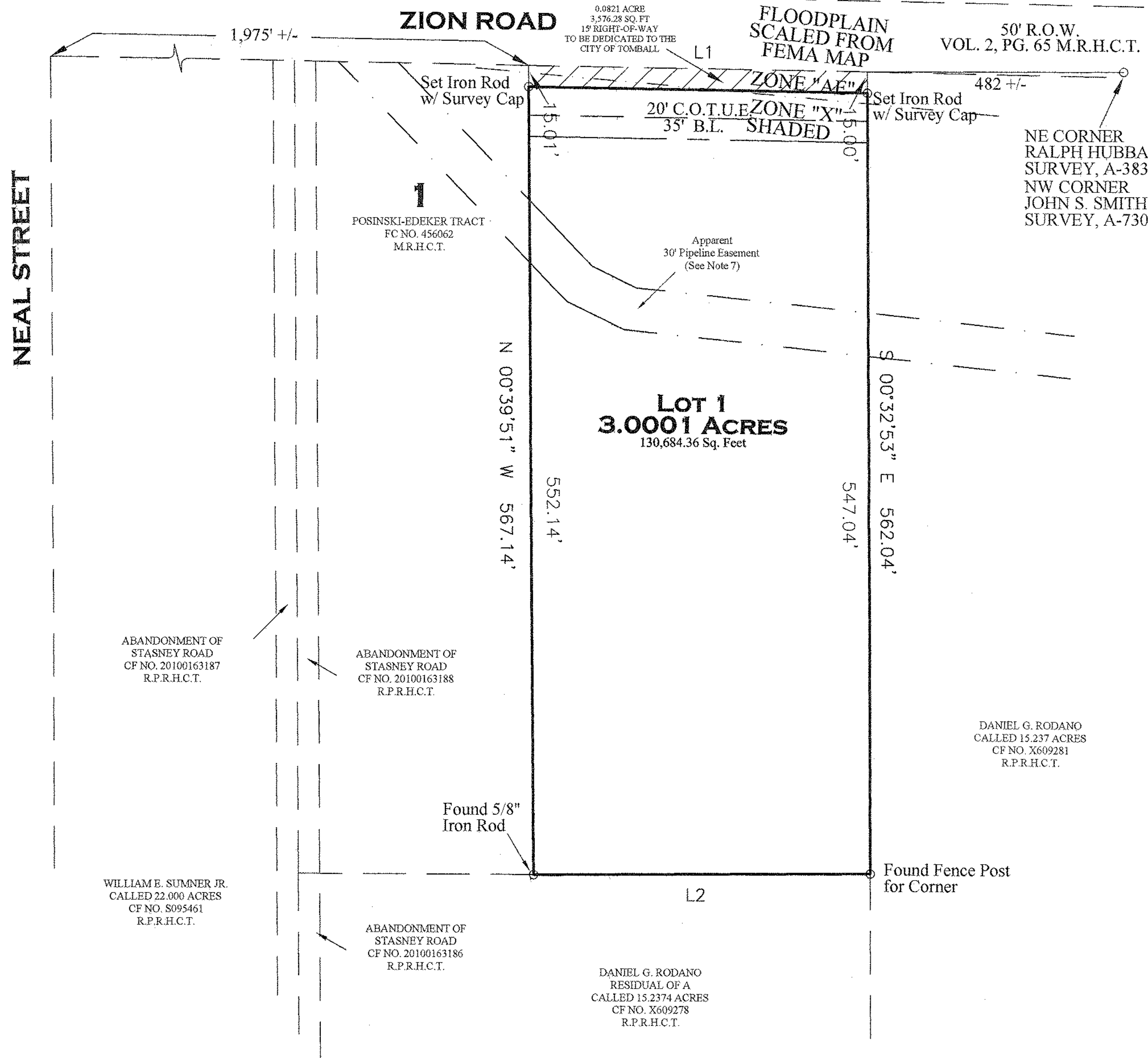
Note #6:
The Basis of Bearings for this plat is the West line of the 15.2374 acres per recorded deed.

Note #7:
Subject to a 30 foot pipeline easement per Vol. 2952, Pg. 599 D.R.H.C.T. No evidence of pipeline on the ground.

M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY TEXAS
 R.P.R.H.C.T. = REAL PROPERTY RECORDS OF HARRIS COUNTY TEXAS
 FC NO. = FILM CODE NUMBER
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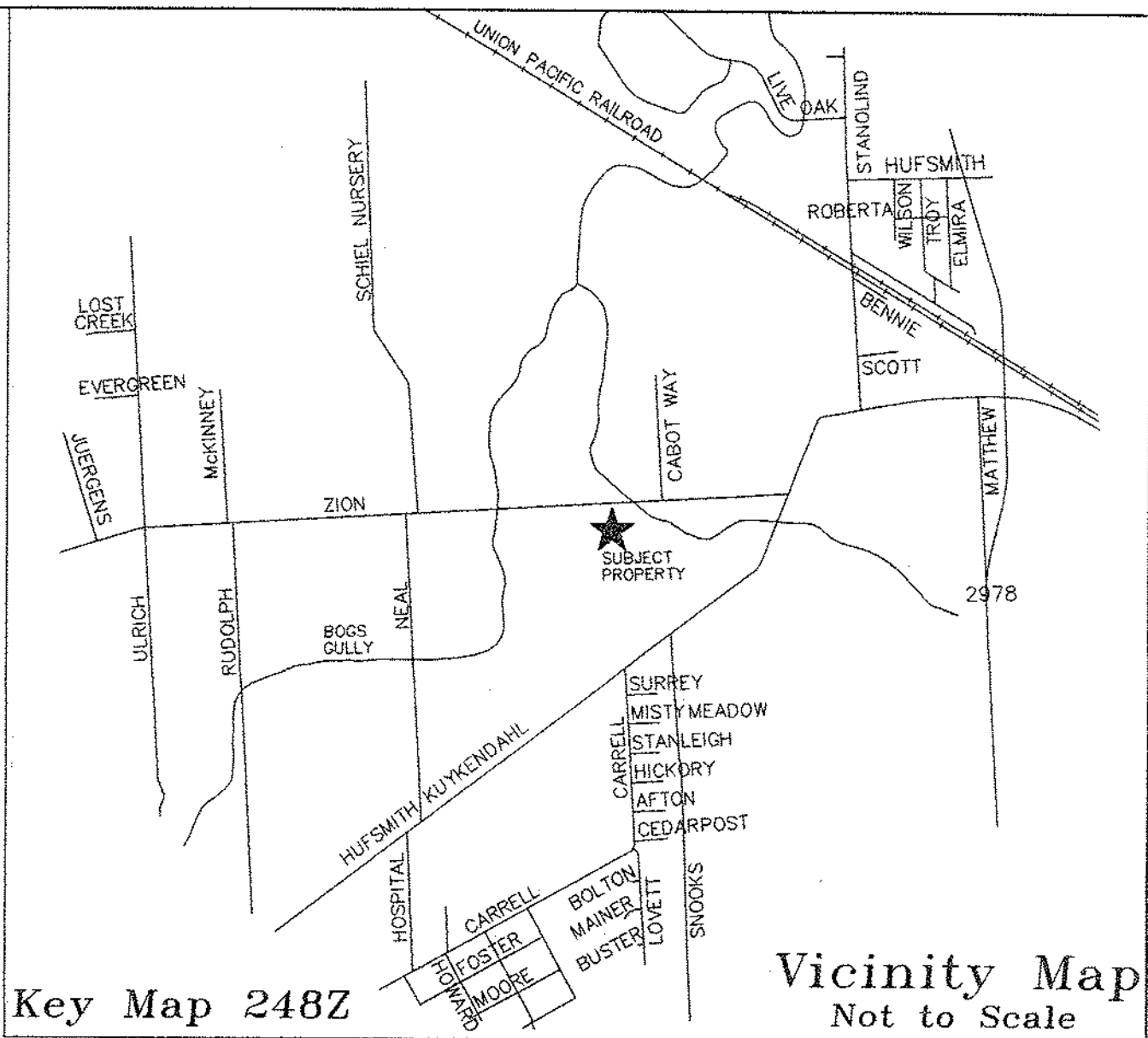
KEVIN FRANK
 RESIDUAL OF A
 CALLED 10.000 ACRES
 CF NO. W952418 R.P.R.H.C.T.

BEVERLY HARRISON
 RESIDUAL OF A
 CALLED 10.469 ACRES
 CF NO. Y835944 R.P.R.H.C.T.



I, Steven L. Crews, am authorized under the laws of the State Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference not found have been marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat and boundary corners have been tied to the nearest survey corner.

Steven L. Crews
 Texas Registration Number 4141



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 _____, 2013, at _____ o'clock ____ .M., and duly recorded on _____, 2013, 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 GRASSI ACRES 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 _____, 2013.

By: _____
Lori Wallace
Chairman

By: _____
Evelyn Chervenak
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

Lori Lakatos, 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 _____, 2013.

By: _____
Gretchen Fagan, Mayor

Doris Speer, City Secretary

Surveyor:
Ç & C SURVEYING, INC.

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

Owner:

RICHARD R. GRASSI JR. &
 MARIAM A. OSHMAN
 1820 South Cherry Street
 Tomball, Texas 77375

FINAL PLAT OF GRASSI ACRES

Being a subdivision of 3.0822 acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being all of a called 3.082 acres as described in deed recorded in Clerk's File Number 20120042624, of the Real Property Records of Harris County, Texas.

1 LOT, 1 BLOCK

MAY 2013
 Sheet 1 of 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 13, 2013

Data Sheet

Topic:

Consideration to approve **ZONING CASE P13-045**: Request by Kyle Phenix, on behalf of LAR Properties, LC, to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 10.95 acres of land, legally described as Reserve E, Block 1, Leslie's Park, within the City of Tomball, Harris County, Texas, generally located northerly of Brown Road, easterly of Quinn Road, from the Single-Family Residential-9 District to the Planned Development - 4 District to facilitate a single-family subdivision.

- Conduct a Public Hearing on **ZONING CASE P13-045**

Background:

Origination:

Kyle Phenix, on behalf of LAR Properties, LC

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Notice of Public Hearing

Property Owner Notification Letter

P13-045 Staff Report

**NOTICE OF PUBLIC HEARINGS
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
MAY 13, 2013
&
CITY COUNCIL
MAY 20, 2013**



Notice is Hereby Given that Public Hearings will be held by the Planning & Zoning Commission of the City of Tomball on **Monday, May 13, 2013, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, May 20, 2013, at 6:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the Planning & Zoning Commission and City Council will consider the following:

ZONING CASE P13-045: Request by Kyle Phenix, on behalf of LAR Properties, LC, to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 10.95 acres of land, legally described as Reserve E, Block 1, Leslies Park, within the City of Tomball, Harris County, Texas, generally located northerly of Brown Road, easterly of Quinn Road, from the Single-Family Residential-9 District to the Planned Development - 4 District to facilitate a single-family subdivision.

Persons interested in these cases will be given an opportunity to be heard. Action by the Planning & Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Should the Planning & Zoning Commission vote to table a decision/recommendation on one or more of the above cases, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a decision/recommendation is forwarded to the City Council by the Planning & Zoning Commission. The application is available for public inspection Monday through Friday, holidays excepted, between the hours of 8:00 a.m. and 5:00 p.m. in the Engineering & Planning Department office, located at 501 James Street, Tomball, TX 77375. **Contact Assistant City Planner** Rodney Schmidt, (281) 290-1410, rschmidt@tomballtx.gov.

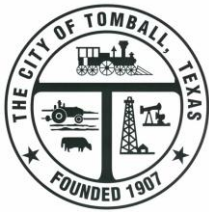
CERTIFICATION

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 9th day of May 2013 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Brandy Pate

Brandy Pate
Senior Administrative Assistant
P&Z Commission Secretary

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.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND Public Hearings before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P13-045

APPLICANT: Kyle Phenix, on behalf of LAR Properties, LC

LOCATION: Northerly of Brown Road, easterly of Quinn Road

PROPOSAL: Request to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 10.95 acres of land, legally described as Reserve E, Block 1, Leslie's Park, within the City of Tomball, Harris County, Texas, from the Single-Family Residential-9 District to the Planned Development - 4 District to facilitate a single-family subdivision.

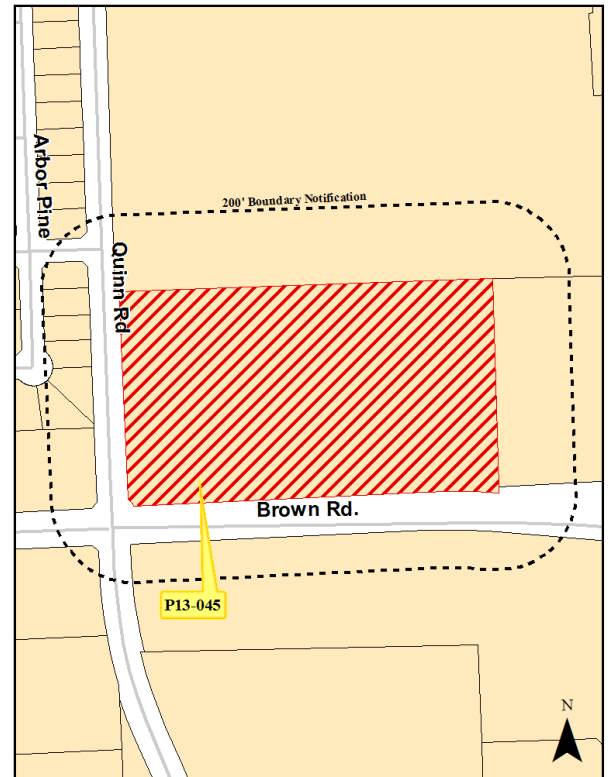
CONTACT: Rodney Schmidt

PHONE: (281) 290-1410

E-MAIL: rschmidt@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public inspection Monday through Friday, holidays excepted, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

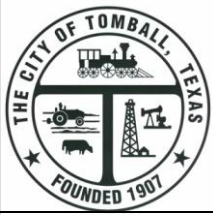


**Planning & Zoning Commission
Public Hearing:
Monday, May 13, 2013, 6:00 PM**

**City Council Public Hearing:
*Monday, May 20, 2013, 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: May 13, 2013

Rezoning Case: P13-045

Property Owner(s): LAR Properties, LC

Applicant: Kyle Phenix

Legal Description: Reserve E, Block 1, Leslie Park

Location: Northerly of Brown Road, easterly of Quinn Road (Exhibit "A")

Area: 10.95 acres

Present Zoning and Use: Single-Family Residential-9 (SF-9) District (Exhibit "B") / Vacant

Comp Plan Designation: Medium Density Residential (Exhibit "C")

Proposed Zoning and Use: Planned Development District #4 / Single-Family Residential Subdivision

Adjacent Zoning & Land Uses:

North: SF-9 / Tomball Independent School District (TISD) transportation facility

South: SF-6 / Brown Road, vacant land, & Tomball Elementary School

West: SF-9 & PD-1 ("Office w/Residential Look") / Quinn Road & Springwood subdivision

East: SF-9 / Vacant

BACKGROUND

On March 7, 2013, City staff met with the applicant, Kyle Phenix, to discuss the development of an upscale gated single-family subdivision at the northeast corner of Brown Road and Quinn Road. According to the concept plan, the subdivision will consist of 40 residential lots, an amenity area, sidewalks, and curb and gutter streets (Exhibit "D"). The applicant indicated his desire to develop on lots 50 feet wide, 110 feet deep, and 6,500 square feet in area to meet builder demands for this area. City staff then informed Mr. Phenix that the property is zoned SF-9 which requires lots to be a minimum of 75 feet wide, 100 feet deep, and 9,000 square feet in area which is larger than his proposal. Mr. Phenix was informed that he could request variances from the Board of Adjustment for the lot width, depth, and area requirements, request a rezoning to the SF-6 district which would allow his desired lots size, or request a planned development district (PDD).

On March 27, 2013, the City received a PDD (Exhibit “E”) application from Mr. Phenix for the subject site.

ANALYSIS

There are a number of land uses in the area. To the north of the subject site is a TISD transportation facility; to the south is Brown Road, vacant land, and Tomball Elementary School; to the west is Quinn Road and Springwood subdivision; and to the east is vacant land (Exhibit “F”). The proposed residential subdivision appears to be compatible with the surrounding land uses.

There are a number of zoning districts in the area. To the north of the subject site is the SF-9 district; to the south is the SF-6 district; to the west are the SF-9 and PD-1 (“Office w/Residential Look”) districts; and to the east is the SF-9 district. A Planned Development District “accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners.” The single-family residential PDD appears to be compatible with the surrounding zoning districts.

The Comprehensive Plan’s FLU map identifies the site as “Medium Density Residential.” The CP states, “Medium Density Residential (2.19 to 7.26 du/ac) includes suburban-type development that is intended to be single family detached residential development. Residential lots sizes range from 6,000 and 20,000 square feet.” The proposed rezoning appears to be consistent with the CP.

The future development of this site will require the applicant to comply with the City’s platting requirements as well as the use and area regulations outlined in the Zoning Ordinance and PDD ordinance. A site plan application, which requires civil drawings, including all proposed grading, paving, drainage, and utility plans, building elevations, and landscape plans are required to be submitted and approved by the City of Tomball prior to a building permit application submittal.

ZONING CONSIDERATIONS

In making its recommendation regarding a proposed zoning change, the Planning & Zoning Commission shall consider the following factors:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

There are a number of land uses in the area. To the north of the subject site is a TISD transportation facility; to the south is Brown Road, vacant land, and Tomball Elementary School; to the west is Quinn Road and Springwood subdivision; and to the east is vacant land. The proposed residential subdivision appears to be compatible with the surrounding land uses.

- B. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

The proposed rezoning is not anticipated to negatively impact public schools, streets, water supply, sanitary sewers, or other utilities to the area.

- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

There are no other tracts, vacant or occupied, in the vicinity or elsewhere in the City zoned PDD intended for the same purpose as proposed by the applicant.

- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.**

There has been no development City-wide or within the vicinity in a PDD intended for the same purpose as proposed by the applicant.

- E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.**

If the proposed zoning change were approved, there should be few if any affects on other areas designated for similar developments.

- F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.**

The proposed zone change is not anticipated to substantially affect the public health, safety, morals, or general welfare.

- G. Whether the request is consistent with the Comprehensive Plan (CP).**

According to the CP, rezonings are “to conform to the intended future land use pattern shown on the Future Land Use [FLU] Plan and should occur only when economic, physical, social, and other factors will allow the proposed land use to be developed:

- Within the capacities of existing or funded infrastructure and public facilities and services;
- In a compatible manner with surrounding land uses;
- To standards specified for and appropriate to the proposed land use; and
- In a way that furthers or helps achieve the goals of the Plan.”

The Comprehensive Plan’s FLU map identifies the site as “Medium Density Residential.” The CP states, “Medium Density Residential (2.19 to 7.26 du/ac) includes suburban-type development that is intended to be single family detached

residential development. Residential lots sizes range from 6,000 and 20,000 square feet.” The proposed rezoning appears to be consistent with the CP.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on May 2, 2013; one public comment form was received from J.M. Rebesch in support of the request (Exhibit “G”).

RECOMMENDATION

1. **APPROVAL** of Zoning Case P13-045 based on the following:
 - a. The proposed rezoning appears to be compatible with the surrounding land uses;
 - b. The proposed rezoning appears to be compatible with the Comprehensive Plan;
 - c. The proposed rezoning appears to be compatible with the surrounding zoning districts;
 - d. The proposed rezoning is not anticipated to negatively impact public schools, streets, water supply, sanitary sewers, or other utilities to the area; and
 - e. There is sufficient utility capacity to service a single-family subdivision at this site.
2. **APPROVAL** of the Staff Report as the Planning & Zoning Commission’s final recommendation to the City Council.

EXHIBITS

- A. Aerial Photo
- B. Zoning Map
- C. Comprehensive Plan Future Land Use Map
- D. Concept Plan
- E. Rezoning Application
- F. Site Photos
- G. Public Comment Form

Exhibit "A"
Aerial Photo



Exhibit "B"
Zoning Map

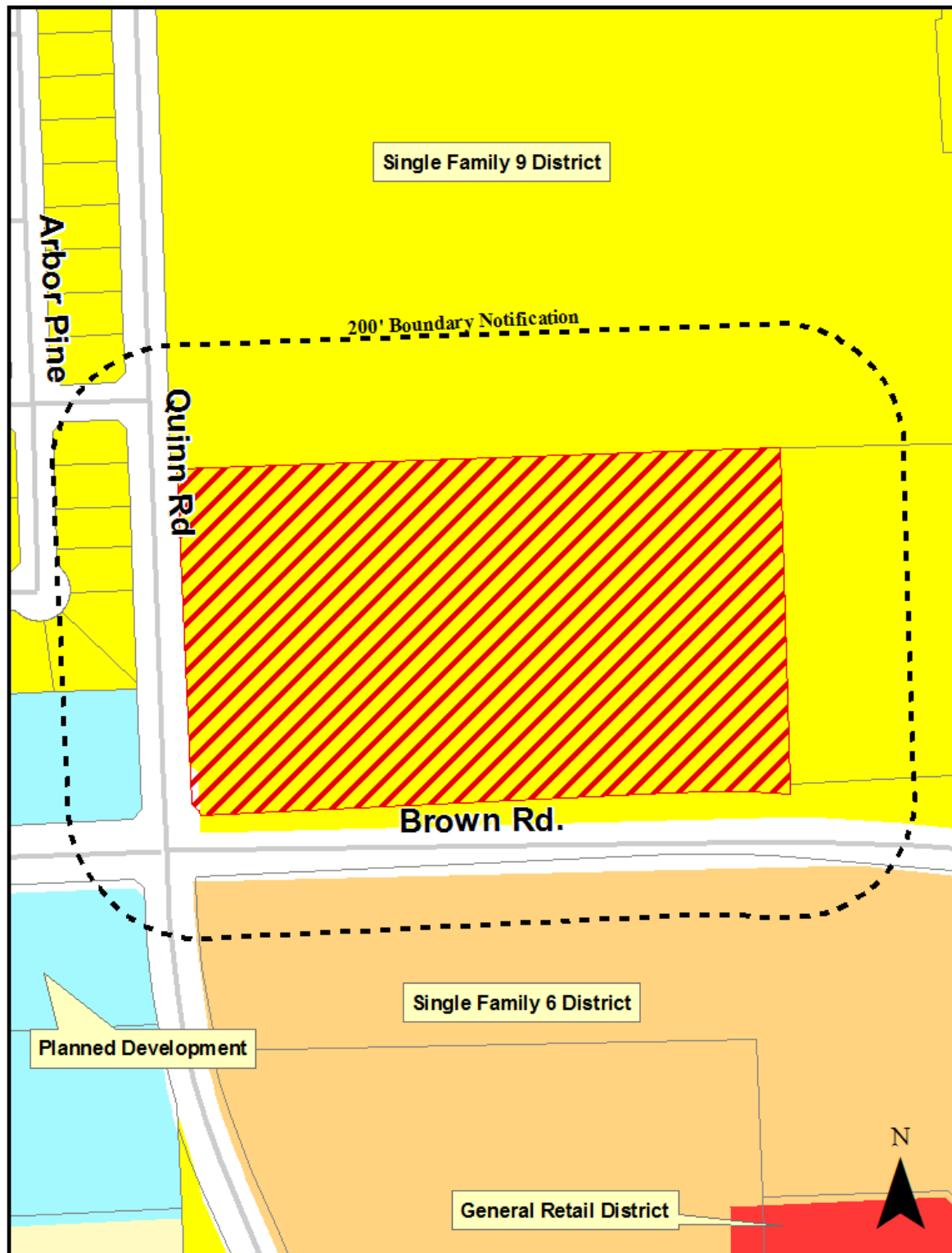


Exhibit "C"
Comprehensive Plan Future Land Use Map

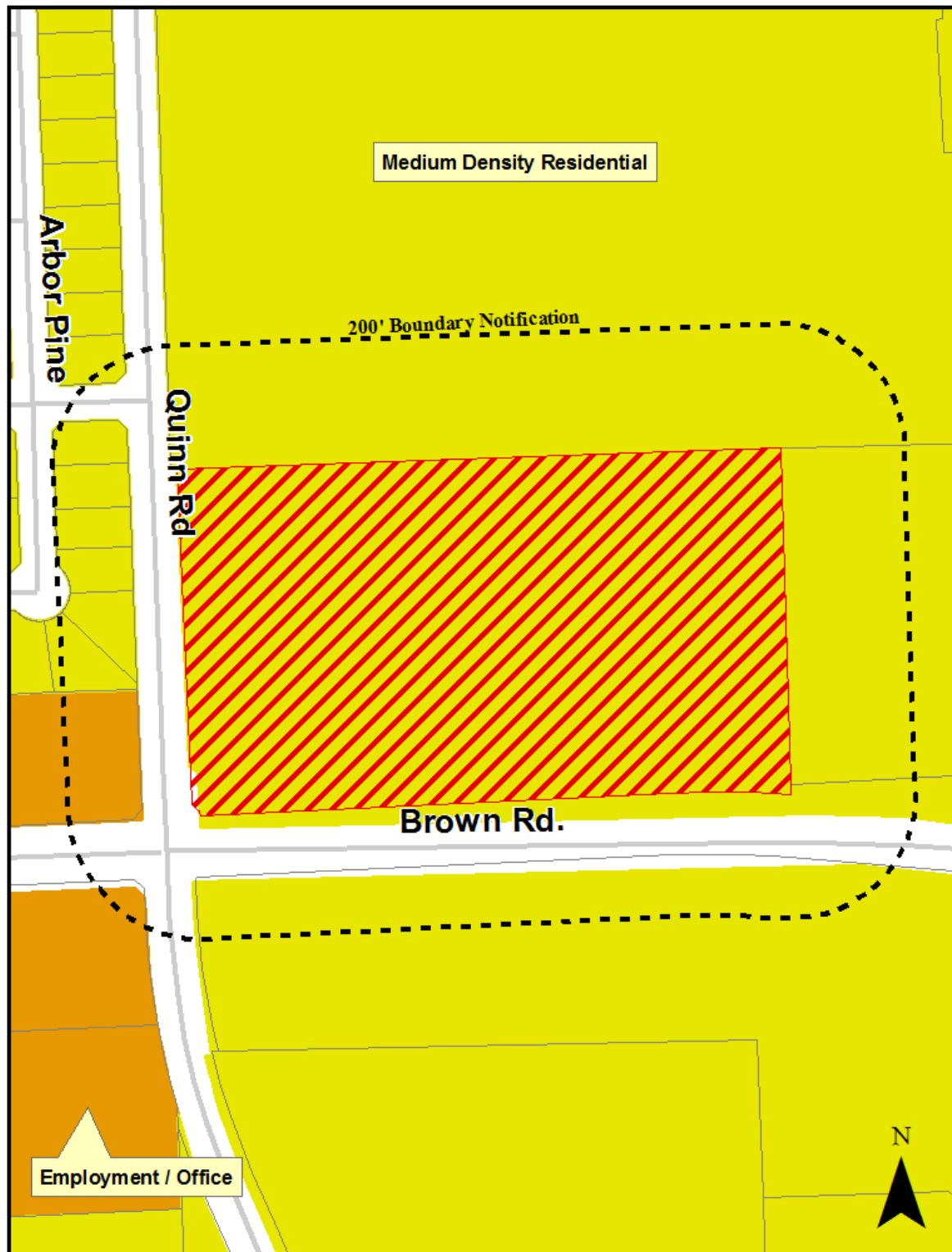


Exhibit "D"
Concept Plan

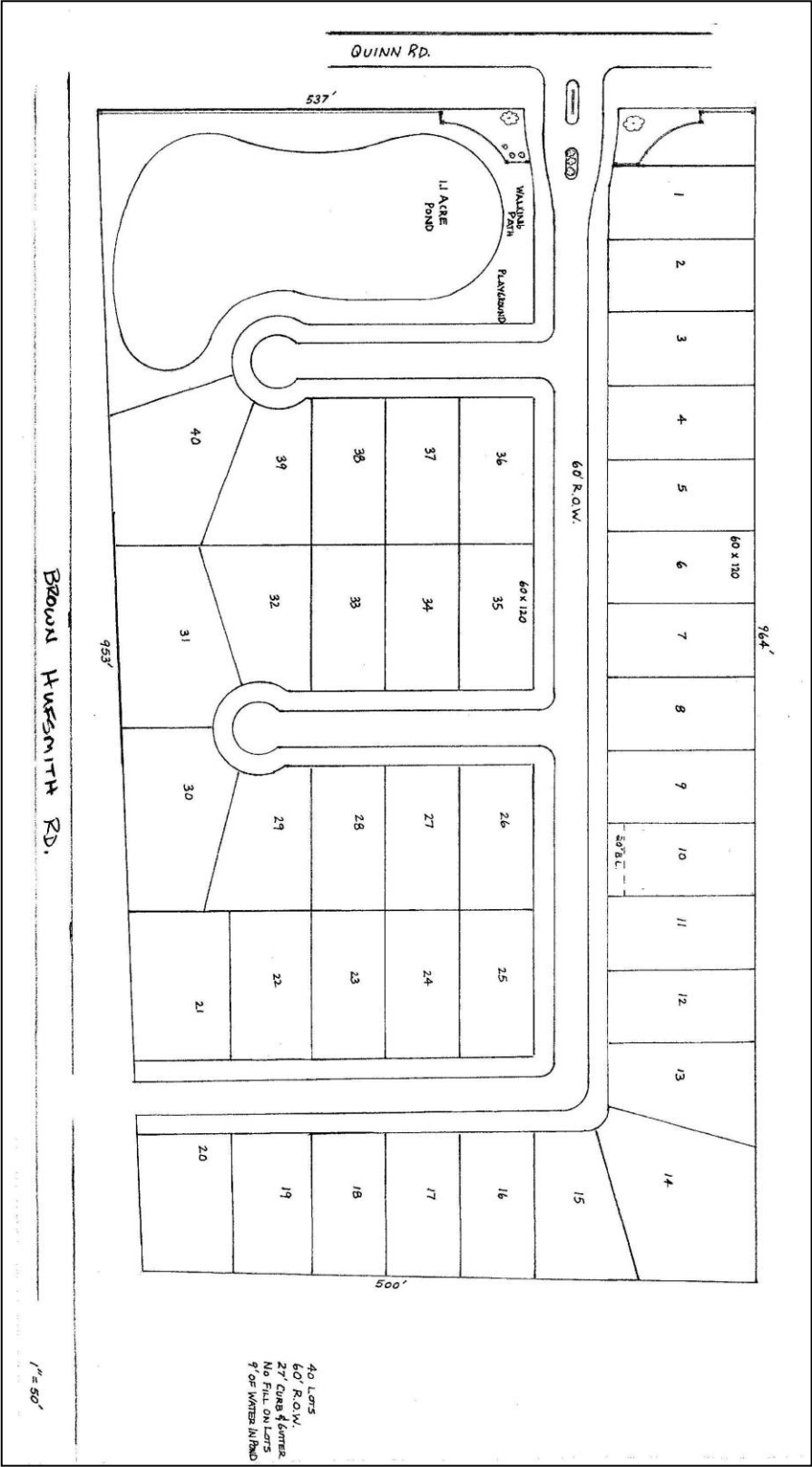


Exhibit "E"
Rezoning Application



Revised 1/20/09

Application for
Planned Development
Engineering & Planning Department

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development Permit is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: KYLE PHENIX Title: _____
Mailing Address: 2051 COPPERWOOD PARK LN. City: SPRING State: TX
Zip: 77386
Phone: (281) 733-6196 Fax: (281) 855-8055 Email: KYLE.PHENIX@GMAIL.COM

Owner

Name: LAR PROPERTIES, LC Title: _____
Mailing Address: P.O. BOX 2024 City: FRIENDSWOOD State: TX
Zip: 77549
Phone: () _____ Fax: () _____ Email: _____

FUTURE OWNERS: K. KERRY EMMOTT & KYLE PHENIX
Engineer/Surveyor (if applicable)

Name: JOHN K. SHERRINGTON, P.E. Title: _____
Mailing Address: 14870 SKINNER RD. City: CYPRESS State: TX
Zip: 77429
Phone: (281) 758-1531 Fax: (281) 758-1534 Email: JOHN@SHERRINGTONINC.COM

Description of Proposed Project: UPSCALE GATED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, HOMES BY DAVID WEEKLEY HOMES.

Physical Location of Property: NORTHEAST CORNER OF QUINN RD. & BROWN HUBSMITH RD.
[General Location – approximate distance to nearest existing street corner]

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.ci.tomball.tx.us

Legal Description of Property: Reserve E, Block 1 of LESLIES PARK
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 119-522-001-0005 Acreage: 10.9454

Current Use of Property: UNDEVELOPED

Proposed Use of Property: PLANNED DEVELOPMENT CONSISTING OF UPSCALE
SINGLE FAMILY RESIDENTIAL HOMES BUILT BY DAVID WEEKLEY IN GATED
Please note: A courtesy notification sign will be placed on the subject property during the public SUBDIVISION
hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.


Signature of Applicant

03/28/2013
Date

X 
Signature of Owner

3/28/2013
Date

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

Development Notes

(Accompanied by the preliminary conceptual land plan design)

Planned residential development proposed at the location of "Reserve E, Block 1 of Leslie's Park", called 10.9454 acres (HCAD account # 119-522-001-0005), consisting of approximately 39 lots intended for upscale single-family homes within a gated subdivision.

Planned Development Regulations:

- **Size of Lots:**
 1. Minimum Lot Area — Six thousand-five hundred (6,500) square feet.
 2. Minimum Lot Width — Fifty feet (50'). Radial lots shall have a minimum width of 60 feet at and for a distance of 30 feet behind the front yard/building line. No lot shall be created that has a front yard with less than 30 feet of frontage on the front.
 3. Minimum Lot Depth — One hundred-ten feet (110').
- **Size of Yards:**
 1. Minimum Front Set Back — Twenty feet (20').
 2. Minimum Side Set Back — Five feet (5').
 3. Minimum Rear Set Back — Ten feet (10').
- **Lot Coverage:**
 1. Maximum Lot Coverage — Fifty-five percent (55%).
- **Size of Buildings:**
 1. Minimum Floor Area per Dwelling Unit — One thousand-two hundred square feet (1,200'). Includes livable heated and/or air-conditioned space only. Does not include porches and garages, covered or enclosed.
 2. Maximum Building Height — Two (2) stories in height or thirty-five feet, whichever is greater, for the main building/house. One (1) story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
- **Landscaping, Open Green Space, Screening Requirements:**
 1. Minimum Landscaping Requirement — N/A for single family residential only development as indicated in section 40.1 and 40.2 D of The City of Tomball's Zoning Ordinance
 2. Minimum Open Green Space Requirement — Fifteen percent (15%).
'Open green space' is defined as, and limited to common areas of open space or landscaping and community recreational areas that are continuously maintained. Open green space does not include areas or lots specifically designated or used as building sites for homes, building sites for utility or storage buildings, parking lots, garages, streets, or driveways within a residential development. The actual surface areas of open green space, such as common area lawns and landscaping, community

swimming pools and surrounding paved deck area, community tennis courts, community rooms, community saunas, and other common recreational areas, shall be considered in calculating the minimum requirement for open green space. Required buffer yards, except surfaced parking and driveways located within said buffer yards, if any, maybe included in computing the minimum required area of green space.

3. Minimum Screening Requirement - A fence, wall, or other similar screening device, of not less than six feet (6') nor more than eight feet (8') in height, shall be constructed and maintained along the two sides and the rear of each house; provided, however, no such screening device shall be required adjacent to portions of the development which contain green space, lakes, or natural habitat for a distance of 50 feet or more from such perimeter boundary.

- **Parking and Loading Requirements:**

1. Minimum Off-Street Parking Requirement – For every single-family dwelling unit, a minimum of two (2) off-street parking spaces shall be provided on the same lot as the main structure. This excludes covered garages and covered carports as off-street parking. All required parking area will have a surface equal to that of the street or cement.
2. Loading Space Requirements – No retail or non residential structures will be located within this gated residential development and will not require the required loading zone as described in section 39.4 A in The City of Tomball's Zoning Ordinance.

- **Signage Requirements:**

1. Signage – No retail or non residential structures will be located within this gated residential development and will not require signage regulations.

04/02/2013

City of Tomball, Planning and Development Department:

This letter, accompanied by the appropriate application and additional requirements, represents a formal request for a planned development of the tract of land described within the application. The proposed use of this land will be an upscale gated residential subdivision containing homes designed and built by David Weekley Homes. We feel that this residential development will be a great addition to Tomball and is consistent with the City's vision of future growth.

The proposed planned development of this property will allow us to efficiently develop the land to its best use by providing the City of Tomball with an aesthetically appealing gated subdivision, a quality product for new and existing residents, and a new revenue source for the City. The superior design intended for this planned development will also provide increased recreational amenities and open space opportunities including water features, walking paths, jogging trails, observation benches, children's playground and protected green space.

Being former residents of Tomball gives us a perspective and emotional attachment towards the community. We share the common goal of positive growth with the City of Tomball and want to contribute to the overall success of the community. Thank you for your time and consideration towards our planned development request.

Sincerely,

K. Kerry Emmott & Kyle Phenix

Concerns Regarding Current Zoning District

Our concerns regarding the current zoning district (SF-6) of the property described in this application are as follows:

- Our discussions with numerous home builders (Trendmaker, Darling, David Weekley, Highland, etc.) and their market research suggests that the lot dimensions of 60' x 120' is the ideal lot to fit the type of upscale single family home that will best suite this location. The home builders mentioned above want to build a quality subdivision in Tomball and are interested in that lot size, and feel that it is the best use of that property.
- Due to rising land costs and the costs of development, and being located inside the city limits and outside of a mud district, we are unable to feasibly provide a quality development with the current SF-9 zoning.
- We feel that the current zoning district of SF-9 limits the use of the property by not allowing lot sizes under 9,000 sqft. With rezoning to SF-6, it relieves that limitation and allows more possibilities for lot dimensions and homes. Our included conceptual plan design illustrates lots of 60' x 120' which equals 7,200 sqft, almost a perfect compromise in minimum lot size requirements between SF-9 and SF-6.

Surrounding Zoning Districts

- The property directly south along Brown-Hufsmith is currently zoned SF-6.
- The subdivision of Springwood directly to the east is made up of lots that fit the SF-6 zoning district (60' x 120', or 7,200 sqft lots), although it is currently zoned SF-9.
- The remaining property located within the same square block is comprised of Tomball ISD's bus barn facility, undeveloped land owned by Tomball ISD, and 2 individually owned homes on several acres each. That property is not currently being used as SF-9, and may never be used for that purpose. This is perhaps the ideal time to consider rezoning.

**Exhibit “F”
Site Photos**



Figure 1: Subject site.



Figure 2: TISD transportation facility to the north of subject site.



Figure 3: Brown Road, vacant land, and Tomball Elementary School to the south of subject site.

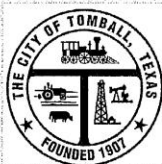


Figure 4: Quinn Road and Springwood subdivision to the west of subject site.



Figure 5: Undeveloped land to the east of subject site.

Exhibit "G"
Public Comment Form



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball

Attn: Rodney Schmidt

501 James Street

Tomball, TX 77375

Case number P13-045

Name:

J.M. Rebesch

(please print)

Address:

P.O. Box 2024

Friendswood 77549

Signature:

[Signature]

Date:

5/6/13

X

I am **FOR** the requested rezoning as explained on the attached public notice for Zoning Case P13-045. (Please state reasons below)

I am **AGAINST** the requested rezoning as explained on the attached public notice for Zoning Case P13-045. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, May 13, 2013, 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, May 20, 2013, 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

COMMENTS:

This rezoning could greatly increase the property tax revenues of the property. The new homes that will be developed and built on this site will be an economic benefit to the city.

[Signature] 5/6/13

You may also comment via email to rschmidt@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call 281-290-1410.