



1111 Bayou Rd.
La Marque, Texas 77568
409-938-9202

Deana Bethea - Chairperson
Russell Washington - Vice Chairperson
Dickey Stanley - Member
Greg Cornett - Member

Charles Castelline - Member
Augustino Molis - Member
Chris Crowder - Member

OFFICIALLY POSTED ON THE WEB: DATE: TIME:
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**Planning and Zoning Commission
Public Hearing / Regular Meeting
AGENDA**

Notice is hereby given that the City of La Marque Planning and Zoning Commission, will conduct a **Public Hearing / Regular Meeting on Tuesday, August 9, 2016 at 4:00 p.m.** at 1109 Bayou Road, for purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of July 12, 2016

(5) CITIZEN'S PARTICIPATION

Comments from the Public at this time, any person with city-related business who has signed up may speak to Planning and Zoning Commission limited to three (3) minutes. In compliance with Texas Open Meeting Act the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.

(6) PUBLIC HEARING

- a. Conduct Public Hearing to receive public input regarding: Painted Meadows Section 5. Preliminary Plat A SUBDIVISION OF 27.317 ACRES LOCATED IN THE J.R. PACE SURVEY, ABSTRACT – 161 GALVESTON COUNTY, TEXAS, City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 110' in size. East of intersection at Autry Rd. and Ave. A

(7) OLD BUSINESS

- a. Discussion/possible action regarding proposed ordinance related to livestock within the city limits.
- b. Discussion / possible action regarding an ordinance to create a Canal Zone to reflect a unique characteristic of subdivision similar to Omega Bay into the operation and maintenance standards of the City of La Marque.

(8) NEW BUSINESS

- a. Painted Meadows Section 5. Discussion/possible action regarding a proposed Preliminary Plat A SUBDIVISION OF 27.317 ACRES LOCATED IN THE J.R. PACE SURVEY, ABSTRACT – 161 GALVESTON COUNTY, TEXAS, City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 110' in size. East of intersection at Autry Rd. and Ave. A

(9) CHAIRMAN REPORT

(10) EXECUTIVE SESSION

The Planning and Zoning Commission for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about security Devices) and 551.086 (Economic Development)

(11) REQUESTS AND ANNOUNCEMENTS

Requests by Commissioners Members for items to be placed on future Planning and Zoning agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415.(b), "items of community interest" includes:

- (1) Expressions of thanks, congratulations, or condolence;
- (2) Information regarding holiday schedules.
- (3) An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) A reminder about an upcoming event organized or sponsored by the governing body;
- (5) Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and
- (6) Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

(12) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas, on or before August 5, 2016 before 5:00 p.m.

Robin Eldridge, TRMC
City Clerk



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
July 12, 2016
Minutes**

(1) CALL TO ORDER

Chairman Deanna Bethea called the Special Planning & Zoning Committee meeting to order at 4:03 p.m.

(2) ROLL CALL

PRESENT:

Chairman Deanna Bethea
Commissioner Russell Washington
Commissioner Dickey Stanley
Commissioner Greg Cornett
Commissioner Charles Casteline

ABSENT:

Commissioner Augustino Molis

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission led by Commissioner Stanley

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of May 10, 2016
- b. Special Meeting Minutes of June 7, 2016
- c. Regular Meeting Minutes of June 14, 2016

Commissioner Dickey Stanley made a motion to accept the minutes for May 10, 2016, June 7, 2016, and June 14, 2016. Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Opened at 4:06 PM – Closed at 6:14 PM

- a. Conduct Public Hearing to hear public input regarding to Re-Plat with a variance request for an encroachment of the building setback distance required in the Thoroughfare of the Overlay District of a 10.3342 acre tract of land out of he W.K.

WILSON LEAGUE, Abstract No. 208, Galveston County, Texas, and being a portion of a called 45.585 acre tract of land described in the Deeds Records of Galveston County, Texas, under Volume 3179 Page 852, said 10.3334 acre tract, at 5009 FM 1764.

- b. Conduct Public Hearing to hear public input regarding a request Re-Zone from R-Residential to C-1 General Commercial Part of Lots 7, 8, and 9, in Division "T" in the Cook and Stewart Subdivision of the John d. Moore League in Galveston County, Texas according to the map of plat recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston County, Texas; 2401 Maxwell.
- c. Conduct Public Hearing to hear public input regarding a Proposed Preliminary Plat Being 11.3+ Acres of Land Containing 46 Lots (50x120 TYP.) and six reserves in three blocks. Out of the S.F. Austin League No. 4 Survey, A-2 city of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size.

(7) **NEW BUSINESS**

- a. Discussion/possible action regarding a Re-Plat with a variance request for an encroachment of the building setback distance required in the Thoroughfare of the Overlay District of a 10.3342 acre tract of land out of the W.K. WILSON LEAGUE, Abstract No. 208, Galveston County, Texas, and being a portion of a called 45.585 acre tract of land described in the Deeds Records of Galveston County, Texas, under Volume 3179 Page 852, said 10.3334 acre tract, at 5009 FM 1764

Commissioner Greg Cornett made a motion to accept the Re-Plat with a variance request for an encroachment of the building setback distance required in the Thoroughfare of the Overlay District of a 10.3342 acre tract of land out of the W.K. WILSON LEAGUE, Abstract No. 208, Galveston County, Texas, and being a portion of a called 45.585 acre tract of land described in the Deeds Records of Galveston County, Texas, under Volume 3179 Page 852, said 10.3334 acre tract, at 5009 FM 1764. Commissioner Dickey Stanley seconded the motion. **MOTION PASSED.**

- b. Discussion/possible action regarding a Re-Zone: from R-Residential to C-1 General Commercial Part of Lots 7,8, and 9, in Division "T" in the Cook and Stewart Subdivision of the John d. Moore League in Galveston County, Texas according to the map of plat recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston County, Texas;

Commissioner Dickey Stanley made a motion to accept the Re-Zone: from R-Residential to C-1 General Commercial Part of Lots 7,8, and 9, in Division "T" in the Cook and Stewart Subdivision of the John D. Moore League in Galveston County, Texas according to the map of plat recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston County, Texas. Commissioner Greg Cornett seconded the motion. **MOTION PASSED**

- c. Discussion/possible action regarding Delany Cove Section 5. Proposed Preliminary Plat

Being 11.3+ Acres of Land Containing 46 Lots (50x120 TYP.) and six reserves in three block. Out of the S.F. Austin League No. 4 Survey, A-2 city of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size.

Commissioner Dickey Stanley made a motion to accept the Proposed Preliminary Plat being 11.3+ Acres of Land Containing 46 Lots (50x120 TYP.) and six reserves in three block out of the S.F. Austin League No. 4 Survey, A-2 city of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size. Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

- d. Discussion/possible action regarding proposed ordinance related to livestock within the city limits.
Commissioner Dickey Stanley made a motion to table the livestock ordinance, Commissioner Russell Washington seconded the motion. **MOTION PASSED.**
- e. Discussion/possible action regarding proposed ordinance pertaining to signs and billboards.
Commissioner Dickey Stanley made a motion to accept the ordinance pertaining to signs and billboards. Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**
- f. Discussion/possible action regarding proposed ordinance related placement of fill dirt within the city.
Commissioner Dickey Stanley made a motion to move forward with the ordinance related placement of fill dirt within the city. Commissioner Charles Castelline seconded the motion. **MOTION PASSED.**
- g. Discussion considering incorporating Omega Bay into the operation and maintenance standards of the City of La Marque. Discussion only, no action was taken.

(8) CHAIRMAN REPORT

There was no Chairman Report

(9) EXECUTIVE SESSION

There was no Executive Session

(10) REQUESTS AND ANNOUNCEMENTS

None at this time

(11) ADJOURNMENT

Commissioner Dickey Stanley made a motion to adjourn the meeting at 6: p.m.
Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**



May 20, 2016

City of La Marque
Planning Commission
1111 Bayou Road
La Marque, TX 77568

Re: Two Windy Hill Investments, LLC
Painted Meadows Sec 5 – Preliminary Plat
PD Job No. 40360-10

Dear Planning Commission:

We have attached a preliminary plat and one line utility layouts for the proposed Painted Meadows Section 5. We are currently working on the construction plans for the water, sewer, drainage, and paving improvements for this section and will have a review set once complete.

The typical lot size shown on the preliminary plat is 50' x 110' or approximately 5,500 square feet per lot. Please note that the front building set back is 25 feet along the streets and 20 feet in the cul-de-sacs. The rights-of-way for all the streets are 60 feet wide. All of the cul-de-sac radii are 50 feet in this section.

We respectfully request that the Planning and Zoning Commission for the City of La Marque consider a variance to Subdivision Ordinance 41.107 (e), the minimum lot size, and approval of the preliminary plat for Painted Meadows Sec. 5 at their next meeting.

Should you have any questions or require additional information, please do not hesitate to contact me via telephone at 713.428.2400, or email at aedmondson@pape-dawson.com.

Sincerely,
Pape-Dawson Engineers, Inc.

A handwritten signature in blue ink that reads 'Amanda Edmondson'.

Amanda Edmondson, P.E.
Project Manager

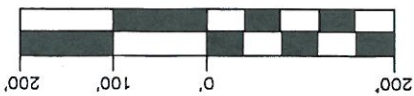
cc: Mr. E. John Justema – Two Windy Hill Investments, LLC
Mr. Randy Hall – Two Windy Hill Investments, LLC

K:\projects\403\60\10\2-0 Design\2-3 Plat\2-3-1 Preliminary\Variance\160520 Preliminary Plat Letter.doc

TBPE Firm Registration #470 | TBPLS Firm Registration #10193974

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10333 Richmond Ave., Suite 900, Houston, TX 77042 T: 713.428.2400 www.Pape-Dawson.com



SCALE: 1" = 200'

200' BOUNDARY

MREC LT LAGO MAR OPERATING, LLC
ABSTRACT 11 A FARMER SURVEY
TRACT 12-3, ACRES 212.012

1/2" = 100' ROW AND EASEMENT
HILCORP ENERGY, L.P.
(OWNER)

3 MAR, LLC
FARMER
T 12-2,
1/725.

BROWN
ACE SURVEY
-2) ORCHARD
DITION

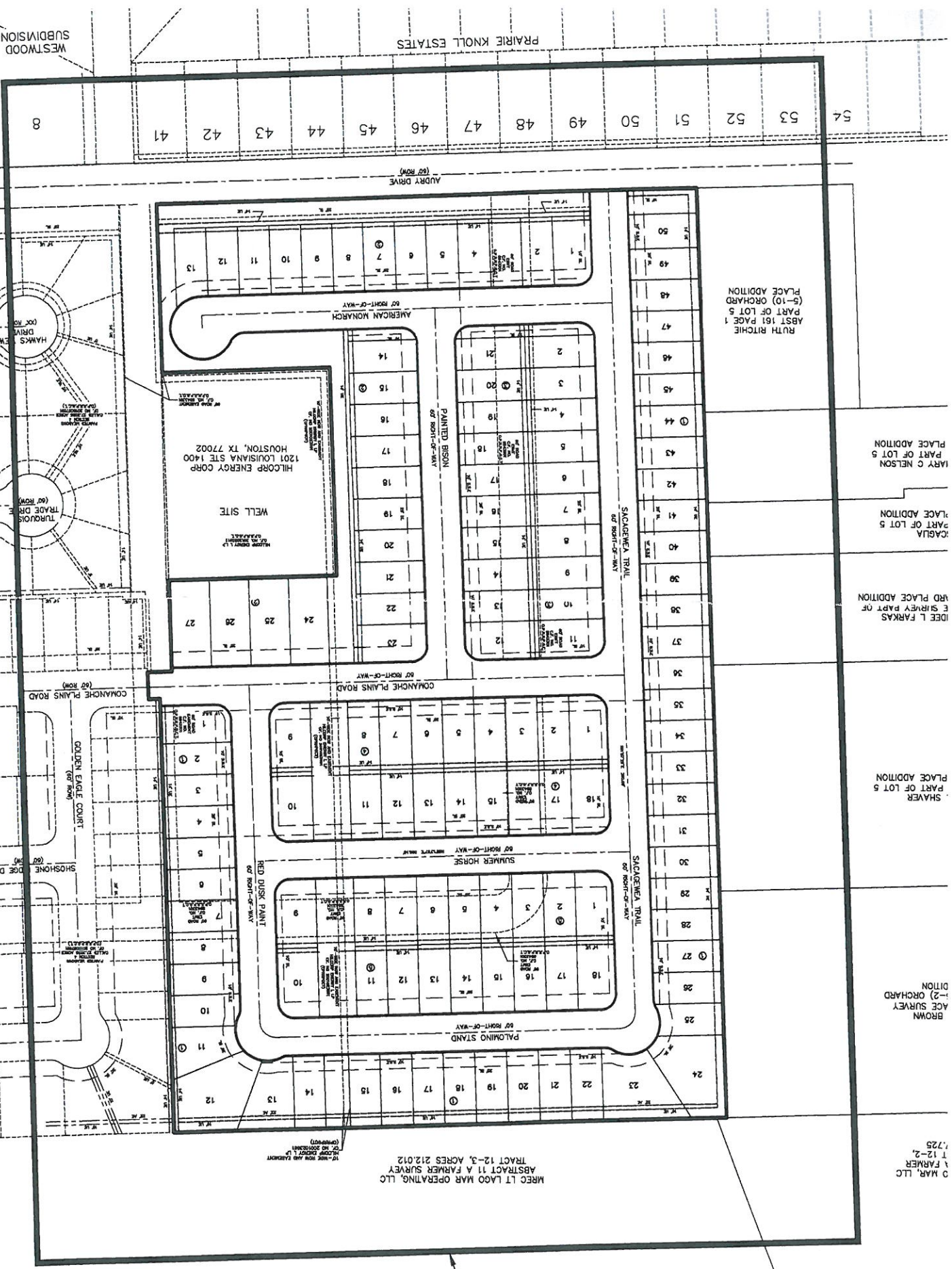
SHAWER
PART OF LOT 5
PLACE ADDITION

IDEAL FARKAS
E SURVEY PART OF
RD PLACE ADDITION

CASIA
PART OF LOT 5
PLACE ADDITION

MARY C NELSON
PLACE ADDITION
PART OF LOT 5

RUTH RITCHIE
ABST 161 PAGE 1
PART OF LOT 5
(5-10) ORCHARD
PLACE ADDITION



ORDINANCE NO. O-2016-xxxx_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 71, ZONING, SECTION 71.4, DEFINITIONS AND ADDING A NEW SECTION 71.____, ENTITLED _____; PROVIDING A SEVERABILITY AND REPEALING CLAUSE; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

That Chapter 71, Zoning, Section 71.____, _____, is hereby amended by adding _____, _____, to read as follows:

SECTION 1

That Section 71.4, Definitions, Code of Ordinances, City of La Marque, is hereby amended by adding the following definition:

“Canal Zone” means _____ (designated as single family dwellings, and conforming to R-1 (single family residential))

SECTION 2

That Section 71.____, _____, shall designate Omega Bay subdivision, located within the city limits of the City of La Marque, as a Canal Zone.

SECTION 3

That any and all roads within the designated Canal Zone shall be no less than twenty (20) feet in width and shall conform to all current City of La Marque Code of Ordinance requirements.

SECTION 4

That the number of buildable lots remaining within this designated Canal Zone is equal to or less than ten. Any and all new construction shall be limited to residential purposes only and shall comply with the Code of Ordinances, City of La Marque.

No temporary building, tent, house trailer, or any other form of shelter shall be placed upon the lot during construction or at any other time.

Where lots are sixty (60) feet or less in width, residences shall be a minimum of 1,000 square feet. For lots greater than sixty (60) feet in width, residences shall be a minimum of 1,200 square feet.

The outside finish on all residences and other accessory buildings shall be kept in good repair and in a neat and clean condition, and shall be painted when necessary to preserve attractiveness.

Premises shall not be used for any purpose whatsoever which is an annoyance or nuisance to the other lot owners.

120 day provision?

No residence shall be occupied without a sewer connection?

Trees?

SECTION 5

All new or remodeled structures on any lot shall be constructed in such a way as to have a zero drainage impact to any street or adjacent property. Each lot shall be maintained so as to preserve the drainage of the lots and adjacent roadway areas. The erections or placing of any structure or object, or the filling in or excavation of any area of the lot which will prevent free and adequate drainage or allow water to stand on the lot, or adjacent lots, or adjacent waterway, is prohibited.

SECTION 6

That any deck, attached or detached, may be cantilevered but shall not extend more than four (4) feet into the twenty (20) foot setback from any canal and conforms to _____

SECTION 7

That any accessory buildings, such as sheds, shall be erected in accordance with Section 71.21(b) of the Code of Ordinances, City of La Marque.

SECTION 8

That any privacy fence shall not be located within the twenty (20) foot setback from any canal (navigable waterway) and conform with Section 71.21(a)(3) of the Code of Ordinances, City of La Marque.

SECTION 9

That any vessel dock shall not extend more than twelve (12) feet into a navigable waterway. With approval from the Omega Bay Improvements Committee, a variance up to fourteen (14) feet may be allowed. No boat houses will be permitted within the Canal Zone. (Piers no further than 6' into canal; boat house exception to 12' width with approved plans; no boat houses??)

A permit shall be required prior to the commencement of construction or remodeling of any vessel docks and shall require final inspection.

SECTION 10

That said premises shall not be used for any purpose whatsoever which creates an annoyance or nuisance to the other lot owners. The placement, allowing or keeping of anything,

or the commission of any act which is an annoyance or nuisance to the owners of the other lots is expressly prohibited. The owners and occupants of each lot shall keep the same free of weeds, high grass and all unsightly and unkempt vegetation, all rubbish and/or discarded material and shall at all times so maintain their premises so as to not constitute or create an annoyance or nuisance to the other lots.

Penalty. The violation of any provisions of this section shall be unlawful and a misdemeanor offense, punishable by a fine not exceeding \$500.00. Each referral and each day a violation of this section continues shall constitute a separate offense.

Severability. Severability is intended throughout and within this article. If any provision, including any section, paragraph, sentence, clause, phrase or word or the application thereof to any person or circumstance is held invalid, the application to other persons or under other circumstances shall not be affected thereby and the validity of the provision in any and all other respects shall not be affected thereby. It is intended that this provision be held inapplicable in any case if such exists, where its application would be unconstitutional construction hereof is intended and shall be given. There is no intent herein to violate either the Texas Constitution or the Constitution of the United States.

PASSED AND APPROVED on the first reading this ____ day of ____, 2016.

PASSED, APPROVED AND ADOPTED on the second and final reading this the ____ day of ____, 2016.

CITY OF LA MARQUE

Bobby Hocking, Mayor

ATTEST:

APPROVED AS TO FORM:

Robin Eldridge, City Clerk

Ellis J. Ortego, City Attorney