



**CITY OF MISSOURI CITY
CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS AGENDA**

Notice is hereby given of a meeting of the Construction Board of Adjustments and Appeals of the City of Missouri City to be held on **March 12, 2019 at 6:00 p.m. at City Hall, Council Chambers, 2nd Floor**, 1522 Texas Parkway, Missouri City, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The Construction Board of Adjustments and Appeals reserves the right to meet in a closed session 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. CALL TO ORDER

2. ROLL CALL

3. READING OF MINUTES

Consider approval of the minutes of the June 26, 2017 Construction Board of Adjustments and Appeals

- 4.** A hearing has been requested by Cathy Fontenot on behalf of Donna Burnett relating to an "Application for Appeal" with the Construction Board of Adjustment and Appeals for the property located at Lots 1 & 2 of the Partial Replat of Newpoint Estates Sec. 3, (Darby Ln.), Missouri City. The applicant is requesting a variance from Sec. 86-182 in the City's Ordinance to allow the use of a private water or wastewater treatment and disposal system, based on the proposed subdivision of the subject property. Feel free to contact me if you have any additional questions or concerns.

5. ADJOURN

In compliance with the Americans with Disabilities Act, the City of Missouri City will provide reasonable accommodations for persons attending Construction Board of Adjustments and Appeals meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact the Development Services Department at 281-403-8541.

CERTIFICATION

I certify that a copy of the March 12, 2019 agenda of items to be considered by the Missouri City Planning and Zoning Commission was posted on the City Hall bulletin board on March 8, 2019.

Egima Edwards
Planning Technician

STATE OF TEXAS
COUNTY OF FORT BEND

I, DONNA BURNETT, HERINAFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 7.1308 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF NEWPOINT ESTATES SECTION 3 PARTIAL REPLAT NO 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPART WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY. WE, OUR SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OR EXACTIONS MADE HEREIN.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY ELEVEN FEET, SIX INCHES (11' 06") FOR TEN FEET (10' 00") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 06") FOR FOURTEEN FEET (14' 00") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 06") FOR SIXTEEN FEET (16' 00") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 00") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 06") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 00") FOR TEN FEET (10' 00") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 00") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 00") FOR SIXTEEN FEET (16' 00") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 00") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 00") IN WIDTH.

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE INTENDED FOR THE CONSTRUCTION OF SINGLE FAMILY RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

FURTHER, WE DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND THIRTY (30) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS AND DRAINAGE DITCHES LOCATED IN SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES. FORT BEND COUNTY OR ANY OTHER GOVERNMENTAL AGENCY SHALL HAVE THE RIGHT TO ENDER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, WE DO HEREBY CONVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS SUBDIVISION 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, EXCESSIVE VEGETATION 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.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS.

WITNESS MY HAND IN THE CITY OF _____ TEXAS, THIS _____ DAY OF _____, 20____.

BY: _____
(NAME AND TITLE)

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DONNA BURNETT, KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED

THIS _____ DAY OF _____, 20____.

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

I, RICHARD FUSSELL, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

RICHARD FUSSELL
REGISTERED PROFESSIONAL LAND SURVEYOR #4148

THIS IS TO CERTIFY THAT THE PLANNING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF NEWPOINT ESTATES SECTION 3 PARTIAL REPLAT NO 1 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MISSOURI CITY, AS SHOWN HEREON, AND AUTHORIZED THE RECORDING OF THIS PLAT (OR INSTRUMENT WHEN APPROPRIATE) THIS _____ DAY OF _____, 20____.

SONYA BROWN-MARSHALL, CHAIRMAN

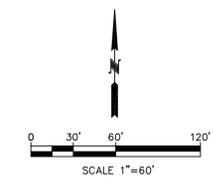
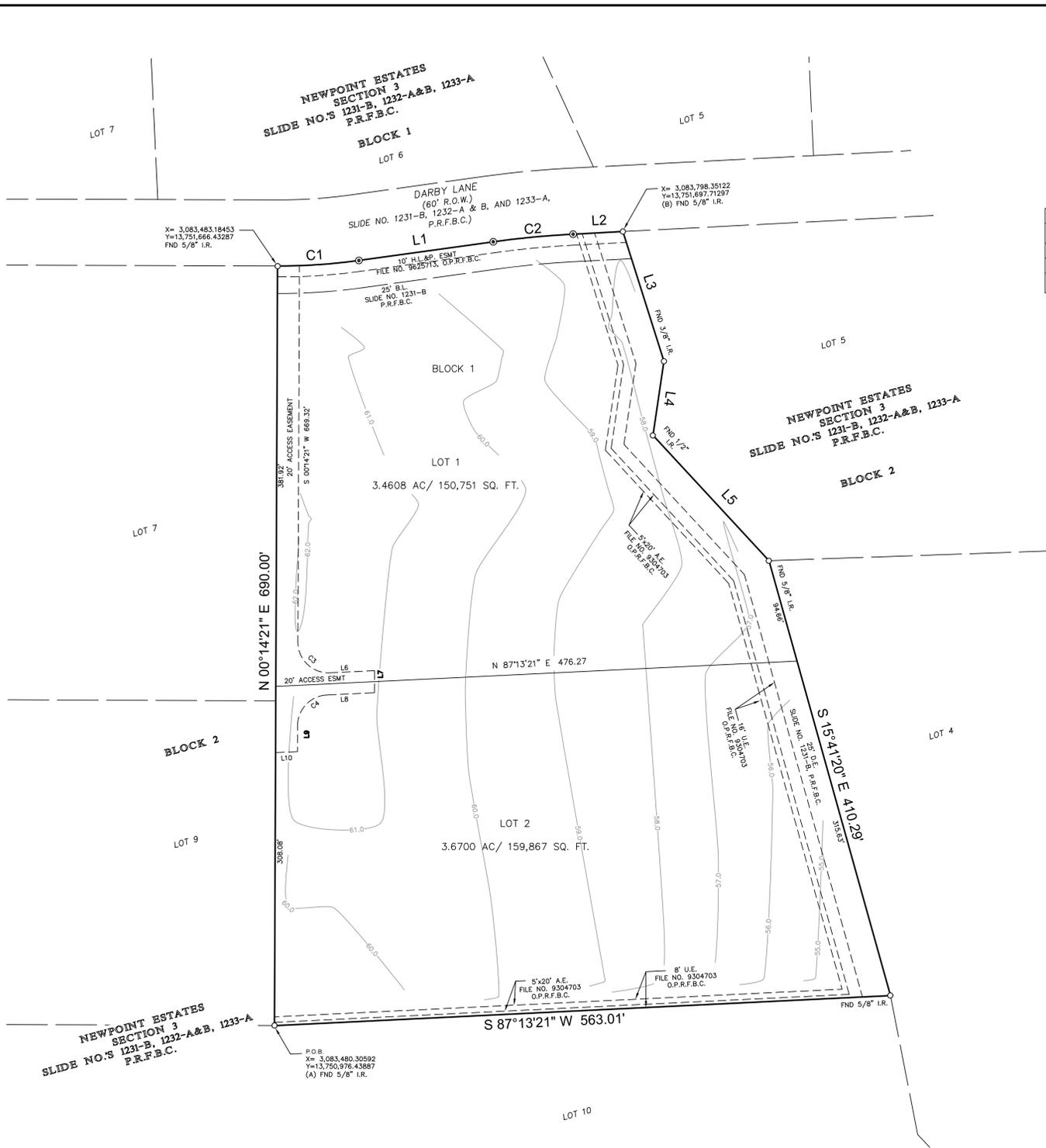
TIMOTHY R. HANEY, VICE CHAIRMAN

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____, 20____, AT _____ O'CLOCK, _____ M., IN PLAT NUMBER _____ OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

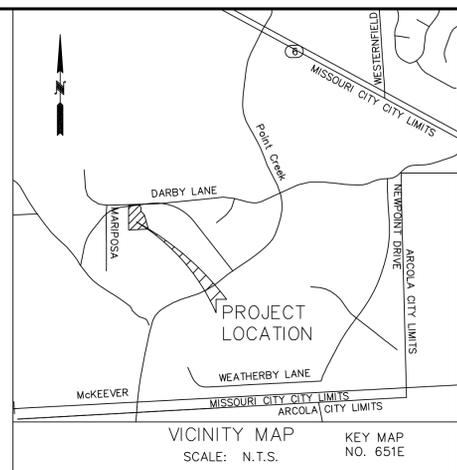
WITNESS MY HAND AND SEAL OF OFFICE, AT RICHMOND, THE DAY AND DATE LAST ABOVE WRITTEN.

LAURA RICHARD, COUNTY CLERK
FORT BEND COUNTY, TEXAS

BY: _____
DEPUTY



DISTRICT NAMES	
FWSO	2
SCHOOL	FORT BEND ISD
FIRE	MISSOURI CITY
CITY OR CITY ETJ	MISSOURI CITY



- GENERAL NOTES:
- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, FORT BEND COUNTY AND THE CITY OF MISSOURI CITY.
 - THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY OLD REPUBLIC NATIONAL TITLE, G.S. NO. HT076544, EFFECTIVE DATE OCTOBER 16, 2018.
 - THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE 4204 (NAD 83). COORDINATES ARE GRID AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR 0.9998984504. POINTS (A) & (B) WERE HELD FOR LOCAL CONTROL.
 - PROJECT BENCHMARK PUBLISHED ELEVATION - 72.03
FLOODPLAIN REFERENCE INFORMATION - AM2035, NAD 88
 - T.M. DESCRIPTION: ELEVATION 63.36'
MAG. NAIL WITH SHINER IN SOUTH EDGE OF ASPHALT ROAD
X = 3,141,846.9393 Y = 13,762,646.2069
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48157C0315L WITH THE EFFECTIVE DATE OF APRIL 02, 2014. THE PROPERTY IS LOCATED IN ZONES "X, XS, AE 59" (AREAS DETERMINED TO BE WITHIN OF THE 100 YEAR FLOODPLAIN).
 - ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
 - A MINIMUM DISTANCE OF TEN (10') FEET SHALL BE MAINTAINED BETWEEN RESIDENTIAL DWELLINGS.
 - THERE SHALL BE A 5-FOOT SIDE YARD BUILDING LINE FOR ALL INTERIOR LOTS.
 - FORT BEND COUNTY FLOODPLAIN REGULATIONS, ARTICLE 5, SEC. B REQUIRES ALL STRUCTURES TO BE ELEVATED A MINIMUM OF EIGHTEEN (18) INCHES ABOVE THE IMPACTING 100-YEAR WATER SURFACE ELEVATION.
 - SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5 FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON THE CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH THE A.D.A.
 - THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500 FT. FOR RESIDENTIAL DEVELOPMENT AND 300 FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
 - ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
 - ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
 - THE DRAINAGE SYSTEM FOR THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET FLOODING WITH INTENSE RAINFALL EVENTS.
 - REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
 - DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
 - SLAB ELEVATION SHALL BE ELEVATED TO OR ABOVE A HEIGHT WHICH IS THE HIGHER OF EIGHTEEN INCHES ABOVE HIGHEST ADJACENT GRADE, OR TWELVE INCHES ABOVE THE MAXIMUM ONE PERCENT ANNUAL FLOOD RISK FLOODPLAIN PONDING ELEVATION IN THE NEAREST DRAINAGE SYSTEM AS PER SECTION 42-54 OF THE MISSOURI CITY CODE OF ORDINANCES.
 - IN ACCORDANCE WITH CENTER POINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2 ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
 - ALL BUILDING LINE TRANSITIONS ARE AT 45-DEGREE ANGLES TO THE STRAIGHT SIDE LOT LINE WHERE THE TRANSITION OCCURS.
 - NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS, WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIMES AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
 - SIDEWALKS AND TRAILS SHALL REFER TO SECTION 82-164 OF THE SUBDIVISION ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS.
 - a. IN GENERAL, PAVEMENT MARKINGS, SEPARATORS, SIGMAG, FENCING AND LANDSCAPING MAY ALSO BE REQUIRED WHERE NECESSARY TO PROMOTE CIRCULATION, SCREENING, BUFFERING AND SAFETY.
 - b. SIDEWALKS SHALL BE INSTALLED ALONG ALL STREETS IN EACH SUBDIVISION AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY DESIGN MANUAL.
 - c. TRAILS MAY BE INSTALLED IN A VARIETY OF AREAS INCLUDING FEE STRIPS AS WELL AS ON ADJACENT LEANERS, WITHIN DRAINAGE EASEMENTS AND PIPELINE EASEMENTS, ALONG ROAD RIGHT-OF-WAY AND IN ANY OTHER LOCATION AND MANNER CONSISTENT WITH THE CITY PARK AND RECREATION MASTER PLAN AND CITY TRAIL PLAN.
 - THERE ARE NO PIPELINE OR PIPELINE EASEMENTS WITHIN THE LIMITS OF THIS SUBDIVISION.
 - THE CITY OF MISSOURI CITY WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS, OPEN SPACES AND SIDEWALKS. THE MAINTENANCE RESPONSIBILITY WILL BE BY THE HOMEOWNERS ASSOCIATION.
 - ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS LOCATED WITHIN THE BOUNDARIES OF FORT BEND COUNTY, FORT BEND I.S.D., MISSOURI CITY CITY LIMITS/ETJ, FORT BEND COUNTY I.L.D. XX, FORT BEND COUNTY M.U.D. XX.

LINE TABLE			
LINE	BEARING	DISTANCE	
L1	N 82°07'33" E	123.83'	
L2	N 86°56'47" E	45.47'	
L3	S 17°39'03" E	123.61'	
L4	S 08°29'02" W	68.02'	
L5	S 42°54'51" E	155.54'	
L6	N 87°13'21" E	40.58'	
L7	S 00°14'21" W	20.03'	
L8	N 87°13'21" E	43.53'	
L9	S 00°14'21" W	23.51'	
L10	N 87°13'21" E	20.03'	

- LEGEND:
- B.L. = BUILDING LINE
 - U.E. = UTILITY EASEMENT
 - A.E. = AERIAL EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - W.L.E. = WATER LINE EASEMENT
 - S.S.E. = SANITARY SEWER EASEMENT
 - STM.S.E. = STORM SEWER EASEMENT
 - P.A.E. = PERMANENT ACCESS EASEMENT
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - M.R.F.B.C. = MAP RECORDS OF FORT BEND COUNTY
 - D.R.F.B.C. = DEED RECORDS OF FORT BEND COUNTY
 - I.P. = IRON PIPE
 - I.R. = IRON ROD
 - R.O.W. = RIGHT OF WAY
 - VOL. = VOLUME
 - P.S. = PAGE
 - P.O.B. = POINT OF BEGINNING
 - Ⓛ = BLOCK NUMBER
 - ① = SET 1/2" IR W/CAP MARKED "SURVEY 1"
 - Ⓞ = TEMPORARY BENCHMARK

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	530.00'	74.43'	N 86°08'58" E	74.37'
C2	850.00'	73.25'	N 84°35'40" E	73.22'
C3	28.00'	45.46'	S 46°16'09" E	40.63'
C4	28.00'	42.51'	S 43°43'51" W	35.54'

NEWPOINT ESTATES SECTION 3 PARTIAL REPLAT NO 1

A SUBDIVISION OF 7.1308 ACRES (310,618 SQ FT) IN THE THOMAS BARNETT SURVEY, A-7 AND IN THE MOSES SHIPMAN SURVEY, A-86, ALSO BEING A REPLAT OF LOT 6 OF THE NEWPOINT ESTATES SECTION 3 AS RECORDED IN SLIDE NO.S 1231/B, 1232/A&B, AND 1233 A, PLAT RECORDS OF FORT BEND COUNTY, TEXAS

REASON FOR REPLAT: TO CREATE 2 SINGLE FAMILY RESIDENTIAL LOTS

1 BLOCK 2 LOTS
OCTOBER 25, 2018

www.survey1inc.com
survey1@survey1inc.com
Survey 1, Inc.
Your Land Survey Company
Firm Registration No. 100758-00
P.O. Box 1543 | Alvin, TX 77512 | (281)393-1382

OWNER:
DONNA BURNETT
100 MARRAKECH CT
BELLAIRE, TX 77401
713-305-4615

PROJECT NO. 8-65776-18