

ORDINANCE NO. 1026

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, REZONING .94 ACRES OF LAND LOCATED ON THE WEST SIDE OF OYSTER CREEK DRIVE FROM B-1 (LOCAL BUSINESS DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT); APPROVING A SPECIFIC DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR THE DISTRICT; AND PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF

WHEREAS, Miller Enterprises has applied for change of zoning from B-1 (Local Business District) to planned development (PD) and for approval of a specific development plan and conditional use permit for single-family residential homes for .94 acres of land located on the west side of Oyster Creek Drive; and

WHEREAS, the Planning and Zoning Commission recommends the application be approved; NOW, THEREFORE;

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That it approves a change of zoning from B-1 (Local Business District) to PD (Planned Development District) for the .94 acres of land, more particularly described as Tracts 1 and 2 in Exhibit A.

Section 2. That in accordance with section 16 of Appendix A - Zoning of the Code of Ordinances, it approves attached Exhibit B as the specific development plan for the property.

Section 3. That it approves a conditional use permit for the uses shown on the specific development plan attached as Exhibit B.

Section 4. That the permit is subject to the following conditions:

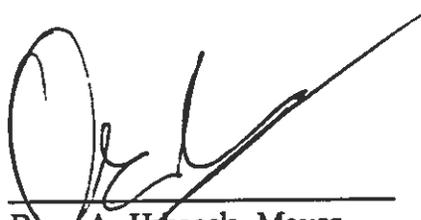
- (a) The property shall be developed for and used only for one-family dwellings.
- (b) The maximum lot coverage shall be 60%.
- (c) All buildings shall maintain a rear yard setback of twenty-five (25) feet from the water's edge and a side yard setback of five (5) feet.
- (d) The district shall be subject to all other regulations in R-1 zoning districts as of the date of this ordinance, except as otherwise provided for herein.

Section 5. It shall be unlawful for any person to intentionally or knowingly make use of the real property described in this ordinance except as provided for in this ordinance. Any person who violates this ordinance shall, upon conviction, be fined a maximum of \$2000.

Section 6. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance shall not affect the validity of the remainder of the ordinance.

READ IN FULL on first consideration on October 15, 1996.

APPROVED upon second consideration on November 5, 1996.



Dean A. Hrbacek, Mayor

ATTEST:

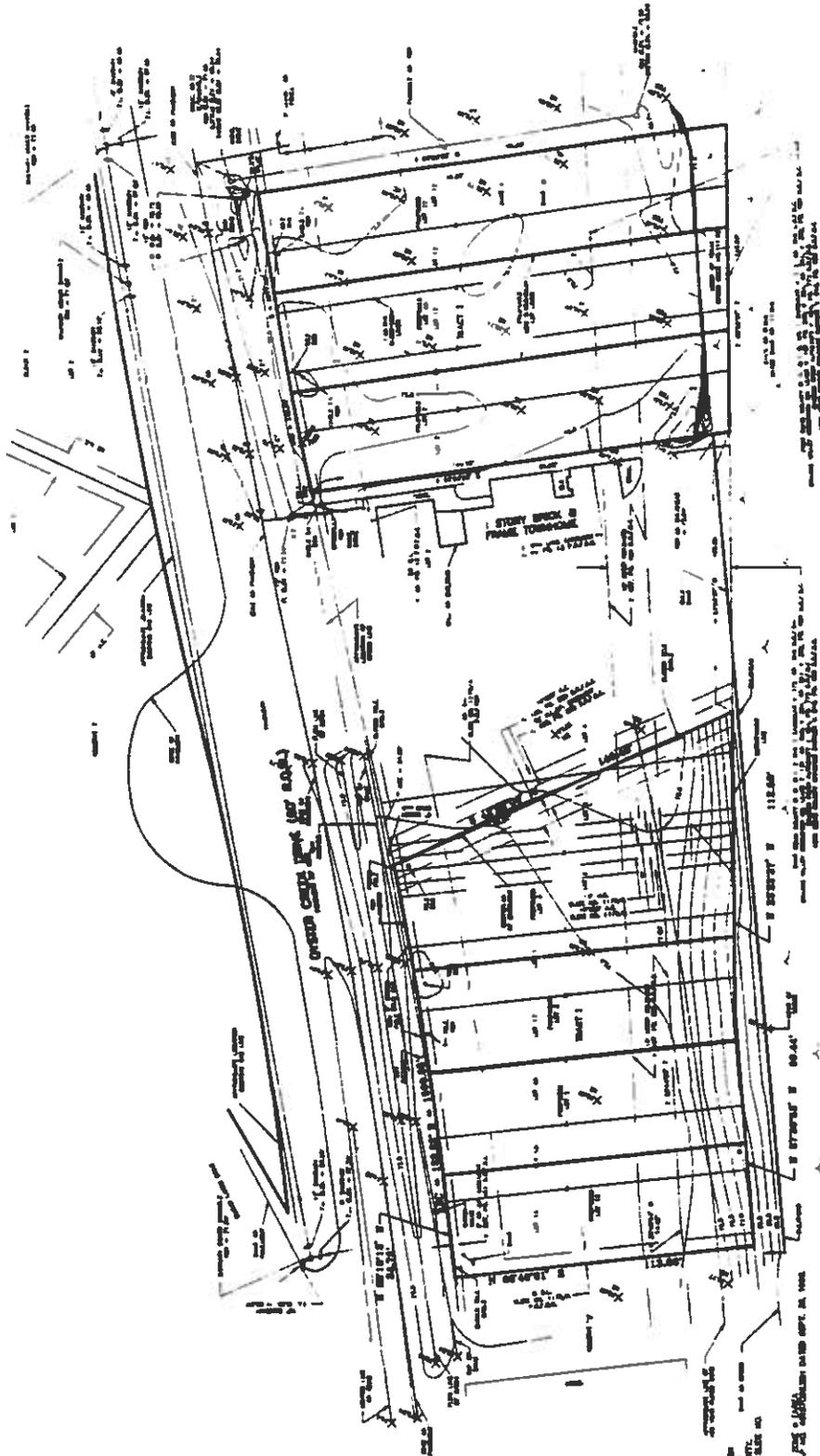

Glenda Gundermann, City Secretary

APPROVED:


Joe Morris, City Attorney

Attachments: Exhibit A - Property Description
Exhibit B - Specific Development Plan

EXHIBIT A



TOPOGRAPHIC SURVEY

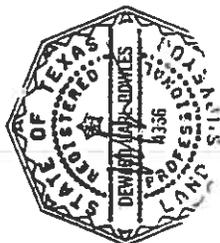
THIS SURVEY WAS MADE BY THE SURVEYOR IN THE FIELD AND THE RESULTS THEREOF ARE SET FORTH IN THIS REPORT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE POSITION OF THE MONUMENTS OR MARKERS SINCE THE DATE OF THE SURVEY.

NOT TO SCALE

A&B B & B SURVEYING CO. 1005 TAYLOR STREET, HOUSTON, TEXAS



SEE SHEET 100 FOR CONTINUATION
SCALE: 1" = 20'



NOTE 1: THIS SURVEY WAS MADE BY THE SURVEYOR IN THE FIELD AND THE RESULTS THEREOF ARE SET FORTH IN THIS REPORT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE POSITION OF THE MONUMENTS OR MARKERS SINCE THE DATE OF THE SURVEY.

NOTE 2: THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES IN THE POSITION OF THE MONUMENTS OR MARKERS SINCE THE DATE OF THE SURVEY.

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MICHAEL A. SMITH
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 P.O. Box 17269
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PLAN
 Sugar Landing
 Texas

LAND
 Lot 14-17, 2, B3
 Sugarland
 Texas

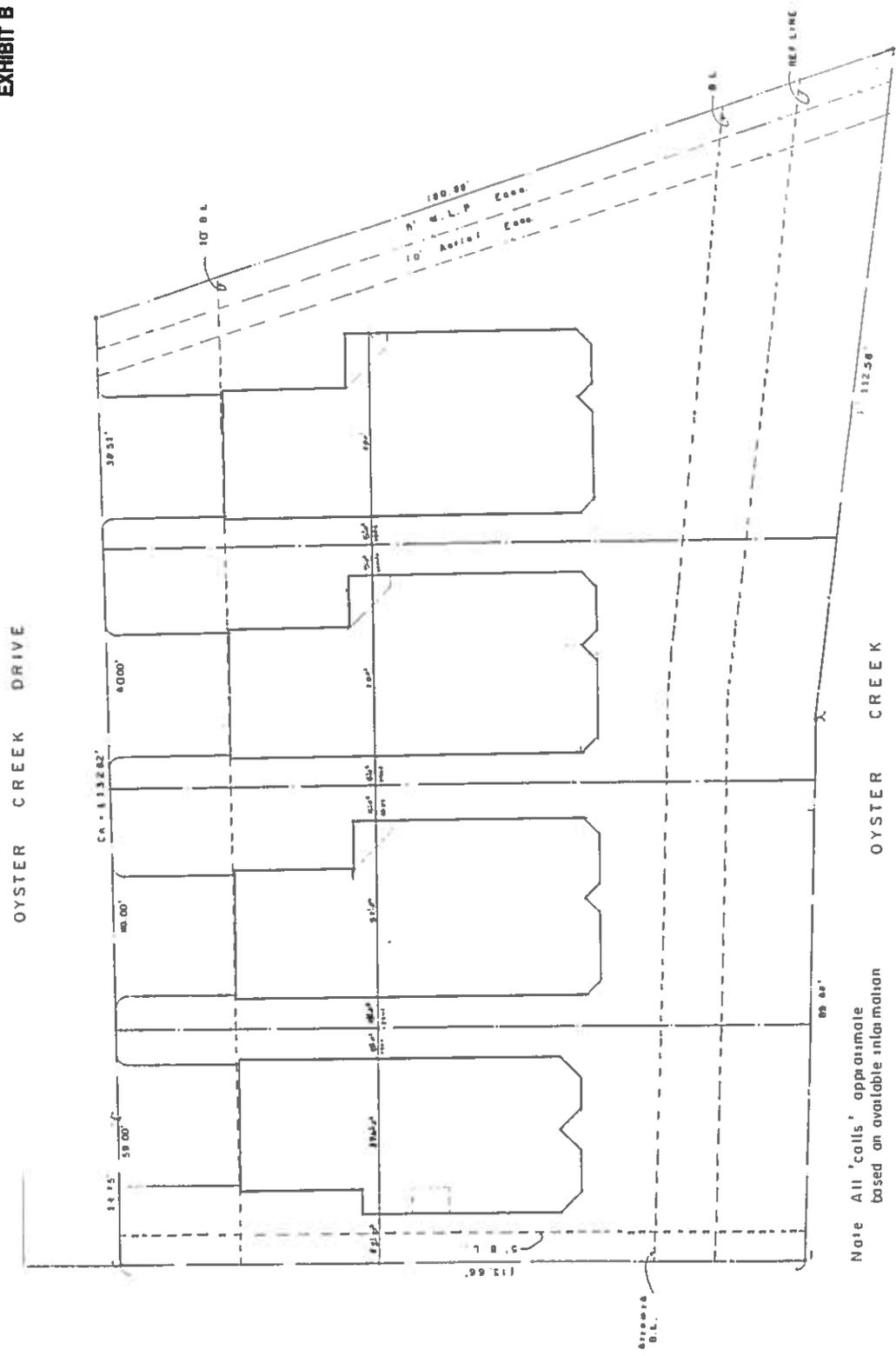
Final
 Preliminary
 Land
 Plan

Scale:
 0 5 10 20 30 40
 Feet

Sheet:
 1 of 1

Date:
 12/9/96

EXHIBIT B



Note: All calls approximate based on available information