

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



NOTICE OF A MEETING
MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
August 28, 2023

NOTICE IS HEREBY GIVEN
6:00 P.M.

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Planning Development and Zoning Commission will convene a regular meeting at the Manvel City Hall, located at 20031 Hwy 6, Manvel Tx 77578 for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The PD&Z Commission of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. They may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 for further information.

CITY OF MANVEL MISSION STATEMENT

"The City of Manvel will continue to be a unique, vibrant, growth-managed community that will meet the needs of its citizens through the efforts of local government and civic-minded individuals by promoting well-planned development, cost-effective professional management, and competent and responsive municipal services."

Regular Session

Position #1 Ryan Miller, Chair 03/2025
Position #2 Kyle Marasckin, Vice-Chair 03/2025
Position #3 Mary Ann Atkinson 03/2025
Position #4 Kenneth Haynes 03/2025
Position #5 Christy Kennard 03/2024
Position #6 Dorothy Wynne 03/2024
Position #7 Muhammed Alam 03/2024

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Public Comments: "Comment Card" Required

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

Consent PDZ

All Consent Agenda items listed are considered to be routine by the Planning Development and Zoning Commission and will be approved by one motion. There will be no separate discussion of these items unless a Planning Development and Zoning Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

- A. Approve the Partial Replat of Daffern/Kilbourn Addition;
BEING ALL OF LOT 1 OF DAFFERN/KILBOURN ADDITION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BRAZORIA COUNTY CLERK'S FILE NO. 2016027996.
- B. Approve the meeting minutes to date.

Regular Agenda

- A. Consideration and possible action to approve an Extended Stay Permit for a recreational vehicle (RV) located at 7716 Bissell Rd.
- B. Consideration and possible action to approve Final Plat for Meridiana Section 4A East;
BEING A SUBDIVISION OF 16.84 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
- C. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.
- D. Consideration and possible action to approve excused committee member absences.

Adjourn

CERTIFICATION

I, Alyssa Deaton, Assistant City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Planning Development and Zoning Commission is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on August 25, 2023 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.



ALYSSA DEATON, ASSISTANT CITY SECRETARY
CITY OF MANVEL, TEXAS

NOTICE OF POSSIBLE QUORUM

A quorum of the Manvel City Council may be in attendance at the 8/28/2023 meeting of the Manvel Planning, Development, and Zoning Commission. If such be the case, this notice shall serve as notice of meeting pursuant to the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. There will be no official City business or action of the aforementioned bodies taken during the meeting.



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

(281) 489-0630
Fax (281) 489-0634

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☐
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Date of Request: _____

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: _____

Daytime Phone: _____ Fax Number: _____

E-mail Address: _____

Description of Request and Physical Address:

Plats:

Preliminary _____

Final _____

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

SIGNATURE

DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

STAFF REPORT TO PLANNING, DEVELOPMENT AND ZONING COMMISSION **PLAT APPLICATION**

Plat Name:	Paulose-Madhu Addition - Partial Replat
Applicant:	Christopher Trusky, R.P.L.S., – Land Survey CO LLC
PD&Z Meeting Date:	August 28, 2023
Submitted By:	Jose Abraham, City Planner
Report Approved by:	Dan Johnson, Interim City Manager/ City Engineer Jessica Rodriguez, Director of Development Services
Recommendation:	<u>Approval</u>

BACKGROUND/ REVIEW NOTES

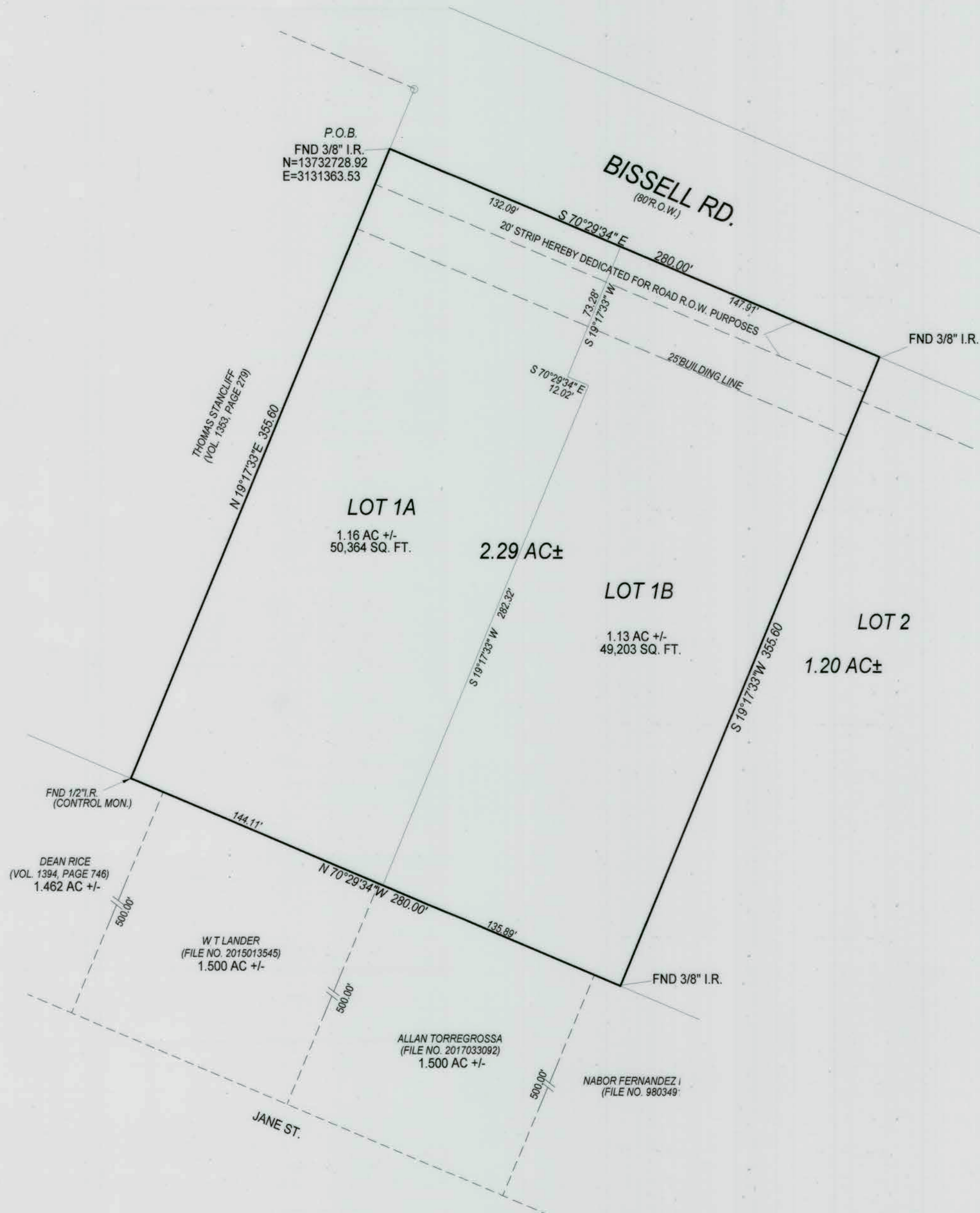
- *This proposed replat is for a property located at 7926 Bissell Road.*
- *The subject site is zoned SFR, Single Family Residential.*
- *The proposed plat subdivides a 2.29-acre tract (including 20-foot-wide strip for Bissell Road right-of-way (ROW) into 2 residential lots.*
- *This proposed plat was previously denied by Planning, Development and Zoning Commission in August 2022 and January 2023. Since then, the applicant has addressed all out standing comments.*

STAFF RECOMMENDATION

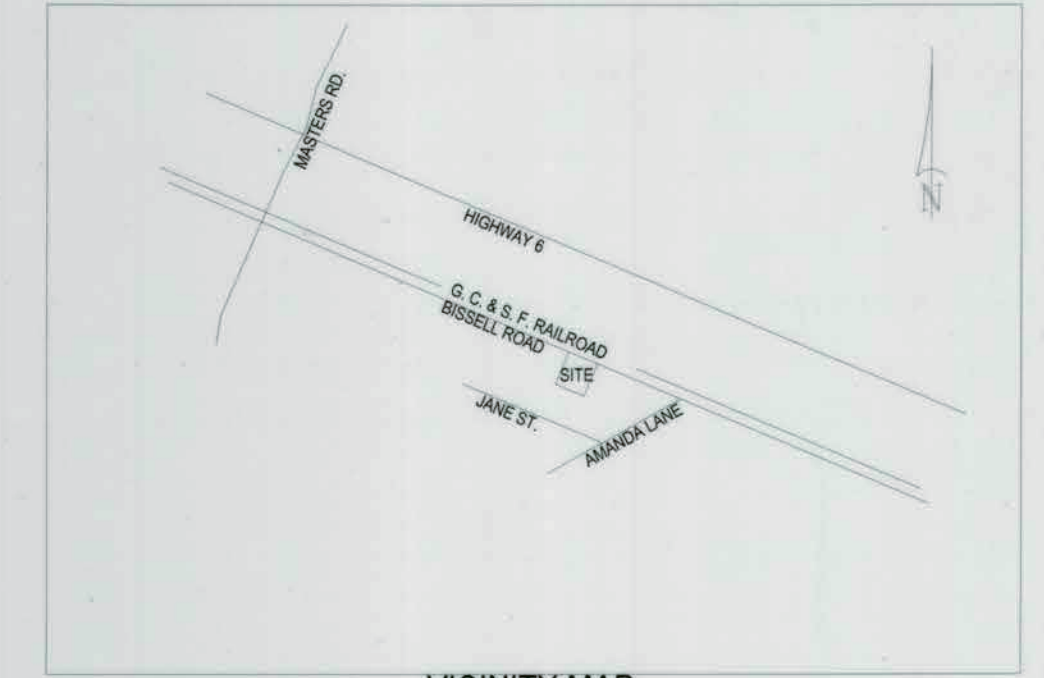
The City staff recommends approval of this proposed plat - *Paulose-Madhu Addition - Partial Replat.*



SCALE: 1 INCH = 50 FEET



- NOTES:
- 1) BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD83 DATUM; SOUTH CENTRAL ZONE 4204)
 - 2) THE DEVELOPMENT REGULATIONS AND AND CITY PERMITS ARE REQUIRED ON ALL PROPERTY.
 - 3) SIDE AND REAR SETBACK LINES WILL BE BASED ON THE ZONING ORDINANCE AS AMENDED.
 - 4) ACCORDING TO FIRM COMMUNITY PANEL NO. 48039C0130K, DATED 12/30/2020, THIS PROPERTY LIES IN FLOOD ZONE AO (DEPTH 2), WHICH IS WITHIN THE SPECIAL FLOOD HAZARD AREA.
 - 5) SUBJECT PROPERTY LIES WITHIN THE ALVIN INDEPENDENT SCHOOL DISTRICT.
 - 6) SUBJECT PROPERTY IS WITHIN THE CITY LIMITS OF MANVEL, TX.
 - 7) BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS HAVE BEEN CONSTRUCTED.
 - 8) FINAL PLAT WILL EXPIRE TWO YEARS AFTER FINAL APPROVAL BY THE PLANNING, DEVELOPMENT AND ZONING COMMISSION IF CONSTRUCTION OF IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO YEAR INITIAL PERIOD OR THE ONE YEAR EXTENSION PERIOD.
 - 9) BOUNDARY CLOSURE: GREATER THAN 1 TO 1000000.
 - 10) SIDEWALKS SHALL BE CONSTRUCTED AS PART OF ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF SIDEWALKS ARE REQUIRED BY THE CITY'S SIDEWALK MASTER PLAN.
 - 11) MATTERS AFFECTING THE SUBJECT PROPERTY ARE AS PER SOUTHLAND TITLE CITY PLANNING LETTER DATED JUNE 30, 2022, WITH A GF NO. OF TP2293225.
 - 12) A DRAINAGE PLAN WILL BE REQUIRED FOR EACH LOT PRIOR TO OBTAINING ANY BUILDING PERMITS FOR THAT LOT.
 - 13) THIS PROPERTY HAS AN APPROVED VARIANCE FOR SECTION 62-111 AS PER THE CITY COUNCIL OF THE CITY OF MANVEL ON FEB. 06, 2023 AS PER THE RECORDED DOCUMENT IN C.C.F.# 2023060654.



VICINITY MAP
(1"=2640')

STATE OF TEXAS {
COUNTY OF BRAZORIA {

We, MINI K CHACKO PAULOSE AND ANITHA MADHU, owners of the property subdivided in the above and foregoing map of PARTIAL REPLAT OF DAFFERN/KILBOURN ADDITION, do hereby make subdivision according to the lines, streets, building lines, and easements therein shown, and designate said subdivision as PARTIAL REPLAT OF DAFFERN/KILBOURN ADDITION being out of the H. T. & B. R. R. CO. SURVEY (A-476), Brazoria County, Texas, and dedicate to the public use, as such, the streets, alleys, parks and easements shown thereon forever; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets to conform to such grades, and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated. We hereby represent that the parties shown hereon are the sole owners of the herein described tract.

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 eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easement that are designated with aerial easements (U.E. & A.E.) and indicated and depicted hereon whereby the aerial easements totals twenty-one feet six inches (21'6") 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 (10'0") for ten feet (10'0") back-to-back ground easements or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) and indicated and depicted hereon whereby the aerial easements totals thirty feet (30'0") in width.

WITNESS our hand in the City of MANVEL County of Brazoria, Texas, this 12th day of August, 2023.

STATE OF TEXAS {
COUNTY OF BRAZORIA {

BEFORE ME, the undersigned authority, on this day personally appeared MINI K CHACKO PAULOSE, known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that she execute the same for the purposes and consideration therein expressed, and in the capacity therein and herein set out.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of August, 2023.

BEFORE ME, the undersigned authority, on this day personally appeared ANITHA MADHU, known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that she execute the same for the purposes and consideration therein expressed, and in the capacity therein and herein set out.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of August, 2023.

This is to certify that I, Christopher Trusky, a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground; and that all block corners, angle points, and points of curve are properly marked with iron pipes or rods, and that this plat correctly represents that survey made under my supervision.

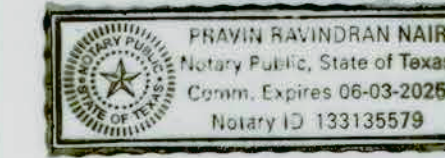
This is to certify that the Planning, Development and Zoning Commission of the City of Manvel, Texas, has approved this plat of PARTIAL REPLAT OF DAFFERN/KILBOURN ADDITION, in conformance with the laws of the State of Texas and the Ordinances of the City of Manvel as shown hereon and authorizes the recording of the plat this ____ day of _____, 2023.

Mini Chacko Paulose
MINI K CHACKO PAULOSE

Anitha Madhu
ANITHA MADHU



Pravin
Notary Public in and for
Brazoria County, Texas.



Pravin
Notary Public in and for
Brazoria County, Texas.



Christopher Trusky
Christopher Trusky, RPLS

CHAIRMAN
PLANNING, DEVELOPMENT
& ZONING COMMISSION
CITY OF MANVEL TX

BEING ALL OF LOT 1 OF DAFFERN/KILBOURN ADDITION
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
IN BRAZORIA COUNTY CLERK'S FILE NO. 2016027996

BEING more fully described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for the Northwest corner of said Lot 1 of Daffern/Kilbourn Addition, same being a point on the Southwest right of way line of Bissell Road (80' at this point);

THENCE South 70 deg. 29 min. 34 sec. East along the North line of said Lot 1 and said Southwest right of way line of Bissell Road, a distance of 280.00 feet to a 3/8 inch iron rod found for the Northeast corner of the herein described tract, same being the Northeast corner of said Lot 1 and Northwest corner of Lot 2;

THENCE South 19 deg. 17 min. 33 sec. West along the common line of Lots 1 and 2 of Daffern/Kilbourn Addition, a distance of 355.60 feet to a 3/8 inch iron rod found for the Southeast corner of said Lot 1, same being the Southwest corner of Lot 2;

THENCE North 70 deg. 29 min. 34 sec. West along the South line of said Lot 1, a distance of 280.00 feet to a 1/2 inch iron rod found for the Southwest corner of the herein described tract, same being the Southwest corner of said Lot 1;

THENCE North 19 deg. 17 min. 33 sec. East along the West line of said Lot 1, a distance of 355.60 feet to the PLACE OF BEGINNING.

PARTIAL REPLAT OF DAFFERN/KILBOURN ADDITION

BEING ALL OF LOT 1 OF DAFFERN/KILBOURN
ADDITION, ACCORDING TO THE MAP OR PLAT
THEREOF RECORDED IN BRAZORIA COUNTY CLERK'S
FILE NO. 2016027996

2.29 ACRES 1 BLOCK 2 LOTS
July 31, 2023

SURVEYOR:
LAND SURVEY CO.
P.O. BOX 128
KEMAH TX 77565
281-338-4008
FIRM NO. 10045700

OWNER:
MINI K CHACKO PAULOSE
ANITHA MADHU
8031 PRESERVE LANE
MISSOURI CITY TX 77459
281-685-1101

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



**MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
NOTICE IS HEREBY GIVEN
6:00 P.M.**

MINUTES 8/14/2023

Regular Session

PDZ Member Ryan Miller called the meeting of the PDZ to order at 6:04 p.m.
Those in attendance were:

Present: Ryan Miller
Kyle Marasckin
Mary Ann Atkinson
Kenneth Haynes
Christy Kennard
Dorothy Wynne
Muhammed Alam

Absent: None

Also Present: Dan Johnson, Interim City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner

Pledge

Public Comments: "Comment Card" Required

Consent PDZ

A. Approve the meeting minutes to date.

PDZ Member Kenneth Haynes made the motion to approve the Consent Agenda. PDZ Member Dorothy Wynne seconded the motion.

The motion carried with a vote: 7/0

Yes: Muhammed Alam, Kyle Marasckin, Christy Kennard, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne

No: None

Absent: None

Abstained: None

Regular Agenda

- A. Consideration and possible action to approve Final Plat of Foxtail Palms;
BEING A SUBDIVISION OF 80.992 ACRES OF LAND BEING A REPLAT OF A PORTION OF LOTS 43 AND 51, AND ALL OF LOTS 44-46 AND 52-55 AND A PORTION OF TWO (2) 40' WIDE ROAD OF THE EMIGRATION LAND COMPANY SUBDIVISION, A SUBDIVISION OF RECORD IN VOL. 2, PAGE 81 OF THE BRAZORIA COUNTY PLAT RECORDS, LOCATED IN H.T. & B. RAILROAD CO. SURVEY, SEC. 71, A-291, BRAZORIA COUNTY, TEXAS.

Jose Abraham, City Planner, provided an overview. Staff is recommending approval of the Final Plat.

PDZ Member Kyle Marasckin made the motion to approve. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 7/0

Yes: Muhammed Alam, Kyle Marasckin, Christy Kennard, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne

No: None

Absent: None

Abstained: None

- B. Consideration and possible action to approve Final Plat for Meridiana Section 4A East;
BEING A SUBDIVISION OF 16.84 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

The applicant is requesting a 30-day extension on this agenda item and for it to be put on a future PD&Z agenda.

City staff is not recommending approval of this proposed plat - Meridiana Section 4A East – Final Plat

This plat submittal does not address following deficiencies pertaining to Chapter 62, Subdivision Ordinance, Design Criteria Manual, and associated Development Agreement/ PUD:

1. Provide water and sewer capacity for Meridiana Section 4A East. The water and sewer infrastructure necessary for MUD 56 capacity and MUD 56's interconnect with MUD 57 utilities must be constructed for this Section. (Ord No. 2004-O-17, Article I, Section 1 (c); Article II, Section 24. B.19; and Article IV, Section 49).

PDZ Member Ryan Miller made the motion to approve the 30-day extension and to place this item on the August 28, 2023 PD&Z Meeting Agenda. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 7/0

Yes: Muhammed Alam, Kyle Marasckin, Christy Kennard, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne

No: None

Absent: None

Abstained: None

- C. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

No action.

August 14, 2023 PLANNING DEVELOPMENT AND ZONING MINUTES

D. Consideration and possible action to approve excused committee member absences.

No action.

Adjourn

PDZ Member Christy Kennard made the motion to adjourn the meeting at 6:20 p.m. PDZ Member Dorothy Wynne seconded the motion.

The motion carried with a vote: 7/0

Yes: Muhammed Alam, Kyle Marasckin, Christy Kennard, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne

No: None

Absent: None

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



MANVEL PD&Z

DATA SHEET

MEETING DATE: August 28, 2023

TOPIC: Consideration and possible action to approve an Extended Stay Permit for a recreational vehicle (RV) located at 7716 Bissell Rd.

BACKGROUND: On July 20, 2022, the City's Code Enforcement Officer, Ms. Danielle Bryan, visited 7716 Bissell Road regarding a RV being used as a permanent dwelling. The Code Enforcement Officer saw the RV visible from the right-of-way and proceeded to make contact with someone at the property. The Code Enforcement Officer spoke with Ms. Terri Guthrie, who is the property owner's daughter. Ms. Terri Guthrie confirmed that she was living in the RV. The Code Enforcement Officer informed her that using a RV as a residence is not permitted and issued a notice of violation. The Notice of Violation also included other property maintenance violations that were addressed in a timely manner. However, the RV continued to be on the property. On January 17, 2023, Ms. Terri Guthrie met the Code Enforcement Officer at the City Hall Annex to provide an update regarding the use of RV as a residence. She explained that she is in the process of preparing her recently bought property in Santa Fe, Texas to be able to move the RV. She indicated that the process was delayed by the recent bad weather conditions and heavy rains. She also explained that her family members living at 7716 Bissell Road are going through intense medical treatment and depend on her general care and assistance. After her discussion with the Code Enforcement Officer, Ms. Terri Guthrie, filed an Extended Stay Permit with the Permits Department. In support of the application Ms. Terri Guthrie provided a permit issued by the City of Santa Fe allowing her to locate her RV on her property in Santa Fe. On February 13, 2023, Planning, Development, and Zoning Commission approved the requested Extended Stay Permit for a period of six (6) months.

Prior to expiration of the Extended Stay Permit, Ms. Terri Guthrie contacted staff to explain that due to change in circumstances, she was not able to move her RV and requested an Extended Stay Permit for an additional four (4) months. Ms. Terri Guthrie explained that the delay was caused by unforeseen medical treatment related changes in circumstances that were beyond her control.

The listed permit criteria from Section 47-38 for the extended stay permit includes: 1) The RV is to be occupied as a single-family dwelling in excess of six months and is to be placed within the city limits of Manvel, 2) Individuals that have selected a recreationally-centered lifestyle and that chose a specific location for a traditional season ("sunbirds" and "snowbirds"), 3) Individuals who have selected interim lodging during temporary transfer to a new locality or while waiting construction of permanent housing, 4) Individual who frequently relocate for employment purposes, and 5) Individual who have selected a camping unit as a housing alternative for extended periods due to extenuating circumstances, such as illness.

The applicant has indicated that the request is based on the following two criterion: 1) Individual who have selected a camping unit as a housing alternative for extended periods due to extenuating circumstances, such as illness. Staff was able to verify that the applicant continues

to own the property in Santa Fe, TX and can get a permit to place an RV at that location.

Under the O-SFR zoning, the City's land use table does not permit a RV as a single-family residence. The use of a RV is only permitted in a RV Park. RV Parks are permitted as a SUP in the LC, HC, MF, and HMU zoning districts. A RV can be used as a temporary residence under the criteria mentioned above from Section 47-38 for no greater than six months. An extended stay permit is needed for a RV used as a residence for greater than six months. The applicant has indicated that the RV will be moved within the requested four (4) months. The applicant has also indicated that if necessary for an approval, the applicant is willing to provide a letter agreeing to move the RV by a specific date.

RECOMMENDATION: City staff recommends approval of the extended stay request as the application meets permit criteria and an application have been submitted prior to expiration of the previously approved permit.

ATTACHMENTS: Staff Report and Application form.

FUNDING ISSUES

- ☒ Not applicable
- ☐ Not budgeted
- ☐ Full amount already budgeted
- ☐ Funds to be transferred from Acct.#



SUBMITTING STAFF MEMBER
Jose Abraham, City Planner

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



EXTENDED STAY PERMIT

Address: 7716 Bissell Road

Applicant/Representative: Terri Guthrie

Property Owner: John Hodgson

Current Zoning: Single Family Residential (SFR)

Request: An extended stay permit to allow the location and use of RV as a single-family dwelling in excess of six months.

Applicable Regulation: Section 47-36, Recreation Vehicle Parks; and Section 47-38, *Criteria for Extended Stay Permits*.

Exhibits: Site Photographs, Notice of Violation, Zoning Site Map, Aerial Site Map, and Application

Submitting Staff:

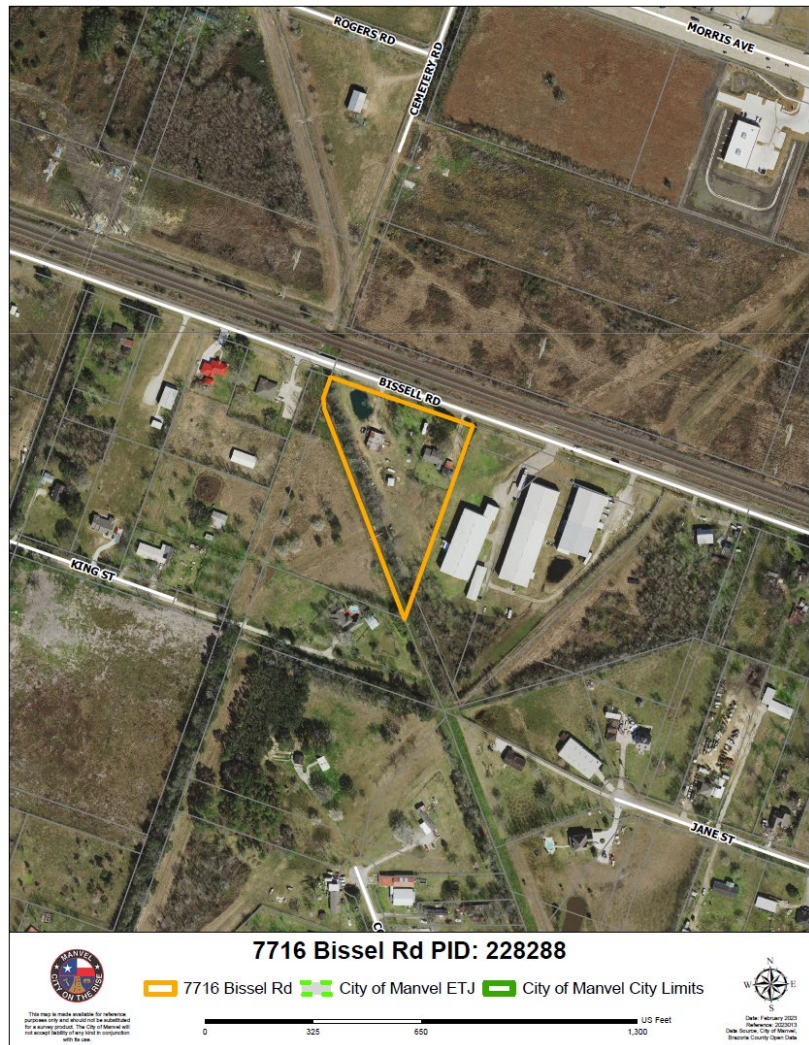
Jose Abraham
 City Planner

jose.abraham@cityofmanvel.com

Executive Summary

The property owner is requesting an extended stay permit approval from the Planning, Development and Zoning Commission to allow the use of a RV as a dwelling unit. The property is zoned Open-Single Family Residential (O-SFR) District.

Site Exhibit Map





Staff Report

Ordinance Criteria

Manvel Code of Ordinances, Chapter 47, *Recreational Vehicle Parks*, Section 47-36. (e), *Parking Prohibitions*, states “It shall be unlawful for any person to occupy a recreational vehicle with the intent of making it a permanent residence for over 180 days in any place within the city limits of Manvel, Texas, other than in a licensed RV park, except when specifically authorized by the Manvel Planning and Development Commission for just cause or under extenuating circumstances. The extended-stay permit fee, as stated in section 47-37, fees, issued by the Manvel Planning and Development Commission authorizing the recreational vehicle to be located outside a licensed RV park shall specify the location to be used and the length of time said vehicle shall be allowed to be occupied at said location. Written documentation for extenuating circumstances is required before the extended stay permit will be issued. If an RV is found not to be in compliance with this article and/or is determined to be uninhabitable, the RV shall be in violation of this article and not be allowed to remain within the city limits of the City of Manvel.”

Overview

On July 20, 2022, the City’s Code Enforcement Officer, Ms. Danielle Bryan, visited 7716 Bissell Road regarding a RV being used as a permanent dwelling. The Code Enforcement Officer saw the RV visible from the right-of-way and proceeded to make contact with someone at the property. The Code Enforcement Officer spoke with Ms. Terri Guthrie, who is the property owner’s daughter. Ms. Terri Guthrie confirmed that she was living in the RV. The Code Enforcement Officer informed her that using a RV as a residence is not permitted and issued a notice of violation. The Notice of Violation also included other property maintenance violations that were addressed in a timely manner. However, the RV continued to be on the property. On January 17, 2023, Ms. Terri Guthrie met the Code Enforcement Officer at the City Hall Annex to provide an update regarding the use of RV as a residence. She explained that she is in the process of preparing her recently bought property in Santa Fe, Texas to be able to move the RV. She indicated that the process was delayed by the recent bad weather conditions and heavy rains. She also explained that her family members living at 7716 Bissel Road are going through intense medical treatment and depend on her general care and assistance. After her discussion with the Code Enforcement Officer, Ms. Terri Guthrie, filed an Extended Stay Permit with the Permits Department. In support of the application Ms. Terri Guthrie provided a permit issued by the City of Santa Fe allowing her to locate her RV on her property in Santa Fe. On February 13, 2023, Planning, Development, and Zoning Commission approved the requested Extended Stay Permit for a period of six (6) months.

Prior to expiration of the Extended Stay Permit, Ms. Terri Guthrie contacted staff to explain that due to change in circumstances, she was not able to move her RV and requested an Extended Stay Permit for an additional four (4) months. Ms. Terri Guthrie explained that the delay was caused by unforeseen medical treatment related changes in circumstances that were beyond her control.

Manvel Planning, Development & Zoning Commission

Planning Department

City of Manvel

August 28, 2023



The listed permit criteria from Section 47-38 for the extended stay permit includes:

1. The RV is to be occupied as a single-family dwelling in excess of six months and is to be placed within the city limits of Manvel.
2. Individuals that have selected a recreationally-centered lifestyle and that chose a specific location for a traditional season ("sunbirds" and "snowbirds").
3. Individuals who have selected interim lodging during temporary transfer to a new locality or while waiting construction of permanent housing.
4. Individual who frequently relocate for employment purposes.
5. Individual who has selected a camping unit as a housing alternative for extended periods due to extenuating circumstances, such as illness.

The applicant has indicated that the request is based on the following criterion: 1) Individual who have selected a camping unit as a housing alternative for extended periods due to extenuating circumstances, such as illness. Staff was able to verify that the applicant continues to own the property in Santa Fe, TX and can get a permit to place an RV at that location.

Under the O-SFR zoning, the City's land use table does not permit a RV as a single-family residence. The use of a RV is only permitted in a RV Park. RV Parks are permitted as a SUP in the LC, HC, MF, and HMU zoning districts. A RV can be used as a temporary residence under the criteria mentioned above from Section 47-38 for no greater than six months. An extended stay permit is needed for a RV used as a residence for greater than six months. The applicant has indicated that the RV will be moved within the requested four (4) months. The applicant has also indicated that if necessary for an approval, the applicant is willing to provide a letter agreeing to move the RV by a specific date.

Recommendation

City staff recommends approval of the extended stay request as the application meets permit criteria and an application have been submitted prior to expiration of the previously approved permit.



Site Photographs



The RV located at 7716 Bissell Road (July 20, 2022).



The RV and existing home located at 7716 Bissell Road (July 20, 2022).



RV sewer and water connection to existing home at 7716 Bissell Road (July 20, 2022).



View of RV and other structures from Bissell Road (July 20, 2022).



Notice of Violation



City of Manvel Code Enforcement
 20025 Morris Avenue Manvel, TX 77578
 281-489-0630

NOTICE OF VIOLATION

Service # _____

Name: <u>Terri Guthrie</u>		☐ Owner ☒ Occupant
Address: <u>7718 CR 190 Bissell</u>		Phone: <u>832-205-5896</u>
Race:	Sex:	DOB: <u>10/19/1967</u>
DL# <u>11119235</u>	State <u>TX</u>	ALT. Phone #

Violation Information:

Address: <u>7718 CR 190 Bissell Rd</u>		
Date: <u>7/20/2023</u>	Time: <u>2:20 pm</u>	Type: ☒ Ordinance ☐ Other ☐ Fire Haz.

Your Immediate Attention is called to the following condition (s)
 that were observed at the above location.

Code of Ordinances City of Manvel

- ☐ No Permit for Sign (Sec. 53-4)
- ☐ No Permit for construction or excavation for construction (Sec. 17-27)
- ☐ Burning without Permit (Sec. 17-242)
- ☐ Heavy Construction during Prohibited Hours before 7am after 9pm (Sec. 17-415)
- ☐ Road Debris: trash, rock, mud, dirt, garbage, debris, or other substances that dropped or fell from a vehicle involved in construction activity. (Sec. 17-416)
- ☒ Junked vehicles as public nuisance: junked vehicle, including a part of a junked vehicle, 10 days which is visible at any time of the year from a public place or public right-of-way (Sec. 26-64)
- ☒ Tall Grass & Weeds, Garbage, Rubbish, Litter and all other objectionable, unsightly and unsanitary matter of whatever nature shall Not exist on any lot or parcel; Also no holes 7 days that could hold stagnant water; or any such condition as to be liable to cause disease, produce, harbor or spread disease germs of any nature or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious. (Sec. 26-85)
- ☐ Fireworks Prohibited (Sec. 29-50)
- ☐ Substandard Building (Sec. 17-456)

Other Violations

- ☒ Sec 38-39 RV being used as a permanent dwelling - 60 months

You are hereby ordered to remedy the condition(s) as stated above within ____ days of this notice. If the condition is not remedied by the time allowed, further action will be taken and a citation may be issued, and a new citation may be issued for every day the condition exist and is not corrected.

[Signature]
 I acknowledge the receipt of this Notice
 of Violation and understand the consequences

[Signature] 332
 Officer delivering Notice. ID#

• NOT A CITATION •



Zoning Vicinity Map





Aerial Site Map





Application

23-001856

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

EXTENDED STAY PERMIT

Name of Person Applying for Permit Terri Guthrie
Name of Person who owns the Land John + Shirley Hodgson
(Where RV will be sitting)
Address 77186 Bissell
City Manvel State Tx Zip 77578
Phone Number 832.205-5896

FEE FOR PERMIT IS \$50.00

MUST BE APPROVED BY P D & Z PRIOR TO ISSUING OF PERMIT
PERMIT VALID FOR UP TO 180 DAYS

CRITERIA FOR EXTENDED-STAY PERMITS

1. The recreational vehicle is to be occupied as a single-family dwelling in excess of six (6) months and is to be placed within the City limits of Manvel.
2. Individuals that have selected a recreationally-centered lifestyle and that chose a specific location for a traditional season.
3. Individuals who have selected interim lodging during temporary transfer to a new locality or while waiting construction of permanent housing.
4. Individuals who frequently relocate for employment purposes.
5. Individuals who have selected a camping unit as a housing alternative for extended periods due to extenuating circumstances, such as illness.

Date of permit: _____

Date of Expiration: _____

Anticipated Length of Stay: _____

APPROVED _____

DENIED _____



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

(281) 489-0630
Fax (281) 489-0634

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☐
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Date of Request: _____

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: _____

Daytime Phone: _____ Fax Number: _____

E-mail Address: _____

Description of Request and Physical Address:

Plats:

Preliminary _____

Final _____

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Kaitlin Gile
SIGNATURE

DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

STAFF REPORT TO PLANNING, DEVELOPMENT AND ZONING COMMISSION **PLAT APPLICATION**

Plat Name:	Meridiana Section 4A East – Final Plat
Applicant:	Jackie Overton – EHRA Engineering
PD&Z Meeting Date:	August 28, 2023
Submitted By:	Jose Abraham, City Planner
Report Approved by:	Dan Johnson, Interim City Manager/ City Engineer Jessica Rodriguez, Director of Development Services

BACKGROUND/ REVIEW NOTES

- This plat was considered at the August 14, 2023 agenda. The applicant requested a 30-day extension based on Texas Local Government Code Chapter 212.009 so that the plat could be acted upon at the August 28th meeting.
- The extension was requested to allow time for an agreement between City of Manvel, BCMUD 56 and BCMUD 57 to be approved by City Council.
- The request for extension was approved providing time until September 13, 2023 to act upon the plat. The motion made by Planning, Development, and Zoning Commission (PD&Z) Chairman, included approval of a 30-day extension, but also stated that the item be considered at the August 28, 2023 meeting. Therefore, staff is including this item on the agenda.

STAFF RECOMMENDATION

The City staff is recommending that the agenda item be tabled so that it can be acted upon at the next PD&Z meeting on September 11, 2023.



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

Meridiana General Development Plan Amendment No. 21 (dated November 19, 2021)

