

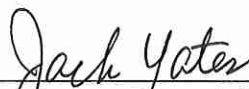
MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA
PUBLIC HEARING AND SPECIAL MEETING OF
MONDAY, JANUARY 7, 2019, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,
MONTGOMERY, TEXAS

1. CALL TO ORDER

2. Public Hearing for rezoning of a 7.710-acre tract of land located at tracts 23-A and 24-A located at the southwest corner of Old Plantersville Road and Womack Cemetery Road, Montgomery from ID-Industrial to R-1-Single-Family as requested by Michael and Judith Kammerer.

3. Public Hearing for rezoning of a 2.187-acre tract and a 0.475-acre tract located at 1062 Clepper Street, Montgomery from R-1 Single-family to B-Commercial to be held as requested by James Ward.

4 Adjournment



Jack Yates, City Administrator

Posted January 4, 2019 at 4:20 p.m. This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.



Montgomery City Council
AGENDA REPORT

| | |
|---|---|
| Meeting Date: January 7, 2018/ 2019 | Budgeted Amount: |
| | |
| Prepared By: Jack Yates City Administrator | Exhibits: Letter of Request, Map with request, Area map from Staff |
| Date Prepared: January 2, 2019 | |

Subject

This is to hold the first public hearing regarding the rezoning of a 7.710 acre parcel of property in Tracts 23 – A and 24 – A located at the southwest corner of Old Plantersville Road and Womack Cemetery Road, from ID – industrial to R-1 single-family residential.

Description

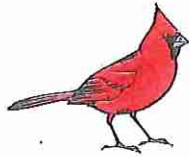
This is the public's opportunity to comment on the proposed zoning change. Should be little or no comments from the Commission members.

Recommendation

Listen to any public comment and consider.

Approved By

| | | |
|--------------------|------------|-----------------------|
| City Administrator | Jack Yates | Date: January 2, 2019 |
|--------------------|------------|-----------------------|



Red Bird Meadows Ranch

Mike and Judy Kammerer
11900 Womack Cemetery Road
Montgomery, Texas 77316

October 24, 2018

Michael J. & Judith L. Kammerer
11900 Womack Cemetery Rd.
Montgomery, TX 77316

City of Montgomery
101 Old Plantersville R.
Montgomery, TX 77316

Attn: Mr. Jack Yates – City Adm.

RE: Request for zoning revision

Dear Mayor Countryman and Council,

We, Michael J. & Judith L. Kammerer, are owners of a 404 +/- acre tract in the Landrum Zacharias Survey, A-0022, tracts 23-A and 24-A on the 2017 Montgomery County property tax statement. We wish to engage and hereby authorize our real estate agent, Webb K. Melder, to act on our behalf regarding our request to change the current zoning designation for 7.710 acres of the aforementioned 404 +/- acre tract, located at the southwest corner of Old Plantersville Rd. and Womack Cemetery Rd, (see plat exhibit) and designated as tract 24-A. Our request is for all of the land located inside the Montgomery City limits as shown on the plat exhibit and that is part of our ranch, to be revised to residential.

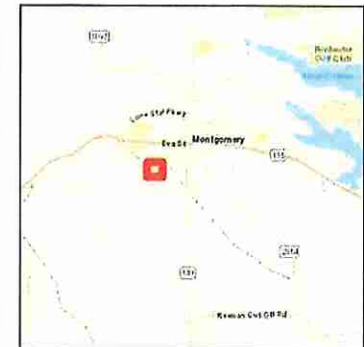
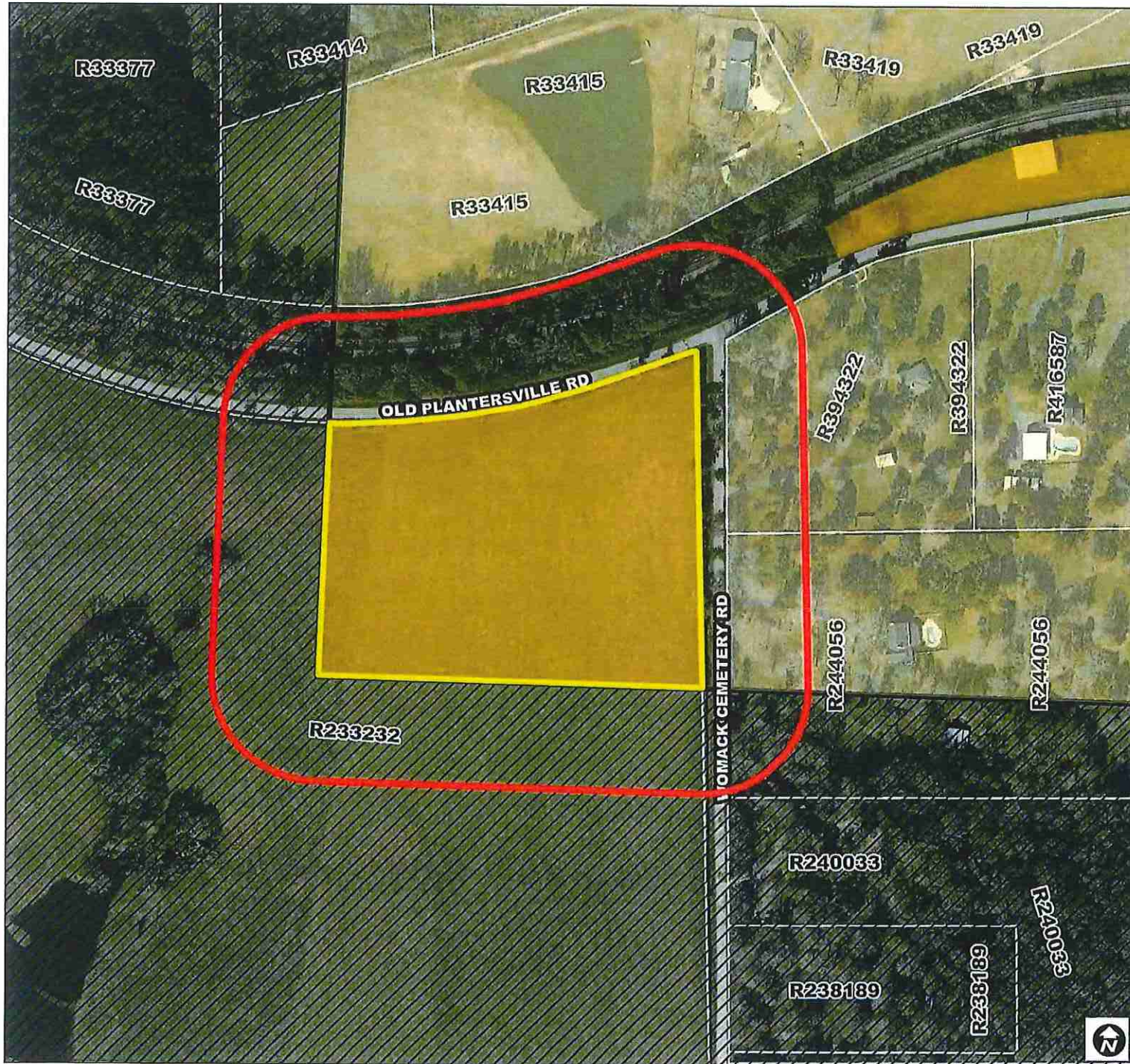
It is currently zoned industrial. With homes across the street and in the surrounding area, together with a residential development forecast for the future, we respectfully request the change in zoning classification from industrial to residential.

Enclosed is my check for \$500.00 for the city's zoning revision process and landowner's request fee. Thank you for your consideration.

Respectfully,

Michael J. & Judith L. Kammerer

Cc: Webb K. Melder – agent
713-824-8764



LEGEND

Zoning

- Industrial (ID)
- Residential (R-1)

- City Limit
- City ETJ
- MCAD Property Info
- Tract Boundary
- 200-ft Notification Boundary

Date:



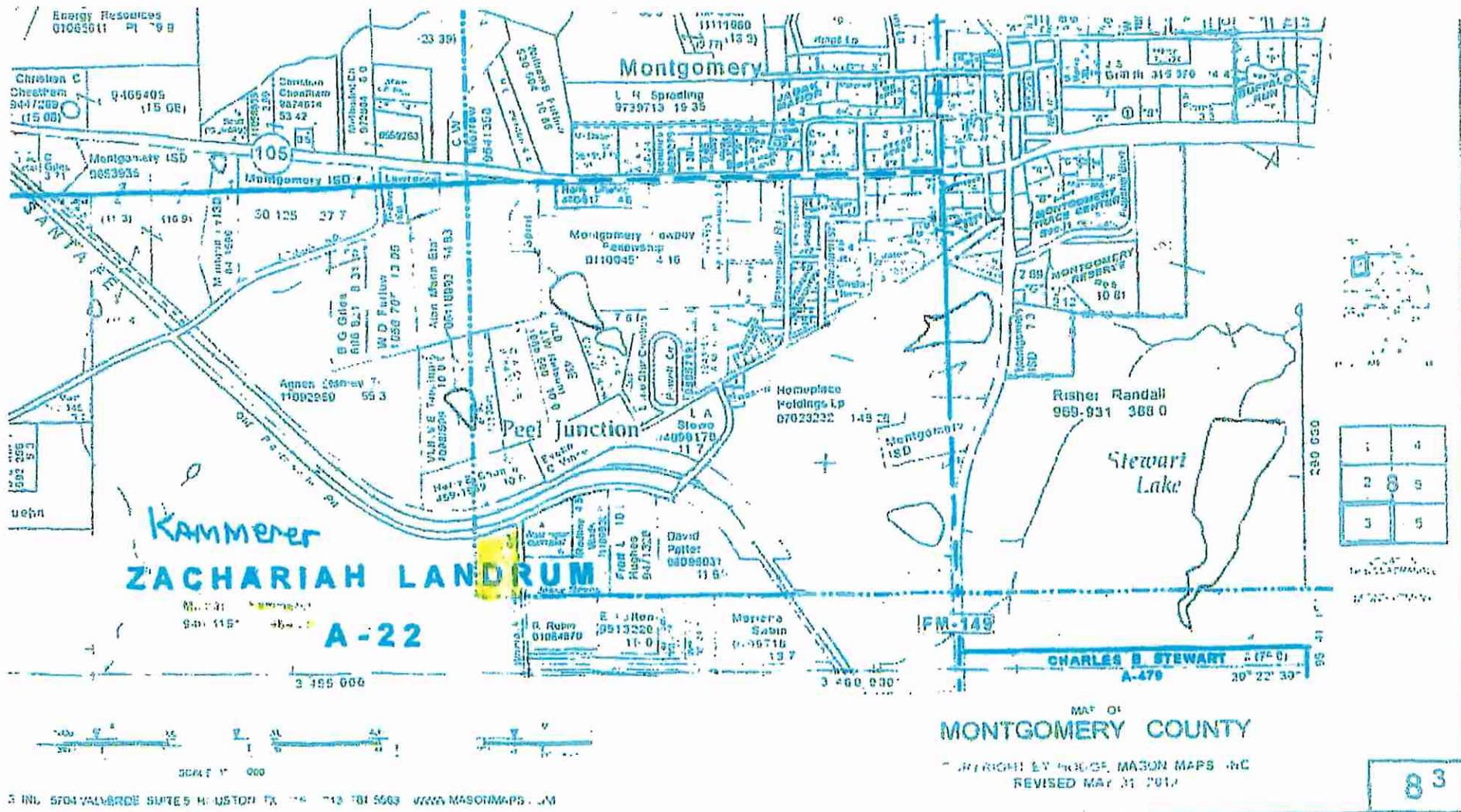
Kammerer Tract Rezoning

SW Corner of Old Plantersville Road & Womack Cemetery Road

1 inch equals 300 Feet

PLAT EXHIBIT

7.710 +/- Acs. inside the city limits



Montgomery City Council
AGENDA REPORT

| | |
|---|---|
| Meeting Date: January 7, 2018/ 2019 | Budgeted Amount: |
| | |
| Prepared By: Jack Yates City Administrator | Exhibits: Letter of Request, Map with request, Parcel map from Staff |
| Date Prepared: January 2, 2019 | |

Subject

This is to hold the first public hearing regarding the rezoning of 2.187 acre tract and an adjoining 0.475 acre tract of land located at 1062 Clepper St., from R-1 single-family residential to B – commercial.

Description

This is the public's opportunity to comment on the proposed zoning change. Should be little or no comments from the Commission members.

Recommendation

Listen to any public comment and consider.

Approved By

| | | |
|--------------------|------------|-----------------------|
| City Administrator | Jack Yates | Date: January 2, 2019 |
|--------------------|------------|-----------------------|

**JIM'S HARDWARE, INC.
14460 LIBERTY ST.
MONTGOMERY, TEXAS 77356
936-597-8922**

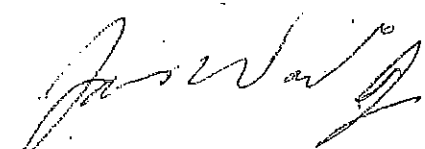
**City of Montgomery
Jack Yates
Montgomery, Texas 77356
August 31, 2018**

Dear Mr. Yates,

I am the owner of the attached described property. I request that the 2.187 acres of land and the 0.475 acres of land located at 1062 Clepper Street be re-zoned from R-1 Residential to B-Commercial.

Please let me know when the next Planning and Zoning meeting might be so I can discuss this property with them. If you have any other questions, please feel free to contact me.

Sincerely,


James (Jim) Ward, Jr.

**Owner
281-703-1628 OR 936-276-8000**

**Attached:
Check
Surveys and maps**



November 23, 2015

BEING 2.187 ACRES OF LAND IN THE JOHN CORNER SURVEY, A-8, MONTGOMERY COUNTY, TEXAS, SAID 2.187 ACRES BEING OUT OF THE N.D. BRANCH 2.72 ACRE TRACT OF LAND DEED OF WHICH IS RECORDED IN VOLUME 226, PAGE 318 MONTGOMERY COUNTY DEED RECORDS, SAID 2.187 ACRES BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING at a 5/8" iron rod found for the Southeast corner of Restricted Reserve "A", Ward Investment Section 1, a subdivision map recorded in Cabinet Z, Sheet 606 of the Montgomery County Map Records, the Southwest corner of the said 2.72 acre tract, in the North line of Clepper Street, (60' Vol. 10, Pg. 56, M.C.D.R.) and being the Southwest corner of the herein described tract of land;

THENCE N. 00° 57' 09" E., along the East line of said Reserve A, the West line of the 2.72 acre tract for a distance of 541.11 feet, (2.72 acre call 552.95 feet) to a 5/8" iron rod found for the Northeast corner of Reserve " A ", in the South line of Lot 12, Block 5 of Buffalo Springs, Section 1, Amending Plat, a subdivision map recorded in Cabinet Z, Sheet 94 of the Montgomery County Map Records, for the Northwest corner of the 2.72 acre tract, the Northwest corner of the herein described tract of land;

THENCE N. 85° 44' 52" E., along the South line of Lot 12, the North line of the 2.72 acre tract for a distance of 229.12 feet, (call 236.11 feet) to an 8" Cedar Fence Corner found for the Southeast corner of Lot 12, the Northeast corner of the 2.72 acre tract, in the West line of Betty Ann Cluxton 7.2 acre tract of land deed of which is recorded under County Clerk File Number 8005417 of the Montgomery County Real Property Records, being the Northeast corner of the herein described tract of land;

THENCE S. 00° 00' 01" E., along Cluxton's West line, the East line of the 2.72 acre tract for a distance of 298.60 feet to a Railroad Tie for an angle point;

THENCE S. 00° 08' 15" W., continuing along said line for a distance of 51.40 feet to a 1/2 iron rod set with cap (Jeff Moon RPLS 4639) for the Northeast corner of the Robert G. Berkley 0.38 acre tract of land deed of which is recorded under County Clerk File Number 2008-032938 of the Montgomery County Real Property Records;

THENCE N. 89° 56' 08" W., along Berkley's North line for a distance of 59.30 feet to a 1/2 iron rod set with cap (Jeff Moon RPLS 4639) to the Berkley's Northwest corner, in the East line of the Norman D. Branch 0.47 acre tract of land deed of which is recorded in Volume 352, Page 526, Montgomery County Deed Records;

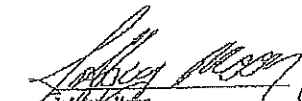
THENCE N. 00° 06' 56" E., along the above mentioned East line for a distance of 64.57 feet to a 1/2 iron rod set with cap (Jeff Moon RPLS 4639) for the Northeast corner of the 0.47 acre tract;

THENCE N. 89° 56' 08" W., along the North line of the 0.47 acre tract for a distance of 75.00 feet to a ½ iron rod set with cap (Jeff Moon RPLS 4639) for it's Northwest corner;

THENCE S. 00° 03' 52" W., along the West line of the 0.47 acre tract for a distance of 275.00 feet to a ½ iron rod set with cap (Jeff Moon RPLS 4639) for it's Southwest corner, in the North line of Clepper Street for the Southeast corner of the herein described tract;

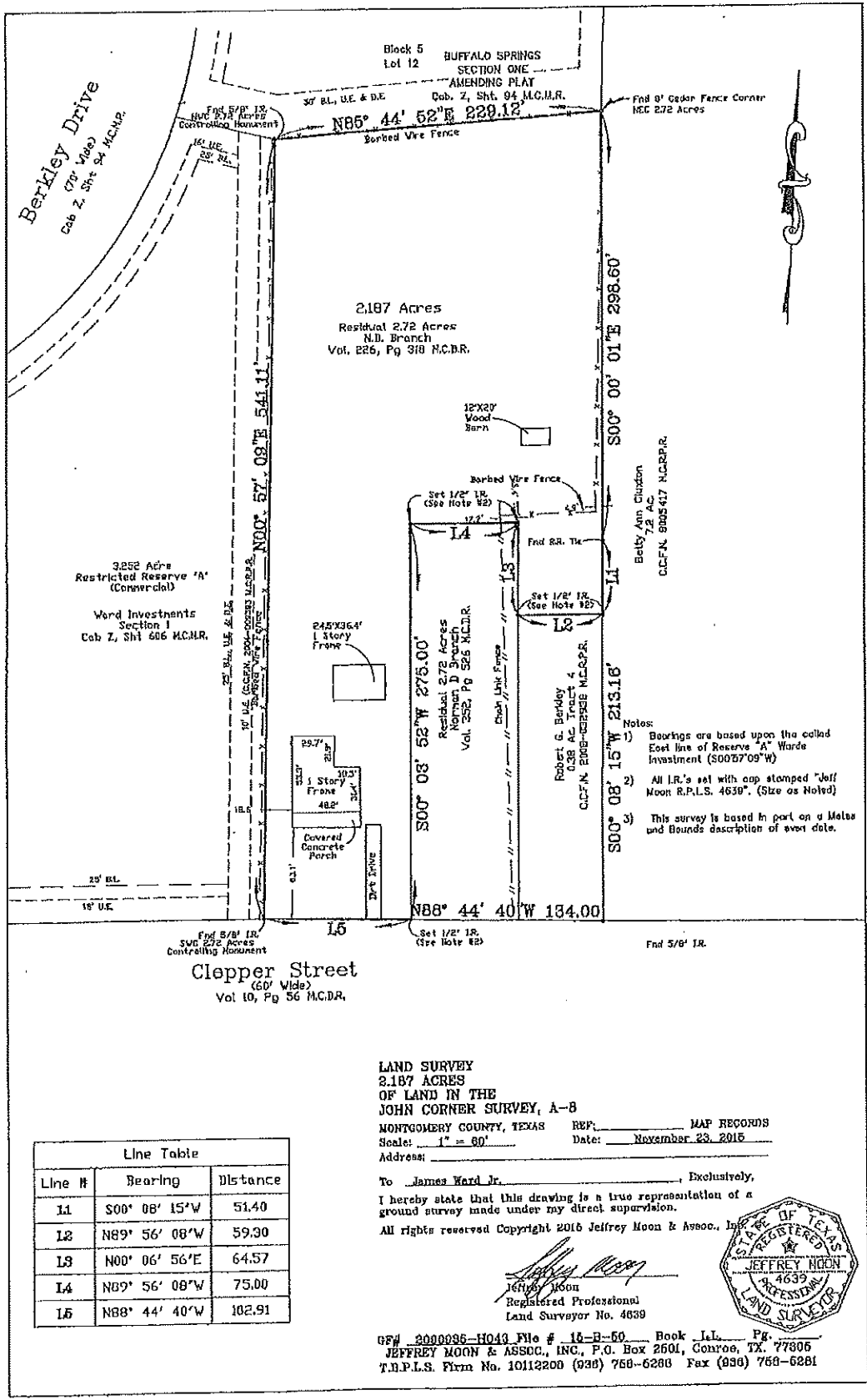
THENCE N. 88° 44' 40" W., along the North line of Clepper Street for a distance of 102.91 feet to the POINT OF BEGINNING in all containing in all 2.187 acres of land.

This description is based upon a Land Survey and drawing as prepared by Jeffrey Moon and Associates, Inc; dated November 23, 2105. Bearings are based upon the East line of Ward Investments per plat.


Jeffrey Moon
Registered Professional
Land Surveyor No. 4639



2.187 Ac M&B



3252 Acres
Restricted Reserve 'A'
(Commercial)
Ward Investments
Section 1
Cob Z, Sht 506 M.C.D.R.

2.187 Acres
Residual 2.72 Acres
N.D. Branch
Vol. 226, Pg 318 M.C.D.R.

215x364'
1 Story
Frame

29'7\"
1 Story
Frame
482'
Covered
Concrete
Porch

12x20'
Wood
Barn

Robert C. Berkley
C.C.F.N. 2008-2009 M.C.D.R.
C.C.F.N. 2008-2009 M.C.D.R.

Betty Ann Clifton
C.C.F.N. 980547 M.C.D.R.

- Notes:
- 1) Bearings are based upon the called East line of Reserve 'A' Ward Investment (S00B709'W)
 - 2) All I.R.'s set with cap stamped "Jeff Moon R.P.L.S. 4639". (Size as Noted)
 - 3) This survey is based in part on a Metes and Bounds description of exact date.

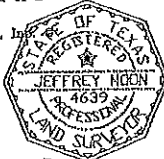
Clepper Street
(60' Wide)
Vol 10, Pg 56 M.C.D.R.

LAND SURVEY
2.187 ACRES
OF LAND IN THE
JOHN CORNER SURVEY, A-B
MONTGOMERY COUNTY, TEXAS REF: MAP RECORDS
Scale: 1" = 80' Date: November 23, 2016
Address:

| Line Table | | |
|------------|---------------|----------|
| Line # | Bearing | Distance |
| L1 | S00° 08' 15"W | 51.40 |
| L2 | N89° 56' 08"W | 59.30 |
| L3 | N00° 06' 56"E | 64.57 |
| L4 | N89° 56' 08"W | 75.00 |
| L6 | N88° 44' 40"W | 102.91 |

To James Ward Jr. Exclusively,
I hereby state that this drawing is a true representation of a ground survey made under my direct supervision.
All rights reserved Copyright 2016 Jeffrey Moon & Assoc. Inc.

Jeffrey Moon
Registered Professional
Land Surveyor No. 4639



GFN 2000095-H049 File # 16-B-50 Book 14L Pg.
JEFFREY MOON & ASSOC., INC. P.O. Box 2601, Conroe, TX. 77306
T.R.P.L.S. Firm No. 1011200 (936) 768-6288 Fax (936) 768-6281

James Ward Jr.

Jeffrey Moon



JEFFREY MOON & ASSOCIATES, INC.

LAND SURVEYORS

www.moonsurveying.com

TBPLS FIRM No 10112200
P.O. Box 2501, Conroe, Texas
(936) 756-5266
Fax (936) 756-5281

July 6, 2016

BEING 0.475 ACRES OF LAND IN THE JOHN CORNER SURVEY, A-8, MONTGOMERY COUNTY, TEXAS, SAID 0.475 ACRE BEING THE RESIDUAL OF THE NORMAN D. BRANCH 2.72 ACRE TRACT OF LAND DEED OF WHICH IS RECORDED IN VOLUME 352, PAGE 526, MONTGOMERY COUNTY DEED RECORDS, SAID 0.475 ACRE BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING at a ½" iron rod set in the North line of Clepper Street, (60' Vol. 10, Pg. 56, M.C.D.R.) for the Southwest corner of the Robert G. Berkley 0.38 acre tract of land deed of which is recorded under County Clerk's File Number 2008-032938, Montgomery County Real Property Records and being the Southeast corner of the herein described tract;

THENCE N. 88° 44' 40" W., along the North line of Clepper Street for a distance of 75.00 feet to a ½" iron rod found with a cap stamped " Jeff Moon RPLS 4639 " for the Southeast corner of the James Ward, Jr; 2.187 acre tract of land deed of which is recorded under County Clerk's File Number 2016-001138, Montgomery County Real Property Records, same being the Southwest corner of the herein described tract;

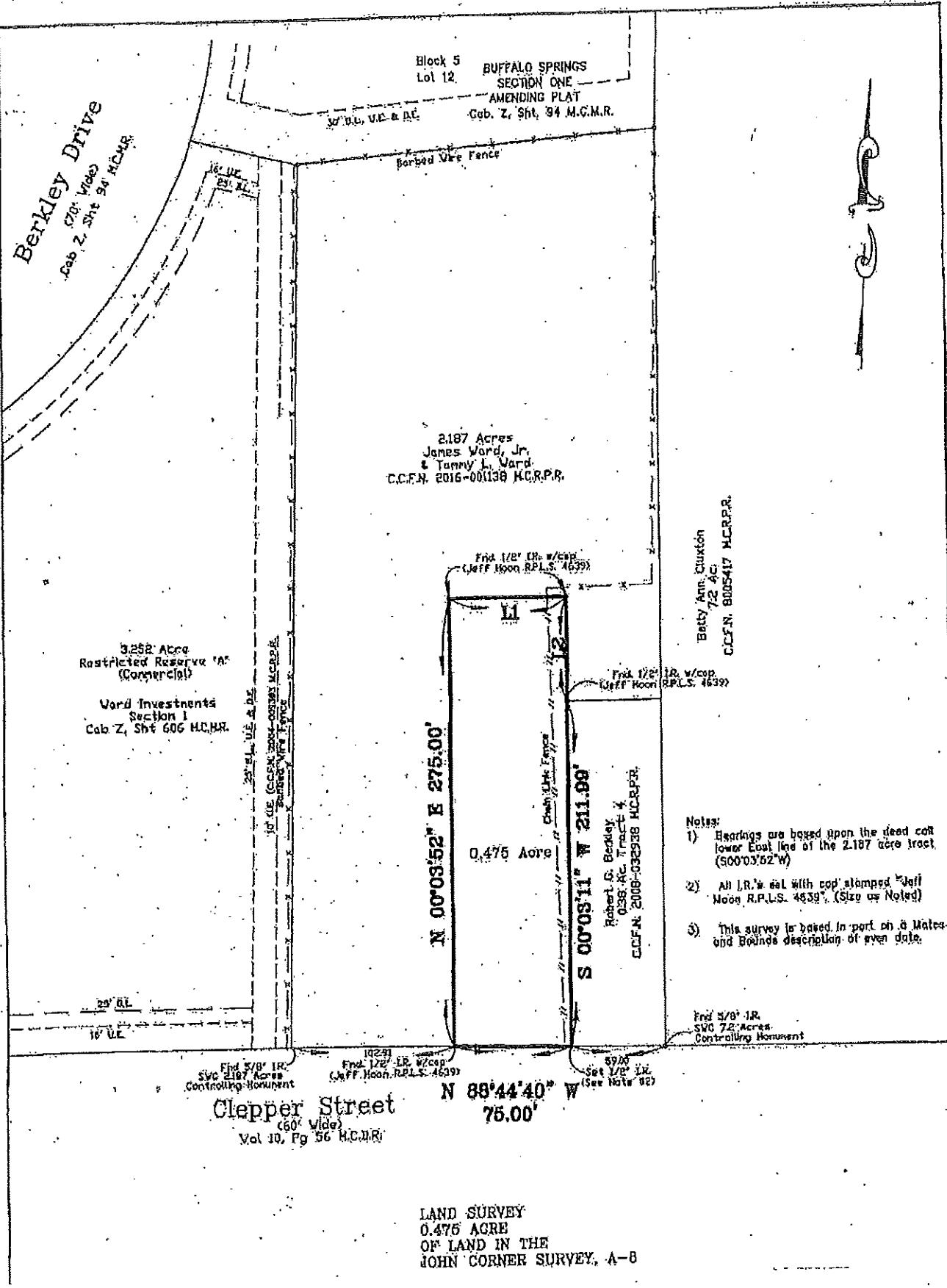
THENCE N. 00° 03' 52" E., leaving the North line of Clepper Street, along an inside line of Ward for a distance of 275.00 feet to a ½" iron rod found with a cap stamped " Jeff Moon RPLS 4639 " for an inside corner of Ward, the Northwest corner of the herein described tract;

THENCE S. 89° 56' 08" E., along a line of Ward for a distance of 75.00 feet to a ½" iron rod found with a cap stamped " Jeff Moon RPLS 4639 " for a corner of Ward, the Northeast corner of the herein described tract;

THENCE S. 00° 06' 56" W., along an inside line of Ward for a distance of 64.57 feet to a ½" iron rod set with a cap stamped " Jeff Moon RPLS 4639 " for a corner of Ward, the Berkley's Northwest corner;

THENCE S. 00° 03' 11" W., along Berkley's West line for a distance of 211.99 feet to the POINT OF BEGINNING and containing in all 0.475 acre of land.

This description is based upon a Land Survey and drawing as prepared by Jeffrey Moon and Associates, Inc., dated July 6, 2016. Bearings are based upon the deed call lower east line of the 2.187 acre tract of land, S. 00° 03' 52" W.



Block 5
Lot 12
BUFFALO SPRINGS
SECTION ONE
AMENDING PLAT
Geb. Z, Sht. 94 M.C.M.R.

Berkley Drive
170' Wide
Geb. Z, Sht. 94 M.C.M.R.

2.187 Acres
James Ward, Jr.
& Tammy L. Ward
C.C.F.N. 2016-00138 M.C.R.P.R.

3.252 Acres
Restricted Reserve 'A'
(Commercial)
Ward Investments
Section 1
Geb. Z, Sht. 606 M.C.M.R.

Betty Ann Chuxton
7/2 AC
C.C.F.N. 8005417 M.C.R.P.R.

- Notes:
- 1) Bearings are based upon the deed call lower East line of the 2.187 acre tract (S00°03'52"W)
 - 2) All I.R.'s are with copy stamped Jeff Noon R.P.L.S. 4639. (Size as Noted)
 - 3) This survey is based in part on a Mate-and-Bounds description of even date.

End 5/8" I.R. 570 Acres Controlling Monument
End 1/2" I.R. w/cop. (Jeff Noon R.P.L.S. 4639)
End 1/2" I.R. w/cop. (Jeff Noon R.P.L.S. 4639)
End 5/8" I.R. 570 Acres Controlling Monument
Set 1/8" L.L. (See Note #2)

Clepper Street
60' Wide
Vol 10, Pg 56 M.C.M.R.

N 88°44'40" W
75.00'

LAND SURVEY
0.476 ACRE
OF LAND IN THE
JOHN CORNER SURVEY, A-8

