

HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500
Houston, Texas 77002
(713) 755-5370

March 18, 2021

Honorable County Judge
& Commissioners

Attention: Commissioner Adrian Garcia

SUBJECT: Recommendation that Commissioners Court approve the revision to the subdivision plat entitled DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1) in Precinct 2.

Dear Court Members:

Pursuant to a Court Letter dated February 23, 2021, confirming the determination that said replat does not affect a public interest or public property of any type, including but not limited to, a park, school or road and establishing March 30, 2021 as the necessary public meeting for discussion of the proposed replat in accordance with Local Government Code 232.009(c-1).

If it meets with the approval of Commissioners Court, it is recommended that the revision to the subdivision plat entitled **DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3** be approved as requested and as described in the attached Court Order. If this request is granted, please submit a certified copy of the Court Order to this office for further processing.

This court letter and associated procedure has been reviewed and approved by the County Attorney's Office as necessary and appropriate.

Sincerely,



John R. Blount, P.E., LEED AP
County Engineer

JRB/jeb/vht
Attachments

cc: Mike Lykes
Milton Rahman, P.E.
Tiko Reynolds-Hausman
Faustino Benavidez, P.E.

Misty Rios
Rosalie Brockman
Juan Hernandez
Jose Jimenez

Chris Saddler
Tiffany Harding

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

ORDER

On this the 30th day of March 2021, at a regular meeting of the Commissioners Court of Harris County, sitting as the governing body of Harris County, with the following members present to wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct 1
Adrian Garcia	Commissioner, Precinct 2
Tom S. Ramsey, P.E.	Commissioner, Precinct 3
R. Jack Cagle	Commissioner, Precinct 4

And the following member(s) absent to wit: _____ constituting a quorum, when among other business, the following was transacted:

ORDER TO PERMIT THE REVISION OF THE SUBDIVISION PLAT ENTITLED
"DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3"

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for the adoption of the order. The motion carrying with it the adoption of the order prevailed by the following vote:

	Yes	No	Abstain
Judge Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ramsey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Cagle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the order had been duly and lawfully adopted. The order thus adopted reads as follows:

ORDER

BE IT ORDERED, ADJUDGED, and DECREED by the Commissioners Court of Harris County, Texas that in accordance with the Local Government Code 232.009 (c-1) that the revision to the subdivision plat does not affect a public interest or public property of any type, including but not limited to, a park, school or road.

- Written notice of the application was provided to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the Harris County Appraisal District.
- Notice of the plat application was posted on the Internet website of the Harris County Engineering Department continuously for at least 30 days preceding the date of the meeting to consider the plat application until the day after the meeting.
- The revision will not interfere with the established rights of any owner of a part of the subdivided lands; or each owner whose rights may be interfered with has agreed to the revision.

LOCAL GOVERNMENT CODE

**TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND
RELATED ACTIVITIES**

SUBTITLE B. COUNTY REGULATORY AUTHORITY

CHAPTER 232. COUNTY REGULATION OF SUBDIVISIONS

SUBCHAPTER A. SUBDIVISION PLATTING REQUIREMENTS IN GENERAL

Sec. 232.009. REVISION OF PLAT. (a) This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities with a population of 1.5 million or more, as determined under Chapter 42.

(b) A person who owns real property in a tract that has been subdivided and that is subject to the subdivision controls of the county in which the property is located may apply in writing to the commissioners court of the county for permission to revise the subdivision plat that applies to the property and that is filed for record with the county clerk.

(c) Except as provided by Subsection (c-1), after the application is filed with the commissioners court, the court shall publish a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting. Except as provided by Subsection (f), if all or part of the subdivided tract has been sold to nondeveloper owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract.

(c-1) If the commissioners court determines that the revision to the subdivision plat does not affect a public interest or public property of any type, including, but not limited to, a park, school,

or road, the notice requirements under Subsection (c) do not apply to the application and the commissioners court shall:

(1) provide written notice of the application to the owners of the lots that are within 200 feet of the subdivision plat to be revised, as indicated in the most recent records of the central appraisal district of the county in which the lots are located; and

(2) if the county maintains an Internet website, post notice of the application continuously on the website for at least 30 days preceding the date of the meeting to consider the application until the day after the meeting.

(d) During a regular term of the commissioners court, the court shall adopt an order to permit the revision of the subdivision plat if it is shown to the court that:

(1) the revision will not interfere with the established rights of any owner of a part of the subdivided land; or

(2) each owner whose rights may be interfered with has agreed to the revision.

(e) If the commissioners court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.

(f) The commissioners court is not required to give notice by mail under Subsection (c) if the plat revision only combines existing tracts.

(g) The commissioners court may impose a fee for filing an application under this section. The amount of the fee must be based on the cost of processing the application, including publishing the notices required under Subsection (c) or (c-1).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 345, Sec. 6, eff. Aug. 28, 1989; Acts 1999, 76th Leg., ch. 129, Sec. 8, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 523, Sec. 9, eff. June 20, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 430 (S.B. [552](#)), Sec. 1, eff. June 14, 2013.



Harris County, Texas

1001 Preston St., Suite 934
Houston, Texas 77002

Staff Report

File #: 21-553

Agenda Date: 2/26/2021

Agenda #: 50.

To: Harris County Commissioners Court

Through: John R. Blount, P.E., County Engineer, Office of the County Engineer
Prepared By: Veronica H. Thomas, Manager, Office of the County Engineer

Subject: Letter - Dreamland Place Section 2 Partial Replat No 3
Project ID (If applicable):

	YES	NO	ABSTAIN
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Purpose and Request:

Recommendation by the County Engineer to Proceed with Public Notice for the Revision of a Subdivision Plat to be called DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1) and Designate the March 30, 2021 Commissioners Court meeting as a Public Meeting for Consideration of the Replat Application, Precinct 2.

Background and Discussion:

Public hearing required by state law, Local Government Code 232.009(c-1).

Fiscal Impact:

Not applicable

Fiscal Summary			
Expenditures	FY 20-21	FY 21-22 Projected	Future Years Projected [3 additional years]
Service Impacted: <i>Not applicable</i>			
Existing Budget			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
Existing Department Budget			
Please Identify Funding Sources: Special Revenue, Grant, etc.			
[INSERT FUNDING SOURCES]			
Total Sources			

Alternatives:

Not applicable

Alignment with Strategic Objective:

Not applicable

Attachments:

Letter, Notice and Local Government Code

Presented to Commissioners Court

February 26, 2021

Approve: C/E

HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500
Houston, Texas 77002

February 11, 2021

Honorable County Judge
& Commissioners

Attention: Commissioner Adrian Garcia

SUBJECT: Recommendation by the County Engineer to Proceed with Public Notice for the Revision of a Subdivision Plat to be called DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3 under Local Government Code 232.009(c-1) and Designate the March 30, 2021 Commissioners Court meeting as a Public Meeting for Consideration of the Replat Application, Precinct 2.

Dear Court Members:

The County Engineer has received an application from an owner of a tract who wishes to subdivide an existing residential lot in the plat of “**DREAMLAND PLACE SECTION 2**” recorded at Volume 41, Page 53 in the Harris County Map Records. The plat is located within Harris County, but outside of municipalities and outside of the extraterritorial jurisdiction of municipalities with a population of 1.5 million or greater, and therefore additional requirements have been set for the review and approval based on Local Government Code 232.009.

The County Engineer recommends that Commissioners Court confirm the determination that said replat does not affect a public interest or public property of any type, including but not limited to, a park, school or road. The determination will provide the necessary guidance to the County Engineer to provide public notice in accordance with Local Government Code 232.009(c-1), including establishment of the March 30, 2021 Commissioners Court meeting as the necessary public meeting for discussion of the proposed replat.

Harris County Commissioners Court will be provided with two additional opportunities to evaluate the proposed replat prior to its approval and recordation.

This court letter and associated procedure has been reviewed and approved by the County Attorney's Office as necessary and appropriate.

Sincerely,



John R. Blount, P.E., LEED AP
County Engineer

JRB/jeb/vht
Attachments

cc: Mike Lykes
Milton Rahman, P.E.
Tiko Reynolds-Hausman
Faustino Benavidez, P.E.

Misty Rios
Rosalie Brockman
Juan Hernandez
Jose Jimenez

Chris Saddler
Tiffany Harding

NOTICE

Date: February 11, 2021

Subject: DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3

All,

Harris County has received the plat application to Approve the Revision of a Plat to be called "DREAMLAND PLACE SECTION 2 PARTIAL REPLAT NO 3": Being a subdivision of a 0.2169 Acre tract of land situated in the Thomas Toby Survey, Abstract No. 784 and also being a Replat of Lot 9, Block 7 of Dreamland Place Section 2 as recorded in Volume 41, Page 53 of the Map Records of Harris County, Texas.

Notice is hereby given that a public meeting of the Commissioners Court of Harris County, Texas, will be held on **Tuesday, March 30, 2021 at 10:00 a.m.** in the Courtroom of the Commissioners Court of Harris County, Texas, on the ninth floor of the Harris County Administration Building, 1001 Preston Avenue, Houston, Texas 77002, for the purpose of considering and taking action on this matter brought before the Court.

Due to global pandemic COVID-19, the public meeting may be held online so visit www.harriscountytexas.gov or www.harriscountytexas.gov/Government/Court-Agenda/Court-Videos. If you wish to speak at the meeting please call 713-274-1111 or sign up at appearancerequest.harriscountytexas.gov.

If any other further assistance is needed, please contact me directly.

Sincerely,



John R. Blount, P.E., LEED AP
County Engineer