

07/08/2022



Mr. Walter Reeves  
Director Of Development Services  
City of Angleton  
121 S. Velasco  
Angleton, Texas 77515

Mr. Reeves,

This letter is a request for a variance for the De La Garza Subdivision. The variance is made by Baker and Lawson on the behalf of Jacobo De La Garza. The following is requested.

The owner requests a variance to Section 23-15(D)2.a.3 of the Land Development Code and Angleton Construction Manual. The purpose of this variance is to allow Jacob De La Garza to install aerobic septic septic systems. The excerpt is provided.

### **Sec. 23-15. Drainage and Utilities.**

#### **D. On-Site Sewerage Facilities (OSSF).**

**2. New / Replacement OSSF Systems Limited.** Sanitary sewer service shall be provided to all properties unless one of the following circumstances is applicable:

- a. *New OSSF Service.* The City will allow the issuance of a permit for a new OSSF only if the following criteria are met:
  - i. Public sanitary sewer service is not available to the property;
  - ii. The property is not included in a public or privately funded project where sanitary sewer service is proposed to be extended to the property;
  - iii. An existing, or proposed, sanitary sewer service main is located more than 200 feet from the front of any lot proposing a new OSSF; and
  - iv. The proposed OSSF is approved by Brazoria County.

We stated the following reasons to support this variance request.

- 1) All proposed lots exceed 1.000 acres.
  - a. The property is zoned as SF-20, which requires 20,000 SF lots. However, the owner is subdividing his lots into two 2.00 acres lots. The acreage of the lots meets the minimum requirements for OSSF facilities allowed by TCEQ.
- 2) The need to extend sanitary services is cumbersome.
  - a. After discussion with the City Engineer and Public Works Director, the owner will need to pump his sewage to MH-823 via grinder pump. The manhole is located in the southeast corner of Downing and Kiber Road. There is no feasible route to the manhole.
    - i. Access to MH-823 via Kiber ROW: Under current conditions, Kiber Road is 60' ROW with a 20' wide asphalt road and roadside ditch on both sides of the roadway. Mr. De La Garza's Property is on the south side of Kiber Road. Between his property line and the road edge, there are 3 buried utilities (Centerpoint Gas, Fiber, and Southwestern Bell). These utilities and their service boxes are shown on the utility plan, Sheet C.3. Near the intersection of Kiber

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Street and Downing Road, the service boxes block access to MH-823 (see Exhibit 1). As shown on the exhibit, there is no safe access to access MH-823.

- ii. Access to MH-823 via easement: due to lack of access in the Kiber ROW, Mr. De La Garza has reached out to the Brazoria County Fair Ground Association for a utility easement. The request for an easement was made on February 17, 2022. To this date, an agreement for an easement has not been reached.

Thank you for consideration of this variance request.

Sincerely,



Miguel Saucedo

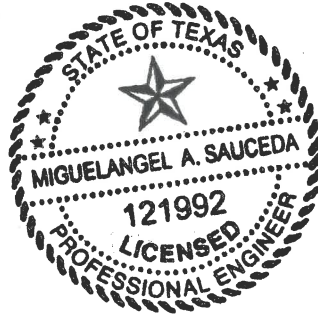




Exhibit 1 (Photo of Kiber Street: view from Downing Road)

