

Brazoria County Engineering
Small Subdivisions and other Plat Exceptions
Workshop
For Real Estate Professionals



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Course Description

The purpose of this course is to enable realtors, home builders, and title company personnel to understand the principles and practices of Brazoria County's Subdivision Platting Regulations; thereby enabling these professionals to provide their client's with information they may need to subdivide, sell, or plat real estate in Brazoria County.

Relevance of the Course:

This course will familiarize Real Estate Professionals with the Brazoria County Subdivision Regulations adopted by Commissioners Court Order No. 49 on October 24, 2006. Guidelines for determining the jurisdiction that properties are located in, as well as resources for locating local jurisdiction will be provided. The information provided will outline the basic requirements between platting, small subdivisions, and reconfigurations of existing tracts. Participants will develop an understanding of the circumstances that require a subdivision plat as well as those circumstances that allow for a small subdivision through the variance process. Participants will also become familiar with the exceptions to plat requirements. The method for obtaining approval for a small subdivision division will be outlined. The participant will also learn the exceptions in which a subdivision plat is not required.

Objectives

As a result of attending this course a participant should be able to define “Subdivision” and identify when a Subdivision plat is required in Brazoria County.

At the completion of this course the participant should be able distinguish when Small Subdivision rules apply in Brazoria County and name the nine conditions for obtaining a small subdivision.

A participant should be able to list the eight exceptions from Brazoria County’s platting requirements.

As a result of taking this course a participant should be able to explain why following Small Subdivision regulations simplifies future transactions.

A participant should be able to state the process to obtain Small Subdivision approval in Brazoria County.

A participant should be able to list the documents needed for a Small Subdivision in Brazoria County and tell where those documents can be obtained from.

At the conclusion of this course, the participant should be able to explain the role of Commissioners Court, Municipalities, and the County Engineering Department in developing and regulating small subdivisions in Brazoria County.

What is a Subdivision

As defined by the Brazoria County Subdivision Regulations:

The division of any tract of land, situated outside the corporate limits of any city located in Brazoria County, Texas, into two (2) or more parts, for the purpose of laying out a subdivision of any tract of land, including an addition, creation of lots, or the laying out of streets, alleys, squares or parks, or other portions intended for public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts.

If you are splitting even one parcel of property, you are creating a subdivision.

What is a plat?

As defined by the Brazoria County Subdivision Regulations:

A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the Clerk's records and containing accurate and detailed engineering data, dimensions, and dedicatory statements and certificates for the purpose of subdividing property.

Do I need a plat to divide my land?

According to the Local Government Code, Chapter 232.001-

A property owner and/or developer is required to file a subdivision plat with the county when a tract of land meeting specific criteria is located outside the limits of a municipality.



What are the specific criteria for dividing land outside the limits of a municipality?

The plat divides the tract into two (2) or more parts to layout:

- 1) a subdivision, including an addition, or
- 2) lots, or
- 3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts. (*Brazoria County Subdivision Regulations, Section A*)



Does a metes and bounds description in a deed or any other executory contract to convey the property eliminate the need to plat?



, there are exceptions to platting requirements (those will be covered later); but, dividing property by metes and bounds descriptions for the purpose of sale of subdivisions may not be a legal subdivision. There are also variances to platting regulation which we will also cover later. (*Brazoria County Subdivision Regulations, Section A*)

What is the first step in making a subdivision?

Know your Jurisdiction. Is the subject property located in a city limit?

Is it located in an ETJ (Extra Territorial Jurisdiction)?

Posted on Brazoria County website is a map of the city limits and ETJ's in the county.

<http://www.brazoria-county.com/engineer/maps/City%20Limits%20with%20ETJ.pdf>

If it is in an ETJ, is it in an ETJ with an interlocal agreement with the County for subdivision plat approval? Interlocal agreement gives the County the authority to provide or regulate a service that is granted to a Municipality or other entity by the Local Government Code.

Determining who has jurisdiction over a project, makes certain that the correct procedures are being followed for the subdivision. (See Appendix B for a contact list of the different jurisdictions.)

Once the correct jurisdiction is established, acquire a copy of that jurisdiction's Subdivision Regulations.

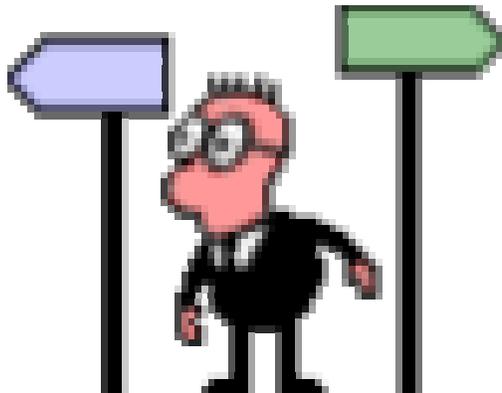
Where do I get a copy of the Subdivision Regulations for Brazoria County?

- Available in PDF format at [www://brazoria-county.com/engineer/subdiviions.asp](http://www.brazoria-county.com/engineer/subdiviions.asp)
- Brazoria County Engineer's Office (by mail or in person)

Mailing Address:	Physical Address:
Brazoria County Courthouse	Brazoria County
Engineering	Courthouse West
Engineering Department	Annex
111 E. Locust, Bldg A-29, Suite 230	451 N. Velasco St,
Angleton, Texas 77515	Suite 230
	Angleton, Texas
	77515

The Subdivision Regulations seem complicated for what I want to do. I don't want to put in a road. I just want to sell part of my property. Can I sell part of my property without having to do a subdivision plat?

Yes, property owners and/or developers can subdivide land by obtaining approval for a variance to the subdivision platting regulations **when certain criteria are met**. (*Brazoria County Subdivision Regulations, Section A*). The approval for the creation of a small subdivision is obtained through the County Engineers. There are nine conditions for the acceptance of a small subdivision.



What are the nine (9) conditions that need to be met in a small subdivision to obtain approval?

- 1.) The property owner and/or developer does not lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alley, square, park or other parts
- 2.) No more than four (4) parts result from the subdivision of a tract of land and each part is at least one (1) acre in area
- 3.) The original parcel to be divided cannot be the result of a division using the small subdivision variance within five (5) years from the date of application
- 4.) Each part has adequate, separate (not shared) access to a publicly-maintained road, with at least 60 feet of frontage along such road
- 5.) The proposed division is not expected to have any impact on drainage
- 6.) Each part is of suitable size and condition to allow for adequate water and sewer services
- 7.) An “Application for Small Subdivision from Platting Requirements” is submitted
- 8.) Adequate right-of-way or easements for existing and proposed road and drainage facilities and proof that concerned parties have consented to such easements or right-of-ways
- 9.) Property owner and/or developer shall provide necessary right-of-way dedications and set-backs

How do I get Small Subdivision approval?

Meet with the County Engineer's representative designated to handle small subdivisions. You will need to provide a sketch of the proposed division and a copy of the deed of the tract being divided.

If the division is approved, the property owner will be required to obtain letters from the County's Environmental Department and the appropriate drainage district authorizing their acceptance of the division.

The property owner needs to provide tax certificates showing that all taxes are paid on the tract.

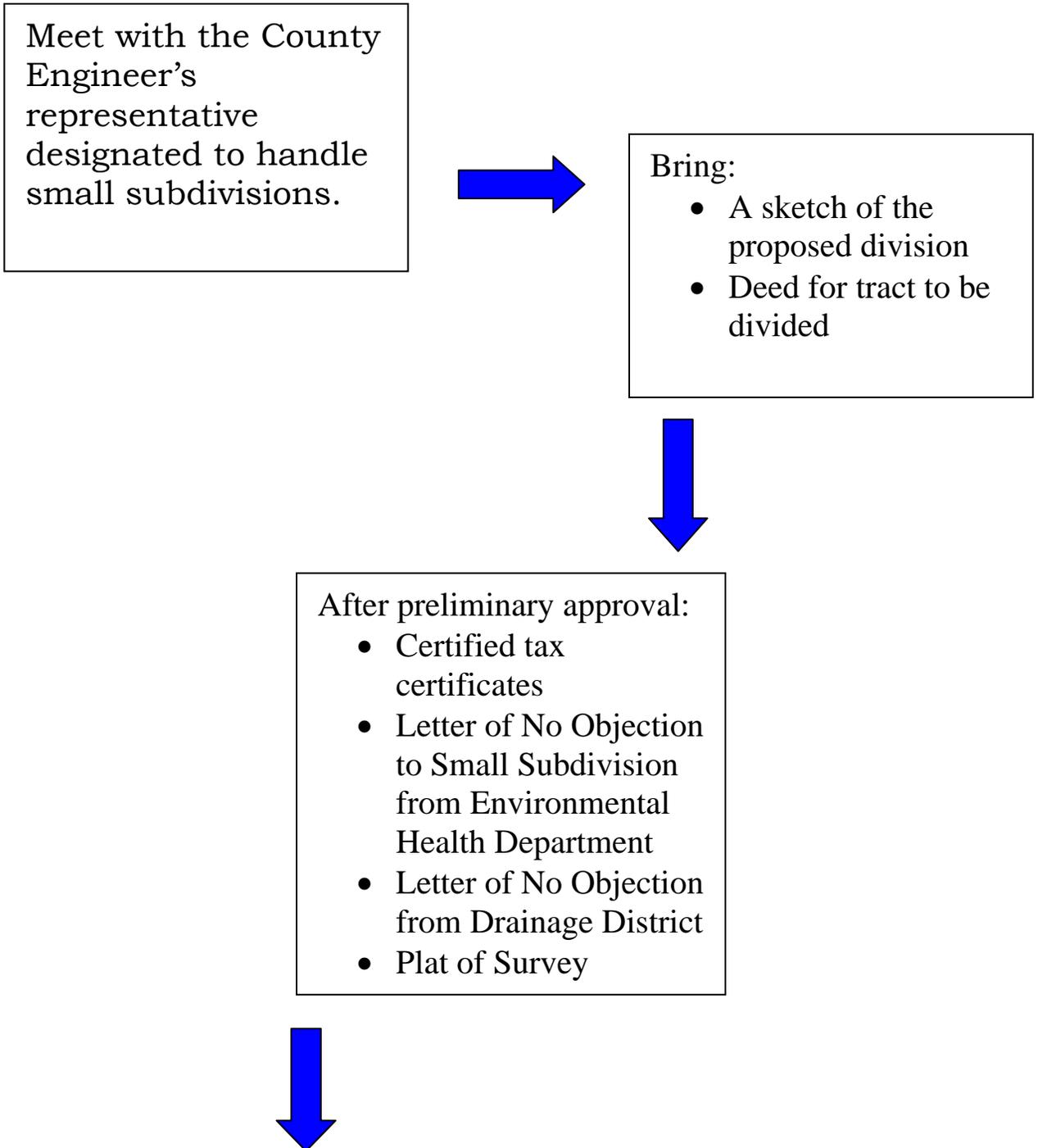
The property owner must then obtain a plat of survey from a land surveyor containing a legal description of all tracts created.

When all these items are delivered to the County Engineer's office, the proposed subdivision will be brought before the Court.

The County Engineer's Office will supply the property owner with a letter granting approval with the original court order attached, which the property owner needs to file along with the plat of survey (signed and sealed by a registered land surveyor) and the new deed with the County Clerk's Office.

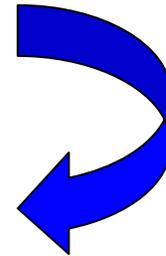


Procedure for obtaining a small subdivision approval



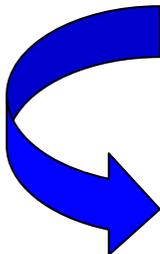
The Engineer's office will:

- Write a Court Order to accept the Small Subdivision
- Present the Court Order to Commissioners' Court
- When the approved Court Order is returned to the Engineers' Office, the engineers' Office will contact the property owner



Property Owner should bring:

- Survey and metes and bounds descriptions
- New Deeds as required



The property owner meets with the County Engineer's representative:

- Sign and notarize affidavit for Small Subdivision
- Record Court Order, Survey, Metes and bounds, affidavits
- New deeds as required

What are the exceptions to platting requirements?

There are seven exceptions to platting requirements. They are listed below with the procedure for obtaining the exception and the process for notification.



1) Division for Mortgage or Tax Purposes

Requirements

- Both tracts created must have access to a publicly maintained road by frontage, public easement, or private ingress and egress easement.
- Ownership of the divided portion may not be conveyed separately from the remainder of the tract unless said due to foreclosure on a loan or due to a tax sale. Any other sale will be required to meet subdivision regulations.
- The County may require the property owner to adhere to the terms of the Subdivision Regulations with regards to set-backs and lot frontages.

Procedure

Present the following to the County Engineer

- A letter requesting exception under this section.
- A copy of the deed for the tract to be divided.
- A plat of survey prepared by a registered land surveyor showing the division with legal descriptions to both tracts

The County Engineer will present the exception request to Commissioner's Court

- Upon approval by Commissioner's Court, the County Engineer will supply the property owner with a letter granting approval with the original court order attached, along with the plat of survey signed and sealed by the land surveyor, which shall be filed with the County Clerk at the property owner's expense.

2) Reconfigure existing tracts

Requirements

- This exception only applies if the portion divided off of one (1) tract is conveyed to the property owner of the adjoining tract or both tracts are owned by the same individual. Any conveyance of the divided portion separate from the adjoining tracts will require compliance with subdivision regulations in effect at that time
- The resulting tracts must be of appropriate size and condition to comply with water and waste water regulations.
- The access to either tract cannot diminish in importance due to this division (meaning public road to public easement, public easement to private easement, ect.).
- County may require adherence to the terms of the Subdivision Regulations with regards to set-backs and lot frontages.

Procedure

The property owner needs to present the County Engineer with the following:

- A letter requesting an exception under this section
- A copy of the deed for the tract to be divided
- A plat of survey prepared by a land surveyor showing the division with legal descriptions to both tracts

The County Engineer will present the exception request to Commissioner's Court

- Upon approval by Commissioner's Court, the County Engineer will supply the property owner with a letter granting approval with the original court order attached, along with the plat of survey signed and sealed by the land surveyor, which shall be filed with the County Clerk at the property owner's expense.





3) Division for Family

Requirements

- The tract may be divided into four (4) parts or fewer and each lot is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573 Local Government Code.
- If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements apply.



When making family subdivisions it is best to adhere to the Subdivision Regulation rules for guidelines on dividing property. Should the property ever leave the family, the subdivision regulations will apply. Expense and confusion can be avoided by dividing property according to County standards.

Procedure

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.

4) Agricultural Use/Farm, Ranch, Wildlife, and Timber

Requirements

- The Subdivision Regulations do not apply if the land is to be used primarily for agricultural use, farm, ranch, wildlife management, or timber production use within the meaning of the Texas Constitution.
- If a tract ceases to be used in any of the above-described uses, the platting requirements apply.

Procedure

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.



When making Agricultural use/Farm, Ranch, Wildlife, and Timber subdivisions it is best to adhere to the Subdivision Regulation rules for guidelines on dividing property. Should the property ever be sold and used for a different purpose, the subdivision regulations will apply. Expense and confusion can be avoided by dividing property according to County standards.

5) More than 10 Acres

Requirements

- Platting regulations do not apply if property owner divides tract of land into two (2) or more parts and all of the lots of the subdivision are more than 10 acres in area.
- It is important to remember, if a road is laid out, this exception does not apply.

Procedure

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.

6) Sold to Veterans

Requirements

Platting requirements do not apply if property owner divides the tract into two (2) or more parts and sold to veterans through the Veterans' Land Board program

Procedure

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.



7) Further Development

Requirements

Platting regulations do not apply when a property owner divides a tract into two (2) or more parts and one (1) new part is retained by the property owner and one (1) new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements.

Procedure

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.



When making any subdivision it is best to adhere to the Subdivision Regulation rules for guidelines on dividing property. Should the exception cease to apply, the subdivision regulations will apply. Expense and confusion can be avoided by dividing property according to County standards.

Approval Process for Exceptions to Subdivision Platting

- The property owner shall provide written notification to the County Engineer of the intent to divide the land.
- The notice must identify the exception the division qualifies and provide a sketch illustrating the division
- The County Engineer will provide the property owner of receipt and acceptance of exception based upon the representation and information received.

Appendix A

Checklist of Document needed to obtain a Small Subdivision Approval

- Deed of tract to be divided
- Sketch of tract showing proposed division

After initial meeting and approval of subdivision:

- Letter of approval from Drainage District
- Letter of approval from Health Department
- Completed form requesting approval for Small Subdivision
- Original Tax Certificates showing all taxes paid
- A plat of survey, signed and stamped by Registered Professional Land Surveyor

Appendix B

Jurisdiction Contact List

Alvin

(City regulates ETJ)
City Hall
216 W. Sealy
Alvin, TX 77511
City Hall phone: 281-388-4200
FAX: 281-331-7215
City Manager- Paul Horn
281-388-4231
<http://www.alvin.tx.citygovt.org/>

Angleton

(City regulates ETJ)
City Hall
121 S. Velasco
Angleton, TX 77515
City Hall phone: 979-849-4364
City Manager- Michael Stoldt
979-849-4364 Ext. 312
FAX: 979-849-5561
<http://www.angleton.tx.us/>

Bailey's Prairie

(City regulates ETJ)
Village Hall
1680 Jimmy Phillips Blvd.
PO Box 71
Angleton, TX 77516-0071
City Hall phone: 979-849-0134

Bonney

(County regulates ETJ)
City Hall
19025 Hwy 521
Bonney, TX 77583
City Hall phone: 281-595-2269
FAX: 979-849-5702

Brazoria

(City regulates ETJ)

City Hall

201 S. Main

Brazoria, TX 77422

City Hall phone: 979-798-2489, 281-393-2202 (Houston)

FAX: 979-798-2018

Interim City Manager/City Secretary - Teresa Borders 798-2489

Brookside Village

(Has no ETJ to regulate)

City Hall

6243 Brookside Rd

Brookside Village, TX 77581

City Hall phone: 281-485-3048

FAX: 281-485-9551

Clute

(City regulates ETJ)

City Hall

104 E. Main

P.O. Box 997

Clute, TX 77531-0997

City Hall phone: 979-265-2541

FAX: 979-265-4551

City Manager- Barbara Hester

979-265-2541 bhester@ci.clute.tx.us

<http://www.ci.clute.tx.us>

Damon

(Not a city- the County regulates this area)

Danbury

(Danbury decides who regulates its jurisdiction on a case by case basis)

City Hall

6102 5th Street

P.O. Box 258

Danbury, TX 77534-0258

City Hall phone: 979-922-1551

FAX: 979-922-8143

Freeport

(City regulates ETJ)
City Hall
200 W. 2nd Street
Freeport, TX 77541
City Hall phone: 979-233-3526
FAX: 979-233-8867
City Manager- Ron Bottoms
979-233-3526 rbottoms@freeport.tx.us

Friendswood

(City Regulates ETJ)
City Hall
910 S. Friendswood Drive
Friendswood, TX 77546
City phone: 281- 996-3200
City Manager- Bo McDaniel
281-996-3250 fwdcity@ci.friendswood.tx.us
<http://www.ci.friendswood.tx.us/>

Hillcrest Village

(Has no ETJ to regulate)
City mailing address
PO Box 1172
Alvin, TX 77512-1172
City phone: 281-756-0577
FAX: 281-388-2460

Holiday Lakes

(County manages ETJ thru Interlocal Agreement)
City Hall Physical address:
195 N. Texas Ave.
City Mailing address
Rt 4, Box 747
Angleton, TX 77515
City phone: 979-849-1136
FAX: 979-849-5225

Iowa Colony

(City Manages ETJ)
City Hall
12003 CR 65
Rosharon, TX 77583
Village Secretary: Geri Kucera Frank
281-369-2471
FAX: 281-369-0005
Email: iowacolony@peoplepc.com

Jones Creek

(City Manages ETJ)
City Hall
7207 S.F. Austin Rd
Freeport, TX 77541
City phone: 979-233-2700
FAX: 979-233-3712

Lake Jackson

(City Manages ETJ)
City Hall
25 Oak Drive
Lake Jackson, TX 77566
City phone: 979-415-2400 and 979-415-2500
FAX: 979-297-9804
<http://www.ci.lake-jackson.tx.us/>

Liverpool

(City Manages ETJ)
City Hall Physical Address:
2220 7th Street
City Mailing address:
PO Box 68
Liverpool, TX 77577-0068
City phone: 281-581-2233

Manvel

(City Manages ETJ)
City Hall Physical Address:
6615 Masters
City Mailing Address:
PO Box 187
Manvel, TX
77578-0187
City phone: 281-489-0630
FAX: 281-489-0634
info@cityofmanvel.com
<http://www.cityofmanvel.com/>

Oyster Creek

(City Manages ETJ)
City Hall
3210 FM 523
Oyster Creek, TX 77541
City phone: 979-233-0243
FAX: 979-233-1568

Pearland

(City Manages ETJ)
City Hall
3519 Liberty Dr.
Pearland, TX 77581-5416
City phone: 281-652-1600
FAX: 281-652-1706
<http://www.ci.pearland.tx.us/>

Quintana

(City Manages ETJ)
Town Hall
814 N. Lamar
Quintana, TX 77541
Town phone: 979-233-0848
FAX: 979-239-1815
Email: quin@trip.net
<http://www.quintana-tx.org/>

Richwood

(City Manages ETJ)
City Hall
215 Halbert St
Richwood, TX 77531
City phone: 979-265-2082
FAX: 979-265-7345
Email: cityrw@brazosport.cc.tx.us
<http://richwood.govoffice.com/>

Rosharon

(Not a city- the County regulates this area)

Sandy Point

(County manages ETJ thru Interlocal Agreement)

Surfside Beach

(City Manages ETJ)
City Hall
1304 Monument Dr
Surfside Beach, TX 77541
City phone: 979-233-1531
FAX: 979-230-6200

Sweeny

(City Manages ETJ)
City Hall Physical address:
102 W. Ashley Wilson Rd.
City Mailing Address:
PO Box 248
Sweeny, TX 77480-0248
City phone: 979-548-3321
FAX: 979-548-7745
<http://www.ci.sweeny.tx.us/>

West Columbia

(City Manages ETJ)

City Hall Physical address:

512 East Brazos

West Columbia, TX 77486

City Mailing address:

PO Drawer 487

West Columbia, TX 77486-0487

City phone: 979-345-3123

FAX: 979-345-3178

<http://www.westcolumbia.org>

Drainage Districts

Angleton Drainage District

(Drainage District #1)

Office Location

CR 428

Mailing address:

PO Box 2469

Angleton, TX 77516-2469

Office phone: 979-849-2414

FAX: 979-848-8160

Board Meetings: 2nd Tuesdays at 4:00 PM CR 428, Angleton, TX

Velasco Drainage District

(Drainage District #2)

Office Location: 915 Stratton Ridge RD, Clute, TX

Mailing address:

PO Box 7

Clute, TX 77531-0007

Office phone: 979-265-4251

FAX: 979-265-7602

Board Meetings: 1st & 3rd Tuesday at 4:00 PM 915 Stratton Ridge RD, Clute, TX

Brazoria County Conservation and Reclamation

District #3

(Drainage District #3 or Alvin Drainage District)

Office Location: 1318 Rosharon RD

Mailing address:

PO Box 789

Alvin, TX 77512-0789

Office phone: 281-331-3433

FAX: 281-331-6761

Board Meetings: 1st Tuesday at 6:00 PM, 1318 Rosharon RD, Alvin, TX 77512

Brazoria Drainage District No. 4

(Pearland)

Office Location and mailing address:

4805 W. Broadway

Pearland, TX 77581-3934

Office phone: 281-485-1434

FAX: 281-485-0065

Email: bdd4@swbell.net

<http://www.pearland-drainage.dst.tx.us>

Board Meetings: 2nd & 4th Wednesday at 9:00AM, 4805 W. Broadway, Pearland, TX 77581-3934

Brazoria Drainage District No. 5

(Iowa Colony)

Office Location 1022 FM 1462 (1 mile east of Rosharon)

Mailing address:

PO Box 1

Rosharon, TX 77583

Office phone: 281-369-0071

FAX: 281-595-3199

Email: mbahr@peoplepc.com

<http://www/brazoria.net/bcdd5/default.htm>

Board Meetings: 1st Monday at 6:30 PM, 1022 FM 1462, Rosharon, TX 77583

Brazoria Drainage District No. 8

(Danbury)

Mailing address: PO Box 293

Danbury, TX 77534-0293

Office phone: 979-922-1250

Board Meetings: 2nd Thursday at 8:00 AM, 6102 5th St, Danbury, TX 77534

West Brazoria County Drainage District

(Drainage District #11)

Office Location 1022 Brazoria County Precinct #4, 1001 Market St,
Brazoria, TX 77422

Mailing address:

PO Box 368

Brazoria, TX 77422-0368

Appendix C

Forms

Application for Small Subdivision Approval
Application for Building Permit
Application for Septic System

**APPLICATION FOR SMALL SUBDIVISION APPROVAL
FROM PLATTING REQUIREMENTS**

Purpose: Under Brazoria County Subdivision Regulations, a person dividing property must, in general, have a subdivision plat prepared and submit that plat to Commissioners Court for approval. That requirement has been established to promote the public welfare through orderly land development, taking into account health, safety, transportation and drainage issues. The Court has established a SMALL SUBDIVISION APPROVAL procedure to allow certain types of property divisions without having a plat approved by Commissioners Court. This application and the additional items requested will enable the Court to determine whether it is appropriate to grant a SMALL SUBDIVISION APPROVAL for the proposed division.

TO: Brazoria County Commissioners Court
c/o County Engineer

The undersigned owner(s) of the tract of land described below hereby request(s) that a variance be granted to allow subdivision of said tract without Commissioners Court approval of a subdivision plat.

Brief description of tract of land to be divided:

Phase 1 (to allow the County Engineer to determine whether the proposed division meets the basic conditions for the variance):

The following items are attached:

1. A copy of the deed for the tract being divided.
2. A copy of any deed or contract for deed or other conveyance out of said tract executed after May 8, 2001.
3. A drawing showing the proposed division of the referenced tract.

Phase 2 (after the County Engineer has determined that the proposed division meets the basic conditions for the variance):

The following items are attached:

4. An original tax certificate from Brazoria County Tax office showing no taxes due on said tract.
5. A letter from the Drainage District in which the property is located stating that the proposed division will not have significant adverse drainage impacts.
6. A letter from the Brazoria County Health Department stating that each part being created by the proposed division is of suitable size and condition to allow the provision of adequate water and sewer service facilities.
7. Submit a plat of survey prepared by a Registered Professional Surveyor showing the proposed division of the referenced tract and accommodations for any existing or proposed public drainage and transportation facilities.

We understand that, if the variance is conditionally granted by Commissioners Court, before we convey any part of the tract, we must:

8. Pay the fee to have the County Clerk record a document in the Official Records of Brazoria County, Texas, said document setting forth the allowable division.

Owner(s): (attach additional sheets if necessary)

Printed/typed Name

Signature

Mailing Address

Area code & phone number

Printed/typed Name

Signature

Mailing Address

Area code & phone number

DO NOT WRITE BELOW THIS SPACE

Approved by:

Permit Fee

Date of Permit

Permit No.

_____ \$ _____
_____ **Inspection Fee** _____
_____ \$ _____

Census Tract **Zone** _____ **for FEMA** **Map Date** _____ **Class** _____
Elevation _____ **MSL** **Panel No.** _____ _____

Special Provisions:

Appendix D

Where do I go to get _____?

A copy of the Subdivision Regulations.....	1
An Application for Small Subdivision Approval.....	2
A “Letter of No Objection” to a small subdivision approval.....	3
A building permit.....	4
Information on septic tank installation and regulation	5
A permit for On-site Sewage Facility.....	7
A culvert.....	6

Where do I get _____?

A hint about County phone numbers: County extensions are the same no matter what part of the county you call from. To call from area codes at the North end of the county, dial 281-756-followed by the four digit extension. Central and West area codes 979-864-followed by the four digit extension. Brazosport area codes 979-388-followed by the four digit extension.

____ a copy of the Brazoria County Subdivision Regulations?

- Available in PDF format at [www://brazoria-county.com/engineer/subdiviions.asp](http://www.brazoria-county.com/engineer/subdiviions.asp)
- Brazoria County Engineer's Office (by mail or in person)

Mailing Address:	Physical Address:
Brazoria County Courthouse	Brazoria County
Engineering	Courthouse West
Engineering Department	Annex
111 E. Locust, Bldg A-29, Suite 230	451 N. Velasco St,
Angleton, Texas 77515	Suite 230
	Angleton, Texas
	77515

____ a "Request for Small Subdivision Approval from Subdivision Regulations" forms?

- Available in Word format at <http://www.brazoria-county.com/engineer/subdivisions.asp>
- Brazoria County Engineer's Office (by mail or in person)

Mailing Address:	Physical Address:
Brazoria County Courthouse	Brazoria County
Engineering	Courthouse West
Engineering Department	Annex
111 E. Locust, Bldg A-29, Suite 230	451 N. Velasco St,
Angleton, Texas 77515	Suite 230
	Angleton, Texas
	77515
- Or email request to stephanieb@brazoria-county.com or other staff at <http://www.brazoria-county.com/engineer/staff.asp>

a “Letter of No Objection” for a small subdivision approval?

From Environmental Health Department:

Contact the Environmental Health Department at:

111 E Locust Bldg A-29 Suite 270
Angleton, TX 77515
Phone: 979-864-1265 Option 4
979-864-1600

You will need a copy of your approved sketch from Engineering showing the subdivision.

From the Drainage District:

Determine the appropriate Drainage District by viewing location on Drainage District Map on <http://www.brazoria-county.com/engineer/maps.asp>

Contact the Drainage District from the list in Appendix B. Each Drainage District has different procedures. Your Drainage District will inform you what they need to provide a “Letter of No Objection” for your small subdivision.

a building permit?

The correct answer goes back to what jurisdiction your property is located in. If you answered Brazoria County, the following instruction came from the Floodplain/Building Permit Department. Forms and information for obtaining a building permit is available at their website: <http://www.brazoria-county.com/floodplain/>

INSTRUCTIONS FOR BUILDING PERMITS

1. If you know you are outside a flood zone, simply fill out the application and mail it and the \$50.00 application fee to the address below. We will process your application, and mail you a permit. Be sure to include a phone number in case we have a question about your information. No inspections will be made.

If you are placing a mobile home on your property, which lies outside the flood zone, the total fee is \$50.00. No inspection will be made. **Brazoria County recommends you build up at least 24” from natural ground, if you are in Zone X. This is only a recommendation.**

- If you are not sure what zone you are in, call the Floodplain Office at (979) 864-1295, with a legal description, and we will determine what zone you are in.

2. If you fall within a flood zone, there will be the following additional requirements:

- Two (2) copies of your floor plans. They may be rough drawings.
- A natural ground elevation certificate will be required from a registered surveyor or engineer, before a permit can be issued. **You are also required to get a top of floor elevation shot after the slab is poured.** This proves that you are at the required elevation for our files.
- If you are placing a mobile home inside the flood zone, the total fee is \$80.00. (\$30.00 inspection fee plus a \$50.00 application fee). **You are also required to get a top of floor elevation shot after the mobile home is in place.** This proves that you are at the required elevation.
- An “Inspection Fee” of \$.04 per square foot, based on enclosed area, plus the \$50.00 application fee will be charged.

Special Notes:

If you are building on less than 10 acres, you must provide us with a copy of your septic permit before a construction permit will be issued unless in S/D with sewer connections.

Any construction or fill work that is 5000 square feet or more of surface area and all commercial development shall be reviewed by the local Drainage District before a county permit will be issued.

All commercial buildings are required to get a “County Fire Code Permit” Before a construction permit will be issued.

Make checks payable to: **Brazoria County**

Mail Permit Application and Fees To:
Building Permit Department
111 East Locust – Bldg. A-29, Suite 210
Angleton, Texas 77515
(979) 864-1295

_____ information on septic tank installation and regulations?

How much land do I need to install an OSSF and water well? Is one of many frequently asked questions by land owners. Subdivisions of single family dwellings platted or created after July 5 1985 require at least one full acre or one-half acre if it is served by a public water supply. Subdivisions platted or created before this date must meet the minimum required separation distances set for in Table X, Chapter 285.91 which is assessable to the public through the Brazoria County website under Environmental Health Dept section under Advice for the home owner.

Do I need a maintenance contract? A maintenance contract is needed for an aerobic treatment unit. Maintenance is needed to ensure that a unit properly treats the wastewater before applying it to the surface or discharging it into seasonal high water tables. The Texas Administrative Coder Chapter 285 requires a perpetual maintenance on these systems.

Will I have to upgrade a septic system to sell my home? A mortgage company will require the performance of your OSSF to be evaluated before completing a sale. Once a buyer has purchased an existing septic system the new owner of the OSSF will inform the local permitting authority and ask about the proper startup procedures for the OSSF.

If I sell my home with an OSSF, who will maintain the OSSF system? The owner will, upon any sale or transfer of property, request a transfer of the permit for the OSSF to the new owner.

Where do I get an application for an On-site Sewage Facility? The application is available to the public. The application for On-Site Sewage Facility is located in the Brazoria County website under the Environmental Health Dept under Septic Systems. The application is printed in three colors. Reproductions of the application need to be done in color.

Environmental Health Department at 111 E Locust Bldg A-29, Suite 270
Angleton, TX 77515

Their website also has links to the affidavits, the rules for installation and maintenance of septic tanks, outdoor burning, recycling, and hazardous spills: <http://www.brazoria-county.com/environmental/>

a culvert?

This is a copy of the Brazoria County policy on driveway culverts found on the website <http://www.brazoria-county.com/engineer/culverts.asp> .



BRAZORIA COUNTY POLICY ON DRIVEWAY CULVERTS

NEW CULVERTS

1. Driveway culverts will be set by Road and Bridge Department personnel on county-maintained roads and on conditionally-accepted roads in approved subdivisions.
2. The Department cannot set culverts in rights-of-way for State roads or on private roads.
3. Citizens wishing new culverts to be set are required to furnish reinforced concrete pipe of a suitable size as determined by Department personnel. Reasonable notice from citizen is required.
4. New culverts will be backfilled with soil or other material available on the site at the time culvert is set. Any material other than in-place soil must be purchased by the citizen from a vendor of their choosing and delivered to the site before the culvert is set. Department personnel will not return to the site to spread base material at a later date.
5. Clean-out openings or grates must be supplied by the citizen if the culvert is longer than 28 feet.

DRIVEWAY SURFACE

6. The citizen's contractor may add asphalt or concrete surfacing over a driveway culvert at the citizen's expense. Contractor shall insure that alignment of culvert pipe is not altered during such operation.
7. If concrete surfacing is added by citizen's contractor:
 - a. An expansion joint shall be provided two feet beyond outer edge of pipe on each side of culvert pipe, to facilitate removal of concrete as may be necessary to enlarge pipe during drainage improvement projects.
 - b. No concrete shall be placed within 11 feet of roadway centerline.

EXISTING CULVERTS

8. When drainage projects are undertaken by the Department, culverts may be enlarged if necessary and replaced with reinforced concrete pipe at Department's expense. Installation will be completed as follows:
 - a. Culverts covered with base material will be re-covered with base material.

- b. Asphalt or concrete removed will be replaced with asphalt.
- 9. When the Department undertakes projects to re-surface roads with asphalt, asphalt will be tapered outside edge of pavement at existing driveways to avoid abrupt drop off.

The Department does not patch potholes in driveways

The following is additional information on culvert installation as found on the website <http://www.brazoria-county.com/engineer/culverts.asp> .

CULVERT INSTALLATION

Stake and mark the ditch where you would like to have the culvert set. Call the Engineering Department and have a Work Order prepared. We send out our Road & Bridge crew and they measure the ditch. They call you with the correct size of Reinforced Concrete Pipe you will need to purchase.

You order the Reinforced Concrete Culvert Pipe and have them delivered to the site. If you would like, you may order your Road Surface Material for your culvert such as crushed limestone base, crushed concrete, etc., and have it delivered to the site. We will spread it out and prepare your driveway (culvert) surface. We do not come back at a later time to do this. The only dirt we typically use to cover pipe is fill dirt. (What we usually dig out of the ditch when we set the culverts). After your materials are delivered to the site, give the Engineering Department a call and we will put in another work order to Install the Culverts.

HOW MUCH DOES A DRIVEWAY PERMIT COST ? There is no actual cost for a Driveway/Culvert Permit. The cost to the caller is the Reinforced Concrete Culvert Pipe. (and cost of surface material, if they purchase).

What is the Standard Length for a Driveway?

The Standard driveway typically is 20 feet. A driveway which is 28 feet or wider will need to have a clean out. Every 20 feet is required to have a clean out installed.

How much Road Material will I need to order?

For a standard size driveway at 20 feet, if wanting something other than soil, will take 1 load (14 to 15 yards or called a tandem load). EXP: Limestone only will take approx. 1 load (Tandem) (14 to 15 ft. of coverage). If wanting part stabilize sand and limestone, then you would get ½ and ½ of each. For rock, it would be approx. 1 load a tandem/14 to 15 ft coverage.