

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1100 block of Bomar Street, north and south sides, between Van Buren Street and Montrose Boulevard as a Special Minimum Lot Size Block	Category #	Page 1 of _____	Agenda Item #
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FROM (Department or other point of origin):

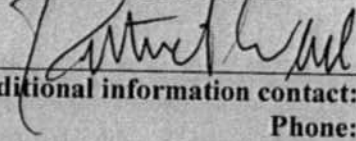
Patrick Walsh, P.E.

Director

Planning and Development Department

Origination Date

September 16, 2014

Agenda Date**DIRECTOR'S SIGNATURE:****Council District affected:**

C

For additional information contact: Kevin Calfee
Phone: 713.837.7768**Date and identification of prior authorizing Council action:** N/A

RECOMMENDATION: (Summary) Approval of an ordinance designating the 1100 block of Bomar Street, north and south sides, between Van Buren Street and Montrose Boulevard as a Special Minimum Lot Size Block, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 5,000 square foot special lot size.

Amount and Source of Funding:**Finance Budget:**

SPECIFIC EXPLANATION: In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 1, Block 1, of the Skyline Terrace R/P Subdivision initiated an application for the designation of a special minimum lot size block. The application includes written evidence of support from the owners of 62% of the block. Notification was mailed to the sixteen (16) property owners indicating that the special minimum lot size block application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

The Planning and Development Department recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,000 square feet.

Attachments: Planning Director's Approval, Map of the area

xc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Gary Dzierlenga, Land Use Division, Legal Department

REQUIRED AUTHORIZATION**Finance Director:****Other Authorization:****Other Authorization:**

City of Houston, Texas, Ordinance No. 2015-_____

AN ORDINANCE ESTABLISHING THE NORTH AND SOUTH SIDES OF THE 1100 BLOCK OF BOMAR STREET, BETWEEN VAN BUREN STREET AND MONTROSE BOULEVARD, WITHIN THE CITY OF HOUSTON AS A SPECIAL MINIMUM LOT SIZE BLOCK PURSUANT TO CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATED THERETO; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Section 42-197 of the Code of Ordinances, Houston, Texas (the "Code"), authorizes the establishment of a special minimum lot size block to preserve the lot size character of existing residential neighborhoods in the City that do not have a minimum lot size established by deed restrictions; and

WHEREAS, an application was filed with the Department of Planning and Development (the "Department") requesting the establishment of a special minimum lot size block for the north and south sides of the 1100 block of Bomar Street, which area is within the City (the "Area"); and

WHEREAS, the Director of the Department determined that the application was properly filed in accordance with the provisions of Section 42-198 of the Code; and

WHEREAS, the Director of the Department caused notice of the application to be duly given as provided in Section 42-200 of the Code; and

WHEREAS, no timely protest of the establishment of the special minimum lot size requirement area was filed by a property owner within the Area; and

WHEREAS, the Director of the Department has approved the application and has referred the application to the City Council for approval for the establishment of a special minimum lot size block pursuant to Section 42-200(e) of the Code; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted and made a part of this Ordinance.

Section 2. That all terms not defined in this Ordinance shall have the meanings ascribed to them in Chapter 42 of the Code.

Section 3. That the City Council finds that the application for the establishment of a special minimum lot size block for the Area satisfies the criteria of Section 42-204(a) of the Code. The City Council further finds that the minimum lot size in the Area is 5,000 square feet.

Section 4. That the City Council hereby establishes a special minimum lot size block along the north and south sides of the 1100 block of Bomar Street, said area also being approximately described by the property description in Exhibit "A" and the map attached as Exhibit "B."

Section 5. The minimum lot size of 5,000 square feet shall be the lot size requirement for the special minimum lot size block. The Director of the Department is hereby directed to cause a copy of this Ordinance to be filed for recordation in the real property records of Harris County, the county in which the special minimum lot size requirement area is located, as soon as practicable after the effective date of this Ordinance.

Section 6. That the Director of the Department of Planning and Development may assign a sequential number to this special minimum lot size block for purposes of identification.

Section 7. That this Ordinance and the special minimum lot size block established by this Ordinance shall terminate on the 40th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

Section 8. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days of its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

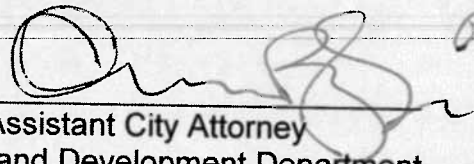
PASSED AND ADOPTED this _____ day of _____ 201.

APPROVED this _____ day of _____ 201.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is _____, 2014.

City Secretary


Assistant City Attorney

(Prepared by Legal Dept.

SOI/fg 12/18/14

Requested by Patrick Walsh, Director, Planning and Development Department

L.D. File No. 0611400148001)

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EXHIBIT A

PROPERTY DESCRIPTION

All or a portion of the following:

Lots 65 through 73, Rosedale addition, Harris County, Texas, according to the map or plat thereof, recorded in Volume 3, Page 11 of the Map Records of Harris County, Texas; and

Lots 90 through 96, Rosedale addition, Harris County, Texas, according to the map or plat thereof, recorded in Volume 3, Page 11 of the Map Records of Harris County, Texas; and

Lot 1, Block 1, Skyline Terrace Subdivision, an addition in Harris County, Texas, according to the map or plat thereof, recorded in Volume 603, Page 217 of the Map Records of Harris County, Texas; and

Lots 1 and 2, Block 1, Tricon Bomar Villas, an addition in Harris County, Texas, according to the map or plat thereof, recorded in Volume 662, Page 96 of the Map Records of Harris County, Texas; and

Lot 14, Block 1, Renaissance on Montrose, an addition in Harris County, Texas, according to the map or plat thereof, recorded in Volume 461, Page 10 of the Map Records of Harris County, Texas.


The above description refers to the following Harris County Appraisal District account numbers and their corresponding addresses:

0301450000065 referring to 1123 Bomar Street, Houston, Texas, 77006
0301450000066 referring to 1121 Bomar Street, Houston, Texas, 77006
0301450000067 referring to 1115 Bomar Street, Houston, Texas, 77006
0301450000068 referring to 1111 Bomar Street, Houston, Texas, 77006
0301450000069 referring to 1109 Bomar Street, Houston, Texas, 77006
0301450000070 referring to 1107 Bomar Street, Houston, Texas, 77006
0301450000071 referring to 1105 Bomar Street, Houston, Texas, 77006
0301450000072 referring to 1103 Bomar Street, Houston, Texas, 77006
0301480000090 referring to 1124 Bomar Street, Houston, Texas, 77006
0301480000091 referring to 1122 Bomar Street, Houston, Texas, 77006
0301480000093 referring to 1112 Bomar Street, Houston, Texas, 77006
0301480000094 referring to 1110 Bomar Street, Houston, Texas, 77006
0301480000096 referring to 1106 Bomar Street, Houston, Texas, 77006
1285530010001 referring to 1114 Bomar Street, Houston, Texas, 77006
0301480000095 referring to 1108 Bomar Street, Houston, Texas, 77006
1214270010014 referring to 1726 Bomar Street, Houston, Texas, 77006

EXHIBIT B



Special Minimum Lot Size
1100 block of Bomar, North and South sides
Between Van Buren St and Montrose Blvd
5,000 Square Feet

 Area Under Consideration

Source: Harris County Appraisal District
 Date: July 2, 2014
 Reference: MLSB 470

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



**PLANNING &
 DEVELOPMENT
 DEPARTMENT**