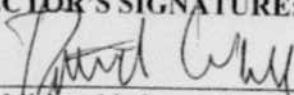


TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

*copy*

<b>SUBJECT:</b> Ordinance designating the 1500 block of Bradney Drive, east side, between Village Square Drive and Westbranch Drive as a Special Minimum Lot Size Block	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b>
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<b>FROM (Department or other point of origin):</b> Patrick Walsh, P.E. Director Planning and Development Department	<b>Origination Date</b> July 28, 2014	<b>Agenda Date</b>
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION:** (Summary) Approval of an ordinance designating the 1500 block of Bradney Drive, east side, between Village Square Drive and Westbranch Drive as a Special Minimum Lot Size Block, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 4,981 square foot special lot size.

<b>Amount and Source of Funding:</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 42-197 of the Code of Ordinances, the property owner of Lot 40, Block 1, of the Ashford Hills 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 57% of the block. Notification was mailed to the ten (10) 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 4,981 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**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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*Handwritten initials*

City of Houston, Texas, Ordinance No. 2014- \_\_\_\_\_

**AN ORDINANCE ESTABLISHING THE EAST SIDE OF THE 1500 BLOCK OF BRADNEY DRIVE, BETWEEN VILLAGE SQUARE DRIVE AND WESTBRANCH DRIVE, 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 east side of the 1500 block of Bradney Drive, 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 4,981 square feet.

**Section 4.** That the City Council hereby establishes a special minimum lot size block along the east side of the 1500 block of Bradney Drive, said area also being described by the property description in Exhibit "A" and the map attached as Exhibit "B."

**Section 5.** The minimum lot size of 4,981 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.

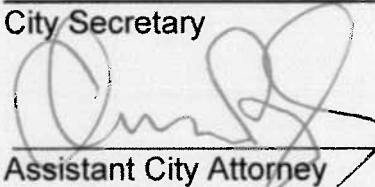
PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
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



GMD

\_\_\_\_\_  
Assistant City Attorney

(Prepared by Legal Dept.  
SOI/fg 3/19/15

Requested by Patrick Walsh, Director, Planning and Development Department  
L.D. File No. 0611400100001)

G:\LAND\OMAR IZFAR\SMLSA\1500 BLK OF BRADNEY DRIVE, EAST SIDE, BTWN VILLAGE SQUARE DRIVE AND WESTBRANCH DRIVE\_MAP APP #409.DOC

## EXHIBIT A

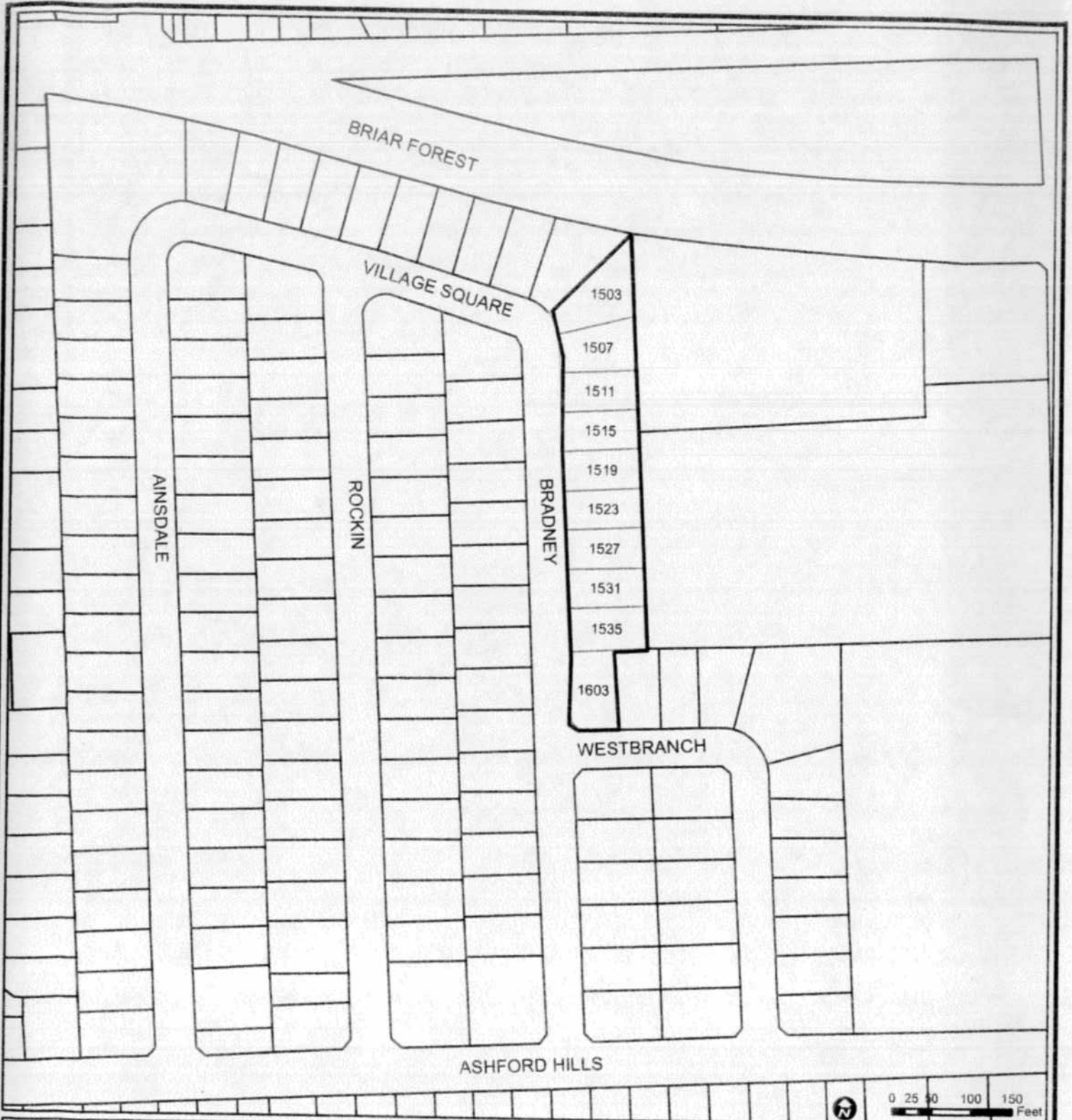
### PROPERTY DESCRIPTION

Lots 34 through 43, Block 1, Ashford Hills, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 265, Page 84 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:

1127690000034 referring to 1503 Bradney Drive, Houston, Texas, 77077  
1127690000035 referring to 1507 Bradney Drive, Houston, Texas, 77077  
1127690000036 referring to 1511 Bradney Drive, Houston, Texas, 77077  
1127690000037 referring to 1515 Bradney Drive, Houston, Texas, 77077  
1127690000038 referring to 1519 Bradney Drive, Houston, Texas, 77077  
1127690000039 referring to 1523 Bradney Drive, Houston, Texas, 77077  
1127690000040 referring to 1527 Bradney Drive, Houston, Texas, 77077  
1127690000041 referring to 1531 Bradney Drive, Houston, Texas, 77077  
1127690000042 referring to 1535 Bradney Drive, Houston, Texas, 77077  
1127690000043 referring to 1603 Bradney Drive, Houston, Texas, 77077

**EXHIBIT B**



**Special Minimum Lot Size**  
**1500 block of Bradney Drive**  
**east side, between Village Square Drive and Westbranch Drive**

Source: Harris County Appraisal District  
 Date: May 8, 2014  
 Reference: MLS 409

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.

 Special Minimum Lot Size Boundary



**PLANNING &  
 DEVELOPMENT  
 DEPARTMENT**