

City of Houston, Texas, Ordinance No. 2020 - 881

**AN ORDINANCE RENEWING THE ESTABLISHMENT OF THE NORTH AND SOUTH SIDES OF THE 1700 AND 1800 BLOCK OF MARYLAND STREET WITHIN THE CITY OF HOUSTON, TEXAS, AS A SPECIAL MINIMUM BUILDING LINE REQUIREMENT 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 42-170 of the Code of Ordinances, Houston Texas (the "Code"), authorizes the establishment of a special minimum building line requirement block ("SMBLR Block) to preserve the building line character of a single-family residential neighborhood that does not have a minimum building line requirement established by deed restrictions; and

**WHEREAS**, the City Council of the City of Houston, Texas ("City"), by Ordinance No. 2000-415, effective on May 30, 2000, established the north and south sides of the 1700 and 1800 Block of Maryland Street, within the City limits, as a SMBLR Block, with a prevailing special minimum building line requirement of 20-feet, pursuant to Chapter 42 of the Code; and

**WHEREAS**, Ordinance No. 2000-415 expired on May 30, 2020, the 20<sup>th</sup> anniversary of its effective date; and

**WHEREAS**, Chapter 42 of the Code allows for the renewal of a SMBLR Block that was completed before July 24, 2015, upon the filing of an application to renew signed by at least fifty-one percent (51%) of lot owners within the SMBLR Block; and

**WHEREAS**, an application requesting the renewal of the establishment of the special minimum building line requirement within the SMBLR Block was filed with the City's Department of Planning and Development ("Department") on May 12, 2020, accepted on May 14, 2020, and deemed completed on June 17, 2020; and

**WHEREAS**, the Director of the Department ("Director") has determined that the application was properly filed in accordance with the provisions of the Code and has caused notice of the application to be duly sent to all lot owners within the SMBLR Block in accordance with those same provisions; and

**WHEREAS**, no timely protest to the application has been filed by any lot owner within the SMBLR Block; and

**WHEREAS**, the Director, after consideration and evaluation of the application, has determined that: (i) thirty eight lots within the SMBLR Block are developed with single-

family residential units, twenty two of which have a 20-foot constructed building line, three of which have an 18-foot constructed building line, four of which have a 19-foot constructed building line, three of which have a 23-foot constructed building line, one of which has a 24-foot constructed building line, 2 of which have an 11.8-foot constructed building line, one of which has a 16.5-foot constructed building line, one of which has a 20.3-foot constructed building line, and one of which has a 7-foot constructed building line;(ii) two lots within the SMBLR Block are developed with multi-family residential units, two of which have a 15-foot constructed building line; and (iii) one lot within the SMBLR Block is developed for commercial and has a one-foot constructed building line; and

**WHEREAS**, the Director recommends the renewal of the establishment of a 20-foot special minimum building line requirement for the SMBLR Block; **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 the Code.

**Section 3.** That the City Council hereby renews the establishment of a 20-foot special minimum building line requirement within the SMBLR Block, said block being approximately described in **Exhibit "A"** and depicted on the map in **Exhibit "B,"** both of which are attached to this Ordinance.

**Section 4.** That the special minimum building line requirement of 20 feet shall be the building line requirement within the SMBLR Block. The Director is hereby directed to cause a copy of this Ordinance to be filed for recordation in the real property records of Harris County, Texas, where the SMBLR Block is located, as soon as practicable after the effective date of this Ordinance.

**Section 5.** That the Director may assign a sequential number to this SMBLR Block for the purposes of identification.

**Section 6** That this Ordinance and the special minimum building line requirement established by this Ordinance shall terminate on the 20th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

**Section 7.** 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 14<sup>th</sup> day of October, 2020.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is OCT 20 2020, 2020.

*Pat J. Haney*  
City Secretary

Prepared by Legal Department *Kimberly*  
KM/sec 09/14/20 Senior Assistant City Attorney  
Requested by Margaret Wallace Brown  
Director - Planning and Development Department  
L.D. File No. 0612000269001  
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AYE	NO	
✓		<b>MAYOR TURNER</b>
••••	••••	<b>COUNCIL MEMBERS</b>
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

## EXHIBIT A

All that certain tract or parcel of land, 50' X 100', out of Block 5, Cherryhurst Addition, a subdivision in Harris County, Texas, according to map thereof recorded in Volume 5, Page 38, Map Records of Harris County, Texas(aka 1701 Maryland St.).

All of fraction Lot One (1), in Block Forty-Six (46), of Meineke's Second Addition, and Addition in the City of Houston, Harris County, Texas, according to the map thereof recorded in Volume 572, Page 582, of the Deed Records of Harris County, Texas and being part of Fraction Block Five (5), of Cherryhurst Addition, according to the map thereof recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas, said tract fronting 50 feet along the North side of Maryland Avenue and 100 feet along the West side of Windsor Street (aka 1702 Maryland St.).

Being a tract of land containing 0.1148 acres (5,000 square feet) situated in the Obedience Smith Survey, Abstract 696, Harris County, Texas, being out of Lot 1, Block 5, of Cherryhurst Addition, a subdivision recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas, being all of a tract conveyed unit E.J. Smutny by deed recorded under County Clerk's File No. E973186 of the Official Public Records of Harris County, Texas (aka 1705 Maryland St.).

Lots 1, 2, in Block one (1), of Modern on Maryland, a subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code No. 679742 of Harris County, Texas.

Lot 25, in Block 47, of Meineke Addition to the City of Houston in Harris County, Texas, according to the map thereof, recorded in Volume 855, Pages 39-41 of the Deed Records of Harris County, Texas, SAVE AND EXCEPT that portion in the Northeast corner of said Lot conveyed to the City of Houston by Right of Way Deed from Frank W. Sharp and wife, Lucile Sharp as recorded in Volume 1068, Page 537 of the Deed Records, Harris County, Texas (aka 1709 Maryland St.).

Lots 3, and 4, in Block 46, of Meineke Addition , Second Section, Harris County, Texas, according to the map or plat thereof recorded in Volume 572, Pages 582-583, of the Deed Records of Harris County, Texas and Lots 3, and Lots 4, Block 47, Beulah Addition, Harris County, Texas, according to the map or plat thereof recorded in Volume 500, Pages 326, of the Deed Records of Harris County, Texas (aka 1710 Maryland St.).

Lot 24, in Block 47, of Second Section of Meineke Addition, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 575, Page 583 of the Map Records of Harris County, Texas.

A tract of parcel of land containing 0.1148 acres (5,000 square feet) located in the Obedience Smith Survey, Abstract 696, Harris County, Texas, and being known as Lot 5, in Block 46 of the Second Section of Meineke Addition, and addition in Harris County, Texas, according to the map or plat thereof as recorded in Volume 572, Page 582 of the Deed Records of Harris County, Texas, and also being Lot 5, in Block 47 of Beulah Addition, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Volume 500, Page 326 of the Deed Records of Harris County, Texas (aka 1720 Maryland St.).

Lot 20, in Block 48, Beulah Addition, an addition in Harris County, Texas, according to the map thereof recorded in Volume 500, Page 326 of the Deed Records of Harris County, Texas, also known as Lot 23, in Block 47, as shown on the plat of the Section of Meineke Addition, recorded in Volume 572, Page 583 of the Deed Records of Harris County, Texas (aka 1721 Maryland St. ).

Lots E, F, 14,15, 16,17,18, 21, and 22, in Block 47, of Meineke Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 476, Page 250 and Volume 572, Page 125, of the Deed Records of Harris County, Texas.

Lots 1, and 2 in Block 1, of Blackstone on Maryland Avenue, a subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code No. 638164 of the Map Records of Harris County, Texas.

Lots 1, and 2 in Block 1, of Maryland Place, an addition in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 556068, of the map records of Harris County, Texas.

Lots 1, and 2, in Block 1, of Maryland Street Grove, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 681845, of the Map Records of Harris County, Texas.

Being a subdivision of 0.1148 acres of land in the Obedience Smith Survey, A-696, Harris County, Texas, also being a replat of Lot 8, Block 46, of Meineke Addition, Volume 476, Page 250 Harris County Deed Records (aka 1730 Maryland St. and 1732 Maryland St.).

The North 95 feet of Lot 19, in Block 47, Meineke Addition, and addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 476, Page 250, Deed Records, Harris County, Texas (aka 1733 Maryland St.).

Lots 9, 10, 11,12,13, and 15, in Block 46, of Meineke Addition, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 476, Page 250 of the Deed Records in Harris County, Texas.

Lot 2, in Block 1, of Maryland Addition, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 487030 of the map records of Harris County, Texas, being a replat of Lot 14, in Block 46, of Meineke Addition to the

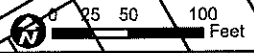
City of Houston, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 476, Page 250 of the Deed Records of Harris County, Texas (aka 1754 Maryland St.).

Lot 1, Block 1, Maryland Addition, according to the map or plat thereof, Recorded in Film Coe No 487030, Map Records, Harris County, Texas (aka 1756 Maryland St.).

Lots 1, 2, 3, and 4, in Block 1, of Maryland Avenue Townhomes, a subdivision in Harris County, Texas according to the map or plat thereof recorded in Film Code No. 541162 of the Map Records of Harris County, Texas.

Being a tract or parcel of land containing 41,781 square feet (0.9592 acre), more or less, situated in the Obedience Smith Survey, Abstract No. 696, in the City of Houston, Harris County, Texas, being all of Lots 1,2,3,4, and 5 and part of Lot 6 of Block 9 of Hyde Park Heights as recorded in Volume 2, Page 31 of the Harris County Map Records, out of Lots 1, 2, 3, 4, 5, and 6 of the 1<sup>st</sup> and 2<sup>nd</sup> Additions to Hyde Park Heights as recorded in Volume 2, Page 71 of the Harris County Map Records and in Volume 302, Page 541 of the Harris County Deed Records and out of that certain tract of land recorded in Volume 525, Page 542 of the Harris County Deed Records and being all of the same tract of land conveyed to Wood-Leppard Company as recorded under Harris County Clerk's File Number L978771; said 41,781 square feet (aka 2311 Dunlavy St.).

**EXHIBIT B**



**Special Minimum Building Line Renewal  
1700-1800 block of Maryland Street, north and south sides,  
between Windsor and Dunlavy Streets  
20 Feet**

Source: Harris County Appraisal District  
Date: June 19, 2020  
Reference: MBL 20REN

All properties within the application area are single family unless noted as such:

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.

- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

Special Minimum Building Line Renewal Boundary