

City of Houston, Texas, Ordinance No. 2020 - 882

AN ORDINANCE ESTABLISHING THE NORTH AND SOUTH SIDES OF THE 5100 BLOCK OF STONEWALL DRIVE, WITHIN THE CITY OF HOUSTON, TEXAS, 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 TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Section 42-197 the Code of Ordinances, Houston, Texas ("Code"), authorizes the establishment of a special minimum lot size block to preserve the lot size character of existing residential neighborhoods in the City of Houston, Texas ("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 ("Department") requesting the establishment of a SMLS Block for both the north and south sides of the 5100 block of Stonewall Drive within the City ("Application Area"); 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 notices of the application to be duly sent to all lot owners within the Application Area pursuant to Section of the Code; and

WHEREAS, no timely protest to the application has been filed by any lot owner within the Application Area; and

WHEREAS, the Director, after consideration and evaluation of the application, has determined that ten (10) out of fifteen (15) (76%) of the lots within the Application Area are at least five thousand eight hundred (5,800 square feet) in size and concluded that the establishment of a five thousand eight hundred (5,800 square feet) minimum lot size will preserve the lot size character of the Application Area; and

WHEREAS, the Director recommends that the City Council establish the special minimum lot size block within the Application Area; **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 within the Application Area satisfies the criteria of Section 42-204(a) of the Code. The City Council further finds that the existing minimum lot size within the Application Area is five thousand eight hundred (5,800) square feet.

Section 4. That the City Council hereby establishes a SMLS Block within the Application Area, said area being approximately described in **Exhibit "A"** and depicted on the map in **Exhibit "B,"** both of which are attached to this Ordinance.

Section 5. That the minimum lot size of five thousand eight hundred (5,800 square feet) shall be the lot size requirement for the SMLS Block within the Application Area. 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 SMLS Block is located, as soon as practicable after the effective date of this Ordinance.

Section 6. That the Director may assign a sequential number to this SMLS 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 14th day of October 2020.

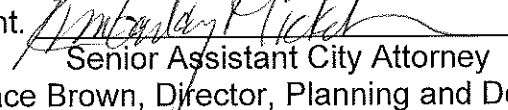
APPROVED this _____ day of _____ 2020.

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.



City Secretary

Prepared by Legal Department. 
KM/sec September 8, 2020 Senior Assistant City Attorney
Requested by Margaret Wallace Brown, Director, Planning and Development
Department
L.D. File No. 0612000267001

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: OCT 20 2020

| AYE | NO | |
|---------|---------|------------------------|
| ✓ | | MAYOR TURNER |
| | | COUNCIL MEMBERS |
| ✓ | | PECK |
| ✓ | | DAVIS |
| ✓ | | KAMIN |
| ✓ | | EVANS-SHABAZZ |
| ✓ | | MARTIN |
| ✓ | | THOMAS |
| ✓ | | TRAVIS |
| ✓ | | CISNEROS |
| ✓ | | GALLEGOS |
| ✓ | | POLLARD |
| ✓ | | MARTHA CASTEX-TATUM |
| ✓ | | KNOX |
| ✓ | | ROBINSON |
| ✓ | | KUBOSH |
| ✓ | | PLUMMER |
| ✓ | | ALCORN |
| CAPTION | ADOPTED | |

Exhibit A

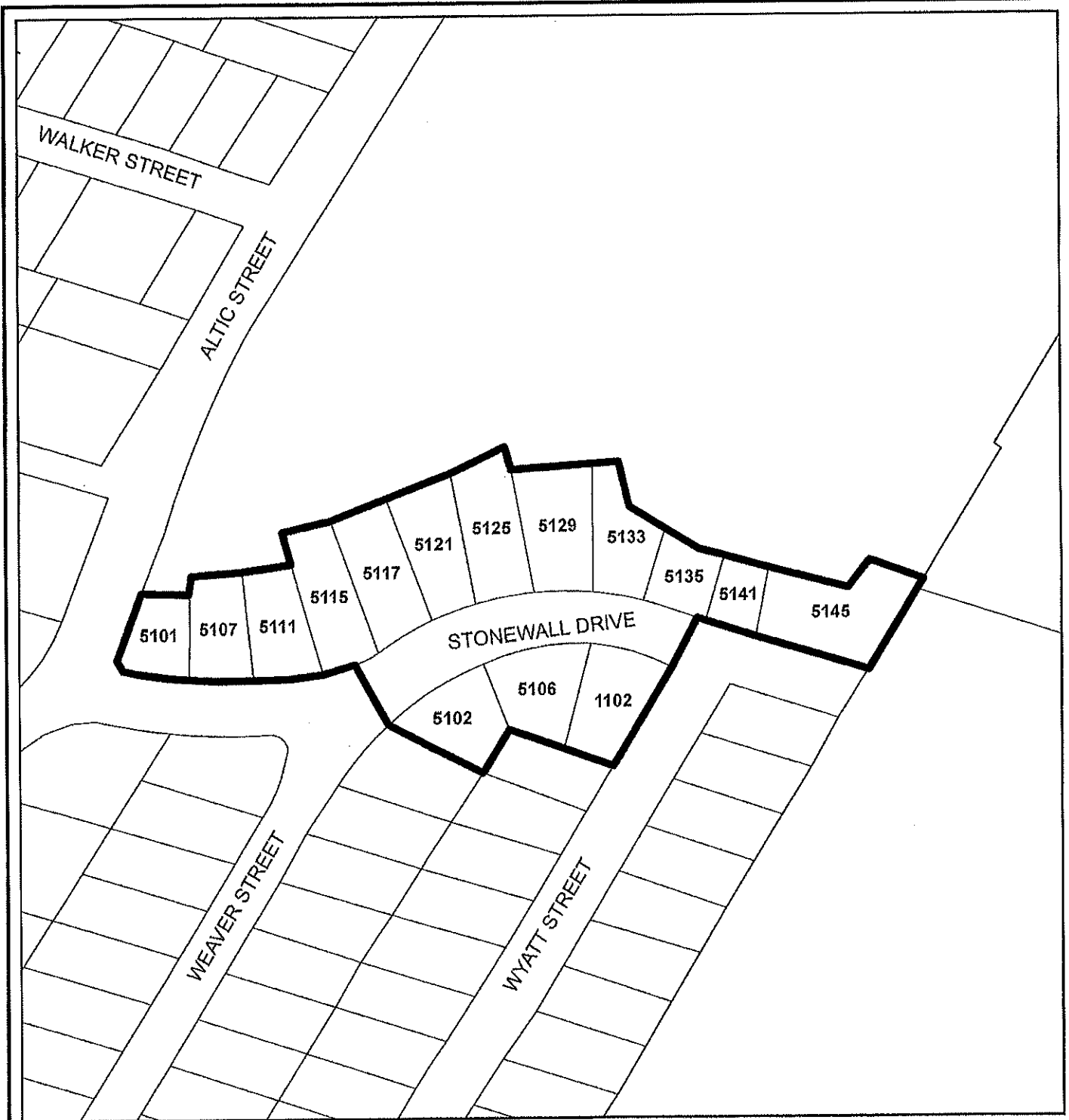
Lots 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12, Block Three (3), of Jackson Court, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 655, Page 379 of the Deed records of Harris County, Texas.

Lots 15, 16, and 17, In Block Two (2), of Jackson Court, a subdivision in Harris County, Texas, according to the map or plat thereof; recorded in Volume 855, Page 153 of the Deed records of Harris County, Texas.


Being a tract of land containing 0.1712 acres (7, 456 square feet), being part of Lot Eight (8), In Block Three (3), of Jackson Court, a subdivision plat recorded in Volume 655, Page 379 of the Deed Records of Harris County, Texas (aka 5129 Stonewall Dr.)

Z:\Real Estate\KM\SMLSBlock\5100 Blk Stonewall Dr.

EXHIBIT "B"



**Special Minimum Lot Size and Special Minimum Building Line
5100 block of Stonewall Drive, north and south sides
between Altic and Weaver Streets
and Wyatt Street
5,800 Square Feet and 16 Feet**

 Area Under Consideration

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

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

Source: Harris County Appraisal District
Date: April 10, 2020
Reference: MLS 765/MBL 245

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**