

City of Houston, Texas, Ordinance No. 2024 - 758

AN ORDINANCE ESTABLISHING THE NORTH SIDE OF THE 400 BLOCK OF BYRNE STREET, BETWEEN HELEN AND FLORENCE STREETS, 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 of 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 Special Minimum Lot Size Block for the north side of the 400 block of Byrne Street, between Helen and Florence Streets, 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 the Code; and

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

WHEREAS, the Director, after consideration and evaluation of the application, determined that 87% of the property owners consented to the application and that seven (7) out of seven (7) of the lots within the Application Area are at least five thousand (5,000) square feet in size and conclude that the establishment of a five thousand (5,000) 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 as 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 should be and hereby is established as 5,000 feet.

Section 4. That the City Council hereby establishes a Special Minimum Lot Size 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 (5,000) square feet shall be the minimum lot size requirement for the Special Minimum Lot Size 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 Application area is located, as soon as practicable after the effective date of this Ordinance.

Section 6. That the properties within the boundaries of the Special Minimum Lot Size Block are subject to the use restrictions of Section 42-208 of the City of Houston Code of Ordinance, based on the used inventory on file in the Department.

Section 7. That this Director may assign a sequential number to this Special Minimum Lot Size Block for the purpose of identification.

Section 8. 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 9. 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 9th day of October, 2024.

APPROVED this _____ day of _____, 2024.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is OCT 15 2024.



City Secretary



Senior Assistant City Attorney

Prepared by Legal Dept.

KM/llm 10/2/24

Requested by Vonn Tran

Director, Planning and Development Department

L.D. File No. LD-RE- 0000003076

Meeting 10/09/2024

Aye	No	
✓		Mayor Whitmire
....	Council Members
✓		Peck
✓		Jackson
Absent on personal business		Kamin
✓		Evans-Shabazz
✓		Flickinger
✓		Thomas
✓		Huffman
✓		Castillo
✓		Martinez
✓		Pollard
✓		Castex-Tatum
✓		Ramirez
✓		Davis
✓		Carter
✓		Plummer
✓		Alcorn
Caption	Adopted	

Captions Published in DAILY COURT REVIEW

Date: 10/15/2024

EXHIBIT "A"

Approximate Property Descriptions

In re: SMLSB Application 850, as to properties in the 440-4500 Blocks of Edison Street, east and west sides, in the City of Houston

After a thorough search of the records filed in the office of the Harris County Clerk the following as to ownership as well as complete legal description has been found as to the following properties:

Description:

Lot 12, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 11, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 13, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 10, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 9, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 14, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 8, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 15, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 7, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 16, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 17, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

The south 1/2 of Lot 4 and all of Lots 5 and 6, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 18, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 19, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 20 and the south 1/2 of Lot 21 in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 3, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

Lot 2, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

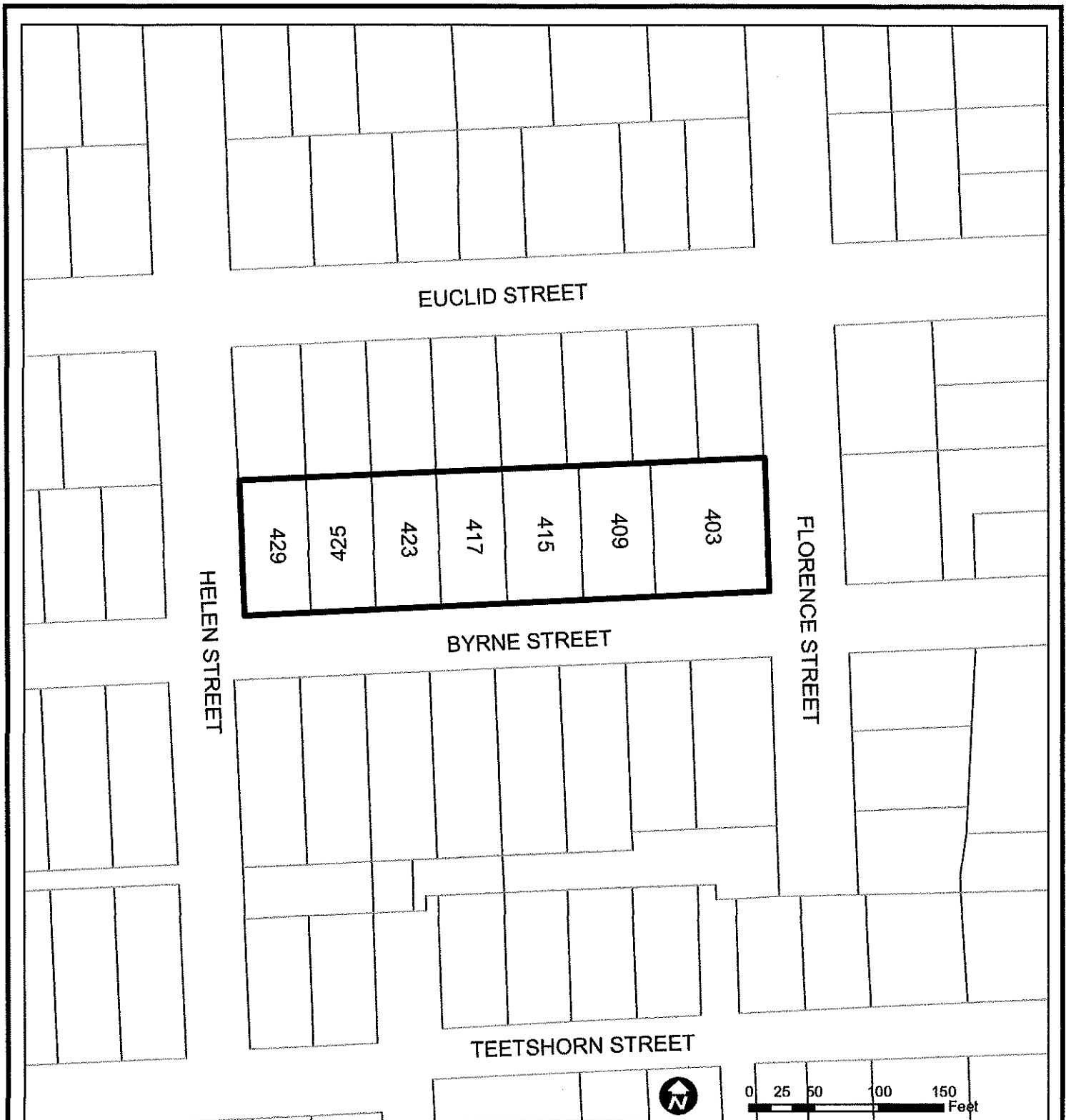
Description:

Lot 1, in Block 67, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

Description:

The north 1/2 of Lot 21 and all of Lot 22, in Block 68, of Irvington, an addition in Harris County, Texas, according to the map or plat thereof recorded in Vol. 56, Page 93, Deed Records, Harris County, Texas.

EXHIBIT "B"



Special Minimum Lot Size
400 block of Byrne Street, north side,
between Helen and Florence Streets
5,000 Square Feet

 Special Minimum Lot Size Boundary

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: January 8, 2024
 Reference: MLS 852

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**