

City of Houston, Texas, Ordinance No. 2014- 828

AN ORDINANCE ESTABLISHING THE SOUTH SIDE OF THE 1600 BLOCK OF FAIRVIEW STREET, BETWEEN YUPON AND WINDSOR STREETS, 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 south side of the 1600 block of Fairview 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 south side of the 1600 block of Fairview Street, 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 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 10th day of September 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 SEP 16 2014, 2014.



City Secretary



Assistant City Attorney

(Prepared by Legal Dept.
SOI/fg 8/6/14

Requested by Patrick Walsh, Director, Planning and Development Department
L.D. File No. 0611400041001)

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AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: SEP 16 2014

EXHIBIT A

PROPERTY DESCRIPTION

Unit 1 of Cherryhurst Townhomes, an unrecorded subdivision, being a portion of Lot 7, Block 6, in Harris County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas; and

Lots 8 through 11, Block 6, Cherryhurst, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas; and

Lot 1, Block 1, Cherryhurst Townhomes Subdivision, a subdivision in Harris County, Texas, according to the Map Records of Harris County, Texas, as described in Harris County Clerk File No. 600088.

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

0382410000007 referring to 2400 Yupon Street, Houston, Texas, 77006
0382410000008 referring to 1605 Fairview Street, Houston, Texas, 77006
0382410000009 referring to 1611 Fairview Street, Houston, Texas, 77006
0382410000010 referring to 1613 Fairview Street, Houston, Texas, 77006
0382410000011 referring to 1617 Fairview Street, Houston, Texas, 77006
1281390010001 referring to 2403 Windsor Street, Houston, Texas, 77006


EXHIBIT B


Special Minimum Lot Size Block

Subdivision:
Cherryhurst

File Number:
376

Minimum Lot Size:
5,000 SF

 Properties that meet the 5,000 SF minimum lot size

 Properties less than the 5,000 SF minimum lot size

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

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

Source: City of Houston GIS database,
Harris County Appraisal District 2013
Date: December 2013
Reference: MLS 376

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



11-00-2013