



### City of La Porte Zoning Board of Adjustment Agenda

Notice is hereby given of a **Special Called Meeting** of the La Porte Zoning Board of Adjustment to be held on **Thursday, March 3, 2016, at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Consider approval of meeting minutes: December 10, 2015.
4. A public hearing will be held to consider Variance Request 16-93000001, a request by Kathleen Lemon for the property located at 401 and 403 Bayshore Drive for the following variances: 1) A proposed lot frontage of 47' contrary to the provisions of Section 106-333 that requires a 50 foot frontage; 2) the northern lot will total 4,700 square feet in area contrary to the provisions of Section 106-333 that requires a minimum 6,000 square foot lot for single family development; 3) a front setback of 15 feet from the front property line contrary to Section 106-333 that requires a minimum setback of 25' from the front property line; 4) a lot coverage of 44.2% for the proposed new house on the northern lot contrary to the provisions of Section 106-333 that allows a maximum lot coverage of 40%.
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments
  - d. Question and Answer
5. Administrative reports.
6. Board comments on matter appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
7. Adjourn.

A quorum of City Council members may be present and participate in discussions during this meeting. However, no action will be taken by the Council.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281-470-5019.

#### CERTIFICATION

I certify that a copy of the Thursday, March 3, 2016, agenda of items to be considered by the Zoning Board of Adjustment was posted on the City Hall bulletin board on the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_ Title: \_\_\_\_\_

**Zoning Board of Adjustment  
Minutes of December 10, 2015**

**Board Members Present:** Rod Rothermel, T.J. Walker, Nettie Warren, Chester Pool, Doug Martin (Alt 1), and Dennis Oian (Alt 2)

**Board Members Absent:** Charles Schoppe

**City Staff Present:** Planning and Development Director Tim Tietjens, City Planner Eric Ensey, Planning Technician Ryan Cramer, and Assistant City Attorney Clark Askins

**1. Call to Order.**

Chairman Rod Rothermel called the meeting to order at 6:00 p.m.

**2. Roll call of members.**

Board Member Charles Schoppe was not present.

**3. Consider approval of meeting minutes: November 5, 2015.**

**With no objection from the Board, Chairman Rothermel declared the minutes of November 5, 2015, approved as presented.**

**4. A public hearing will be held to consider Variance Request 15-93000012, a request by Isabel Francis for the property located at 10323 N. H Street to allow the applicant to subdivide the tract of land and provide for 25 feet of frontage along S. H Street contrary to the provisions of Section 106-333 of the City's Code of Ordinances, which requires a minimum lot width of 90 feet for "single family large lots."**

Chairman Rothermel opened the public hearing at 6:01 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented staff's report on a variance request by Isabel Francis requesting approval to subdivide the property and provide for 25 feet of frontage along S. H Street at 10323 N. H Street. In the Large Lot District, 90 feet of minimum lot width is required.

Mr. Ensey confirmed that all requirements for public hearing notification had been met. Notices of the public hearing were mailed to all property owners located within 200' of the subject site. The City received four responses in opposition to the variance and one in favor.

**b. Applicant Presentation**

The applicant, Isabel Francis, 10919 Pecan Drive, was sworn in by Chairman Rothermel. Ms. Francis and her husband have plans to build a home on the rear portion of the property

while her daughter and her husband would reside in the existing home at the front of the property. Mr. Francis has debilitating health problems and having family nearby is important.

**c. Public Comments**

Mandi Williams, 11207 N. H, was sworn in by Chairman Rothermel. Ms. Williams spoke in opposition because she believes it would set a precedent, detracting from the large lot area.

Lynette Gardner, 10283 N. H, was sworn in by Chairman Rothermel. Ms. Gardner expressed concern with additional flooding/drainage problems for neighboring properties if the variance is approved and the applicant is allowed to build another home on the property.

**d. Question and Answer**

Staff responded to questions from the Board.

**Motion** by T.J. Walker to deny Variance Request #15-93000012, requested to allow the subdivision of land and provide 25 feet of frontage along H St. at 10323 N. H Street, contrary to the required 90-foot minimum lot width.

**Second** by Chester Pool. **Motion carried.**

**Ayes:** Walker, Pool, Warren, Rothermel, and Martin (Alt 1)  
**Nays:** None

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

5. **A public hearing will be held to consider Variance Request 15-93000013, a request by Cedarwood Development to allow for a driveway access point that is 40 feet in width and another that is 45 feet in width along Bay Area Boulevard associated with the construction of a Stripes Convenience Store and Gas Station on the property located at the southeast corner of Spencer Highway and Bay Area Boulevard contrary to the provisions of Section 106-835 of the city's Code of Ordinances which allows a maximum driveway width of 35 feet for commercial development.**

Chairman Rothermel opened the public hearing at 6:28 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented staff's report on a variance request by Cedarwood Development for Stripes convenience store and gas station, to allow for a driveway access point that is 40 feet in width and another that is 45 feet in width along Bay Area at the southeast corner of Bay Area Boulevard and Spencer Highway. The maximum allowable driveway width for a commercial development is 35 feet.

Mr. Ensey confirmed that all requirements for public hearing notification had been met. Notices of the public hearing were mailed to all property owners located within 200' of the subject site. No responses were received from the mail-out.

**b. Applicant Presentation**

The applicant, Bruce Pooley, on behalf of Cedarwood Development, 222 Pennbright, Houston, TX was sworn in by Chairman Rothermel.

James Boutchyard, 4525 Air St., Corpus Christi, TX, representing Stripes, was sworn in by Chairman Rothermel. Mr. Pooley and Mr. Boutchyard jointly explained that a 35-foot commercial drive would be too narrow for the development as they have safety concerns with fuel trucks trying to enter the facility and having adequate turning radius from Bay Area Boulevard.

**c. Public Comments**

There were no comments from the public.

**d. Question and Answer**

Staff and the applicant responded to questions from the Board.

**Motion** by Doug Martin to approve Variance Request #15-93000013, to allow for a driveway access point that is 40 feet in width and another that is 45 feet in width along Bay Area Boulevard for a Stripes Convenience Store and Gas Station on the property located at the southeast corner of Spencer Highway and Bay Area Boulevard.

**Second** by Nettie Warren. **Motion carried.**

**Ayes:** Walker, Warren, Rothermel, and Martin (Alt 1)

**Nays:** Pool

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

6. **A public hearing will be held to consider Variance Request 15-93000014, a request by Liberty Property Limited Partnership to allow construction of three driveway access points on S. 16<sup>th</sup> Street and three driveway access points on Export Drive associated with a new industrial warehouse/distribution facility on the property located at the southeast corner of S. 16<sup>th</sup> Street and Export Drive contrary to the provisions of Section 106-835 of the City's Code of Ordinances that allows only two access points to a public right-of-way.**

Chairman Rothermel opened the public hearing at 6:36 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented staff's report on a variance request by Liberty Property Limited Partnership to allow construction of three driveway access points on Export Drive and three driveway access points on S. 16<sup>th</sup> Street for a new warehouse/distribution facility in the Port Crossing Business Park.

Mr. Ensey confirmed that all requirements for public hearing notification had been met. Notices of the public hearing were mailed to all property owners located within 200' of the subject site. No responses were received from the mail-out.

**b. Applicant Presentation**

Chairman Rothermel swore in the applicant, Ken Chang, 8827 N. Sam Houston Parkway, W., with Liberty Property Partnership, and Kevin Polasek, Terra Associates (Engineers). Mr. Chang stated the additional driveways are needed in order to keep truck traffic and passenger vehicles separated as much as possible to provide for better and safer traffic flow through the site.

**c. Public Comments**

There were no comments from the public.

**d. Question and Answer**

Staff and the applicant responded to questions from the Board.

**Motion** by Chester Pool to approve Variance Request #15-93000014, to allow construction of three driveway access points on S. 16<sup>th</sup> Street and three driveway access points on Export Drive associated with a new industrial warehouse/distribution facility on the property located at the southeast corner of S. 16<sup>th</sup> Street and Export Drive.

**Second** by Doug Martin. **Motion carried.**

**Ayes:** Pool, Walker, Warren, Rothermel, and Martin (Alt 1)

**Nays:** None

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

- 7. A public hearing will be held to consider Special Exception Request 15-94000001, a request by Rolf Realtors on behalf of the property owner Rafael Alcala to waive or reduce the off-street parking requirements for the property located at 422 S. Broadway.**

Chairman Rothermel opened the public hearing at 6:48 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented staff's report on a special exception request by Rolf Realtors to waive or reduce the off-street parking requirements for the property located at 422 S. Broadway, a vacant non-conforming commercial building.

Mr. Ensey confirmed that all requirements for public hearing notification had been met. Notices of the public hearing were mailed to all property owners located within 200' of the subject site. No responses were received from the mail-out.

**b. Applicant Presentation**

Chairman Rothermel swore in Andy Rolf, 120 S. Broadway, on behalf of the owner, Rafael Alcalá. A beauty salon had operated out of the subject building for 30 years. Vehicles associated with that business parked on the street. The owner is financially unable to provide a parking lot for the proposed business, which will be a small insurance office.

Judith Manuel, 10258 Old Orchard, was sworn in by Chairman Rothermel. Ms. Manuel has been in the insurance business for 40 years and has plans to operate her business with one part time assistant.

**c. Public Comments**

There were no comments from the public.

**d. Question and Answer**

Staff responded to questions from the Board.

**Motion** by Nettie Warren to approve Special Exception 15-94000001, to waive the off-street parking requirements for the proposed business at 422. S. Broadway.

**Second** by T.J. Walker. **Motion carried.**

**Ayes:** Pool, Walker, Warren, Rothermel, and Martin (Alt 1)  
**Nays:** None

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

**8. Administrative reports**

Chairman Rothermel inquired about the status of the Town Center development. Mr. Ensey reported that action on the project was tabled at the Planning and Zoning Commission's November meeting and will be brought back for consideration at the Commission's December meeting.

**9. Board comments on matters appearing on agenda or inquiry of staff regarding specific factual information or existing policy.**

Chairman Rothermel encouraged Board members to state a reason for their vote if different from the majority.

**10. Adjourn**

**Motion** by Doug Martin to adjourn. **Second** by T.J. Walker.

Chairman Rothermel adjourned the meeting at 6:59 p.m.

Respectfully submitted,

\_\_\_\_\_  
Peggy Lee  
Secretary, Zoning Board of Adjustment

Passed and Approved on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Rod Rothermel  
Chairman, Zoning Board of Adjustment

**City of La Porte, Texas  
Zoning Board of Adjustment**



**March 3, 2016**

## **AGENDA ITEM 4**

Consider approval of Variances  
to lot width and lot area  
for the subdivision of a piece of property;  
and approval of Variances  
to the front setback and lot coverage  
for construction of a new single family house  
for the property located at 401 and 403 Bayshore Drive  
(Applicant: Kathleen Lemon)

*Eric J. Ensey, City Planner*  
*Planning and Development Department*  
*City of La Porte, Texas*

## Planning and Development Department

### Staff Report

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#### ISSUE

Should the Board of Adjustment approve the variances requested by Kathleen Lemon for the property located at 401 and 403 Bayshore Drive, legally described as Lots 19 and 20, Block 49, Sylvan Beach Subdivision (case #16-93000001):

1. A proposed lot frontage of 47', when Section 106-333 requires a minimum 50' of lot frontage for single family detached residential;
2. One proposed lot will total 4,700 square feet in area, when Section 106-333 requires a minimum 6,000 square foot lot for single family detached residential;
3. A front setback of 15' from the front property line for the proposed new house and an additional 10-foot encroachment for the stairway to the house, when Section 106-333 requires a minimum 25' front setback for single family detached residential;
4. Lot coverage of 44.2% of the lot for the proposed new house, when Section 106-333 requires a maximum lot coverage of 40% for single family detached residential.

#### DISCUSSION

Applicant:

Kathleen Lemon

Applicant's Request:

The applicant is seeking approval of variance request #16-93000001. The variances requested with this request will allow the applicant to replat and subdivide her property and construct a new single family residential house on the newly created lot. The attached Exhibit A is a copy of the application and plan showing how the applicant intends to configure the lot and the improvements thereon.

Based on the information provided by the applicant, Ms. Lemon currently owns both Lots 19 and 20, which contain two existing houses and two accessory buildings. Her plan is to demolish the house and the smaller accessory building on the northern portion of the property and replat the property in a manner to allow for the construction of a new house on the northern portion of the property. The proposal would retain the existing house and detached garage on the southern portion of the property.

Subject Site:

The subject sites make up a .29 acre tract of land addressed 401 and 403 Bayshore Drive and is legally described as Lots 19 & 20, Block 49, Sylvan Beach Subdivision. The property is located at the northwest corner of Bayshore Drive and Grove Avenue. The attached Exhibit B is an area map that shows the location of the property in question.

Board of Adjustment Special Called Meeting  
 March 3, 2016  
 Lemon House Variance

Notice of Public Hearing:

Section 106-194 of the Zoning Ordinance stipulates the various requirements for public notice of the public hearing. This variance included all of the necessary code requirements for a public hearing including the following:

- Notice of public hearing was posted in the newspaper of general circulation ten days prior to the date of the hearing.
- Mailed notices were sent to all owners of property lying within 200 feet of the site ten days prior to the date of the hearing.
- A sign was posted on the site ten days prior to the hearing date.

Additionally, in compliance with state law, notice of the public hearing was posted at City Hall and on the City's website at least ten days prior to the date of the public hearing.

Background Information:

The site is currently zoned R-1, Low Density Residential. The subject site contains two houses and two accessory buildings being used as garages. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-1, Low-density Residential	Residential (405 Bayshore)
South	R-1, Low-density Residential	Residential (100 Grove)
West	R-1, Low-density Residential	Undeveloped Lot
East	R-1, Low-density Residential	Sylvan Beach Boat Launch and Parking

Applicable Code Provisions:

Section 106-333, stipulates the residential area requirements. The following is an excerpt from that section as applicable to this variance request (see highlighted):

Uses	Min. Lot Area	Min. Lot Width	Min. Yard Setbacks	Max. Height	Min. Site Area	Max. Lot Coverage/Min. Landscaping
Single-Family Detached	6000	50'	25'-15'-5'	35'	9100	40%/N/A

Analysis:

The applicant is requesting a number of variances that would allow for the replatting of the existing lots that she owns in order to construct a new single family residence. The lots owned by the applicant are Lots 19 and 20, Block 49 of the Sylvan Beach Addition Subdivision Plat. As currently configured, both lots front Grove Avenue. The site currently has two houses and two accessory buildings that front Bayshore Drive. The applicant is proposing to retain the existing house and accessory building located in the southern-most portion of the property and demolish the existing house and small accessory building on the northern-most portion of the property. Because of the location of the southern-most house and accessory building on the lot, the applicant is limited to where they can locate the new lot line because it has to be in a location that does not render an existing building nonconforming. As a result, the proposed northern lot would total 4,700 square feet in area and have only 47 feet of lot frontage.

Board of Adjustment Special Called Meeting  
March 3, 2016  
Lemon House Variance

Because this northern lot is less than the code requires for both lot area and width, the applicant is required to request a variance to both of those standards. Additionally, the applicant is requesting a variance to the front setback that would allow for a 10-foot encroachment into the front setback for the house and an additional 10-foot encroachment for the staircase only. With regard to the setback variance request, the rear setback required for single family detached residential is 15 feet. The applicant could move the proposed building back 10 feet and the structure would comply with both the front and the rear setbacks for the primary structure. This would leave only a 10-foot encroachment for the staircase only. It is important to note that there are other houses in the vicinity that encroach into the required front setback.

Additionally, the applicant is requesting a variance to the lot coverage requirement. The footprint of the proposed house is 59' 11"x37' (approximately 2,215 square feet in area). The proposed size of the structure is reasonable and consistent with other single family detached residential houses throughout the community. However, because the total lot size is 4,700 square feet in area, which is less than the code requirement, the coverage proposed with this house is higher than other properties throughout the community where the lot size is in compliance with the minimum code requirements.

Section 106-192 of the Zoning Ordinance states that the term "variance" represents a deviation from the literal interpretation of the code approved by the Board subject to the fact that enforcement of the provisions of the code would cause an unnecessary hardship because of circumstances unique to the subject property. The Board is authorized to grant a variance when the Board finds that a number of criteria are met. The following table outlines those criteria and staff's analysis of those criteria.

Criterion:	Staff Finding:
a. That the granting of the variance will not be contrary to the public interest	The granting of the variances being requested would allow the applicant the ability to replat Lots 19 and 20 and construct a new house on the northern lot. Because of the location of the existing structures on the lots as well as the replatting and placement of the new lot line, the northern lot cannot comply with the minimum requirements for lot size and lot width. Additionally, the proposed house does not comply with the proposed front setback or lot coverage. The size of the house proposed is reasonable and consistent with other structures in the community. It can be argued that the front setback would be consistent with other houses in the surrounding area. However, the applicant could move the proposed structure back 10 feet to comply with the front setback while still complying with the rear setback.

Board of Adjustment Special Called Meeting  
 March 3, 2016  
 Lemon House Variance

<p>b. That literal enforcement of this chapter will result in unnecessary hardship because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or property owner's own actions.</p>	<p>These lots have been platted in their current state since 1911 as part of the Sylvan Beach First Subdivision Final Plat. Lots 19 and 20 were platted and comply with the minimum requirements in terms of lot width and area. However both lots are platted to front Grove. The exceptional hardship that could be argued is the location of the house and accessory building on the southern portion of the lot. The location of these structures dictate the placement of the property line, which does not allow for the applicant to comply with the minimum lot size and area for the northern lot.</p> <p>Additionally, as it currently exists, there are two primary structure on the lots that both front Bayshore. The proposed variance package would allow the applicant to demolish one of the structures (and its accessory building) and construct a new house in its place.</p>
<p>c. That by granting the variance, the spirit of this chapter will be observed.</p>	<p>The intent of the City's nonconforming provisions are to bring structures into compliance over time, but due to the depth of these lots they will never be compliant without the purchase of extra property or rearranging the current configuration of existing primary and accessory buildings.</p>

Appeal Procedure:

**Sec. 106-196. - Appeals from the board of adjustment.**

Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment, or any taxpayer, or any officer, department, board, or bureau of the city may present to a court of record a petition for a writ of certiorari, as provided by V.T.C.A., Local Government Code § 211.011, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten days after the filing of the decision in the office of the board of adjustment.

**ATTACHMENTS**

- Exhibit A: Application and site plan for the proposed improvements
- Exhibit B: Area map

City of La Porte  
604 W. Fairmont Pkwy.  
La Porte, TX 77571

Planning & Development Department  
**VARIANCE APPLICATION**

Phone: 281.470.5058  
Fax: 281.470.5005  
www.laportetx.gov

RECEIVED  
JAN 29 2016

**3. PROPERTY DESCRIPTION** (for which Variance is requested):

HCAD PARCEL NO(s) 13-digit Tax ID(s): 0322150490017  
PROPERTY ADDRESS (if existing): 401 + 403 BAYSHORE DRIVE  
PROPERTY LEGAL DESCRIPTION: LOTS 19 + 20, BLOCK 49 SYLVAN BEACH

**1. PROPERTY OWNER INFORMATION:**

OWNER NAME: KATHLEEN LEMON PHONE: 281-772-3186  
FAX #: \_\_\_\_\_ E-MAIL: KATHLEEN@SPRAYPUMPSERVICES.COM  
MAILING ADDRESS: 515 RIVER BIRCH, LUMBERTON, TX. 77657

**2. \*AGENT REPRESENTING PROPERTY OWNER** (If Applicable):

AGENT / CONTRACTOR: \_\_\_\_\_ PHONE: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_ FAX: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_

**4. BASIS FOR VARIANCE REQUEST:**

A "Variance" constitutes a deviation from the literal provisions of the Zoning Ordinance and is granted by the board when strict conformity to the Zoning Ordinance would cause an unnecessary hardship because of the circumstances unique to the property on which the variance is granted.

Check applicable box for Variance request based on exceptional:

- Narrowness
- Shallowness
- Shape
- Topography
- Other extraordinary or exceptional physical situation unique to property: DOUBLEWORKING LOT

**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION** (check boxes indicating items submitted with your application):

- COMPLETE ITEMS 1-5 OF APPLICATION
- SUBMIT \$150 APPLICATION FEE (Non-Refundable)
- ATTACH SEPARATE SHEET WITH INFORMATION HELPFUL IN CONSIDERING YOUR REQUEST:  
(Specify the facts involved, relief desired, and the grounds for the request.)
- WRITTEN AUTHORIZATION FROM PROPERTY OWNER AUTHORIZING AGENT TO ACT ON HIS/HER BEHALF (If applicable)

*NOTE: It is the responsibility of the applicant to prove that his/her request meets conditions established for a Variance from the ZBOA.*

NAME: KATHLEEN LEMON (Print) SIGNATURE: [Signature] (Sign) SUBMITTED: 1-29-16 (Date)

**(STAFF USE ONLY):**

DATE APPLICATION REC'D.: \_\_\_\_\_ REC'D BY: \_\_\_\_\_  
 \$150 APPLICATION FEE     SUPPORTING DOCUMENTATION     OWNER AUTHORIZATION  
ZBOA MEETING DATE: \_\_\_\_\_ VARIANCE GRANTED?     YES     NO  
APPLICATION NO: \_\_\_\_\_

Kathleen Lemon  
Mickey Beard  
515 River Birch Drive  
Lumberton, Texas 77657

January 23, 2016

Zoning Board of Appeals  
City of LaPorte  
LaPorte, Texas

RE: Variance requests for lot 19 & 20, Blk. 49, Sylvan Beach Subdivision  
401 & 403 Bayshore Drive

To the Members of the Board:

We respectfully request variances on the above mentioned lots. These lots are nonconforming lots and currently front or face Grove Street and have two houses on these lots which face Bayshore Drive; thus the houses intersect the lots. The houses were built in 1911 and 1917. We propose to demolish or sell to have moved the house on the north side, have the property divided and replatted and build a new home in that location. The lots are currently each 50' by 125'. There is a detached garage that goes with the house on the south side of the lot. Current zoning requires a 5' setback from that garage. Due to this setback requirement, the proposed lot will be 47' X 100'. Single family residences under current zoning ordinances require a 50' frontage with a 6,000 sq. ft. lot size.

There is a 16' right of way that belongs to the city of LaPorte that runs along the north side of the 403 Bayshore house and we did approach the city about closing that right of way to purchase and having use of the additional 16'. We discovered there is an underground sewer line running through that right of way as well as overhead utilities that run along the perimeter. That option became mute. Because this lot is what we have to work with, we respectfully request variances on the following:

1. A variance from the 50' frontage requirement to 47' and variance from 6,000' to 4,700' minimum lot size.
2. A variance on the 25' front setback requirement to 15' to more aesthetically conform to the current neighboring houses (those are setback 10'4" and 13') and to allow more room in the back yard. See attached site plan and house plan.
3. Due to the narrow nature of the lot, although within the parameters of the setback requirements, the proposed house will have a lot coverage of 44.2% under roof. Of this percentage, 16.5% is covered decks and 7.8% is due to overhangs. As previously stated, the 16' right of way does provide additional green space although not part of the property.

4. The proposed uncovered stairway going to the upper deck that will encroach on the front setback by an additional 10'.

I owned a business in LaPorte on Main Street for over 25 years and have always loved the community and the bay. All three of my children have property in LaPorte, and we hope to relocate in LaPorte based on this board's determination. Mr. Beard is a developer and established Beard Homes in 1992 and has continually built homes in the Beaumont area since that time. We feel the home we propose to build on this nonconforming lot will be a nice addition to the LaPorte community.

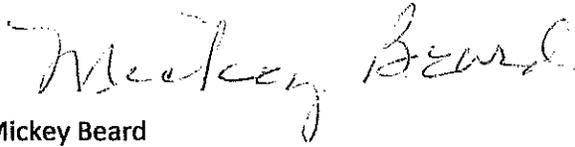
Enclosed are current survey, proposed site plan with proposed building and setbacks, and upstairs and downstairs floor plans.

Thank you for your time and consideration in these matters.

Yours truly,



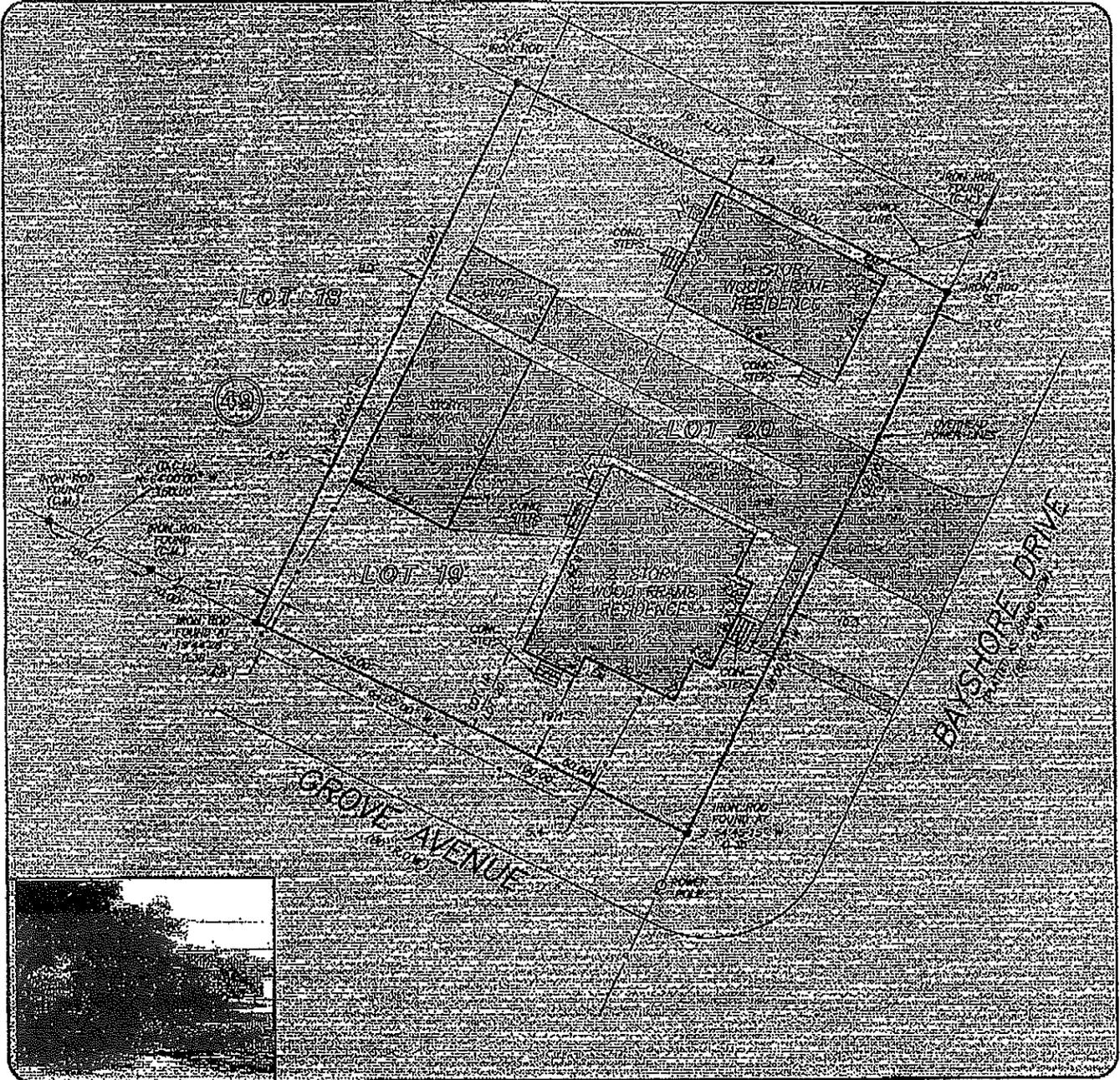
Kathleen Lemon



Mickey Beard

LOTS 19 AND 20 BLOCK 49  
SYLVAN BEACH FIRST SUB-DIVISION

ACCORDING TO THE MAP OF PLAT THEREOF RECORDED  
IN VOLUME 3 PAGE 52 OF THE MAP RECORDS  
OF HARRIS COUNTY TEXAS



THIS PROPERTY LIES WITHIN THE  
100 YEAR FLOOD PLAIN AS PER FIRM  
PANEL NO. 482010 0945 L  
MAP REVISION: 08/18/07  
ZONE AE  
BASED ONLY ON VISUAL EXAMINATION OF MAPS.  
INACCURACIES OF FEMA MAPS PREVENT EXACT  
DETERMINATION WITHOUT DETAILED FIELD STUDY

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE  
ON THE GROUND, THAT THIS PLAT CORRECTLY  
REPRESENTS THE FACTS FOUND AT THE  
TIME OF SURVEY AND THAT THERE ARE NO  
ENCROACHMENTS APPARENT ON THE GROUND,  
EXCEPT AS SHOWN HEREON. THIS SURVEY IS  
CERTIFIED FOR THIS TRANSACTION ONLY AND  
ABSTRACTING PROVIDED IN THE ABOVE  
REFERENCED TITLE COMMITMENT WAS RELIED  
UPON IN PREPARATION OF THIS SURVEY.



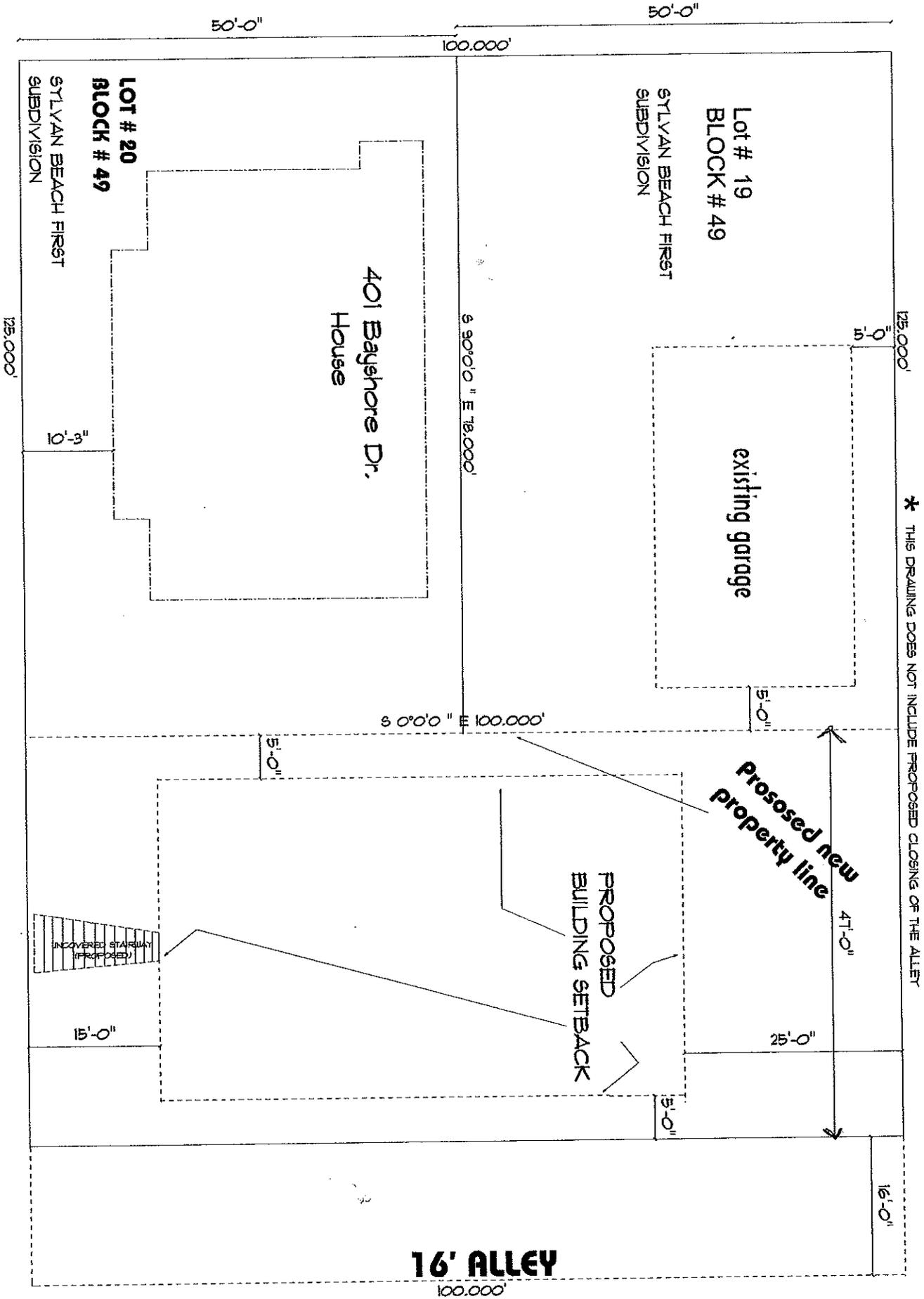
A SUBSURFACE INVESTIGATION  
WAS BEYOND THE SCOPE OF THIS SURVEY

TERRANCE MISH  
PROFESSIONAL LAND SURVEYOR  
NO. 4981  
JOB NO. 13-02194  
MARCH 08, 2013

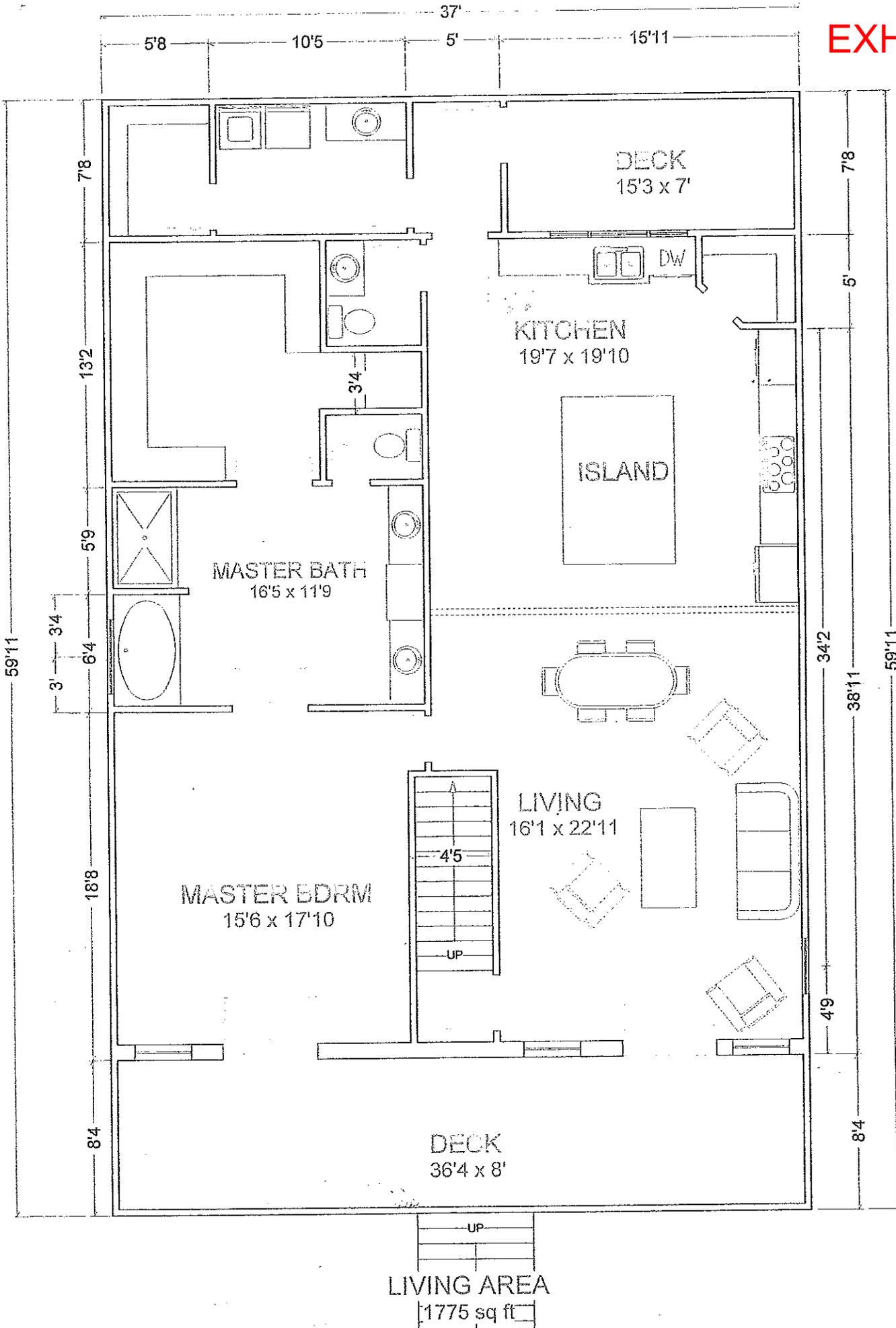
D.C.L. = DIRECTIONAL CONTROL LINE  
RECORD BEARINGS VOL. 3, PG. 72, H.C.M.R.

DRAWN BY: VJ

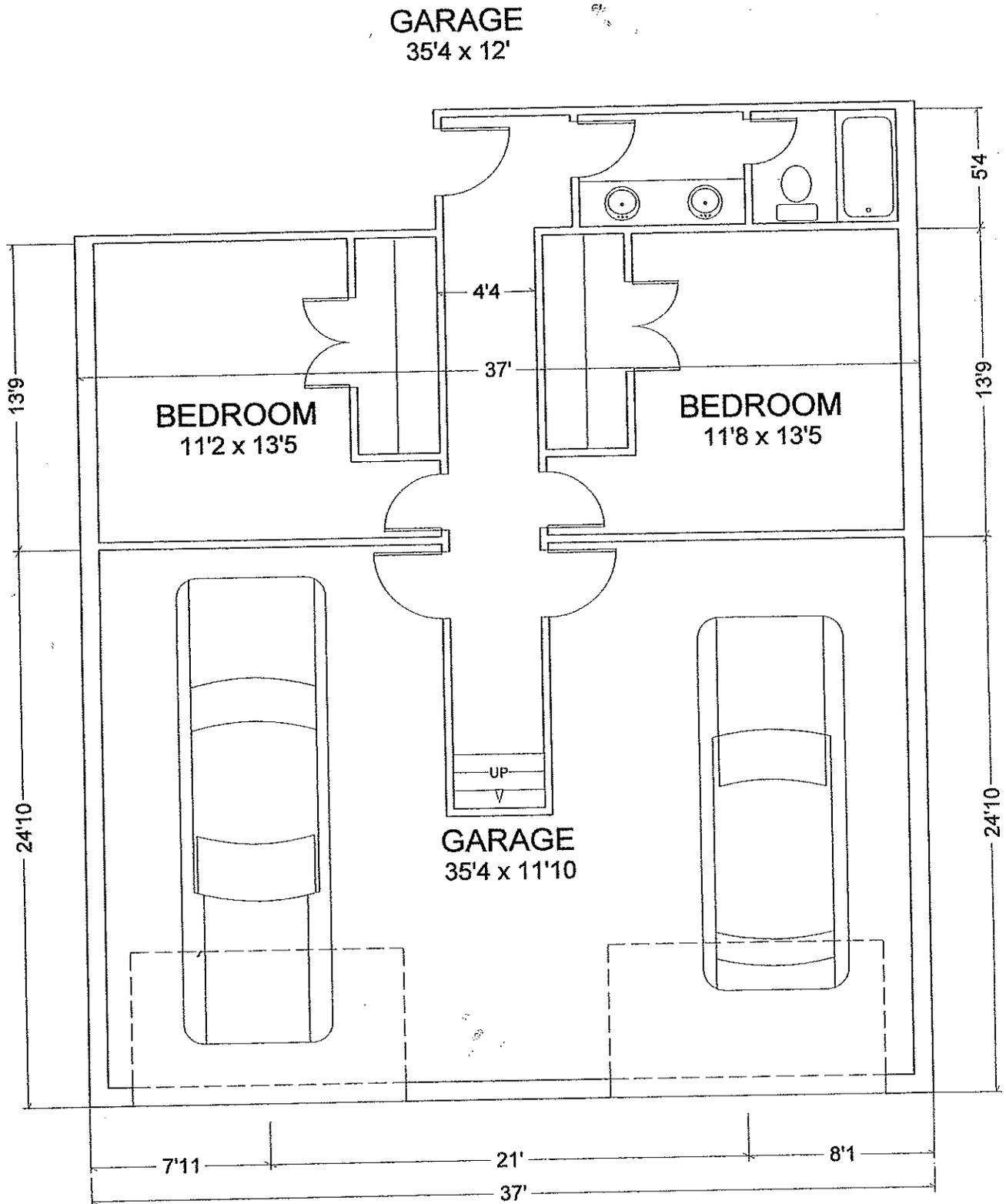
# EXHIBIT A



# EXHIBIT A



UP  
LIVING AREA  
1775 sq ft



LIVING AREA  
673 sq ft

# AREA MAP

EXHIBIT B

