



City of La Porte Zoning Board of Adjustment Agenda

Notice is hereby given of a Meeting of the La Porte Zoning Board of Adjustment to be held on **Thursday, July 27, 2017, 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: April 27, 2017.
4. A public hearing to consider Variance Request 17-93000004, a request by Brian Johnson for the tract of land located at 205 S. Holmes legally described as Lots 3-8, Block 73 of Bay Front to La Porte Subdivision. The applicant is seeking approval of multiple variances which would allow him to have a zero (0) foot side setback for his house and driveway. This is contrary to Section 106-333 (a) which requires a side setback of five (5) feet for single family detached uses and Section 106-835 which requires a driveway side setback of three (3) feet.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
5. A public hearing to receive public input on Variance Request 17-93000005, a request by Sam Ghandi for the tract of land located at 1251 S. 13th Street legally described as Reserve "A" Home Porte Subdivision & the Abandoned 16' Alley of Block 1135 La Porte Subdivision. The applicant is seeking approval of multiple variances that would allow him to have a fifty four (54) foot wide driveway and a seven and a half (7 ½) foot side driveway setback. These are contrary to Section 106-835 which allow for a maximum commercial driveway width of thirty five (35) feet and require a minimum side driveway setback of ten (10) feet.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
6. A public hearing to receive public input on Variance Request 17-93000006, a request by Horace Leopard for the tract of land located at 430 Main Street legally described as Lots 11, 12 & W. ½ of Lot 13, Block 57 Town of La Porte Subdivision. The applicant is seeking approval of multiple variances that would allow him to construct a blade sign and place an LED message board on the building which would be larger than allowed, backlit and use a more than limited amount of neon lighting. These are contrary to Section 106-874; (4); a, c and e which allow for a maximum size of one and a half (1 ½) square foot for every one (1) foot of façade length, prohibit the use of backlit signs and only allow the use of neon in limited amounts.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
7. A public hearing to receive public input on Variance Request 17-93000007, a request by Kimberly Ury for the tract of land located at 1200 Bayshore Drive legally described as Lot 5 and 5' of Lot 4,

Bayshore Block of Bayshore Park Addition Subdivision. The applicant is seeking approval of multiple variances that would allow her to construct a six (6) foot tall wooden privacy fence from her house to the water. These are contrary to Section 106-792 which requires front yard fences on lots adjacent to Galveston Bay be a maximum for four (4) feet tall and can only consist of chain link.

- a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
- 8. Administrative reports
 - 9. Board comments on matter appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
 - 10. 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 July 27, 2017, agenda of items to be considered by the Zoning Board of Adjustment was posted on the City Hall bulletin board on the ___ day of _____, 2017.

_____ Title: _____

**Zoning Board of Adjustment
Minutes of April 27, 2017**

Board Members Present: Rod Rothermel, Dennis Oian, Nettie Warren, and Thomas Deen

Board Members Absent: Shelley Fuller and Chester Pool

City Staff Present: Assistant City Attorney Clark Askins, Director of Planning and Development Richard Mancilla, City Planner Ian Clowes, and Planning Technician Ryan Cramer

1. Call to Order.

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

2. Roll call of members.

Board members Chester Pool and Shelley Fuller were not present.

3. Consider Approval of Meeting Minutes

a. January 26, 2017.

Motion by Dennis Oian to Approve the meeting minutes of January 26, 2017.

Second by Nettie Warren. **Motion Carried.**

Ayes: Rothermel, Oian, Warren and Deen

Nays: None

b. March 23, 2017.

Motion by Dennis Oian to Approve the meeting minutes of March 23, 2017.

Second by Nettie Warren. **Motion Carried.**

Ayes: Rothermel, Oian, Warren, and Deen

Nays: None

4. PUBLIC HEARING: Consider Variance Request 17-93000003, a request by Jesus Lopez for the tract of land located at the southwest corner of S. 7th St. and W. F St., legally described as Lots 31 & 32, Block 140 of La Porte Subdivision. The applicant is seeking approval of a variance allowing for a reduction of the side setback from ten (10) feet to five (5) feet, this is contrary to Section 106-333 of the La Porte Code of Ordinances.

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

a. Staff Presentation

City Planner, Ian Clowes, presented staff's report on a variance request 17-93000003.

The applicant would like to lower their required setback in order to better fit in a house.

b. Applicant Presentation

Brock Ferris, 818 S. 7th St. La Porte, TX 77571 – Future home buyer of the property. Mr. Ferris was just there to answer any possible questions

c. Public Comments

There were no public comments.

Chairman Rothermel closed the public hearing at 6:04PM.

d. Question and Answer

There were no questions.

Motion by Dennis Oian to approve Variance Request 17-93000003, a request by Jesus Lopez for the tract of land located at the southwest corner of S. 7th St. and W. F St., legally described as Lots 31 & 32, Block 140 of La Porte Subdivision

Second by Nettie Warren. **Motion Carried.**

Ayes: Rothermel, Oian, Warren, and Deen

Nays: None

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

5. Administrative Reports

City Planner Clowes introduced the new Planning and Development Director Richard Mancilla

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

Dennis Oian requested the other board members' contact information.

Rod Rothermel asked for City Council to look into creation and implementation of an absentee policy for the Board.

7. Adjourn

Motion by Dennis Oian to adjourn.

Second by Nettie Warren. **Motion Carried.**

Ayes: **Rothermel, Deen, Warren, and Oian**

Nays: **None**

Chairman Rothermel adjourned the meeting at 6:08 p.m.

Respectfully submitted,

Ryan Cramer
Secretary, Zoning Board of Adjustment

Passed and Approved on _____, 2017.

Rod Rothermel
Chairman, Zoning Board of Adjustment

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



July 27, 2017

AGENDA ITEM 4

Variance Request #17-93000004
205 S. Holmes Ave.

*Ryan Cramer, Planning Technician
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department

Staff Report

ISSUE

Should the Board of Adjustment approve a request for a variance by Brian Johnson for the tract of land located at 205 S. Holmes legally described as Lots 3-8, Block 73 of Bay Front to La Porte Subdivision (case #17-93000004) which would allow the applicant to construct a new single family home with a reduced side yard setback.

The applicant is requesting a five (5) foot reduction in the required side yard setback along the proposed northern property line allowing the home and driveway to be zero (0) feet from the property as opposed to the required five (5) feet. This is contrary to Section 106-333 and 106-835 of the La Porte Code of Ordinances.

DISCUSSION

Applicant:

Brian Johnson

Subject Site:

The subject site makes up a .43 acre tract of land located one lot down from the southeast corner of E. A St. and S. Holmes Ave. The attached Exhibit B is an area map that shows the location of the property in question. The site currently has one house, a large shop and a driveway going to each building. The proposed variance would allow the applicant to divide the property into two parcels with a zero (0) foot side setback on what would be the dividing line between the two proposed parcels.

Zoning Information:

The site is currently zoned R-1, Single Family Residential, as shown in the attached Exhibit C. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-1, Single Family Residential	Vacant
South	R-1, Single Family Residential	Single Family Home
West	R-1, Single Family Residential	Single Family Home
East	R-1, Single Family Residential	Single Family Home

Applicable Code Provisions:

Section 106-333, stipulates that all single family detached houses must be setback five (5) feet from a side property line. Section 106-835 says all driveways in residential zones must be setback three (3) feet

Board of Adjustment Meeting
 July 27, 2017
 Variance Request #17-93000004

from a side property line.

Analysis:

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 variance being requested would allow the applicant to construct a single family detached home. The home would probably be smaller than a typical one in the area.
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.	The layout of improvements on the property make it impossible to create two separate lots which would meet both size and setback requirements. Staff is working with the applicant to ensure the shop does not end up a standalone structure.
c. That by granting the variance, the spirit of this chapter will be observed.	This specific request will allow for a minor deviation in the setback requirement and will allow for an infill development in an established neighborhood.

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.
- The required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
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Variance Request #17-93000004

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
Exhibit B: Area Map
Exhibit C: Zoning Map



Exhibit A

Variance Application

Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 205 S Holmes

Legal description where Variance is being requested: Lots 3-8 BLK 73, B₂, Front to La Porte

HCAD Parcel Number where Variance is being requested: 0061630000003

Zoning District: R-1 Lot area: 18,750

A Variance request is hereby made to the Board of Adjustment of the City of La Porte.

Description of Request: side setback driveway and house

Attached hereto is a complete listing of the reason(s) why such Variance should be granted.

PROPERTY OWNER(S) INFORMATION

Name: Brian Johnson

Company (if applicable): _____

Address: P.O. Box 1747

City: La Porte State: Texas Zip: 77572

Phone: 713-516-0646 Email: _____

AUTHORIZED AGENT (if other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): Brian Johnson Date: 6/22/2017

STAFF USE ONLY:

Case Number: _____

Date Application Received:



Exhibit A

Variance Application

Planning and Development Department

REASON(S) FOR VARIANCE REQUEST

1. In trying to turn 6 lots (18,250sqft) into two lots (7,000) + (11,000) due to existing developments and structures there is no way I can create two lots that would meet size width and setback requirements.

2.

3.

4.

5.

Boundary Survey

0.16 Acres
(Tract I)

Being All of Lot 3, Lot 4, and a Portion of Lot 5,
Block 73, Bayfront Addition to the City of La Porte

And

0.27 Acres
(Tract II)

Being a Portion of Lot 5, and All of Lot 6, Lot 7,
and Lot 8, Block 73, Bayfront Addition to the City
of La Porte, Texas
Volume 1, Page 27
P.R.H.C.T.

Johnson Hunter Survey, Abstract 35
Harris County, Texas

in the

Bayfront Addition to

the City of La Porte

Texas

1" SQUARE PIPE FND

N: 13812167.14

E: 5235293.74

S 29° 53' 07" E

49.95'

0.16 ACRES
(Tract I)

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

0.27 ACRES
(Tract II)

SOUTH HOLMES STREET
(80' WIDE R.O.W.)

1/2" GIPF

N29° 56' 50"W 49.88'

POB

1/2" IPF

N: 13811994.72

E: 5235394.29

3/8" IRF

BAYFRONT ADDITION TO
THE CITY OF LA PORTE
BLOCK 73
VOL. 1, PG. 27.
P.R.H.C.T.

LOT 8

LOT 9

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

LOT 19

LOT 20

1/2" IRF
(IN CONC.)

"C...ES RPLS. 110"

LOT 32

IRF W/CAP-

N 62° 41' 20" E

16.04' 20" E

1/2" IRF

302.67'

1/2" IRF

BAYFRONT ADDITION TO
THE CITY OF LA PORTE
BLOCK 73
VOL. 1, PG. 27.
P.R.H.C.T.

LOT 36

LOT 35

LOT 34

LOT 33

LOT 38

LOT 37

IRS

S30° 08' 58"E 56.09'

16' WIDE ALLEY

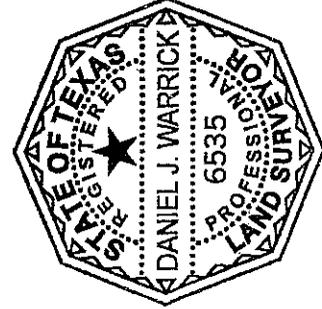
N30° 08' 58"W 93.75'

LEGEND
IRS - 1/2" IRON ROD SET
W/ CAP "SHINE"
IRF - IRON ROD FOUND
IPF - IRON PIPE FOUND
POB - PLACE OF BEGINNING

Exhibit A

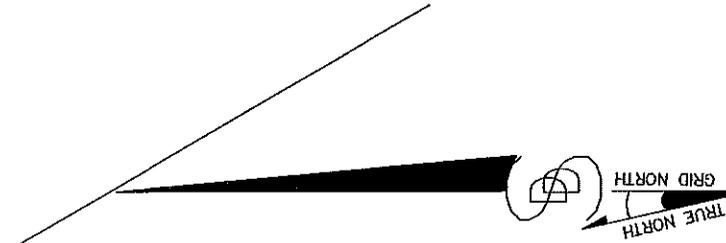
NOTE:
All bearings and distances are grid and are
referenced to the State Plane Coordinate System,
NAD83, Texas South Central Zone, U. S. Survey
feet. Mapping angle for this project is +01° 57'
and the scale factor is 0.999883696.

I, Daniel J. Warrick, do hereby certify that this plat
reflects an actual survey made on the ground and
according to law, and that the limits, boundaries, and
corners are truly described just as I found or set
them. Given under my hand and seal this 14th day of
September, 2016.



Daniel J. Warrick

Daniel J. Warrick
Registered Professional Land Surveyor No. 6535



SCALE: 1" = 20'

Shine & Associates, Inc.
P.O. Box 305
Silsbee, Texas 77656
409-385-9383
Firm Registration No. 10040800

Title Survey
of
Lot 3, Lot 4, Lot 5,
Lot 6, Lot 7 and Lot 8,
Block 73,

Bayfront Addition to the City of
La Porte, Texas
Volume 1, Page 27
P.R.H.C.T.

in the
Johnson Hunter Survey, Abstract 35
Harris County, Texas

LEGEND

- EM — ELECTRIC METER
- OHE — OVERHEAD ELECTRIC
- IRS — 1/2" IRON ROD SET
- W/CAP "SHINE"
- IRF — IRON ROD FOUND
- IPF — IRON PIPE FOUND
- GIPF — GALV. IRON PIPE FOUND
- POB — PLACE OF BEGINNING
- PP — POWER POLE
- CO — CLEANOUT
- MH — SANITARY SEWER MANHOLE
- GM — NATURAL GAS METER
- WM — WATER METER
- NG — BURIED GAS LINE
- WL — BURIED WATER LINE
- CAB — BURIED CABLE LINE
- RCP — REINFORCED CONC. PIPE

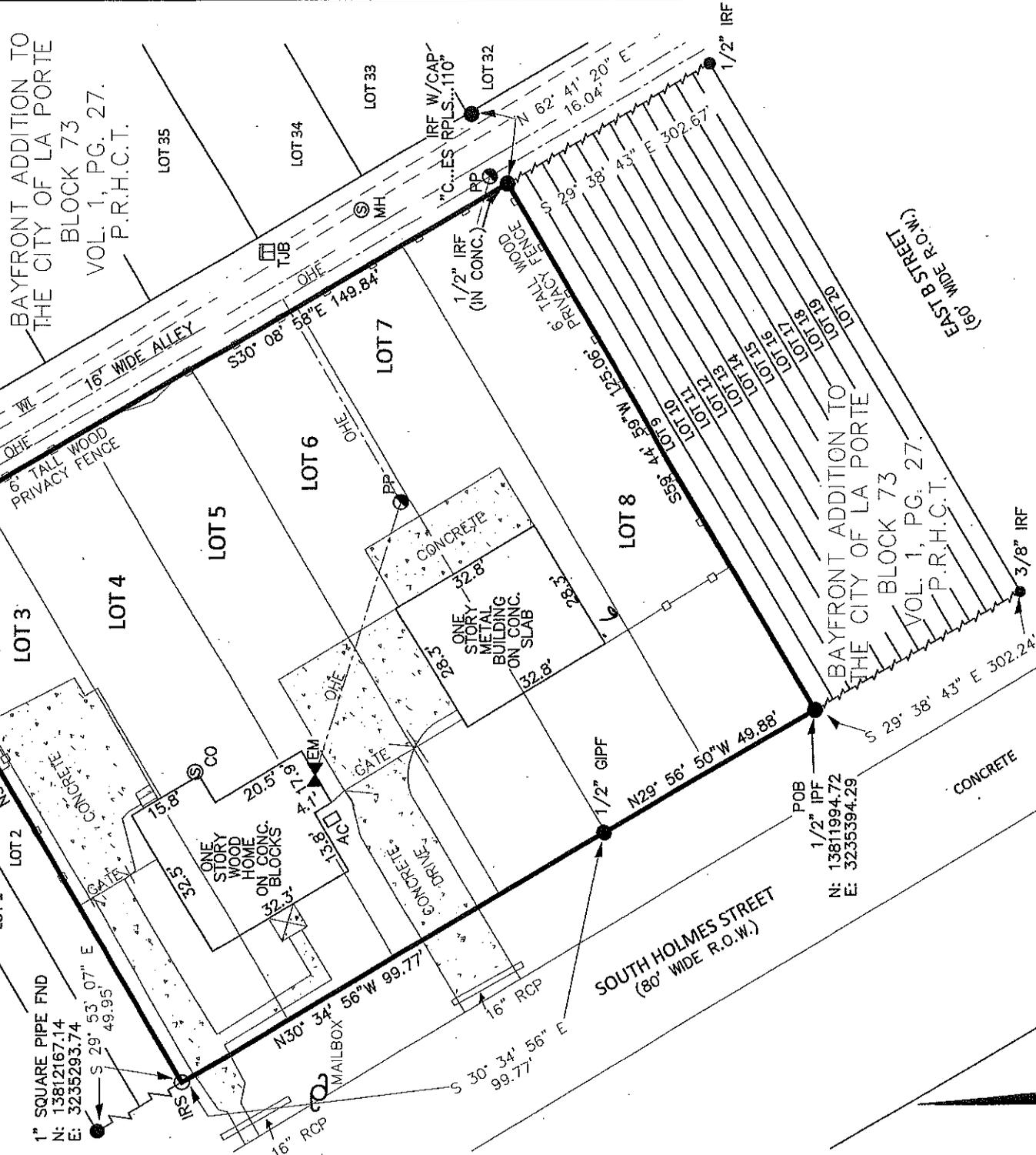


Exhibit A

NOTE:
Survey performed in conjunction with Stewart Title Guaranty Company Commitment for Title Insurance, File No.: 15201033948, dated 29 November, 2015. All bearings and distances are grid and are referenced to the State Plane Coordinate System, NAD83, Texas South-Central Zone, U. S. Survey feet. Mapping angle for this project is +01° 57' 17" and the scale factor is 0.999883696.

I, Daniel J. Warrick, do hereby certify that this plat reflects an actual survey made on the ground and according to law, and that the limits, boundaries, and corners are truly described just as I found or set them. Given under my hand and seal this 11th day of December, 2015.

Daniel J. Warrick

Daniel J. Warrick
Registered Professional Land Surveyor No. 6535



SCALE: 1" = 20'

Shine & Associates, Inc.
P.O. Box 305
Silsbee, Texas 77656
409-385-9383
Firm Registration No. 10040800

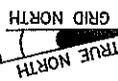




Exhibit B

Variance
#17-93000004

205 S. Holmes Ave.

Legend

 SUBJECT PROPERTY



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 138 feet



JULY 2017
PLANNING DEPARTMENT



Exhibit C

**Variance
#17-93000004**

205 S. Holmes Ave.

Legend

 SUBJECT PROPERTY



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 138 feet



**JULY 2017
PLANNING DEPARTMENT**

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



July 27, 2017

AGENDA ITEM 5

Variance Request #17-93000005
1251 S. 13th St.

*Ryan Cramer, Planning Technician
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department

Staff Report

ISSUE

Should the Board of Adjustment approve a request for a variance by Sam Ghandi for the tract of land located at 1251 S. 13th Street legally described as Reserve "A" Home Porte Subdivision & the Abandoned 16' Alley of Block 1135 La Porte Subdivision (case #17-93000005) which would allow the applicant to construct an oversized driveway.

The applicant is requesting a nineteen (19) foot addition to the permitted driveway size along with a two and a half (2 ½) foot reduction from the required driveway side setback in order to build a fifty four (54) foot wide driveway with a side setback of seven and a half (7 ½) feet. These are contrary to Section 106-835 of the La Porte Code of Ordinances.

DISCUSSION

Applicant:
Sam Ghandi

Subject Site:

The subject site makes up a 2.039 acre tract of land located at the northwest corner of W. L St. and S. 13th St. The attached Exhibit B is an area map that shows the location of the property in question. The site currently is vacant.

Zoning Information:

The site is currently zoned GC, General Commercial, as shown in the attached Exhibit C. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	GC, General Commercial	Vacant
South	GC, General Commercial*	Vacant
West	GC, General Commercial	Bar
East	GC, General Commercial	Hotel

*This staff report was written before the 7/20 P&Z Meeting, where an application to rezone the property to LI, Light Industrial is on the agenda

Applicable Code Provisions:

Section 106-835, stipulates that all commercial driveways are allowed to be a maximum of thirty five (35) feet and must be setback ten (10) feet from the side property line.

Board of Adjustment Meeting
 July 27, 2017
 Variance Request #17-93000005

Analysis:

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 variance being requested would allow the applicant to consolidate their access points and not extend W. L St.. The applicant is asking for a wider than allowed driveway as their architect has provided a letter saying it meets the fire code requirement of having two separate access points.
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.	The lot is thin for a building of this size, especially with two separate twenty five (25) foot driveways being required. The applicant does have an approved site plan with a second access point being constructed in the W. L St. R-O-W.
c. That by granting the variance, the spirit of this chapter will be observed.	While this is a rather large deviation, it is being done to allow for adequate fire access.

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.
- The required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
July 27, 2017
Variance Request #17-93000005

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
- Exhibit B: Area Map
- Exhibit C: Zoning Map
- Exhibit D: Approved Site Plan

- - - - - h o h



Variance Application
Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 1251 South 13th Street, La Porte, Texas
Legal description where Variance is being requested: Res. "A" Blk. 1135 & Abn'd 16' of alley, La Porte
HCAD Parcel Number where Variance is being requested: 1291920010002
Zoning District: Commercial Lot area: 88,800 s.f./ 2.0386 ac.

A Variance request is hereby made to the Board of Adjustment of the City of La Porte.

Description of Request: Variance from the Code of Ordinances 106-835 Figure 10-3 regarding driveways, for the purpose of improving fire department access and reducing potential congestion at the entrance to the site in the event of an emergency per 2012 IFC.

Attached hereto is a complete listing of the reason(s) why such Variance should be granted.

PROPERTY OWNER(S) INFORMATION

Name: Sam Gandhi
Company (if applicable): Home2 Suites of La Porte, Texas
Address: 8710 Seawall Blvd.
City: Galveston State: Texas Zip: 77554
Phone: (832) 766-3305 (cell) Email: [Redacted]

AUTHORIZED AGENT (if other than owner)

Name: Michael Gaertner
Company (if applicable): Michael Gaertner Architects
Address: 2200 Market Street, Suite 501
City: Galveston State: Texas Zip: 77550
Phone: (713) 223-1191 Email: [Redacted]

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: [Signature] Date: June 28, 2017
Owner(s)' Signature(s): [Signature] Date: June 28, 2017

STAFF USE ONLY:

Case Number: [Blank]

Date Application Received: [Blank]



REASON(S) FOR VARIANCE REQUEST

1. The site is accessed via South 13th Street. The 2012 International Fire Code, adopted by the City of La Porte has certain requirements for access to the site and the City's Code of Ordinances has certain requirements for driveway width and separation. In order to provide adequate Fire Department access to the site and reduce congestion at the driveway entrance to the site in the event of an emergency, the applicant requests a variance from Section 106-835 Figure 10-3 of the Code of Ordinances (as further described below):

2. By relocating the Fire Hydrant and Fire Department Connection to be adjacent to South 13th Street and south of the driveway, the Fire Department Pump Truck can be positioned so that the driveway remains clear for other emergency vehicles.

3. By widening the driveway onto the site from South 13th Street a second Fire Department vehicle can access the Fire Hydrant and lay hose to a suitable position without blocking access to the site. IFC requires a minimum width of 25' for each access lane, resulting in a total driveway width of 2 x 26' = 52' plus a median or divider of 5'-0" for 57' total, an increase of 7' from the 35' specified in Figure 10-3 for Commercial Zoning.

4. Widening the driveway will provide access to the site for other emergency vehicles after the Fire Department has staged their vehicle at the Fire Dept. Connection and laid hose. This would eliminate the need for a second driveway location as specified in Figure 10-3.

5. Configuring the site as described above provides Fire Department and emergency vehicle access in the event of an emergency without adversely affecting the normal traffic patterns on South 13th Street, without impeding normal access to the site and without the constructing a new street and potentially affecting the future abandonment and sale of the R.O.W. south of the hotel site.



June 19, 2017

Clif Meekins, Fire Marshal
City of La Porte
125 South 3rd Street
La Porte, Texas 77571

RE: Request for Plan Revision
Home2 Suites
1251 South 13th Street

Dear Mr. Meekins,

After carefully reviewing the site plan and your concerns for Fire Department Access to the site, the Owner would like to propose a revision to the approved construction drawings for the above referenced project. In analyzing the site, it appears that by relocating the fire department connection (FDC) such that it is adjacent to the fire hydrant, and increasing the size of the access drive onto the site, that two fire department access drives would be provided according to the 2012 International Fire Code (IFC) Section 503.1.1, the potential for congestion at the entrance to the site is minimized.

The Owner proposes a separated entrance with two fire department access drives at the east end of the site, allowing vehicles to both enter and exit the site, while fire department apparatus is stationed at the fire hydrant/FDC in 13th Street. Both access roads would comply with 2012 IFC Section 502.1 for width and unobstructed vertical clearance.

In addition to the apparatus stationed at the FDC, this would allow additional vehicles to be stationed at the entrance drive and around the building, if necessary, while keeping one access lane open. Once on the site, there are two areas, each of which provides sufficient space for an approved area for turning around fire apparatus. A dead end is not created as described in 2012 IFC Section 501.2.5. It is our intent that through careful site planning and location of the FDC, separated entrance, and turn-arounds on the site, that the need for construction of an additional city street, south of the project site could be avoided. The Owner hereby requests this plan revision to the approved construction drawings.

Please feel free to call me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink that reads "Michael Gaertner, Sr." with a stylized flourish at the end.

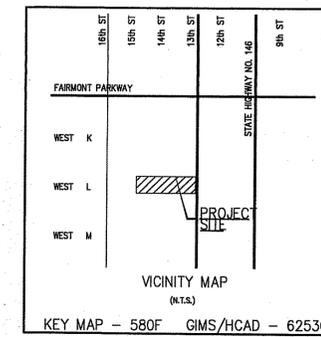
Michael Gaertner, Sr.
Architect
Texas Registration No. 9342



DISCOVERY OF ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF CARNES ENGINEERING INC. PRIOR TO ANY CONSTRUCTION WORK OR PURCHASES. ALL DIMENSIONS AND CLEARANCES TO BE VERIFIED BY OWNER/CONTRACTOR PRIOR TO BEGINNING ANY CONSTRUCTION. CARNES ENGINEERING INC. IS NOT RESPONSIBLE FOR ANY CONSTRUCTION ISSUES WHICH MAY ARISE DURING OR AFTER THE CONSTRUCTION OF THIS BUILDING. THERE ARE NO WARRANTIES OR WARRANTIES SPECIFIC OR IMPLIED ASSOCIATED WITH THESE DESIGN DOCUMENTS.

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8. IF THE DOMESTIC WATER METER IS LARGER THAN 2" THE INSTALLATION WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
9. FIRE LINE INSTALLATION AND BACK-FLOW PREVENTION DEVICE WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.



NAME OF DEVELOPMENT: HOME 2 SUITES BY HILTON
 TYPE OF DEVELOPMENT: 4- STORY 99 ROOM MOTEL 114 PARKING SPACE, COMMERCIAL
 ZONING TYPE: GC
 ADDRESS: 1251 SOUTH THIRTEENTH STREET
 LEGAL DESCRIPTION: HOME PORTS SUBDIVISION, COMMERCIAL RESERVE "A"
 BLOCK 1135, AND ABANDONED 16' PUBLIC ALLEY PER CITY OF LA PORTE ORDINANCE 2004-2800
 TOWN OF LA PORTE, 2.03 ACRES OUT OF THE JOHNSON HUNTER SURVEY, A-35, LA PORTE, HARRIS COUNTY, TEXAS
 AREA: 88,800 SQ.FT. ~ 2.03 AC.
 OWNER: BALAJI BUILDERS
 DEVELOPER: SAM GANDHI
 SCALE: 1"=30'
 ENGINEER: D. SPENCER CARNES, P.E.
 HCAD: 129-192-001-0002

LANDSCAPING CALCULATIONS

TOTAL AREA DEVELOPED = 70,843
 - TOTAL LOT COVERAGE AREA = 15,950/88,800 = 18%
 = 54,893 X .06 = 3,293
 LANDSCAPING REQUIRED = 3,293 SQFT
 LANDSCAPING PROVIDED = 3,576 SQFT
 PARKING SPACE LANDSCAPING 120/10 = 12 TREES X 135 = 1,620 SQFT REQUIRED
 PARKING SPACE LANDSCAPING PROVIDED = 12 TREES, 3,254 SQFT

- LANDSCAPING LEGEND**
1. TREES TO BE LIVE OAK (3 INCH CALIPER MIN., 6 FEET IN HEIGHT MIN.)
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- OAK TREE - 22 EA
 ○ INDIAN HAWTHORNE SHRUB - 235 EA
3. 4' MIN. PLANTING STRIP PROVIDED ALONG REAR PROPERTY LINE ABUTTING RESIDENTIAL DISTRICT COMPOSED OF A COMBINATION OF TREES AND SHRUBS.

PARKING CALCULATIONS

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 98 ROOMS = 99 SPACES
 4 EMPLOYEES = 4 SPACES
 TOTAL REQUIRED = 107 SPACES
 SPACES PROVIDED = 120
 ACCESSIBLE SPACES REQUIRED = 5
 ACCESSIBLE SPACES PROVIDED = 5

DETENTION

1 TO 10 ACRES (0.45 AC-FT/AC)
 (2.03 AC DEVELOPED) (0.45 AC-FT*AC DEV) = 0.91 AC-FT
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SITE PLAN ACCURACY CERTIFICATE

I, D. Spencer Carnes, P.E., am registered under the laws of the State of Texas to practice the profession of engineering (or surveying) and hereby certify that the above plat or site plan is true and correct; and that all bearings, distances, angles, curve radiuses, and central angles are accurately shown on the plat.

D. Spencer Carnes, P.E.
 Texas Registration No. 46041
CITY APPROVING AUTHORITY CERTIFICATE

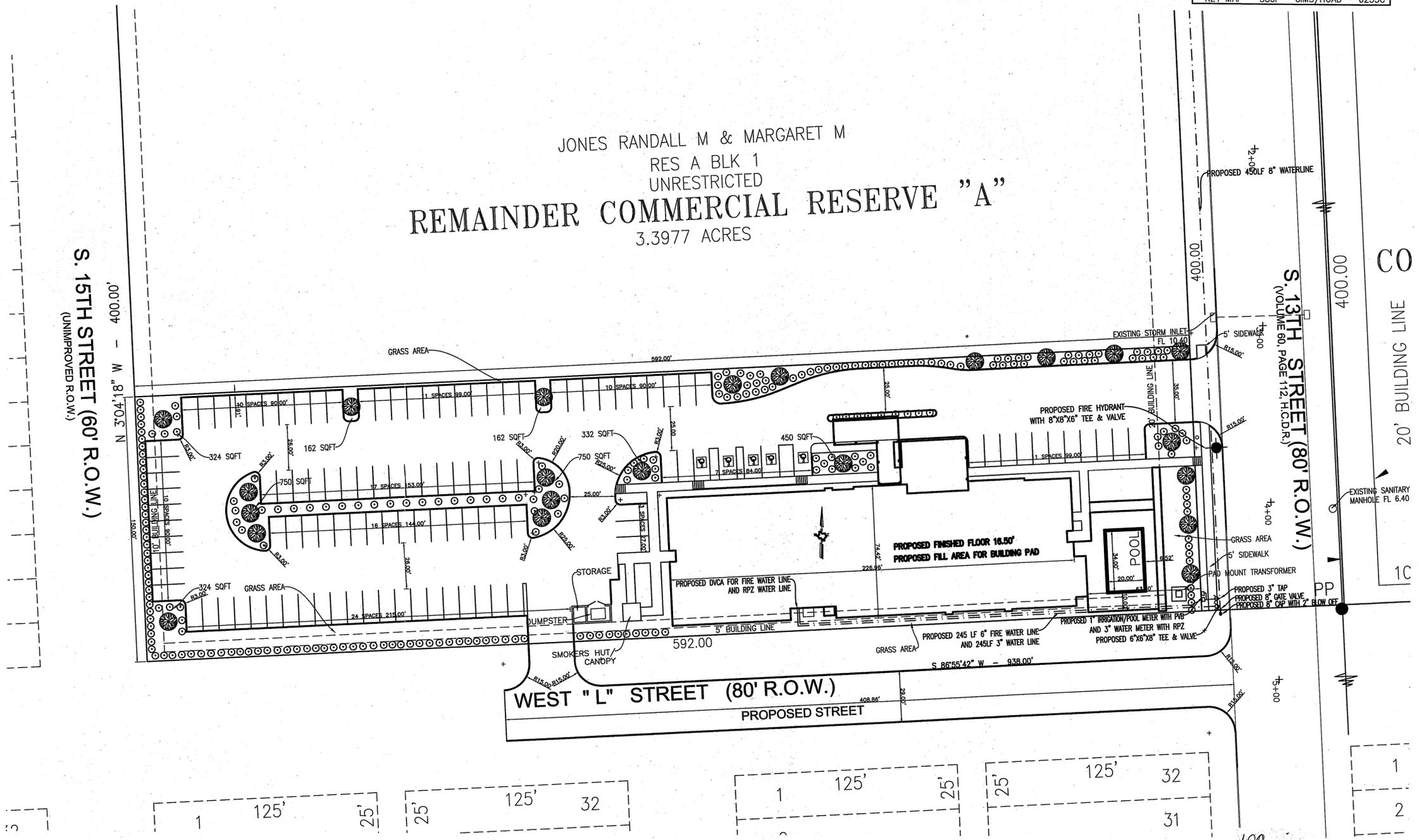
This is to certify that the City of La Porte, Texas has approved this site plan and development of HOME2SUITES LA PORTE in conformance with the Ordinances of the City of La Porte.

[Signature]
 Director, Planning Department

[Signature]
 City Planner

[Signature]
 City Engineer
 Engineering Manager

JONES RANDALL M & MARGARET M
 RES A BLK 1
 UNRESTRICTED
REMAINDER COMMERCIAL RESERVE "A"
 3.3977 ACRES



Name: Home 2 Suites
 Type: New hotel
 Address: 1251 S. 13th
 Legal: Home Ports Subdivision Com. Reserve "A"
 Block 1135 & 16' Public Alley

SITE PLAN
 SCALE: 1"=30'

NOTE: ALL PARKING AND DRIVING SURFACES TO BE CONCRETE.

DIGITALLY SIGNED 02/21/2017

FIRM No. F-003737
 ENGINEER: D. SPENCER CARNES, P.E.

CARNES ENGINEERING, INC.

12805 I.H. 10 EAST
 BAYTOWN, TEXAS 77520
 (281) 385-1200
 FAX (281) 385-0920
 © 2014 Baytown, Texas

DESIGN
 ENGINEERING
 INSPECTIONS

INFO@CARNES.NET
 WWW.CARNESENGINEERING.COM

REV#	DATE	BY	DESCRIPTION

HOME2SUITES LA PORTE
 1251 SOUTH 13TH STREET
 LA PORTE, TEXAS
 HARRIS COUNTY

SITE PLAN

DESIGNED	MM	SCALE	AS NOTED	SHEET NO.
DRAWN	MM	DATE	12/11/2014	C-1
CHECKED				
FILE				

14-82000008

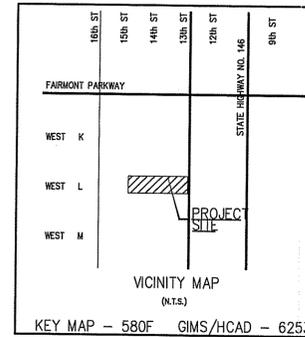
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Exhibit E

JONES RANDALL M & MARGARET M
RES A BLK 1
UNRESTRICTED
REMAINDER COMMERCIAL RESERVE "A"
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SCALE: 1"=30'
ENGINEER: D. SPENCER CARNES, P.E.
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D. Spencer Carnes
D. Spencer Carnes, P.E.
Texas Registration No. 48041

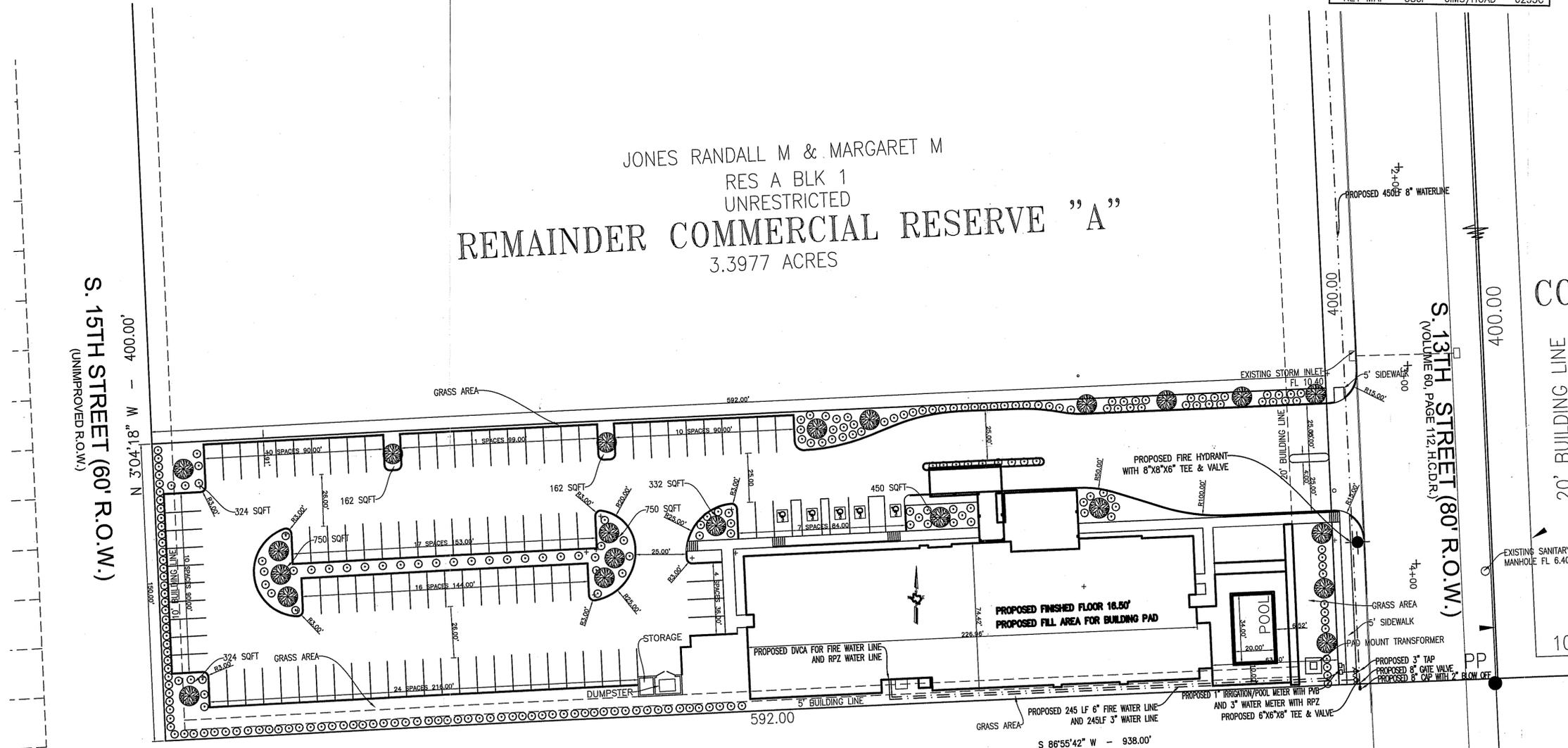
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Director, Planning Department

City Planner

City Engineer

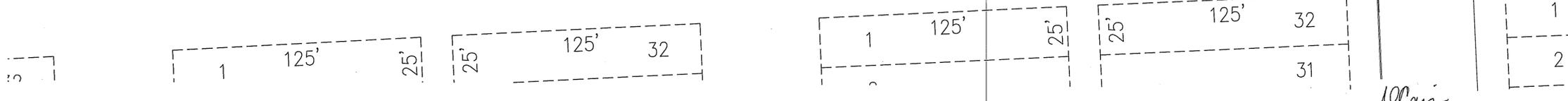


WEST "L" STREET (80' R.O.W.)

S. 15TH STREET (60' R.O.W.)
(UNIMPROVED R.O.W.)

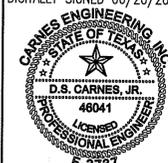
S. 13TH STREET (80' R.O.W.)
(VOLUME 80, PAGE 112, H.C.D.R.)

CO
20' BUILDING LINE
1C



SITE PLAN
SCALE: 1"=30'

NOTE: ALL PARKING AND DRIVING SURFACES TO BE CONCRETE.

DIGITALLY SIGNED 06/20/2017

 F-003737
 ENGINEER: D. SPENCER CARNES, P.E.

CARNES ENGINEERING, INC.
 12605 I.H. 10 EAST
 BAYTOWN, TEXAS 77520
 (281) 385-1200
 FAX (281) 385-0920
 © 2014 Baytown, Texas
 DESIGN
 ENGINEERING
 INSPECTIONS
 INFO@CARENG.COM
 WWW.CARESENGINEERING.COM

REV	DATE	BY	DESCRIPTION

HOME2SUITES LA PORTE
 1251 SOUTH 13TH STREET
 LA PORTE, TEXAS
 HARRIS COUNTY

SITE PLAN

DESIGNED	MM	SCALE	AS NOTED
DRAWN	MM	DATE	12/11/2014
CHECKED			
FILE			

SHEET NO. **C-1**

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



July 27, 2017

AGENDA ITEM 6

Variance Request #17-93000006
430 West Main St.

*Ryan Cramer, Planning Technician
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department

Staff Report

ISSUE

Should the Board of Adjustment approve a request for a variance by Horace Leopard for the tract of land located at 430 Main Street legally described as Lots 11, 12 & W. ½ of Lot 13, Block 57 Town of La Porte Subdivision (case #17-93000006) which would allow the applicant to construct a blade sign and add an LED display board.

The applicant is requesting permission to build a sign and LED board 97 and 5/6 square feet in size, backlit and use a more than limited amount of neon lighting. These contrary to Section 106-874 of the La Porte Code of Ordinances.

DISCUSSION

Applicant:

Horace Leopard

Subject Site:

The subject site makes up a .175 acre tract of land located at the northeast corner of W. Main and N. 4th St. The attached Exhibit B is an area map that shows the location of the property in question. The site currently has a building with marquee located on it.

Zoning Information:

The site is currently zoned MSDO, Main Street District Overlay, as shown in the attached Exhibit C. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	MSD, Main Street District	Single Family Detached Home
South	MSDO, Main Street District Overlay	Parking Lot
West	MSDO, Main Street District Overlay	Vacant
East	MSDO, Main Street District Overlay	Vacant

Applicable Code Provisions:

Section 106-874 (b) (4) a., c., and e., stipulates that attached on-premises signs shall not exceed 1.5 square feet for every one-foot of façade width, be back lit or have more than a limited amount of neon illumination.

Board of Adjustment Meeting
 July 27, 2017
 Variance Request #17-93000006

Analysis:

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 variance being requested would allow the applicant to construct an attached on-premises sign and add an LED board to an existing marquee.
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.	There is no physical hardship as it relates to the property itself, but the building façade and its marquee, which were not a result of the current owners’ actions, are not in perfect condition.
c. That by granting the variance, the spirit of this chapter will be observed.	The City has been attempting to redevelop West Main Street for some time and refurbishment of a theater that was once a destination on the street is a step in that direction.

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.
- The required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
July 27, 2017
Variance Request #17-93000006

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
Exhibit B: Area Map
Exhibit C: Zoning Map

Exhibit A



Variance Application Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 430 W. Main Street

Legal description where Variance is being requested: Lots 11, 12 & W. 1/2 of Lot 13, Block 57, La Porte, Lots

HCAD Parcel Number where Variance is being requested: 023 190 000 0011

Zoning District: Main Street Lot area: _____

A Variance request is hereby made to the Board of Adjustment of the City of La Porte.

Description of Request: Renovate the existing marquee in front of the theater by the addition of a Led display/message board
and adding a blade sign at the same location of the original sign (corner of building)

Attached hereto is a complete listing of the reason(s) why such Variance should be granted.

PROPERTY OWNER(S) INFORMATION

Name: Horace Leopard

Company (if applicable): _____

Address: 701 S. 8th Street

City: La Porte State: Texas Zip: 77571

Phone: 713-858-4716 Email: [REDACTED]

AUTHORIZED AGENT (if other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number:
17-43000006

Date Application Received:
6/28/17



Exhibit A

Variance Application

Planning and Development Department

REASON(S) FOR VARIANCE REQUEST

1. Plans are to renovate the theater to become an "Event Center" that could show movies; have music events and be available for personal and corporate rentals. The marquee will be used extensively to promote these events as well as being available for the promotion of city and community functions. The blade sign, which will be attached to the corner of the building, will provide site identification for visitors to La Porte and would restore the exterior of the building to its original historical appearance.
2. _____

3. _____

4. _____

5. _____



Exhibit A Variance Application
Planning and Development Department

AFFIDAVIT OF POSTING
ZONING BOARD OF ADJUSTMENT HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 430 W. Main

LEGAL DESCRIPTION: Lots 11, 12 & W. 1/2 of Lot 13, Block 57, La Porte Lots

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than ten (10) days prior to the scheduled public hearing; starting at least on the following date: _____
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire ten (10) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Horace Leopard
Applicant's Signature

HORACE LEOPARD
Applicant's Printed Name

Subscribed and sworn before me this 28th day of June, 2017 by

Horace Leopard (Print Applicant's Name).

San Juana Caballero
Notary Public

My commission expires: 01/14/19

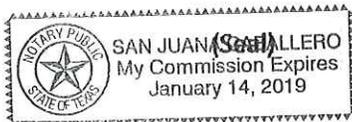
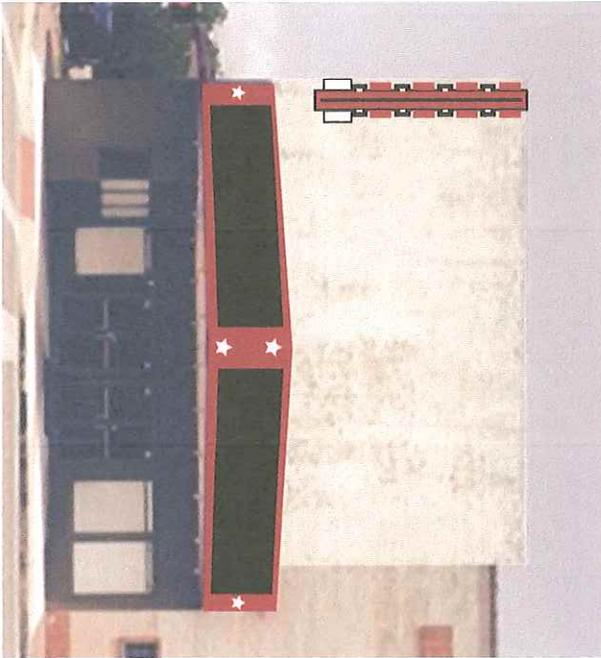
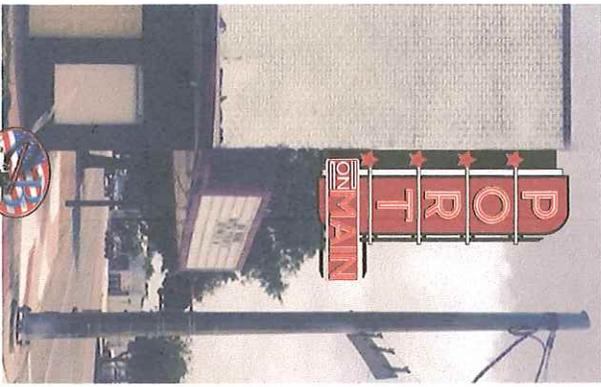


Exhibit A

(1) New D/F Illuminated Blade Sign Attached To Building Fascia

- Letters & Accents:
- Open Face Channel Letters
- White Exposed Neon Over White Accents & "On"
- Red Exposed Neon Over "Stars", "Port" & "Main"
- Letters Direct Mounted
- White Interior & Black Returns On "Port" & "Main"
- Design Is Subject To Change During Engineering/Pre-Production Phases
- Dimensional Aluminum Construction



BAKERS SIGNS
COMPLETE SIGN SERVICES

11201 FM 1485 - Conroe, Tx. 77306
Phone: 936-446-1289 Fax: 936-231-1220
www.BakersSigns.com

Sales Rep.: _____ Design By: _____
Date: _____ Proof #: _____

Project: _____
Location: _____

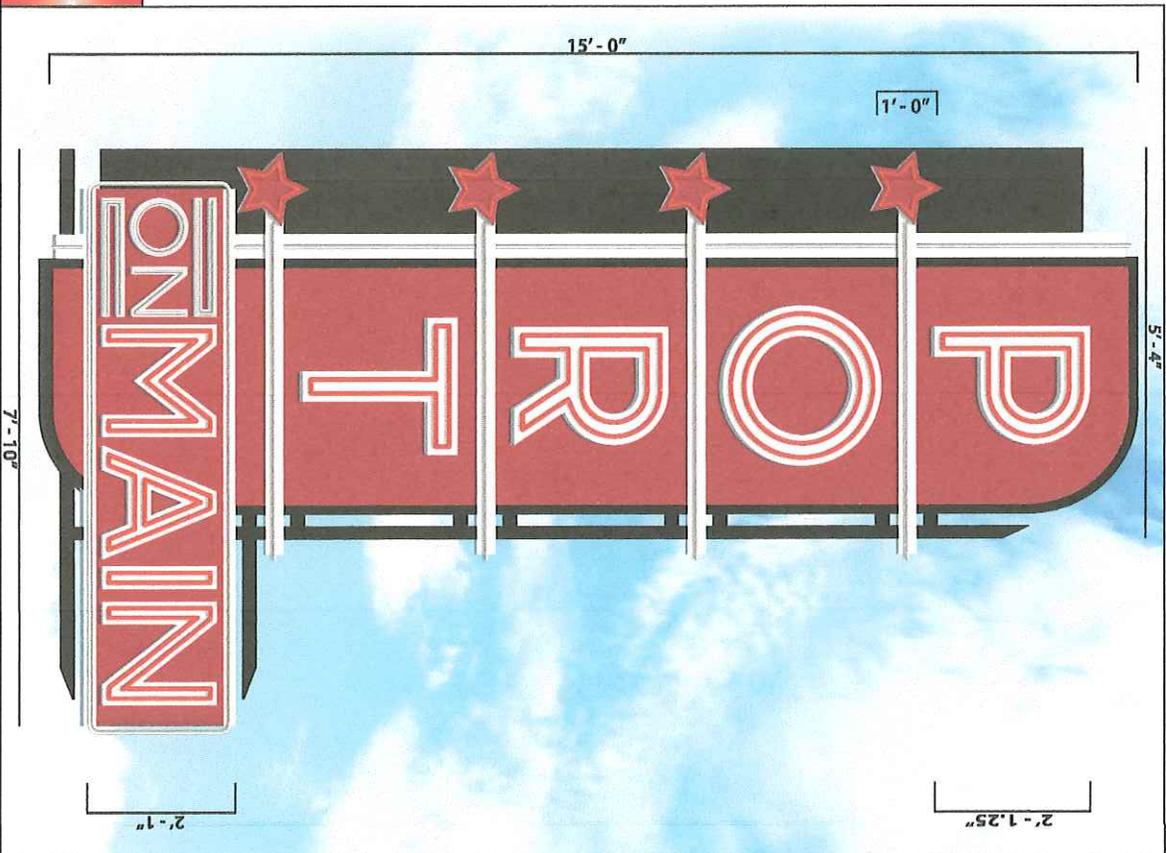
CLIENT APPROVAL Signed: _____ / 1/10

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REVISIONS

A:	DATE/REVISIONS	_____
B:	_____	_____
C:	_____	_____
D:	_____	_____

LANDLORD APPROVAL Signed: _____ / 1/10



APPROX. 17'

LED MESSAGE CENTERS

APPROX. 3' - 9"

- (2) S/F RGB Message Centers Installed In Existing Canopy
- Existing ZIP Track Message Boards To Be Removed
- Canopy To Be Retro-fitted To Accept Message Center Installations
- Trim/Filler To Be Installed As Needed Around Message Centers
- Message Center Size T.B.D. Per Complete Survey



PG. 1

S/f Qty

color palette: beam

color palette: vmpf

color palette: 1year 1 message

color:

NOTES.....
Sizes subject to full survey

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Project: _____
Location: _____

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REVISIONS

A: DIMENSIONS _____
B: _____
C: _____
D: _____

LANDLORD APPROVAL Signed: _____ / 1/10

OVERALL SIGN SQ. FT. _____
PROOF SCALE: *Scale valid Printed On Legal*

INSTALLATION NOTES: _____

This drawing is to be used for reference only. It is not to be used for construction. The client is responsible for providing all necessary information and for the proper installation of the sign. The client is responsible for obtaining all necessary permits. The client is responsible for providing all necessary information and for the proper installation of the sign. The client is responsible for obtaining all necessary permits. Note... Sizes, Colors & Prints may vary slightly in Production.

Existing



Exhibit B

Variance 17-93000006

430 W. Main St.

 Subject Property



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 138 feet



JULY 2017
PLANNING DEPARTMENT

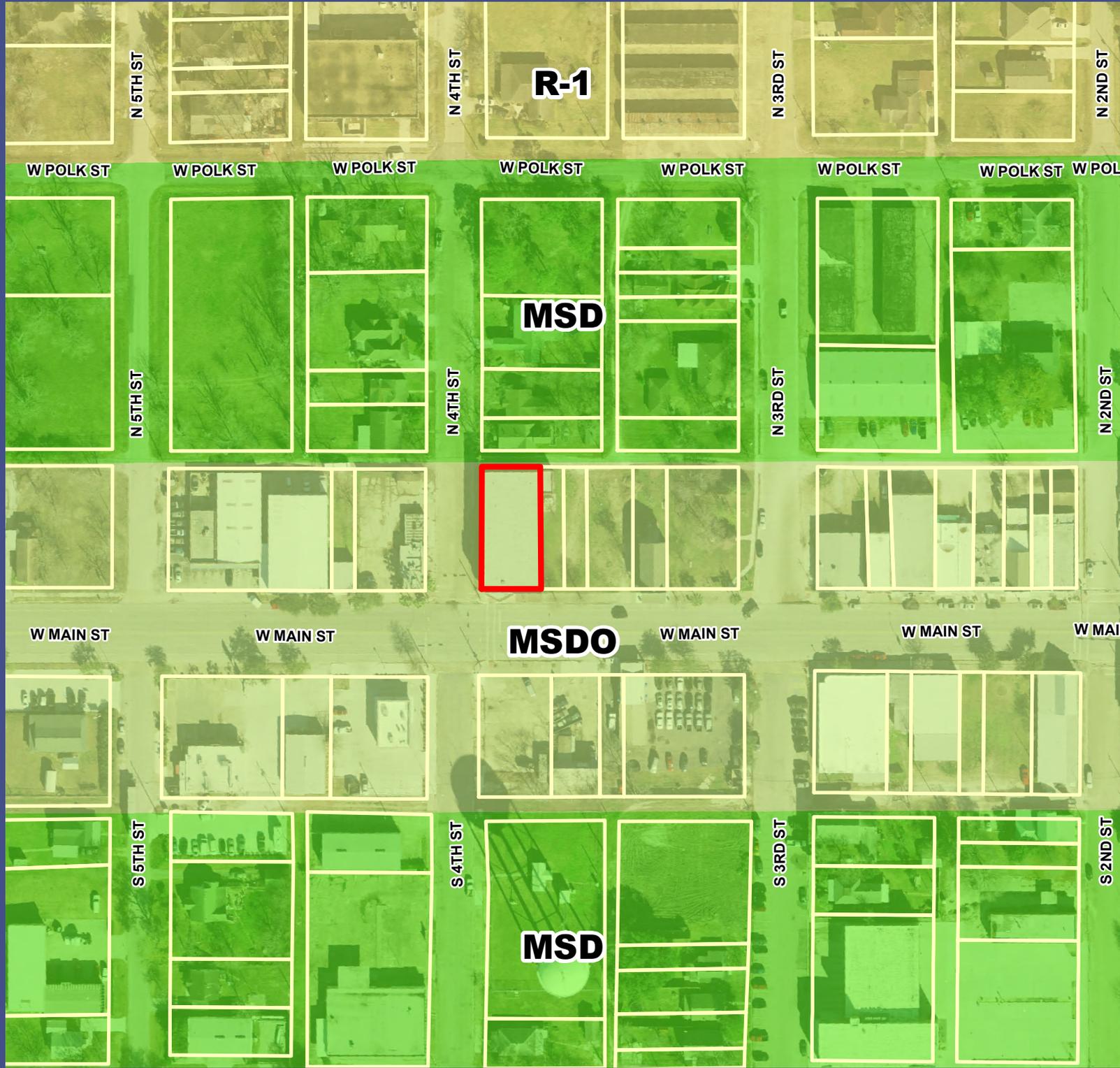


Exhibit C

Variance 17-93000006

430 W. Main St.

 Subject Property



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JULY 2017
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**City of La Porte, Texas
Zoning Board of Adjustment**



July 27, 2017

AGENDA ITEM 7

Variance Request #17-93000007
1200 Bayshore Dr.

*Ryan Cramer, Planning Technician
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department

Staff Report

ISSUE

Should the Board of Adjustment approve a request for a variance by Kimberly Ury for the tract of land located at 1200 Bayshore Drive legally described as Lot 5 and 5' of Lot 4, Bayshore Block of Bayshore Park Addition Subdivision (case #17-93000007) which would allow the applicant to construct a front yard privacy fence?

The applicant is requesting a two (2) foot addition to the permitted front yard adjacent to Galveston Bay fence height along with the use of wood in order to build a six (6) foot tall wooden privacy fence. These are contrary to Section 106-792 of the La Porte Code of Ordinances.

DISCUSSION

Applicant:
Kimberly Ury

Subject Site:
The subject site makes up a .469 acre tract of land located vaguely southeast of the Parkway St. and Bayshore Dr. "T" intersection. The attached Exhibit B is an area map that shows the location of the property in question. The site currently has one single family detached home.

Zoning Information:
The site is currently zoned R-2, Medium Density Residential, as shown in the attached Exhibit C. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-2, Medium Density Residential	Single Family Detached Home
South	R-3, High Density Residential	Vacant
West	R-1, Low Density Residential	Single Family Detached Home
East	N/A	Galveston Bay

Applicable Code Provisions:

Section 106-792, stipulates that all front yard fences on lots adjacent to Galveston Bay are allowed to be a maximum of four (4) feet in height and must be made of chain link.

Board of Adjustment Meeting
 July 27, 2017
 Variance Request #17-93000007

Analysis:

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 variance being requested would allow the applicant to construct a wooden privacy fence. This would not affect any singular property owner as the fence would go on a common lot line shared with the City.
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.	While there is no hardship arising from the physical condition of the property, the owner has no control over the fact she has public property, and the problems created by that, adjacent to her.
c. That by granting the variance, the spirit of this chapter will be observed.	This ordinance was written in order to protect the bay views of waterfront and surrounding property owners and no individual property owner’s views will be effected by this.

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.
- The required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
July 27, 2017
Variance Request #17-93000007

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
Exhibit B: Area Map
Exhibit C: Zoning Map



Exhibit A

Variance Application

Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 1200 Bayshore Dr., La Porte, TX 77571

Legal description where Variance is being requested: Lot 5 & 5' of lot 4, Bayshore Block of Bayshore Park Addition

HCAD Parcel Number where Variance is being requested: 0630090070005

Zoning District: _____ Lot area: from water to home

A Variance request is hereby made to the Board of Adjustment of the City of La Porte.

Description of Request: We would like to have a horizontal wood fence instead of chain link also 6ft instead of 4ft for security & privacy as we have had a ton of problems out here on the city's side from people littering, threatening to kill us, lots of trespassing, using the bathroom on our property both ways, headlights shining in our windows all hours of the night. We need at least 6ft so people will not jump over.

Attached hereto is a complete listing of the reason(s) why such Variance should be granted.

PROPERTY OWNER(S) INFORMATION

Name: Kimberly Ury

Company (if applicable): _____

Address: 1200 Bayshore Dr.

City: La Porte State: TX Zip: 77571

Phone: 832-360-0655 Email: [REDACTED]

AUTHORIZED AGENT (If other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): Kimberly Ury Date: 6-30-17

STAFF USE ONLY:

Case Number:
17-93000007

Date Application Received:
6/30/17

***APPLICATION FEE WAIVED PER CITY MANAGER**



Exhibit A

Variance Application

Planning and Development Department

REASON(S) FOR VARIANCE REQUEST

1. We need privacy from people driving up to the water, using the bathroom both ways on our property, people threatening to kill us, people using drugs in their car, car lights shining all hours of the night in our windows, very loud music, people leaving all their trash and dead bait and blows in our yard, big security issue now as people trespass constantly onto our property to get to the pier at the park. Just having a 4ft fence we would run into problems of people jumping over all the time and the car lights still would shine in.

2.

3.

4.

5.



Exhibit A

Variance Application Planning and Development Department

AFFIDAVIT OF POSTING ZONING BOARD OF ADJUSTMENT HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 1200 Bayshore Dr., La Porte, TX 77571

LEGAL DESCRIPTION: Lot 5 & 5' of lot 4

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than ten (10) days prior to the scheduled public hearing; starting at least on the following date: _____.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire ten (10) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Kimberly Ury
Applicant's Signature

Kimberly Ury
Applicant's Printed Name

Subscribed and sworn before me this _____ day of _____, _____ by _____
(Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____



Exhibit B

Variance 17-93000007

1200 Bayshore Dr.

 Subject Property



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JULY 2017
PLANNING DEPARTMENT



Exhibit C

Variance 17-93000007

1200 Bayshore Dr.

 Subject Property



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JULY 2017
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