



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, June 28th, 2018, 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: May 24th, 2018.
4. A public hearing to consider **Variance Request 18-93000004**, a request by Lisa Erwin for a tract of land located at 121 Erin Court, and legally described as Lot 6 Block 1, Spencer Landing Subdivision, Sec. 4. The applicant is seeking approval of a variance that would allow for a reduction of residential driveway design standards from a 12 foot minimum driveway width, to a 6 foot width.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
5. A public hearing to consider **Special Exception 18-94000001**, a request by Alan Mueller (on behalf of Beazer Homes), for the tract of land located at 3500 Bay Area Blvd, and legally described as Reserve "A", Recreation Center, Morgan's Landing. The applicant is seeking approval of a Special Exception that is permitted in Sec. 106-191 to waive or reduce off-street parking requirements.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
6. Administrative reports
7. Board comments on matter appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
8. 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, June 28th, 2018, agenda of items to be considered by the Zoning Board of Adjustment was posted on the City Hall bulletin board on the ____ day of _____, 2018.

Title: _____

**Zoning Board of Adjustment
Minutes of May 24th, 2018**

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

Board Members Absent: Shelley Fuller and Phillip Hoot

City Staff Present: Assistant City Attorney Clark Askins, Assistant City Manager Jason Weeks, Planning Director Richard Mancilla, and Planning Technician Chase Stewart

1. Call to Order.

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

2. Roll call of members.

Board member Shelley Fuller & Phillip Hoot were not present

3. Consider Approval of Meeting Minutes

a. September 28th, 2017.

Motion by Thomas Deen to Approve the meeting minutes of July 27th, 2017.

Second by Chester Pool. **Motion Carried.**

Ayes: Rothermel, Oian, Warren, Pool, Deen

Nays: None

Abstain: None

4. A public hearing to consider Variance Request 18-93000001, a request by Humberto Marquez for tracts of land located at 506 S. Kansas St, and legally described as Lot 25 & North 14.5 Feet of Lot 24 & South 19 Feet of Lot 26 & Adjacent Strip, Block 239, San Jacinto Homes. The applicant is seeking approval of a variance to construct a fence in the front yard of a single family residential lot.

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

a. Staff Presentation

Planning Director, Mr. Richard Mancilla, presented staff's report on a variance request 18-93000001.

The applicant is requesting permission to maintain a fence that was constructed in the front yard on a parcel of land this is not directly adjacent to the shoreline of Galveston Bay. The fence was constructed without obtaining a building permit. This is contrary to Section 106-791 of the La Porte Code of Ordinances.

b. Applicant Presentation

Maria Marquez, 6422 Gammage St, Houston TX, 77087.

c. Public Comments

There were 2 mailings received by staff that were in approval of the variance request. Manuel J Martinez of 268 Lois Lane and the home owner, Humberto Marquez.

Chairman Rothermel closed the public hearing at 6:09 p.m.

d. Question and Answer

There were no questions.

Motion by Thomas Deen to deny variance 18-93000001, a request **Second** by Nettie Warren. **Motion Carried Unanimously**

Ayes: Rothermel, Oian, Warren, Pool, 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. **PUBLIC HEARING: A public hearing to consider Variance Request 18-93000002, a request by Forrest Crump for the tract of land located at 3047 Carlisle St, and legally described as Lot 11 Block 16, Bayside Terrace. The applicant is seeking approval of a variance to construct a fence in the front yard of a single family residential lot.**

Chairman Rothermel opened the public hearing at 6:10 p.m.

a. Staff Presentation

Planning Director, Mr. Richard Mancilla, presented staff's report on a variance request 18-93000002.

The applicant is requesting permission to maintain a fence that was constructed in the front yard on a parcel of land this is not directly adjacent to the shoreline of Galveston Bay. The fence was constructed without obtaining a building permit. This is contrary to Section 106-791 of the La Porte Code of Ordinances.

b. Applicant Presentation

Forrest Crump, 2214 Tallow wood, Deer Park TX

c. Public Comments

Timothy Aquilar, 3119 Fondren, La Porte TX: Advised the home owner, Forrest Crump, not to erect the fence because it was against the City's Ordinance.

Bridgette Weber, 3047 Carlisle St, La Porte TX: The current tenant at the property in question pled her case to retain the fence

James Weitekamp, 3021 Carlisle St, La Porte TX: Voiced opposition to the variance, citing it as a violation of an ordinance, it was distracting/an eyesore, it devalues the property/neighborhood.

Don Burkemeyer, 3111 Fondren, La Porte TX: Shared with the board that the Bayside Terrace Civic Club (a group similar to a HOA, but without power to enforce) had voted unanimously to oppose the variance.

Chairman Rothermel closed the public hearing at 6:21 p.m.

d. Question and Answer

N/A

Motion: Thomas Deen motions to deny the variance

Second by Chester Pool. **Motion Carried.**

Ayes: Rothermel, Oian, Warren, Pool, Deen

Nays: N/A

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

6. PUBLIC HEARING: A public hearing to consider Variance Request 18-93000003, a request by Erin Radney Gaete for tracts of land located at 3130 Fondren St, and legally described as Lots 5 & 15 Block 20, Bayside Terrace. The applicant is seeking approval of a variance to allow for a reduction to front yard setback and rear yard utility easement setback requirements.

a. Staff Presentation: Planning Director, Mr. Richard Mancilla, presented staff's report on a variance request 18-93000003.

The applicant is requesting lenience in regards to the setback requirements defined as 25 linear feet from the front property line and the minimum setback adjacent to any utility easement located in a rear yard of 3 feet. This challenges Section 106-333, footnote #3 of the La Porte Code of Ordinances. The applicant is also seeking a setback relief of 5 ft, 6 ½ inches from the front property line and a setback set to 0 ft from the utility easement in the rear.

b. Applicant Presentation: Erin Radney Gaete 10313 N L St, La Porte TX

- c. **Public Comments:** Don Burkeneyer, 3111 Fondren St, La Porte TX: Shared that Bayside Terrace Civic Club voted unanimously in favor, but after hearing staff's and the applicant's presentations, considered support for the variance request.

Kathryn Aguilar, 3119 Fondren St: Voiced support

Timothy Aguilar, 3119 Fondren St: Voiced Support

- d. **Question and Answer:** Clarification on the site plan submitted from various board members

Chairman Rothermel closed the public hearing at 6:33 p.m.

Motion: Dennis Oian motions to approve under the premise that the house is built 10 ft above ground (see stilt home)

Second: Nettie Warren **Motion Carried**

7. Administrative Reports

Planning Department Director, Richard Mancilla, introduces recently hired staff: Himself, Assistant City Manager: Jason Weeks, Planning Technician: Chase Stewart.

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

Questions by the board for staff in regards to Gilley's and the Dollar General project on Old 146.

9. Adjourn

Motion by Chester Pool to adjourn.

Second by Thomas Deen. **Motion Carried.**

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

Nays: **None**

Chairman Rothermel adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Chase Stewart
Secretary, Zoning Board of Adjustment

Passed and Approved on _____, 2018.

Rod Rothermel
Chairman, Zoning Board of Adjustment

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



June 28, 2018

AGENDA ITEM 4

Variance Request #18-93000004
121 Erin Court

*Chase Stewart, 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 Lisa Erwin for the property located at 121 Erin Court, legally described as Lot 6 Block 1, Spencer Landing Subdivision, Sec. 4, which would grant the applicant a reduction of residential driveway design standards from a 12 foot minimum driveway width, to a 6 foot width.

The applicant is requesting to construct a vehicle storage building on the property that with it's projected orientation allowing a maximum driveway width of 6 feet. This is contrary to Section 106-835, Figure 10-2, of the La Porte Code of Ordinances.

DISCUSSION

Subject Site:

The subject site makes up a 0.219 acre tract of land located at 121 Erin Ct. The attached Exhibit B is an area map that shows the location of the property in question. The site is currently occupied by a single family home and is situated in a residential R-1 neighborhood. The proposed variance would only reduce the minimum driveway requirement for the property to allow for construction of an off-street parking structure to be erected on the property.

Zoning Information:

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

	Zoning	Land Use
North	R-1, Residential	Single Family Home
South	R-1, Residential	Single Family Home
West	PUD, Planned Unit Development	Undeveloped
East	R-1, Residential	Single Family Home

Applicable Code Provisions:

Section 106-835, Figure 10-2, outlines the Residential driveway design standards within the City of La Porte.

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 Variance Request #18-93000004

Section 106-835, Figure 10-2 specific requirement is as follows: “Drive width – 12’ minimum to 25’ maximum”

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 permission of this variance to the applicant will not be contrary to the public interest of the surrounding neighborhood
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 would be no hardship encoured from the literal enforcement of Chapter 106-791.
c. That by granting the variance, the spirit of this chapter will be observed.	By definition, this request will still observe the spirit of the chapter by asking for a reduction of requirements, not abolishing them completely.

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

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Variance Request #18-93000004

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.

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

As of the posting of this agenda, staff has not recieved any comments for or against this item



Variance Application

Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 121 Erin Court, LaPorte TX 77571

Legal description where Variance is being requested: Lot6, Block 1, Spencer Landing Subdivision, Sec 4

HCAD Parcel Number where Variance is being requested: 1235470010006

Zoning District: _____ Lot area: _____

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

Description of Request: Variance in required 12' drive leading to detached garage for motorcycles.

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

PROPERTY OWNER(S) INFORMATION

Name: Lisa Erwin

Company (if applicable): _____

Address: 121 Erin Court

City: LaPorte State: Texas Zip: 77571

Phone: 832-875-1488 Email: hdmaniac63@gmail.com

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:
18-93000004

Date Application Received:
5/14/18



REASON(S) FOR VARIANCE REQUEST

1. 121 Erin Court is a two story, 5-bedroom home built at the head of a cul-de-sac. The house backs up to the LaPorte airport with a pipeline dividing the neighborhood from the airport. There is no public access to the back of the home and with the pipeline and airport, there will be no further residential or commercial development. There is a total of 4, 2 story homes, 2, 1 story homes in the cul-de-sac. With young children playing and multipule drivers in each home, parking has become a critical safety issue.

2. We would like to do our part to help keep our property, children and neighborhood safe Our hobby is riding motorcycles and we currently own 3 Harley Davidsons. Parking the bikes riding mower for the large backyard and ATV limits parking vehicles in the small garage attached to the house. We have 4 adult drivers, 3 cars, 1 truck and my police unit.

3. HOA approved plans for the detached garage. The detached garage is designed with a 6' wide, rollup garage door. Variance is requested for a maximum of 6' drive leading from the front driveway of the house, to the detached garage. The detached garage will improve the value of 121 Erin Court and give us the opportunity to help make our community a safer place.

- 4.

- 5.



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: 121 Erin Court, LaPorte TX 77571

LEGAL DESCRIPTION: Lot 6, Block 1, Spencer Landing Subdivision, Sec 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.

Applicant's Signature

Applicant's Printed Name

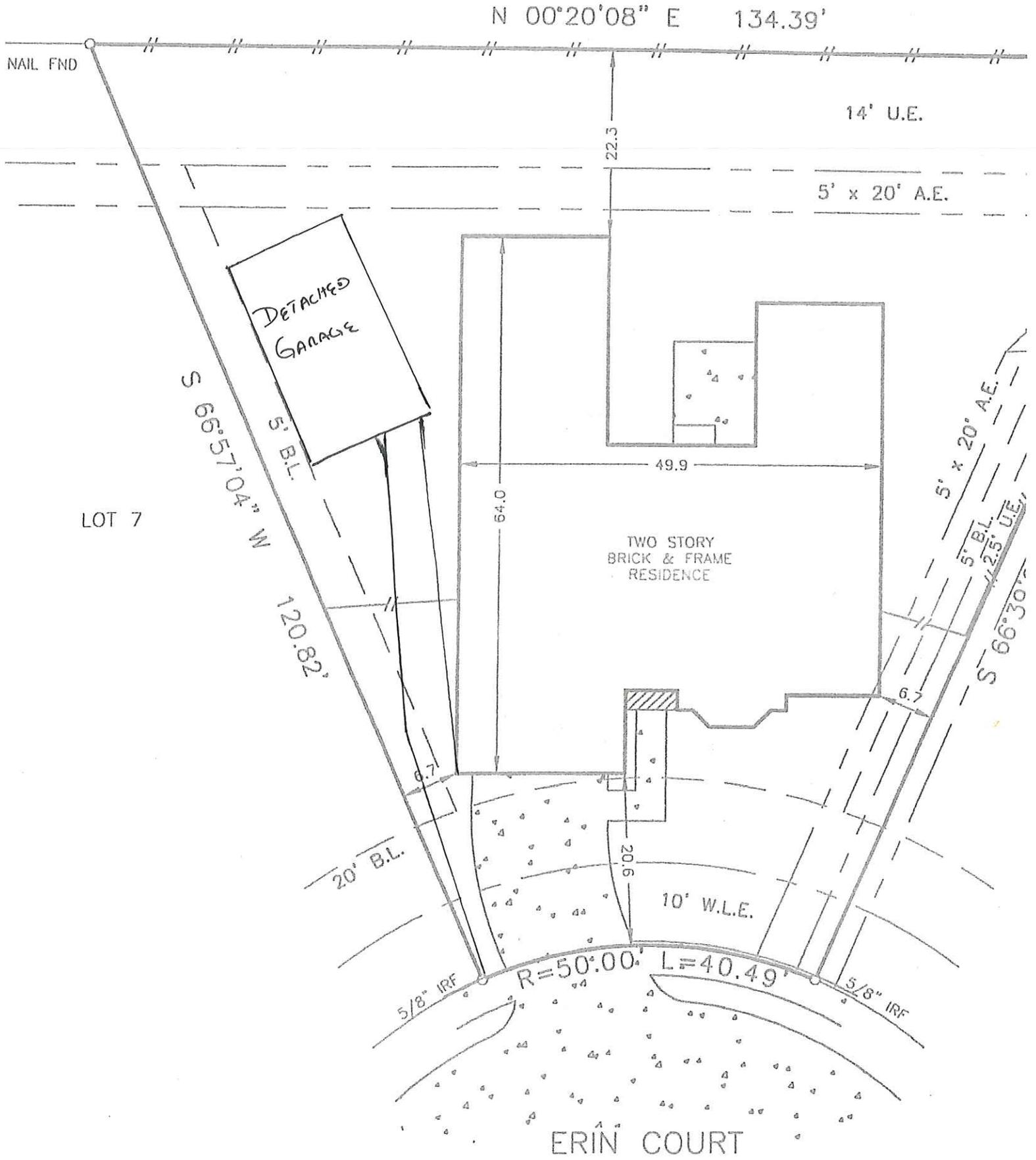
Subscribed and sworn before me this _____ day of _____, _____ by _____
(Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____

LOT 31 1/2
HUMBLE PIPELINE COMPANY
C.F. NO. B961636
H.C.O.P.R.O.R.P.



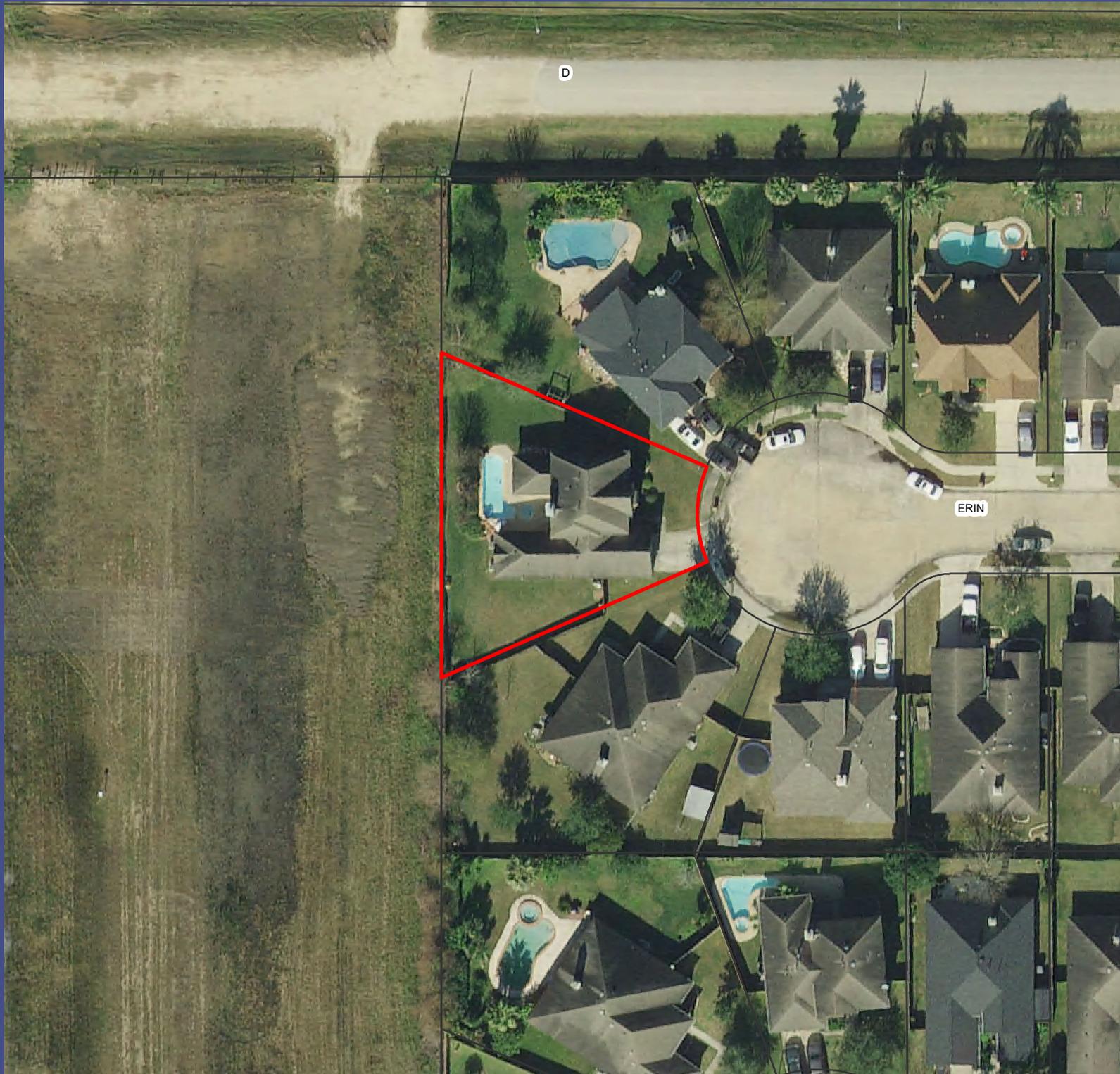








10-18



NOTIFICATION MAP

Variance
18-93000004

121 Erin Court

Legend

 121 Erin Court



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 = 56 feet



JUNE 2018
PLANNING DEPARTMENT

LLD

D

PUD

R-1

ERIN

ZONING MAP

Variance
18-93000004

121 Erin Court

Legend

 121 Erin Court



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 = 56 feet



JUNE 2018
PLANNING DEPARTMENT

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



June 28, 2018

AGENDA ITEM 5

Special Exception Request #18-94000001
Recreation Center
Reserve "A", Morgan's Landing

*Chase Stewart, 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 Special Exception by Alan Mueller (on behalf of Beazer Homes) for the property located at 3500 Bay Area Blvd, legally described as Reserve "A", Recreation Center, Morgan's Landing, which would grant the applicant permission to waive or reduce off-street parking requirements if deemed unnecessary by the board for the proposed use of the building or structure.

The applicant is requesting to utilize on-street parking for the proposed building. This process is outlined in Section 106-191, (3) of the La Porte Code of Ordinances.

DISCUSSION

Subject Site:

The subject site makes up a 4.1 acre tract of land located at 3500 Bay Area Blvd. The attached Exhibit B is an area map that shows the location of the property in question. The site is currently vacant and is situated in a Planned Unit Development. The proposed special exception approaches the board for a reduction of required off-street parking or waiving the requirement completely.

Zoning Information:

The site is currently zoned Planned Unit Development, PUD, as shown in the attached Exhibit C. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	GC, General Commercial	Commercial
South	BI, Business Industrial	Industrial
West	R-1, Residential	Single Family Homes
East	PUD, Planned Unit Development	Multiple

Applicable Code Provisions:

Section 106-191, outlines the right of the applicant to apply for a waiver/reduction of required parking for their proposed development, within the City of La Porte's Code of Ordinances.

Board of Adjustment Meeting
June 28, 2018
Special Exception Request #18-9400001

Analysis:

Section 106-191 of the Zoning Ordinance states that the term “special exception” represents a “deviation from the requirements of this chapter, specifically enumerated herein, which shall be granted only in the following instances, and then only when the board finds that such special exception will not adversely affect the value and use of adjacent or neighboring property or be contrary to the best public interest”

The applicable code for this case is as follows: Section 106-191 (3) “To waive or reduce off-street parking and loading requirements when the board finds the same are unnecessary for the proposed use of the building or structure for which the special exception request applies.”

The following table outlines those criteria and staff’s analysis of those criteria.

Criterion:	Staff Finding:
a. That the granting of the special exception will not be contrary to the public interest	The granting of permission of this special exception to the applicant will not be contrary to the public interest
b. That by granting the special exception, the spirit of this chapter will be observed.	By definition, this request will still utilize the code to facilitate a development. In no means would the granting of this special exception adversely affect the spirit of this chapter.

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.

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

Board of Adjustment Meeting
June 28, 2018
Special Exception Request #18-9400001

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

As of the posting of this agenda, staff has not recieved any comments for or against this item



Special Exception Application

Planning and Development Department

PROJECT INFORMATION

Address where Special Exception is being requested: 3500 Bay Area Boulevard (master address)

Legal description where Special Exception is being requested: Reserve A, Morgan's Landing Recreation Center and Detention Reserve (prelim. plat)

HCAD Parcel Number where Special Exception is being requested: 044-051-000-0001

Zoning District: PUD Lot area: 3.46 acres

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

Description of Request: Request to provide the required parking spaces for the proposed Morgan's Landing neighborhood recreation center as on-street parallel parking in lieu of a separate off-street parking lot.

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

PROPERTY OWNER(S) INFORMATION

Name: Greg Coleman

Company (if applicable): Beazer Homes

Address: 10235 West Little York, Suite 200

City: Houston State: TX Zip: 77040

Phone: 281-560-6600 Email: gcoleman@beazer.com

AUTHORIZED AGENT (If other than owner)

Name: Alan Mueller

Company (if applicable): Gromax Development

Address: 4201 Broadway

City: Pearland State: TX Zip: 77581

Phone: 832-512-1200 Email: alan@gromaxtexas.com

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: Alan Mueller Date: 6/4/18

Owner(s)' Signature(s): Greg Coen Date: 6/4/18

STAFF USE ONLY:

Case Number:

18-94000001

Date Application Received:

6/7/18



Special Exception Application

Planning and Development Department

TYPE OF SPECIAL EXCEPTION REQUEST

A Special Exception allows for deviation from the requirements of the City's Zoning Ordinance. In order to grant a Special Exception, the Zoning Board of Adjustments (ZBOA) must find that the exception is not contrary to the best public interest and will not adversely affect the value or use of an adjoining property. Special Exceptions considered by ZBOA are limited to the following requests:

Check applicable box for specific Special Exception request:

- Reconstruction of (or addition to) an existing building occupied by a non-conforming use
- Deviation of lot setbacks as stipulated by the City's Zoning Ordinance
- Elimination or reduction of off-street parking and loading regulations
- Deviation from minimum lot size/width requirements within the Large Lot District

REASON(S) FOR SPECIAL EXCEPTION REQUEST

1. Please see attachment.

2.

3.



Special Exception 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: 3500 Bay Area Boulevard (master address)

LEGAL DESCRIPTION: Reserve A, Morgan's Landing Recreation Center and Detention Reserve (prelim. plat)

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: June 18, 2018

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.

[Handwritten Signature]
Applicant's Signature

Alan R. Mueller
Applicant's Printed Name

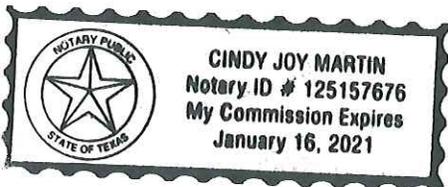
Subscribed and sworn before me this 4th day of June, 2018, by

Alan R. Mueller (Print Applicant's Name).

Cindy Joy Martin
Notary Public

(Seal)

My commission expires: 1-16-2021



**Special Exception Application for Parking
Project Description/Justification Letter
Morgan's Landing**

Introduction

This application relates to the off street parking and loading requirements for the proposed recreation center at the Morgan's Landing residential master planned community.

- The applicant is NOT seeking to reduce the number of required spaces.
- This application is merely a request to relocate the required parking spaces to an adjacent on street parallel parking location on Morgan's Landing Way in lieu of a separate off street parking lot.

Based on the currently anticipated recreation center building size, 20 parking spaces and one loading space, for a total of 21 spaces are expected. The actual number of spaces will be determined and provided once the recreation center building size is finalized.

This application is being made at this time so that the recreation center and roadway infrastructure design can proceed accordingly.

Basis for Special Exception Request

1. **Limited user base:** The primary users of the recreation center will be residents of Morgan's Landing. Therefore, the number of outside users that will need to access the center via automobile is very low. The parking code does not distinguish this type of neighborhood recreation center from a larger city-wide recreation center that would have a broader user base. Therefore, the parking standards in the code are naturally going to err on the high side for vehicular demand, which is not warranted for this particular use.
2. **Preservation of green space:** The primary purpose of the recreation center is to provide open space and outdoor recreational areas for residents of Morgan's Landing. A separate concrete parking lot is an unnecessary intrusion which reduces the available open space and creates more run off and heat. There is ample road frontage on Morgan's Landing Way along the recreation center site to provide convenient parking without hampering traffic flow.
3. **Infrequent use:** The applicant's extensive experience in master planned communities throughout the Houston area shows that parking at recreational centers seldom reaches the level required by this code. Dedicating a large area for a concrete parking lot that is rarely utilized is an inefficient use of land that detracts from the primary intended use of the site.
4. **Alternatives available:** The community is designed with an extensive trail system. Residents will be easily able to walk or bicycle to the recreation center. These pedestrian options further reduce the number of expected vehicle trips to the recreation center, which the parking code does not take into account.

**Special Exception Application for Parking
Project Description/Justification Letter
Morgan's Landing**

Offsetting Design Standards

1. Where parallel parking is provided adjacent to the recreation center site, Morgan's Landing Way will be constructed with 41-foot width paving, which will be more than adequate to allow parallel parking and two through lanes of traffic at all times.
2. A "no parking" zone will be preserved in front of the recreation center to facilitate emergency access.
3. With 41-foot paving, additional "overflow" parallel parking will be available on the opposite side of the street while still preserving two open lanes and fire department access.

Conclusion

The applicant respectfully requests approval of this special exception. We believe that this special exception meets the standards of approval stated in the application form:

1. The special exception will not adversely affect the value and use of adjacent neighboring property.
 - a. This special exception will not reduce the number of required parking spaces.
 - b. The roadway will be designed with adequate width to provide the required parking and overflow parking, while maintaining two through lanes of traffic at all times.
 - c. There are no individual residences fronting on Morgan's Landing Way.
2. The special exception will not be contrary to the public interest.
 - a. Preserving open space furthers the public interest.
 - b. Minimizing the amount of concrete placed on the ground furthers the public interest.
 - c. This special exception merely addresses the placement of the required parking spaces; it will not reduce the number of required parking spaces.

Preliminary Drawing
Subject to Change



See Attached
Parking Layout
Plan

Preliminary Drawing
Subject to Change

LOT SUMMARY		
45'x125'	193 LOTS	30%
50'x125'	125 LOTS	50%
60'x125'	128 LOTS	20%
TOTAL	646 LOTS	

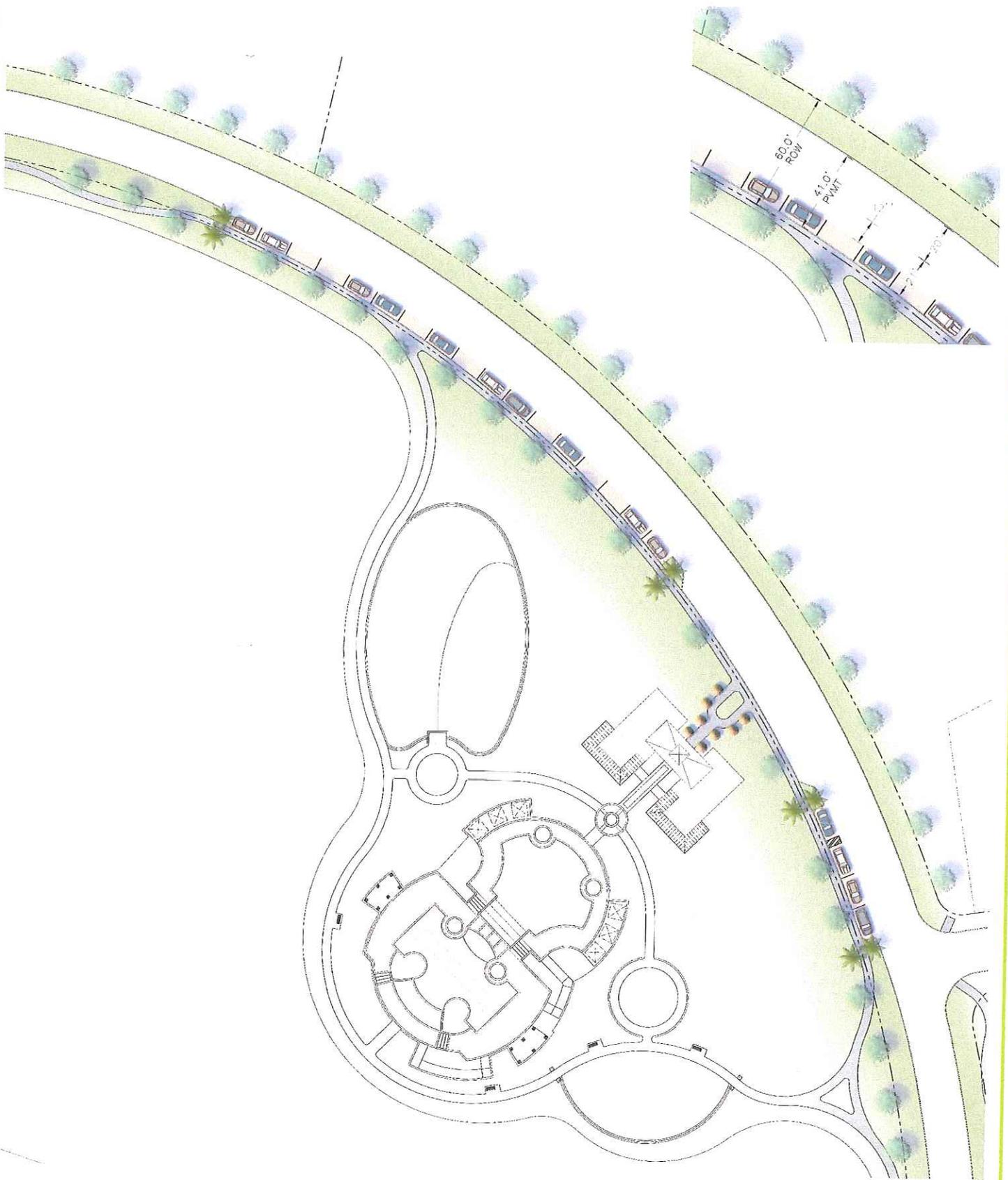
a schematic plan for
MORGANS LANDING
± 234.6 ACRES OF LAND
proposed for
**BEAZER HOMES &
TAYLOR MORRISON**



Land Planning Consultants
2001 Cedar Point Drive, Suite A-200
Apex, North Carolina
Tel: 281-378-0340

APRIL 11, 2014
R04 45511

This drawing is a schematic representation and does not constitute a contract. It is subject to change without notice. All dimensions are approximate and subject to change. The information on this drawing is for informational purposes only and should not be used for any other purpose. The information on this drawing is for informational purposes only and should not be used for any other purpose. The information on this drawing is for informational purposes only and should not be used for any other purpose.



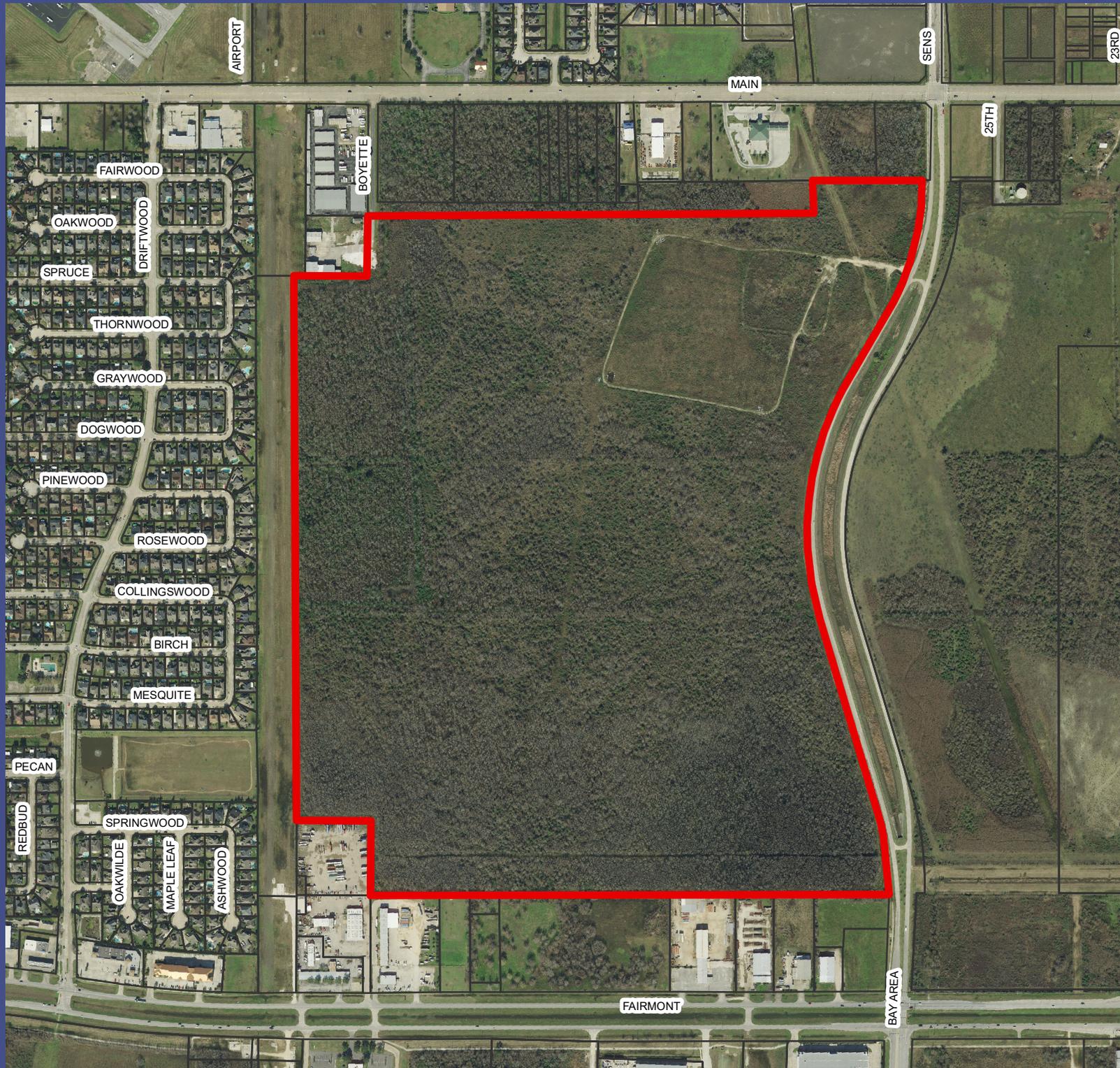
PARKING LAYOUT

Date: June 2018
 Scale: 1"=20'-0"

MORGAN'S LANDING
 Beazer Homes & Taylor Morrison



Landscape Architects
 2155 Old Katy Road
 Suite 270
 Houston, Texas 77024
 713-859-5827



NOTIFICATION MAP

Special Exception
#18-9400001

Morgan's Landing

 Subject Parcel



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 = 702 feet



JJUNE 2018 PLANNING
DEPARTMENT

EXHIBIT B
ZONING MAP

SCUP
#17-91000005

West Side of
Bay Area Blvd.

 Subject Parcel



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1 inch = 702 feet

NOVEMBER 2017
PLANNING DEPARTMENT

