



City of La Porte Zoning Board of Adjustment Agenda

Notice is hereby given of a Special Meeting of the La Porte Zoning Board of Adjustment to be held on **Thursday, June 27, 2019, 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:**
 - a. September 27, 2018 Regular Meeting
 - b. October 25, 2018 Regular Meeting
- 4. PUBLIC HEARING:** Open public hearing to consider Variance 19-93000001, a request by Charles Anders on behalf of Bayway Homes for a tract of land located at the intersection of N 7th St and W Madison St and legally described as Lots 16 & 17, Block 102 La Porte. The applicant is seeking approval of a variance that would allow for the construction of 2 residential driveways 5' from an intersection for a new single family attached townhouse development in the Northside area. This is contrary to Section 106-835 (Figure 10-1), which outlines a minimum distance of 25' for residential driveways from intersections.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
- 5. ADJOURN PUBLIC HEARING**
- 6. CONSIDERATION:** Consider approval or other action on Variance 19-93000001
- 7. PUBLIC HEARING:** Open public hearing to consider Variance 19-93000002, a request by Sergio and Maribel Coronel for a tract of land located at 321 S 2nd St. and legally described as Lots 11 and the north 9.5 feet of Lot 12, Block 14 La Porte. The applicant is seeking approval of a variance that would allow for the construction of a single-family home on a portion of property that is 34.5' wide and totals 4,312.5 square feet. This is contrary to Section 106-333 (Table B), which outlines a minimum lot width of 50' and lot area of 6,000 square feet.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Question and Answer
- 8. ADJOURN PUBLIC HEARING**

ZBOA Agenda – June 27, 2019 Regular Meeting

Page 2

9. CONSIDERATION: Consider approval or other action on Variance 19-93000002

10. ADMINISTRATIVE REPORTS

11. BOARD COMMENTS on matter appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.

12. 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 Lee Woodward, City Secretary, at 281-470-5021.

CERTIFICATION

I certify that a copy of the Thursday, June 27, 2019, agenda of items to be considered by the Zoning Board of Adjustment was posted on the City Hall bulletin board on the ____ day of _____, 2019.

Title: _____

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



June 27, 2019

AGENDA ITEM 3a.

Consider approval of the Meeting Minutes:

a. September 27, 2018

*Chase Stewart, Planning Technician
Planning and Development Department
City of La Porte, Texas*

**Zoning Board of Adjustment
Minutes of September 27, 2018**

Board Members Present: Charles Crittenden, Nettie Warren, Chester Pool, Phillip Hoot, and Chairman Rod Rothermel

Board Members Absent: Dennis Oian and Thomas Deen

City Staff Present: Assistant City Attorney Clark Askins, Assistant City Manager Jason Weeks, Planning Director Richard Mancilla, City Planner Ian Clowes, 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 Dennis Oian and Thomas Deen were not present

3. Consider Approval of Meeting Minutes

- a. June 28, 2018

Motion by Phillip Hoot to **approve** the meeting minutes of June 28, 2018.
Second by Nettie Warren. **Motion Carried.**

Ayes: Members Hoot, Warren, Pool, Crittenden, and Chairman Rothermel

Nays: None **Motion to approve passes, 5-0**

- 4. PUBLIC HEARING:** A public hearing to consider Special Exception #18-94000002, a request by Kathryn Harris, on behalf of CSBP Land Investments, LP; for a tract of land located at 3300 Bay Area Blvd, and legally described as TR 1M-1; Abstract 625 R Pearsall. The applicant is seeking approval of a Special Exception to allow for a reduction of minimum parking lot requirements for a proposed multi-family development. This is contrary to Section 106-839, which outlines a 1 parking space per Efficiency Unit and 1.5 parking spaces per 1 Bedroom for Multi-family developments, including condominiums.

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

a. Staff Presentation

Planning Technician, Chase Stewart, presented staff's report on a special exception request 18-94000002.

The applicant is requesting a reduction in the total amount of parking required per code for their proposed multifamily development. The total number of spaces required is 612. The applicant would like to provide 525, a reduction of 27 spaces.

The board had a couple of question regarding how the parking requirements were developed for the zoning code.

Board member Hoot had some concerns regarding the proposal based on his experiences at apartment complexes in other jurisdictions. He questioned what would happen at peak hours.

b. Applicant Presentation

Dereck Craig with City Street Development, 1300 Post Oak Blvd. Ste. 1650, Houston, TX. Explained the reasoning behind their request and how they came up with the number that they established and how it will meet similar developments that they've completed elsewhere.

c. Public Comments

None.

Chairman Rothermel closed the public hearing at 6:24 p.m.

d. Question and Answer

Chairman Rothermel was okay with proposal and trusted stated that the developer has it in their best interest to provide enough parking for their residents. Chairman Rothermel also stated that he was in favor of green space in lieu of unnecessary parking.

Board members Pool and Crittenden agreed with Chairman Rothermel.

Board member Hoot stated that the codes have been in place for a number of years and previous developers had no issues with them.

Board member Warren stated that apartments are routinely have parking issues but trusted that the developer knew what was best for their development.

Motion by Chester Pool to **approve Special Exception #18-9400002.**
Second by Nettie Warren. **Motion Carried.**

Ayes: Members Warren, Pool, Crittenden, and Chairman Rothermel

Nays: Member Hoot

Motion to approve passes, 4-1

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 #18-93000006, a request by Bobby Keen, applicant; on behalf of Lisa Erwin, owner; for a tract of land located at 121 Erin Ct., and

legally described as Lot 6 Block 1, Spencer Landing Subdivision, Sec. 4. The applicant is seeking approval of variance to allow for a reduction of residential side yard setback requirements from 5 ft. down to 0 ft.

Chairman Rothermel opened the public hearing at 6:30 p.m.

a. Staff Presentation

Planning Technician, Chase Stewart, presented staff's report on a variance request 18-93000006.

The applicant is requesting a variance to allow for a portion of their newly constructed driveway to have a reduced setback from 3 feet down to 0.5 feet. The additional driveway width would permit additional vehicles to park on site as opposed to within the right of way.

b. Applicant Presentation

Lisa Erwing Keen and Bobby Keen, 121 Erin Ct. explained how the additional driveway width would alleviate the need for some vehicles having to park within the cul-de-sac right of way.

c. Public Comments

None.

Chairman Rothermel closed the public hearing at 6:41 p.m.

d. Question and Answer

Board member Hoot agreed that parking on cul-de-sacs is difficult and stated he had no issues with the proposed request.

Board members Warren, Pool, and Crittenden agreed with Member Hoot in that they had no opposition to the request.

Motion by Phillip Hoot to **approve Variance #18-93000006.**

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

Ayes: Members Hoot, Warren, Pool, Crittenden, and Chairman Rothermel

Nays: None

Motion to approve passes, 5-0

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

6. Administrative Reports

None.

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

Board Member Hoot requested a hard copy of the Zoning Ordinance from staff.

8. Adjourn

Chairman Rothermel adjourned the meeting at 6:46 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 Adjustments**



June 27, 2019

AGENDA ITEM 3b.

Consider approval of the Meeting Minutes:

b. October 25, 2018

*Chase Stewart, Planning Technician
Planning and Development Department
City of La Porte, Texas*

**Zoning Board of Adjustment
Minutes of October 25, 2018**

Board Members Present: Charles Crittenden, Nettie Warren, Phillip Hoot, and Chairman Rod Rothermel

Board Members Absent: Chester Pool, Dennis Oian, and Thomas Deen

City Staff Present: Assistant City Attorney Clark Askins, Assistant City Manager Jason Weeks, Planning Director Richard Mancilla, City Planner Ian Clowes, 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 Chester Pool, Dennis Oian, and Thomas Deen were not present

- 3. PUBLIC HEARING:** A public hearing to consider Variance Request 18-93000007, a request by Joshua & Ashley Pressly for a tract of land located at 405 Bay Shore Dr., and legally described as TRS 1B & 2B, BLK 49. The applicant is seeking approval of a variance for a setback relief of 9ft, 9 & 5/8^{ths} of an inch from the front property line and a setback relief of 4ft, 11 & 5/8^{ths} of an inch in the rear.

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

a. Staff Presentation

Planning Technician, Chase Stewart, presented staff's report on variance request 18-93000007.

The applicant is requesting a reduction of the front setback line from the required 25 feet down to just under 15 feet and a reduction of the rear set back line from the required 15 down to 10 feet. This is to allow for the renovation and expansion of an existing historic home on site.

b. Applicant Presentation

Josh Pressly, 405 Bayshore Dr. explained the reasoning behind their request and how they wanted to restore the historic home and make it more livable by expanding it. The proposed setback will be in line with similar homes in the area.

c. Public Comments

None.

Chairman Rothermel closed the public hearing at 6:07 p.m.

d. Question and Answer

Board member Hoot stated that he had no problems with the proposal.

Board member Crittenden and Warren agreed. They did not have any issues with the proposal.

Motion by Phillip Hoot to **approve Variance #18-93000007**.
Second by Nettie Warren. **Motion Carried.**

Ayes: Members Warren, Hoot, Crittenden, and Chairman Rothermel

Nays: None **Motion to approve passes, 4-0**

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

- 4. PUBLIC HEARING** A public hearing to consider Special Exception 18-94000003, a request by Adrienne Feller for a tract of land located at 10410 N L St., legally described as TR 441C La Porte Outlots, to allow the applicant to subdivide the 1.0 acre sized parcel into two lots with reduced lot widths and area, in the Large Lot Residential District (LLD).

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

a. Staff Presentation

Planning Technician, Chase Stewart, presented staff's report on special exception request 18-94000003.

The applicant is requesting a special exception to allow them to subdivide their father's 1 acre parcel in order to allow them to construct a second home on the remaining half acre lot. This is not currently permitted by code due to the existing Large Lot District (LLD) zoning. The code requires a minimum 1 acre lot size in LLD.

Planning Technician Chase Stewart explained how the applicant previously attempted a zone change to R-1 which was denied by the City Council.

Section 106-191 (4) allows for the ZBOA to approve a special exception allowing a property owner to deviate from the minimum lot size or width requirements as required in the zoning code.

Board member Hoot questioned as to whether this is essentially a zone change. Staff explained that the zone would not be changing but that a special exception could grant relief from the specified lot area and dimension requirements.

Board member Hoot stated that the purposes of the Lomax area was to preserve agriculture and was not in favor of this proposal.

Chairman Rothermel explained that traditionally residents in this area have been opposed to smaller lots. In this case, the fact that no opposition to this proposal had been brought to staff, maybe the historic opposition was no longer there.

b. Applicant Presentation

Jeff and Adrienne Feller, 8900 Red Bluff Rd. Pasadena, TX explained that their family owns the lot and currently resides in a home on the eastern half. Mrs. Feller's father is ill and needs a caretaker close by to help. They hoped to subdivide the property in order to build a home for themselves on the western half acre in order to be close by.

c. Public Comments

Kathy Watkins, 1910 Lomax School Rd. stated that she was opposed to this request. She has concerns that this could lead to additional requests for subdivision of other large lots in the area.

Walter H. Weaver Jr. 10430 N L St. stated that he is a nearby neighbor and is in favor of this proposal.

Bill Bentley 10106 Wilmot Rd. discussed what went on at the past council meeting and explained how council voted 5-3 to approve but could not overcome Planning and Zoning Commissions recommendation to deny.

Chairman Rothermel closed the public hearing at 6:24 p.m.

d. Question and Answer

Chairman Rothermel had mixed emotions but was possibly okay with it since it was located adjacent to R-1.

Board members Warren, Pool, and Crittenden agreed with Member Hoot in that they had no opposition to the request.

Board members Warren, Hoot, and Crittenden are opposed to the request to allow for a smaller lot size.

Motion by Phillip Hoot to **approve Special Exception #18-9400003**.
Second by Charles Crittenden. **Motion Carried.**

Ayes: None.

Nays: Members Warren, Hoot Crittenden, and Chairman Rothermel

Motion to approve failed, 0-4

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

5. Administrative Reports

None.

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

None.

7. Adjourn

Chairman Rothermel adjourned the meeting at 6:31 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 27, 2019

AGENDA ITEM 4

Consider approval a Variance
to reduce the required distance between a residential driveway and an intersection
for properties generally located at the N. 7th St. and W Madison St. intersection,
legally described as Lots 16 & 17, Block 102, La Porte.
(Applicant: Bayway Homes)

*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 the variance requested by Charles Anders on behalf of Bayway Homes for the properties generally located at the N. 7th Street and W Madison St, legally described as Lots 16 & 17, Block 102, La Porte (case #19-93000001) which would reduce the required distance between a residential driveway and an intersection?

DISCUSSION

Applicant:

Charles Anders, on behalf of Bayway Homes

Applicant's Request:

The applicant is seeking approval variance request #19-93000001. The variance would allow the applicant to construct 2 residential driveways within the 25' minimum distance from an intersection for a new single family attached townhouse development in the Northside area. The request would be a reduction of 20', resulting in a distance of 5' from the intersection to the residential driveway. The attached Exhibit A is a copy of the application and site plan showing how the applicant intends to configure the proposed driveways.

Subject Site:

The subject lots are a portion of a 2.295 acre tract of land located at the intersection of W Madison St and N 7th and is legally described as Lots 16-17, Block 102 La Porte. The property is located in between N 7th St. and N 6th St.

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 applicant signed an Affidavit of Posting indicating that the required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
June 27, 2019
Bayway Homes Variance

- At the time of this posting, staff has received no public comment, for or against, this variance request

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

Background Information:

The site area is currently zoned R-2, Medium-Density Residential. The subject site is partially developed with the former a parking lot for the former LPISD Maintenance Facility. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	BI, Business Industrial	Industrial – Tank cleaning/refurbishing
South	R-1/R-2, Low & Medium-density Residential	Single-family homes
West	R-2, Medium-density Residential	Mix of Single-family homes and undeveloped property
East	R-2, Medium-density Residential	Undeveloped property

Applicable Code Provisions:

Section 106-835 (Figure 10-1), stipulates the residential design standards. The following is an excerpt from that section as applicable to this variance request (see highlighted):

Driveway	Requirements
Distance from intersection	25’ min.*
Spacing between driveway	10’ min.
Distance from side lot line	3’ min.

** This distance shall be measured from the intersection of property lines common with street right-of-way lines.*

Analysis:

The applicant is seeking approval of a variance that would allow for the construction of 2 residential driveways 20’ closer to an intersection than what is currently required by the City of La Porte’s Code of Ordinances.

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:

Board of Adjustment Meeting
June 27, 2019
Bayway Homes Variance

Criterion:	Staff Finding:
a. That the granting of the variances will not be contrary to the public interest	Granting this variance would only effect 2 of the 32 total lots have been previously approved for the construction of a townhome development.
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.	As it relates to driveway criteria in townhouse/quadrplex developments, meeting the code is difficult and likely impossible. According to Section 106-835 (Figure 10-1) referenced earlier, the minimum distance a driveway can be constructed from an intersection is 25' while a lot can be as small as 20' wide (and in this case is 25') the City code requires what is the width of an entire lot As it relates to requirements in the driveway design criteria, staff finds it difficult to argue that there is an unnecessary hardship preventing the applicant from meeting setback requirements.
c. That by granting the variance, the spirit of this chapter will be observed.	Staff feels that with the approval of the proposed variance, the proposed development will meet the spirit and intent of the R-2 zoning district and thus the Chapter 106.

If the Board so chooses to grant the variances, staff would like to recommend that a condition be added that requires the two units to have some architectural feature distinguishing them, so they will look like separate homes. This can be accomplished by setting the façade back for one of the units or adding an architectural feature that visually separates the units, rather than the appearance of one continuous façade.

Appeal Procedure:

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

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

ATTACHMENTS

- Exhibit A: Application, and a conceptual site plan layout
- Exhibit B: Area map
- Exhibit C: Zoning Map



Variance Application
Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 532 N 7th St 502 N 7th St + 501 N 6th St.
Legal description where Variance is being requested: Lots 1-32 Block 102 LaPorte
HCAD Parcel Number where Variance is being requested: 0232150020001
Zoning District: R-2 Lot area: 100,000 sq ft

A Variance request is hereby made to the Board of Adjustment of the City of La Porte.
Description of Request: Request a Variance for the distance a driveway needs to be from an Intersection.

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

PROPERTY OWNER(S) INFORMATION

Name: Bayway Homes Inc.
Company (if applicable):
Address: PO Box 1244
City: Friendswood State: Texas Zip: 77549
Phone: 2816482425 ext 17 Email: canders@baywayhomes.com

AUTHORIZED AGENT (If other than owner)

Name: Charles Anders
Company (if applicable): Bayway Homes Inc
Address:
City: State: Zip:
Phone: 8322769609 Email: canders@baywayhomes.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: [Signature] Date: 5-1-19

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

STAFF USE ONLY:

Case Number: 19-93000001

Date Application Received: 5/9/2019



Variance Application

Planning and Development Department

REASON(S) FOR VARIANCE REQUEST

1. Oversite from original Variance Request for distance from corner lot driveways
to Intersections on the Townhome Development on Block 102 Northside LaPorte.

2. _____

3. _____

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: 532 N 7th St.
LEGAL DESCRIPTION: Lots 1-32 Block 102 Northside LaPorte
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

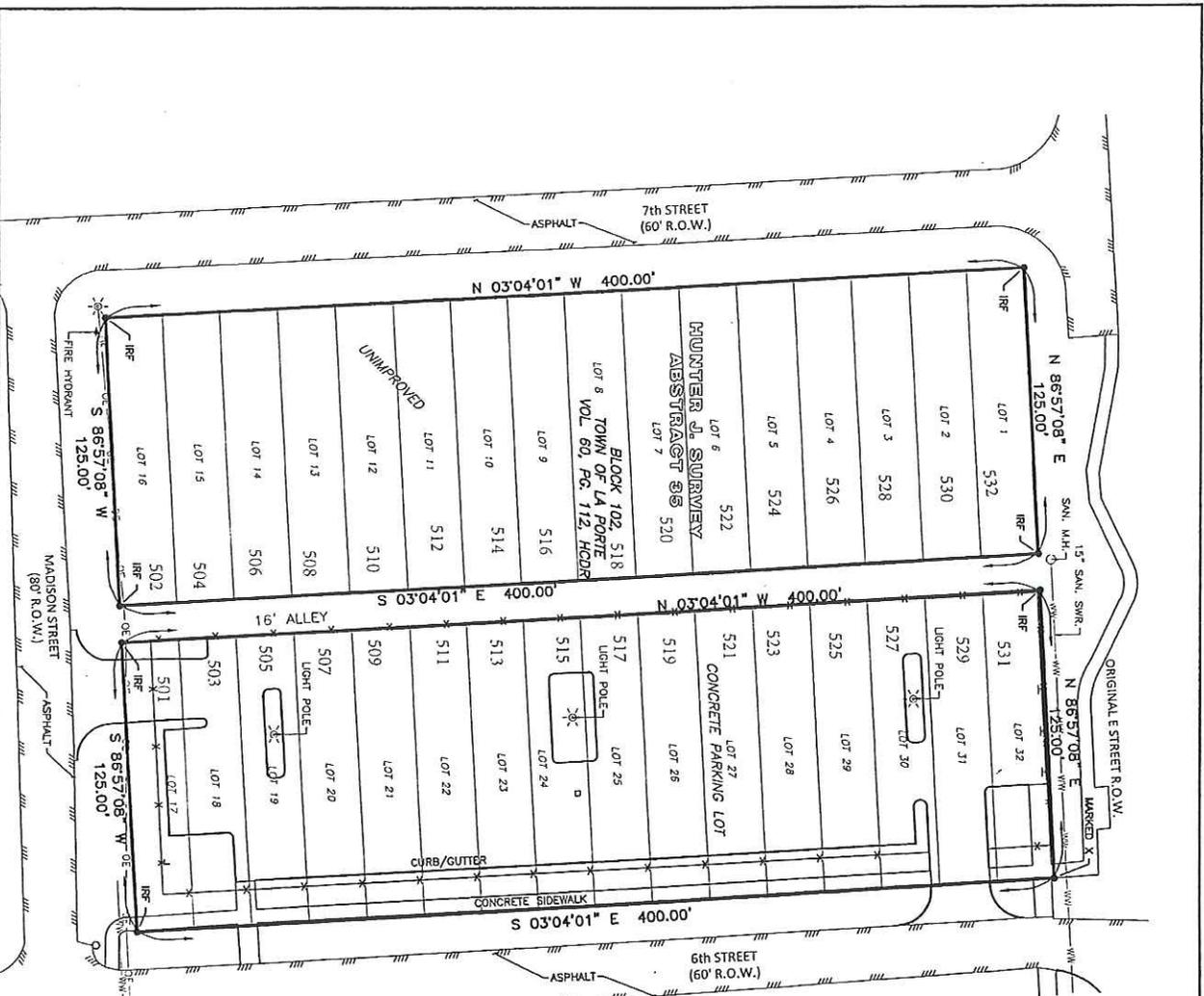
Subscribed and sworn before me this _____ day of _____, _____ by

_____ (Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____



N 7th St.
La Porte, TX
77571

N 6th St.
La Porte, TX
77571

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CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM A SURVEY MADE UNDER MY SUPERVISION AND THAT THE FACTS AT THE TIME OF THIS SURVEY ARE AS SHOWN HEREON.

DATE OF PLAT OR MAP: OCTOBER 24, 2018.

WALTER E. SMITH
1982
LAND SURVEYOR
AND PROFESSIONAL ENGINEER

DATE	DESCRIPTION	BY
10/24/2018	BOUNDARY SURVEY	WES
11-03-85		WCS

Arborleaf
ENGINEERING AND SURVEYING, INC.
3901 Wedge Street, Dallas, TX 75226
214-351-0004

BOUNDARY SURVEY

BEING BLOCK 102, TOWN OF LA PORTE, HARRIS COUNTY, TEXAS, RECORDED UNDER VOL. 60, PAGE 112, H.C.D. #3, SITUATED IN THE COUNTY OF HARRIS, TEXAS.

1. HUNTER SURVEY A-35, HARRIS COUNTY, TEXAS.

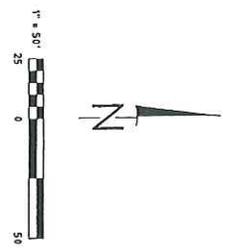
10/24/2018

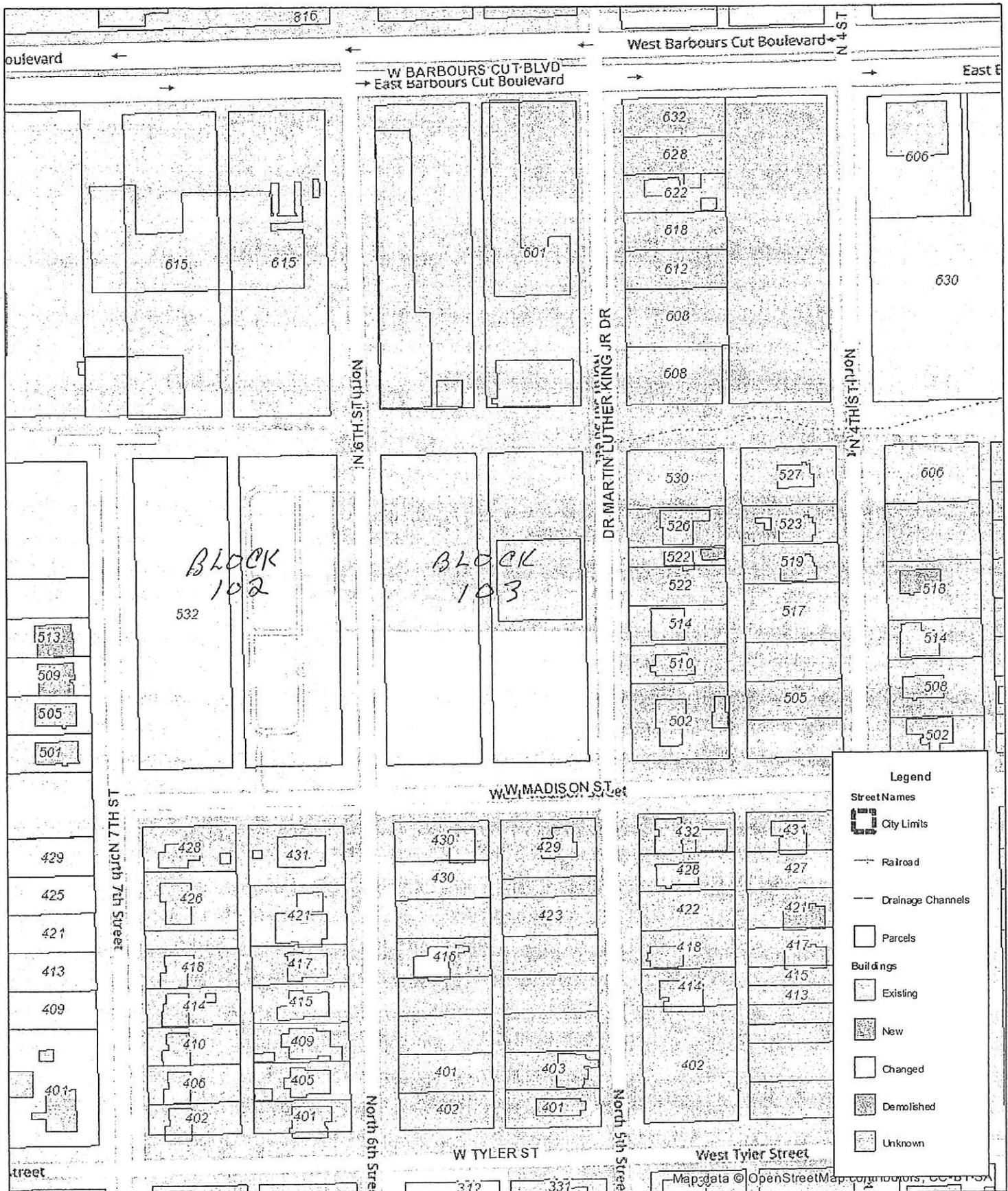
LINE TYPE LEGEND

—	Overhead Power
-X-	Chain-link Fence
—w—	Sanitary Line
—/—	Edge of Asphalt

- Abbreviations:**
- ESMT Easement
 - FND Found
 - HCCF Harris County Clerk's File
 - HCCR Harris County Deed Records
 - HCMR Harris County Map Records
 - HICOPR Harris County Official Public Records
 - IRF Iron Rod w/ Cap Stamped "Arborleaf"
 - ROW Right of way
 - SEC Section
 - SF Square feet
 - WLE Waterline easement

- GENERAL NOTES:**
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR REPORT; THEREFORE, EASEMENTS, RIGHTS-OF-WAY OR SETBACKS OF RECORD AFFECTING THE SUBJECT PROPERTY, IF ANY, MAY NOT BE SHOWN HEREON.
 - THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 AS DETERMINED BY GPS OBSERVATIONS UTILIZING LEICA EQUIPMENT AND SCALE FACTOR OF 0.9999344924 TO CONVERT TO GRID.
 - THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (UNSHADDED), AND IS NOT FEELING THE EFFECTS OF THE "L" (SHADDED) ZONE. FLOOR INSURANCE RATE MAP NO. 48201C-09464 REVISED DATE JANUARY 6, 2017.





Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of La Porte makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of La Porte from any damage, loss, or liability arising from such use.



City of La Porte
 604 W. Fairmont Parkway
 La Porte, TX 77571
 (281) 471-5020
 www.laportetx.gov

La Porte GIS Mapping

1" = 188'



Tax Year: 2018 ▼

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
 0232150020001

Print E-mail

File A Protest | Similar Owner Name | Nearby Addresses | Same Street Name | Related Map 6254C

Ownership History

Owner and Property Information

Owner Name & Mailing Address: **LA PORTE ISD**
604 W FAIRMONT PKWY
LA PORTE TX 77571-6215

Legal Description: **LTS 1 THRU 32 BLK 102**
LA PORTE

Property Address: **532 N 7TH ST**
LA PORTE TX 77571

State Class Code	Land Use Code	Building Class	Total Units			
XV -- Other Exempt (Government)	4600 -- Vacant Exempt Land		0			
Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map®
100,000 SF	0	0	2164.01	351 -- ISD 20 - East of Bay Area Blvd	6254C	540X

Value Status Information

Value Status: Noticed

Notice Date: 08/10/2018

Shared CAD: No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate	Online Tax Bill
Total	020	LA PORTE ISD	49,500	Not Certified	1.380000		
	040	HARRIS COUNTY	49,500	Not Certified	0.418010		
	041	HARRIS CO FLOOD CNTRL	49,500	Not Certified	0.028310		
	042	PORT OF HOUSTON AUTHY	49,500	Not Certified	0.012560		
	043	HARRIS CO HOSP DIST	49,500	Not Certified	0.171100		
	044	HARRIS CO EDUC DEPT	49,500	Not Certified	0.005195		
	047	SAN JACINTO COM COL D	49,500	Not Certified	0.183335		
	071	CITY OF LAPORTE	49,500	Not Certified	0.710000		

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations

	Value as of January 1, 2017		Value as of January 1, 2018	
	Market	Appraised	Market	Appraised
Land	0	Land	0	
Improvement	0	Improvement	0	
Total	0	0 Total	0	0

5-Year Value History

Land

Market Value Land

Line	Land Use	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	4600 -- Vacant Exempt Land	SF	100,000	1.00	0.00	1.00	--	0.00	0	0	0
	4600 -- Vacant Exempt Land										

Building

Vacant (No Building Data)



AERIAL MAP

Variance
19-93000001

532 N 7th St.

Legend

 532 N 7th St.

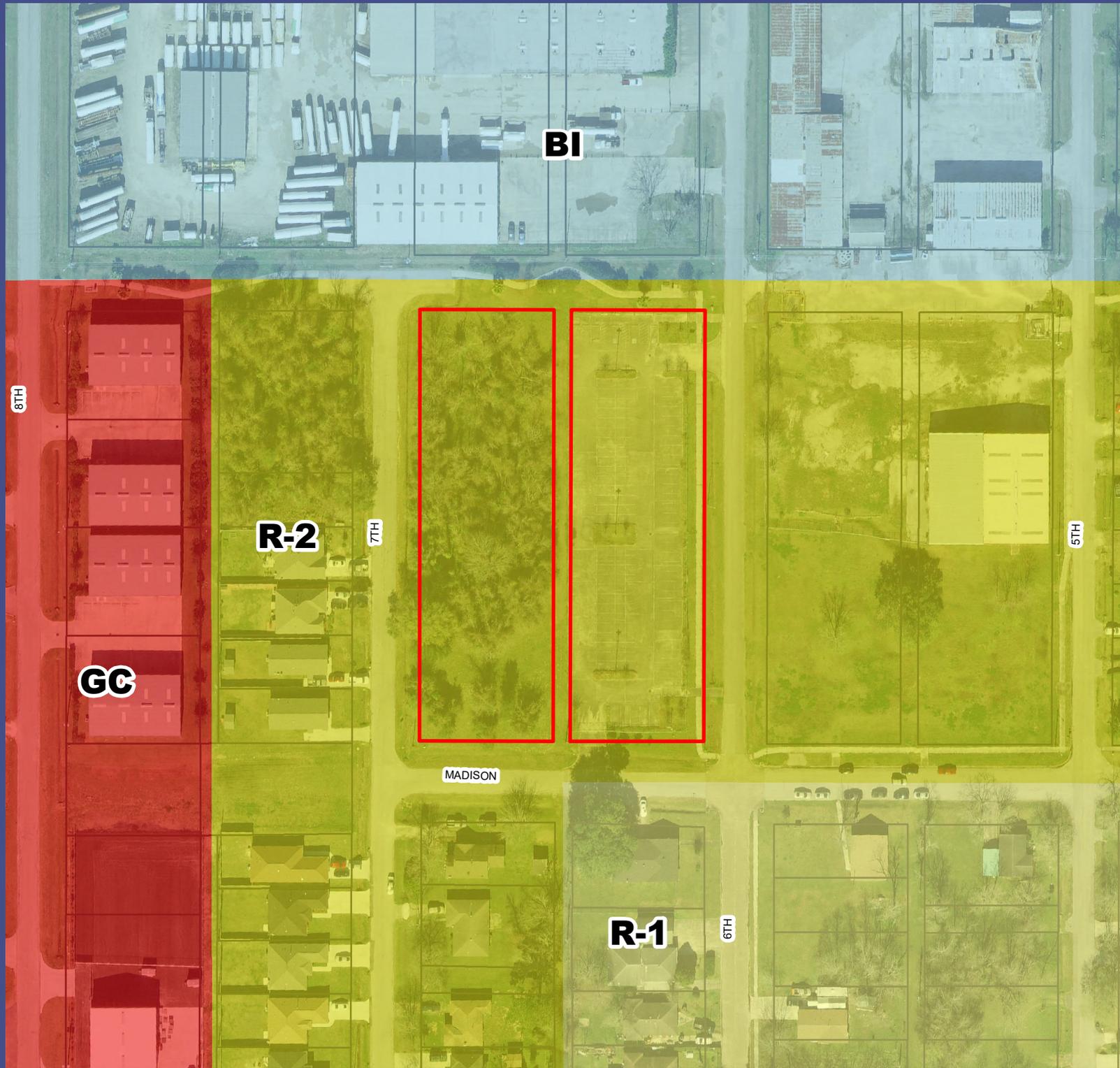


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1 inch = 125 feet

June 2019
PLANNING DEPARTMENT





ZONING MAP

Variance
19-93000001

532 N 7th St.

Legend

 532 N 7th St.



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June 2019
PLANNING DEPARTMENT

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



June 27, 2019

AGENDA ITEM 7

Consider approval a Variance
to allow for the construction of a single-family home that fails to meet residential width
and area requirements
for properties located at 321 S 2nd St.,
legally described as Lots 11 and the north 9.5 feet of Lot 12, Block 14 La Porte.
(Applicant: Sergio and Maribel Coronel)

***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 the variance requested by Sergio and Maribel Coronel for the property generally located at 321 S 2nd St., legally described as Lots 11 and the north 9.5 feet of Lot 12, Block 14 La Porte (case #19-93000002) which would allow for the construction of a single-family home on a lot that does not meet the minimum residential width and area requirements?

DISCUSSION

Applicant:

Sergio and Maribel Coronel

Applicant's Request:

The applicant is seeking approval variance request #19-93000002. The variance would allow the applicant to construct a single-family home on a portion of property that is 34.5' wide and totals 4,312.5 square feet. The request would be a reduction of the minimum lot width requirement of 50' for single-family homes by 15.5' and a reduction of the minimum lot area requirement of 6,000 square feet by 1,687.5 square feet. The attached Exhibit A is a copy of the application and a survey showing how the applicant intends to configure the single-family home.

Subject Site:

The subject lots are a portion of a 0.099 acre tract of land near the intersection of S 2nd St and W C St. and is legally described as Lots 11 and the north 9.5 feet of Lot 12, Block 14 La Porte. The lots are a portion of the property located at 321 S 2nd St.

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 applicant signed an Affidavit of Posting indicating that the required sign was posted on the site ten days prior to the hearing date.

Board of Adjustment Meeting
June 27, 2019
321 S 2nd St Variance

- At the time of this posting, staff has received no public comment, for or against, this variance request

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

Background Information:

The site area is currently zoned R-1, Low-Density Residential. The subject site is a portion of a property with an existing single-family home. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-1, Low-Density Residential	Single-family home
South	R-1, Low-Density Residential	Single-family home
West	R-1, Low-Density Residential	Single-family home
East	R-1, Low-Density Residential	Single-family home

Applicable Code Provisions:

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

Uses ⁸	Minimum Lot Area/D.U. S.F.	Minimum Lot Width L.F.	Minimum Yard Setbacks L.F. F.R.S. ^{2, 3, 4, 5, 6, 10, 11, 12, 13, 14}	Maximum Height ¹⁵
Single-family detached	6000	50	25-15-5	35 Ft.

Analysis:

The applicant is seeking approval of a variance that would allow for the construction of single-family home on a tract of land that does not meet the residential lot width and area requirements currently required by the City of La Porte’s Code of Ordinances.

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:
------------	----------------

Board of Adjustment Meeting
 June 27, 2019
 321 S 2nd St Variance

<p>a. That the granting of the variances will not be contrary to the public interest</p>	<p>Granting this variance would be contrary to the public interest due to the fact that granting this variance would permit the building of a non-conforming structure.</p>
<p>b. That literal enforcement of this chapter will result in unnecessary hardship because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or property owner's own actions.</p>	<p>There is no "unnecessary hardship" that results from the literal enforcement of this chapter.</p>
<p>c. That by granting the variance, the spirit of this chapter will be observed.</p>	<p>Staff feels that with the approval of the proposed variance, the proposed single-family home will oppose the spirit and intent of the R-1 zoning district and thus the Chapter 106.</p>

If the Board so chooses to grant the variances, staff would like to recommend that a condition be added that requires the two units to have some architectural feature distinguishing them, so they will look like separate homes. This can be accomplished by setting the façade back for one of the units or adding an architectural feature that visually separates the units, rather than the appearance of one continuous façade.

Appeal Procedure:

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

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

ATTACHMENTS

- Exhibit A: Application, and a conceptual site plan with survey
- Exhibit B: Area map
- Exhibit C: Zoning Map



AFFIDAVIT OF POSTING
ZONING BOARD OF ADJUSTMENT HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

RECEIVED
MAY 14 2019
BY: _____

The undersigned hereby duly swears on oath and says:

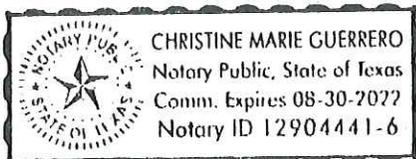
1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:
ADDRESS: 321 S. 2nd St. LaPorte Tx 77571
LEGAL DESCRIPTION: Lot 11 and the North 9.5 feet of Lot 12, Block 14
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.

Maribel Coronel
Applicant's Signature

Maribel V. Coronel
Applicant's Printed Name

Subscribed and sworn before me this 13 day of May, 2019, by
Maribel Coronel (Print Applicant's Name).

[Signature]
Notary Public



(Seal)

My commission expires: 08/30/22



RECEIVED
MAY 14 2019
 BY: _____

Variance Application
 Planning and Development Department

PROJECT INFORMATION

Address where Variance is being requested: 321 S. 2nd St. LaPorte Tx 77571
 Legal description where Variance is being requested: Lot 11 and part of lot 12 Block 14
 HCAD Parcel Number where Variance is being requested: 023-158-014-0034
 Zoning District: Harris County Lot area: Lot 11 and part of lot 12
A Variance request is hereby made to the Board of Adjustment of the City of La Porte.
 Description of Request: To build a small house. (Guest Quarters)

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

PROPERTY OWNER(S) INFORMATION

Name: Sergio and Maribel V. Coronel
 Company (if applicable): _____
 Address: 321 S. 2nd St.
 City: LaPorte State: TX Zip: 77571
 Phone: 832-339-5323 Email: mvcoronel@yahoo.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): Mano Coronel / [Signature] Date: _____

STAFF USE ONLY:

Case Number:
19-93000002

Date Application Received:
5/15/19



RECEIVED
MAY 14 2019
BY: _____

Variance Application
Planning and Development Department

REASON(S) FOR VARIANCE REQUEST

1. Our son Daniel has a heart condition which requires him to have a heart pump (LVAD). Therefore he must always be within supervision of us his parents for his well being.
2. Daniel since birth has never had a sense of normality due to his heart condition. As he transitions into adulthood, we would like him to experience some sort of independence and privacy even if it's a few feet away. He has always envisioned himself residing in his own place of living.
3. The area where we reside is very safe and convenient for Daniel due to the fact that the fire department and EMS are right down the street. They are also aware of his health condition which gives us a sense of peace.

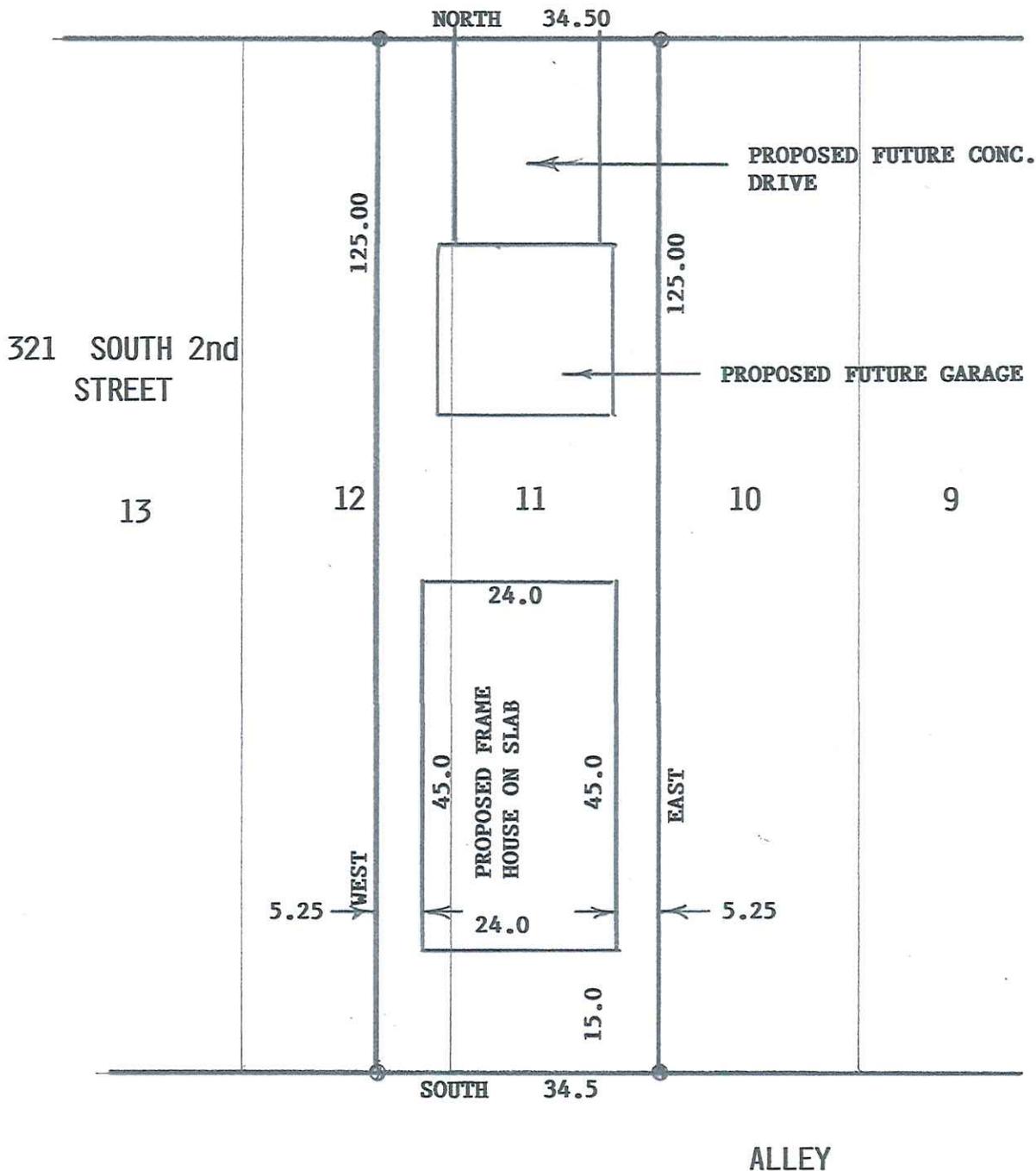
4. Thank you for talking this into consideration.

5.



RECEIVED
MAY 14 2019
BY: _____

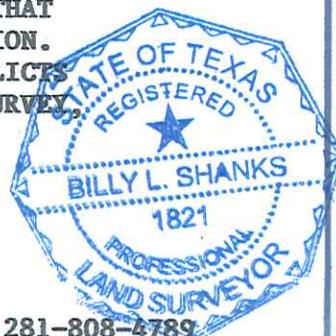
SOUTH 2nd STREET



SURVEY OF LOT 11 AND THE NORTH 9.50 FEET
OF LOT 12, BLOCK 14, LA PORTE, HARRIS COUNTY, TEXAS

SCALE: 1"=20'
DATE: 3/27/19
REVISED:
SURVEY BY: B.L.S.
DRAWN BY: B.L.S.
FOR: SERGIO AND MARIVER
CORONEL
PURCHASER:

THIS PLAT IS AN ACCURATE REPRESENTATION OF THAT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THERE ARE NO APPARENT ENCROACHMENTS OR CONFLICTS ACROSS PROPERTY LINES AT THR TIME OF THIS SURVEY, EXCEPT AS SHOWN HEREON.

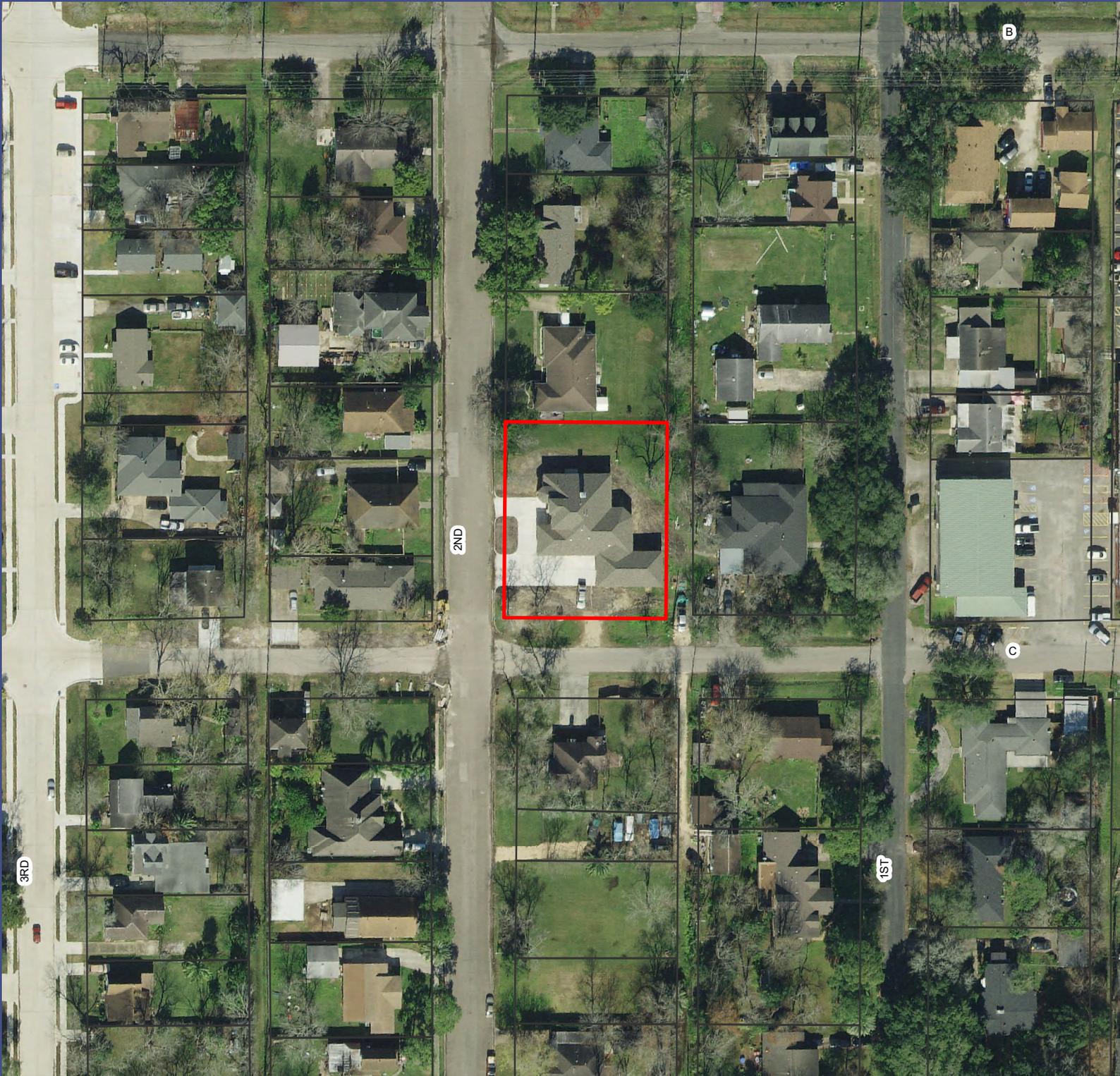


Billy L. Shanks
BILLY L. SHANKS

JOB NO: 2463-1
FIRM 10193000
billyshanks81@gmail.com

4902 CAROLINE ST., SEABROOK, TX. 77586

281-808-4789
FAX 281-942-9009



AERIAL MAP

Variance
19-93000002

321 S 2nd St

Legend

 321 S 2nd St

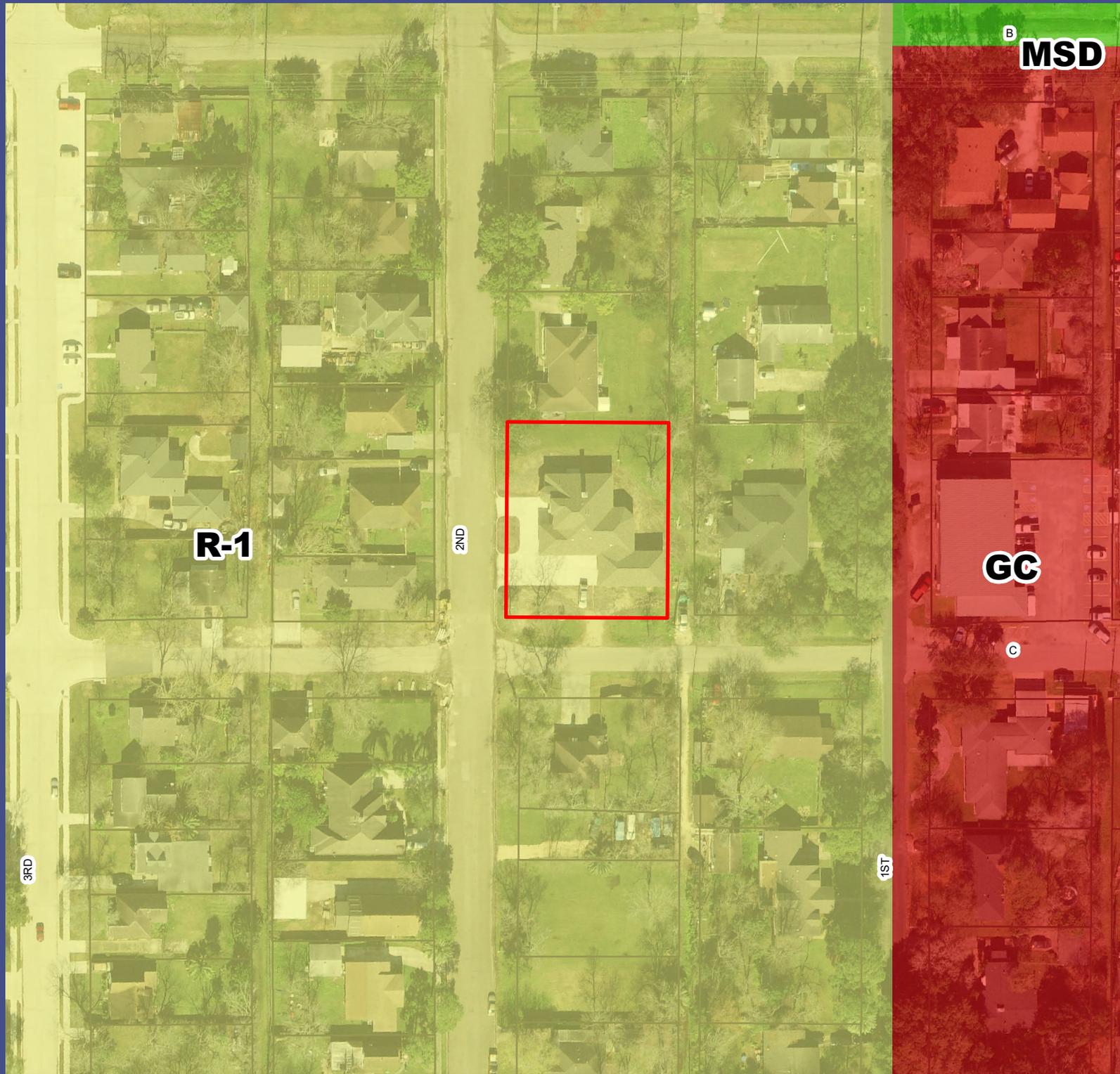


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1 inch = 104 feet



June 2019
PLANNING DEPARTMENT



ZONING MAP

Variance
19-93000002

321 S 2nd St

Legend

 321 S 2nd St



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June 2019
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