

City of Houston, Texas, Ordinance No. 2014-377

AN ORDINANCE ESTABLISHING THE NORTH AND SOUTH SIDES OF THE 200-400 BLOCK OF GALE STREET, BETWEEN FULTON AND HELMERS STREETS, WITHIN THE CITY OF HOUSTON AS A SPECIAL MINIMUM LOT SIZE BLOCK PURSUANT TO CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATED THERETO; AND DECLARING AN EMERGENCY.

* * * *

WHEREAS, Section 42-197 of the Code of Ordinances, Houston, Texas (the "Code"), authorizes the establishment of a special minimum lot size block to preserve the lot size character of existing blockfaces in residential neighborhoods in the City that do not have a minimum lot size established by deed restrictions; and

WHEREAS, an application was filed with the Department of Planning and Development (the "Department") requesting the establishment of a special minimum lot size block for the north and south sides of the 200-400 block of Gale Street, which area is within the City (the "Area"); and

WHEREAS, the Director of the Department determined that the application was properly filed in accordance with the provisions of Section 42-198 of the Code; and

WHEREAS, the Director of the Department caused notice of the application to be duly given as provided in Section 42-200 of the Code; and

WHEREAS, a timely protest of the establishment of the special minimum lot size requirement area was filed by a property owner within the Area; and

WHEREAS, the Director of the Department referred the application to the Houston Planning Commission, which conducted a public hearing on the application on October 17, 2013; and

WHEREAS, the Planning Commission, pursuant to Section 42-205(a) of the Code, has recommended that the City Council establish of a special minimum lot size requirement area for the Area; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted and made a part of this Ordinance.

Section 2. That all terms not defined in this Ordinance shall have the meanings ascribed to them in Chapter 42 of the Code.

Section 3. That the City Council finds that the application for the establishment of a special minimum lot size block satisfies the criteria of Section 42-204(e) of the Code. The City Council further finds that the minimum lot size Area is 5,000 square feet.

Section 4. That the City Council hereby establishes a special minimum lot size block along the north and south sides of the 200-400 block of Gale Street, said area also being described by the property description in Exhibit "A" and the map attached as Exhibit "B."

Section 5. The minimum lot size of 5,000 square feet shall be the lot size requirement for the special minimum lot size block. The Director of the Department is hereby directed to cause a copy of this Ordinance to be filed for recordation in the real property records of Harris County, the county in which the special minimum lot size line requirement area is located, as soon as practicable after the effective date of this Ordinance.

Section 6. That the Director of the Department of Planning and Development may assign a sequential number to this special minimum lot size block for the purposes of identification.

Section 7. That this Ordinance and the special minimum lot size requirement established by this Ordinance shall terminate on the 40th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

Section 8. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days of its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 30th day of April, 2014.

APPROVED this _____ day of _____, 2014

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is MAY 06 2014.



City Secretary



Assistant City Attorney

(Prepared by Legal Dept.

SOI:fg 4/1/2014

Requested by Marlene L. Gafrick, Director, Planning and Development Department

L.D. File No. 0611400006002)

G:\LAND\OMAR IZFAR\SMLSA\200-400 BLOCK OF GALE STREET -P&D'S SMLSB NO 364.DOC

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

EXHIBIT A

PROPERTY DESCRIPTION

Lots 1 through 20, Block 28, Lindale Park, Section 5, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 998, Page 724, of the Deed Records of Harris County, Texas; and

Lots 18 through 43, Block 29, Lindale Park, Section 5, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 998, Page 724, of the Deed Records of Harris County, Texas; and

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

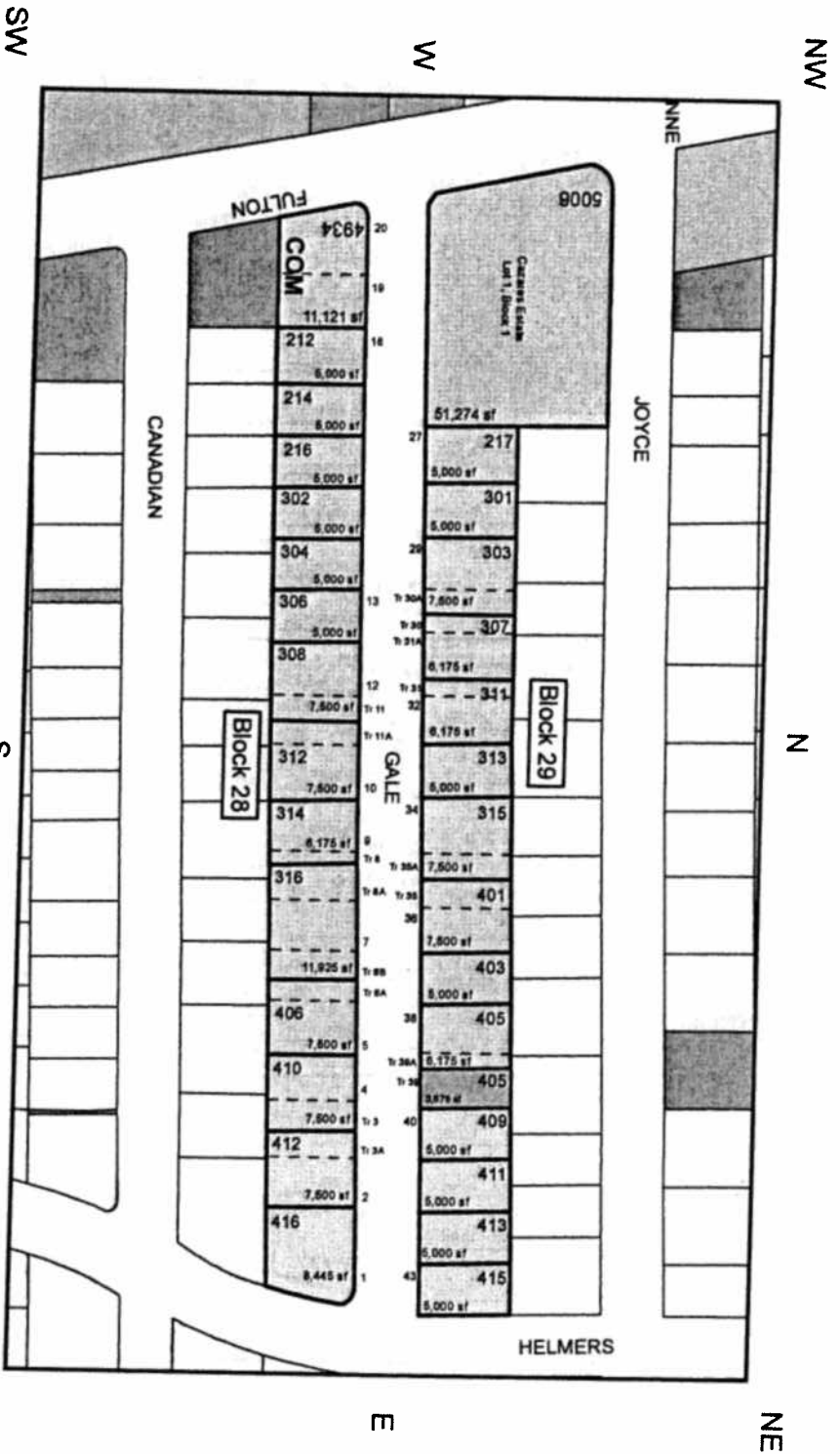
0660640300001 referring to 416 Gale Street, Houston, Texas, 77009
0660640300002 referring to 412 Gale Street, Houston, Texas, 77009
0660640300003 referring to 410 Gale Street, Houston, Texas, 77009
0660640300041 referring to 406 Gale Street, Houston, Texas, 77009
0660640300007 referring to 316 Gale Street, Houston, Texas, 77009
0660640300008 referring to 314 Gale Street, Houston, Texas, 77009
0660640300010 referring to 312 Gale Street, Houston, Texas, 77009
0660640300011 referring to 308 Gale Street, Houston, Texas, 77009
0660640300013 referring to 306 Gale Street, Houston, Texas, 77009
0660640300014 referring to 304 Gale Street, Houston, Texas, 77009
0660640300015 referring to 302 Gale Street, Houston, Texas, 77009
0660640300016 referring to 216 Gale Street, Houston, Texas, 77009
0660640300017 referring to 214 Gale Street, Houston, Texas, 77009
0660640300018 referring to 212 Gale Street, Houston, Texas, 77009
0660640300019 referring to 4934 Fulton Street, Houston, Texas, 77009

1255690010001 referring to 5006 Fulton Street, Houston, Texas, 77009
0660640310027 referring to 217 Gale Street, Houston, Texas, 77009
0660640310028 referring to 301 Gale Street, Houston, Texas, 77009
0660640310029 referring to 303 Gale Street, Houston, Texas, 77009
0660640310030 referring to 307 Gale Street, Houston, Texas, 77009
0660640310031 referring to 311 Gale Street, Houston, Texas, 77009
0660640310033 referring to 313 Gale Street, Houston, Texas, 77009
0660640310034 referring to 315 Gale Street, Houston, Texas, 77009
0660640310035 referring to 401 Gale Street, Houston, Texas, 77009
0660640310037 referring to 403 Gale Street, Houston, Texas, 77009
0660640310038 referring to 405 Gale Street, Houston, Texas, 77009
0660640310039 referring to 405 Gale Street, Houston, Texas, 77009

0660640310040 referring to 409 Gale Street, Houston, Texas, 77009
0660640310041 referring to 411 Gale Street, Houston, Texas, 77009
0660640310042 referring to 413 Gale Street, Houston, Texas, 77009
0660640310043 referring to 415 Gale Street, Houston, Texas, 77009

EXHIBIT "B"



LINDALE PARK SECTION 5 SUBDIVISION



5,000 square foot Special Minimum Lot Size Block

MAP/SKETCH

SMLSB No. 364

-  Properties that meet the 5,000sf Special Minimum Lot Size
-  Properties less than the 5,000sf Special Minimum Lot Size

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