

AN ORDINANCE ESTABLISHING PORTIONS OF LINDALE PARK SUBDIVISION SECTIONS 3 AND 5 WITHIN THE CITY OF HOUSTON AS A SPECIAL MINIMUM LOT SIZE AREA 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 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 area for portions of Lindale Park Subdivision Sections 3 and 5, 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 42-201 of the Code; and

WHEREAS, the Director of the Department referred the application to the Houston Planning Commission, which conducted a public hearing on the application on December 4, 2014 and considered the application pursuant to the criteria of Section 42-204 of the Code; and

WHEREAS, the Houston Planning Commission has recommended that the City establish a special minimum lot size requirement 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 for the Area satisfies the criteria of Section 42-204(a) of the Code. The City Council further finds that the minimum lot size in the Area is 6,360 square feet.

Section 4. That the City Council hereby establishes a special minimum lot size area over the Area, 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 6,360 square feet shall be the lot size requirement for the special minimum lot size area. 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 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 area for purposes of identification.

Section 7. That this Ordinance and the special minimum lot size area 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 8th day of July 2015.

APPROVED this _____ day of _____ 2015.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is JUL 14 2015, 2015.

[Signature]
City Secretary

(Prepared by Legal Dept.
SOI/fg 6/2/15

[Signature]
Assistant City Attorney

Requested by Patrick Walsh, Director, Planning and Development Department
L.D. File No. 0611500011001)

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AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGO
✓		LASTER
✓		GREEN
✓		COSTELLO
		ABSENT ON PERSONAL BUSINESS
		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: JUL 14 2015

EXHIBIT A

PROPERTY DESCRIPTION

All or a portion of the following:

Lots 26 through 50, Block 15, all of Blocks 18 and 19, and Lots 1 through 25, Block 22, Lindale Park Section 3, Harris County, Texas according to the map or plat thereof, recorded in Volume 15, Page 53, of the Map Records of Harris County, Texas; and

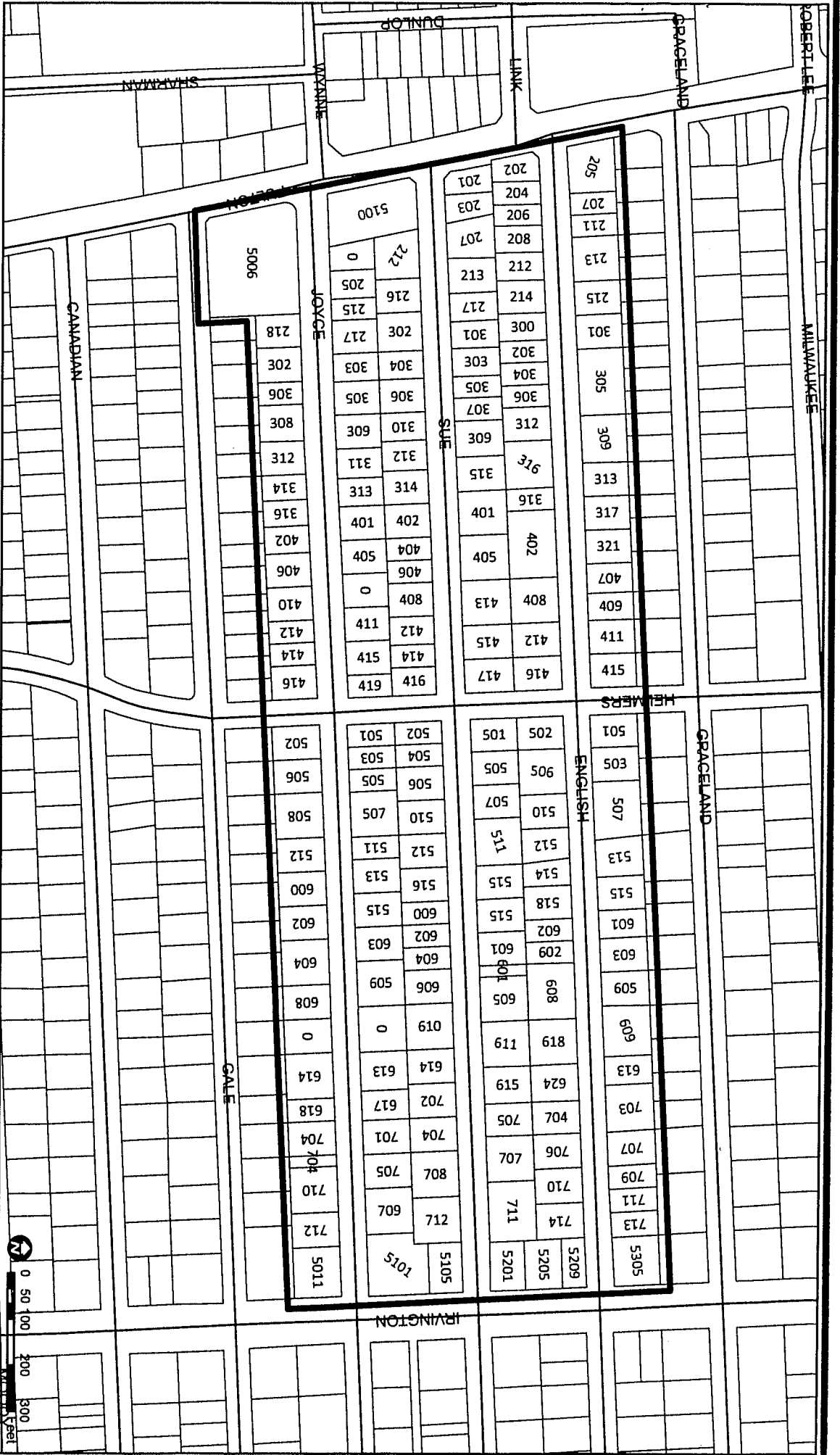
Lots 1 through 17, Block 29, Lindale Park Section 5, a subdivision in Harris County, Texas according to the map or plat thereof, recorded in Volume 998, Page 724, of the Map Records of Harris County, Texas; and

Lot 1, Block 1, Cazares Estate, a subdivision of 1.1771 acres, being a replat of Tract called Lots 18 through 26, Block 29, in Lindale Park, Section 5, recorded in Volume 998, Page 724, Harris County Deed Records, being out of the John Austin Survey, Abstract No. 1, in Harris County, Texas; and

All of Blocks 30 and 31, 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 25 through 48, Block 32, 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.

EXHIBIT B



Lindale Park, Sections 3 and 5
Special Minimum Lot Size Area Designation
Aerial Photos



Area Under Consideration

Source: Harris County Appraisal District
 Date: November 4, 2014
 Reference: MISA 426

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



**PLANNING &
 DEVELOPMENT
 DEPARTMENT**