

City of Houston, Texas, Ordinance No. 2020 - 1014

AN ORDINANCE RENEWING THE ESTABLISHMENT OF THE NORTH AND SOUTH SIDES OF THE 1800 BLOCK OF CHERRYHURST STREET WITHIN THE CITY OF HOUSTON, TEXAS, AS A SPECIAL MINIMUM BUILDING LINE REQUIREMENT 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, the Code of Ordinances, Houston Texas (the "Code"), authorizes the establishment of a special minimum building line requirement block ("SMBLR Block) to preserve the building line character of a single-family residential neighborhood that does not have a minimum building line requirement established by deed restrictions; and

WHEREAS, the City Council of the City of Houston, Texas ("City"), by Ordinance No. 2001-97, effective on January 30, 2001, established the north and south sides of the 1800 Block of Cherryhurst Street, within the City limits, as a SMBLR Block, with a prevailing special minimum building line requirement of 14-feet, 6-inches, pursuant to Chapter 42 of the Code; and

WHEREAS, Ordinance No. 2001-97 expires on January 30, 2021, the 20th anniversary of its effective date; and

WHEREAS, Chapter 42 of the Code allows for the renewal of a SMBLR Block that was completed before July 24, 2015, upon the filing of an application to renew signed by at least fifty-one percent (51%) of lot owners within the SMBLR Block; and

WHEREAS, an application requesting the renewal of the establishment of the special minimum building line requirement within the SMBLR Block was filed with the City's Department of Planning and Development ("Department") on May 1, 2020, accepted on May 5, 2020, and deemed completed on June 15, 2020; and

WHEREAS, the Director of the Department ("Director") has determined that the application was properly filed in accordance with the provisions of the Code and has caused notice of the application to be duly sent to all lot owners within the SMBLR Block in accordance with those same provisions; and

WHEREAS, no timely protest to the application has been filed by any lot owner within the SMBLR Block; and

WHEREAS, the Director, after consideration and evaluation of the application, has determined that four (4) out of ten (10) (40%) of the lots within the Application Area have a constructed building line of 14.5 feet, and concluded that the establishment of a 14-foot

6-inches constructed building line will preserve the character of existing block faces of the Application Area; and

WHEREAS, the Director recommends the renewal of the establishment of a 14-foot, 6-inches special minimum building line requirement for the SMBLR Block; **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 the Code.

Section 3. That the City Council hereby renews the establishment of a 14-foot, 6-inches special minimum building line requirement within the SMBLR Block, said block being approximately described in **Exhibit "A"** and depicted on the map in **Exhibit "B,"** both of which are attached to this Ordinance.

Section 4. That the special minimum building line requirement of 14-feet, 6-inches shall be the building line requirement within the SMBLR Block. The Director is hereby directed to cause a copy of this Ordinance to be filed for recordation in the real property records of Harris County, Texas, where the SMBLR Block is located, as soon as practicable after the effective date of this Ordinance.

Section 5. That the Director may assign a sequential number to this SMBLR Block for the purposes of identification.

Section 6 That this Ordinance and the special minimum building line requirement established by this Ordinance shall terminate on the 20th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

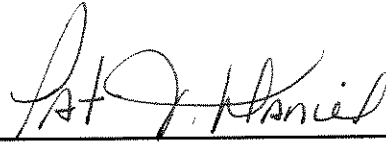
Section 7. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; 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 2nd day of December, 2020.

APPROVED this _____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is DEC - 8 2020, 2020.



City Secretary

Prepared by Legal Department
KM/sec 11/18/20
Requested by Margaret Wallace Brown
Director - Planning and Development Department
L.D. File No. 0612000360001
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Senior Assistant City Attorney

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: **DEC - 8 2020**

Exhibit A

Lots 2, 3, 4, and 5, in Block 16, of Cherryhurst Addition, an addition in Harris County, Texas according to the map or plat thereof, recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas.

The south 25 feet of Lot 1, in Block 16, of Cherryhurst, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas (aka 1818 Cherryhurst St.).

Part of Lot 10, in Block 17, of Cherryhurst Addition, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas (aka 1821 Cherryhurst St.).


Lots 7, 8, and 9, in Block 17, of Cherryhurst, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas.

The north 26 feet of Lot 6, in Block 17, of Cherryhurst Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 5, Page 38, of the Map Records of Harris County, Texas (aka 2600 Ridgewood Street).

Exhibit B



**Special Minimum Building Line Renewal
1800 block of Cherryhurst Street, north and south sides,
between Mandell and Ridgewood Streets
14 Feet, 6 inches**

 Area Under Consideration

All properties within the application area are single family unless noted as such:

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

Source: Harris County Appraisal District
Date: June 19, 2020
Reference: MBL 15REN

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**