

City of Houston, Texas, Ordinance No. 2020 - 785

AN ORDINANCE RENEWING THE ESTABLISHMENT OF THE NORTH SIDE OF THE 1700 BLOCK OF HAVER 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, Section 42-170 of 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. 2000-401, effective on May 24, 2000, established the north side of the 1700 Block of Haver Street, within the City limits, as a SMBLR Block, with a prevailing special minimum building line requirement of 15-feet, pursuant to Chapter 42 of the Code; and

WHEREAS, Ordinance No. 2000-401 expired on May 24, 2020, 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 April 28, 2020, accepted on April 28, 2020, and deemed completed on May 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: (i) all of the six lots within the SMBLR Block are developed with single-family residential units, three of which have a 15-foot constructed building line, one (1) of

which has a 16-foot 9-inch constructed building line, one of which has a 23-foot constructed building line, and one of which has a 14-foot 5-inches constructed building line; of the most frequently constructed building line; and

WHEREAS, the Director recommends the renewal of the establishment of a 15-foot special minimum building line requirement for the SMLR 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 15-foot special minimum building line requirement within the SMLR 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 15' feet shall be the building line requirement within the SMLR 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 SMLR 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 SMLR 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 16th day of September, 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 SEP 22 2020, 2020.

Pat J. Hanif

City Secretary

Prepared by Legal Department
KM/sec 08/24/20
Requested by Margaret Wallace Brown
Director - Planning and Development Department
L.D. File No. 0612000266001
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Kimberly M. ...

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	

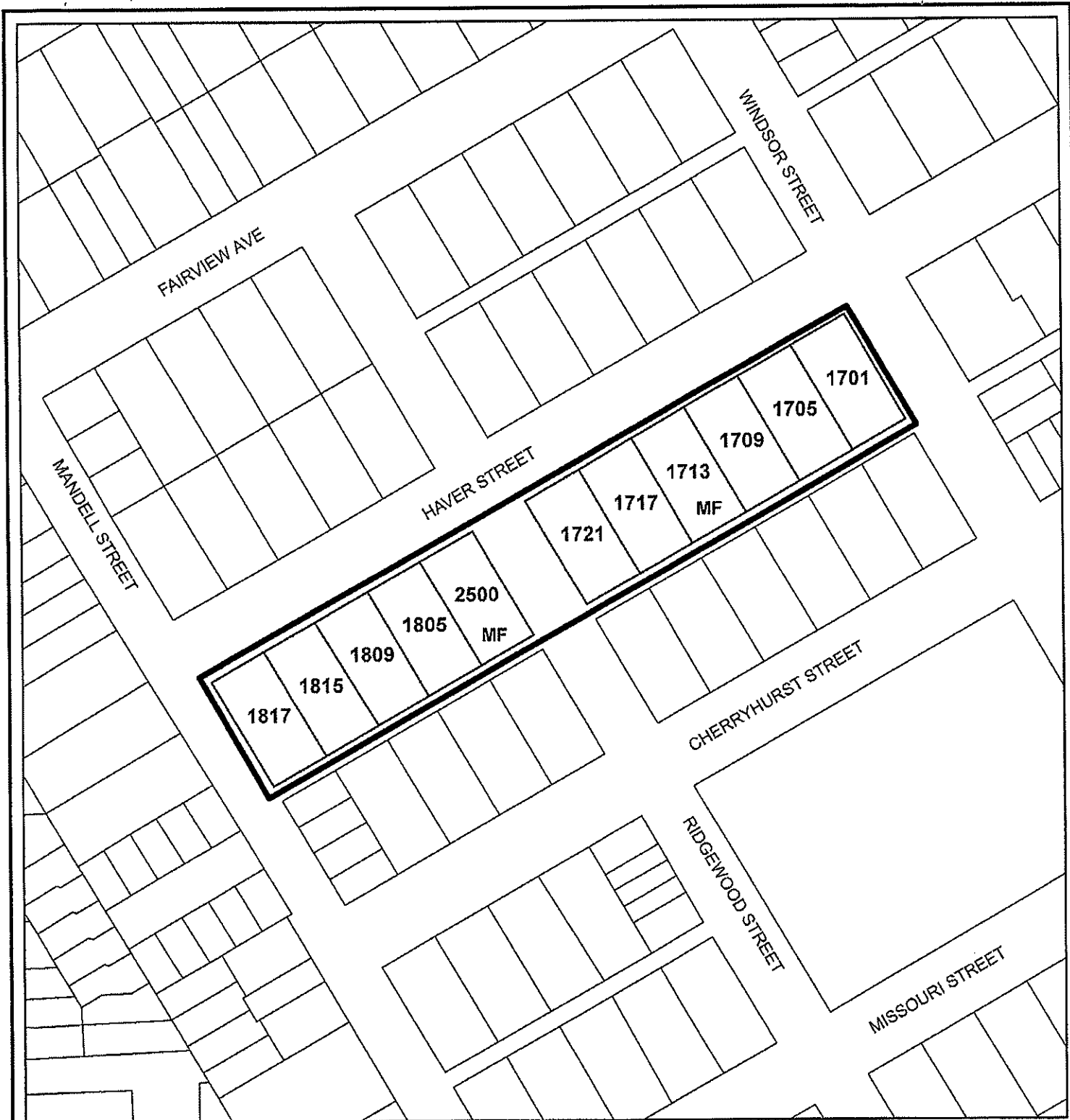
CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: **SEP 22 2020**

Exhibit A


Lots 1, 2,3,4, and 5, in Block 15, 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

A tract of land being Fifty (50) feet by One Hundred (100) feet out of Lot Twelve (12) in Block Fifteen (15) 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, fronting One Hundred (100) feet on Ridgewood Street and fronting Fifty (50) feet of Haver Avenue (aka 1722 Haver St.).

EXHIBIT B



**Special Minimum Building Line Renewal
1700 & 1800 block of Haver Street, south side
between Mandell and Windsor Streets
16 Feet**

 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: May 21, 2020
Reference: MBL 14 REN

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**