



## ZONING BOARD OF ADJUSTMENT MEETING AGENDA

Thursday, October 24, 2024, 6:00 p.m.

Notice is hereby given of a meeting of the La Porte Zoning Board of Adjustment to be held on October 24, 2024 at 6 P.M. in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas for the purpose of considering the following agenda items. All agenda items are subject to action.

Remote participation is available. Attend via a screen using the link

<https://us02web.zoom.us/j/84787961318?pwd=cb3H74j9qxRxTPiBbUhSrvbKoMKvTw.1>

Join by phone at 877 853 5257 or 888 475 4499. The meeting ID is 847 8796 1318 and the passcode is 234550.

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **CITIZEN COMMENT**  
*(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
4. **CONSIDER APPROVAL OF THE MEETING MINUTES**
  - 4.a **CONSIDER APPROVAL OF THE MEETING MINUTES**  
Approve the minutes of the Zoning Board of Adjustment meeting held on July 25, 2024.
5. **PUBLIC HEARINGS AND ASSOCIATED ACTIONS**
  - 5.a **Variance Request VAR-2024-0002**  
The Board will hold a Public Hearing to receive input on Variance VAR-2024-0002, a request by Mark Higgins, applicant, on behalf of BTA Innovative Concepts LLC, owner, for approval of a Variance to allow an increase in density within the R-1 (Low-Density Residential) Zoning District from 4.8 dwelling units per acre to 28.5 dwelling units per acre on property located at 204 Dr. Martin Luther King Jr. Dr., and legally described as LT. 14, BLK 65, La Porte, Harris County, Texas.
    - a. Open Public Hearing
    - b. Staff Presentation
    - c. Applicant Presentation
    - d. Public Comments (Limited to 5 minutes per person)
    - e. Adjourn Public Hearing

- f. Discussion and Possible Action: Variance request #VAR-2024-0002.

**5.b Variance Request VAR-2024-0003**

The Board will hold a Public Hearing to receive input on Variance VAR-2024-0003, a request by Carlos Martinez, owner, for variance from Section 106-748, Swimming Pools, Spas and Hot Tubs, of the La Porte Zoning Ordinance to allow a reduction in the required setback of a pool from an existing utility easement within the R-1 (Low-Density Residential) Zoning District, located at 1215 Bayou Glen Dr., on an approximately 0.14 acre-tract of land legally described as Lot 16 Block 1 Bayou Glen; La Porte, Harris County, Texas.

- a. Open Public Hearing
- b. Staff Presentation
- c. Applicant Presentation
- d. Public Comments (Limited to 5 minutes per person)
- e. Adjourn Public Hearing
- f. Discussion and Possible Action: Variance request #VAR-2024-0003.

**5.c Special Exception SE-2024-0001**

The Board will hold a Public Hearing to receive input on Special Exception SE-2024-0001, a request by Sherrie Daniels, applicant and owner; for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity within the R-1 (Low-Density Residential) Zoning District, on a tract of land located at 508 S. 2nd St., on an approximately 0.14 acre-tract of land legally described as Lots 26 & 27 Block 111 La Porte, Harris County, Texas.

- a. Open Public Hearing
- b. Staff Presentation
- c. Applicant Presentation
- d. Public Comments (Limited to 5 minutes per person)
- e. Adjourn Public Hearing
- f. Discussion and Possible Action: Special Exception request #SE-2024-0001.

**5.d Variance Request VAR-2024-0004**

The Board will hold a Public Hearing to receive input on Variance VAR-2024-0004, a request by Willis Gandhi, applicant, on behalf of Sailesh and Paresh Gandhi, owner, for approval of the following:

- A Variance from Section 106-443, Table A Commercial Area Requirements, to allow a reduction in the required landscaping along frontages (rights-of-way) from 10 feet to 4 1/2 feet; and
- A Variance from Section 106-800, Commercial Landscaping, regarding the requirement that all off-street parking, maneuvering, and loading areas shall be setback 30 feet from any street ROW line, on a lot located at 1245 S. 13<sup>th</sup> St., and legally as RES A, BLK 1, Home Porte, La Porte, Harris County,

Texas.

- a. Open Public Hearing
- b. Staff Presentation
- c. Applicant Presentation
- d. Public Comments (Limited to 5 minutes per person)
- e. Adjourn Public Hearing
- f. Discussion and Possible Action: Variance request #VAR-2024-0004.

**6. CANCEL OR RESCHEDULE NOVEMBER AND DECEMBER MEETINGS**

Discussion and Possible Action to cancel or reschedule the regular meetings of the Zoning Board of Adjustment on November 28, 2024, and December 26, 2024.

**7. CONSIDER APPROVAL OF THE 2025 MEETING SCHEDULE**

Discussion and Possible Action to adopt the regular meetings of the Zoning Board of Adjustment schedule for 2025.

**8. BOARD COMMENT**

*Comments on matters appearing on the agenda or inquiry of staff regarding specific information or existing policy.*

**9. ADJOURN**

If, during the course of the meeting and discussion of any items covered by this notice, the Board determines that a closed or executive session of the Board is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a closed or executive session is held in accordance with the Texas Government Code as set out above, the Board will reconvene in open session in order to take action, if necessary, on the items addressed during executive session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the office of the Planning and Development Department (281-470-5057), three working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

**CERTIFICATE**

The undersigned does hereby certify that a copy of the October 24, 2024, Zoning Board of Adjustment agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website,

www.LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE:

TIME:

TAKEN DOWN:

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Lee Woodward, City Secretary

**PHILLIP HOOT**  
Board Member Position 1  
**PAT MCCABE**  
Board Member Position 2  
**JOHN BLAKEMORE**  
Board Member Position 3  
**DENNIS OIAN, CHAIRMAN**  
Board Member Position 4



**NETTIE WARREN**  
Board Member Position 5  
**JON WILLIS**  
Board Member Alternate 1  
**FRANK NANCE**  
Board Member Alternate 2

## MINUTES OF THE REGULAR MEETING OF THE LA PORTE ZONING BOARD OF ADJUSTMENT JULY 25, 2024

The Zoning Board of Adjustment of the City of La Porte met in a regular meeting on Thursday, July 25, 2024, at the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

**Board Members present:** Board Member, Pat McCabe; Board Member, John Blakemore; Board Member, Netti Warren; and Alternate Board Member, Jon Willis.

**Board Members absent** Chairman, Dennis Oian; Board Member, Phillip Hoot, and Alternate Board Member, Frank Nance.

**City Staff present:** Teresa Evans, Director of Planning and Development; Clark Askins, City Attorney; Yvonne Briscoe, Planner II; Malik Michel, Engineering Manager; and Maria Pena, Planning and Development Dept. Coordinator.

**1. CALL TO ORDER:** City Attorney Clark Askins called the meeting to order at 6:04 p.m.

Board Member John Blakemore made the motion to elect Board Member Nettie Warren to serve as Temporary Chairperson for this meeting. The motion was seconded by Pat McCabe. All in favor, the motion carried 4-0.

**2. ROLL CALL OF MEMBERS:** Board Member, Pat McCabe; Board Member, John Blakemore; Board Member Netti Warren; and Alternate Board Member, Jon Willis were present.

**3. CITIZEN COMMENT** (*Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.*)

No Comments

**4. CONSIDER APPROVAL OF THE MEETING MINUTES:**

- a. Approve the minutes of the meeting held on June 27, 2024.

Board Member Pat McCabe made the motion to approve the meeting minutes. The motion was seconded by Board Member John Blakemore. All in favor, the motion was adopted, 4-0.

**5. VARIANCE #VAR-2024-0001:** Open a public hearing to consider Variance Request #VAR-2024-0001, a request submitted by Shahana Akter/applicant on behalf of Jin Lee, LM Property

Investors screening of commercial developments located in nonresidential zoning districts when located adjacent to residential zoning districts, on a tract of land located at 2483 Underwood Rd., and legally described Commercial Res., Block 9, Creekmont Section 1, Harris County, TX.

Director of Planning and Development, Teresa Evans presented the Variance Request #VAR-2024-0001.

Jose R. Marron commented on drainage concerns and spoke in opposition to the proposed Variance Request #VAR-2024-0001.

Craig Prosis commented on the fence concern and spoke in opposition to the proposed Variance Request #VAR-2024-0001.

Cynthia Kinard commented on drainage concerns and spoke in opposition to the proposed Variance Request #VAR-2024-0001.

Engineering Manager, Malik Michel provided information on the drainage of the proposed Variance Request #VAR-2024-0001.

Donna Brady shared her concerns with flooding regarding the proposed Variance Request #VAR-2024-0001.

The public hearing was adjourned at 6:40 p.m.

**6. BOARD DISCUSSION AND POSSIBLE ACTION:** Consider Variance Request #VAR-2024-0001.

Board Member John Blakemore made the motion to deny the proposed Variance Request #VAR-2024-0001 to the buffer requirements that are in Section 106-444 (a). The motion was seconded by Board Member Jon Willis. All in favor, the motion was adopted, 4-0.

**7. VARIANCE #24-93000003:** Open a public hearing to consider Variance Request #24-93000003, a request submitted by Javid Malik/applicant on behalf of Shama Khan/owner to allow for the construction of two (2) dwelling units; a duplex/townhome product. Variances are requested to allow deviations from Sections 106-1 (Definitions) regarding the definition of a townhome and 106-333 (Table B, residential Area Requirements) regarding a reduction in the side yard setbacks and an increase in density, on a tract of land located at 1500 S. Broadway St., and zoned High-Density Residential (R-3), and legally described TRS 30 & 31, BLK 1438, Harris County, TX.

Planner II, Yvonne Briscoe presented the proposed Variance Request #24-93000003.

The applicant Javid Malik provided information on the proposed Variance Request #24-93000003.

The public hearing was adjourned at 6:55 p.m.

**8. BOARD DISCUSSION AND POSSIBLE ACTION:** Consider Variance Request #24-93000003.

Board Member Pat McCabe made the motion to deny all three parts of the proposed Variance Request #24-93000003. The motion was seconded by Board Member John Blakemore. All in favor, the motion passed 4-0.

**9. BOARD COMMENTS:** On matters appearing on the agenda or inquiries from staff regarding specific information or existing policy.

None.

**10. OTHER BOARD BUSINESS:**

- Next Zoning Board of Adjustment meeting: August 22, 2024.
- Introduce new staff: Yvonne Briscoe.

**ADJOURN:** Board Member Pat McCabe adjourned the meeting at 7:00 p.m.

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Maria Pena, Planning and Development Dept. Coordinator

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Dennis Oian, Chairman

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



## **AGENDA ITEM 5.a**

### **Variance # VAR-2024-0002:**

The Board will hold a Public Hearing to receive input on Variance VAR-2024-0002, a request by Mark Higgins, applicant, on behalf of BTA Innovative Concepts LLC, owner, for approval of a Variance to allow an increase in density within the R-1 (Low-Density Residential) Zoning District from 4.8 dwelling units per acre to 28.5 dwelling units per acre on property located at 204 Dr. Martin Luther King Jr. Dr., and legally described as LT. 14, BLK 65, La Porte, Harris County, Texas.



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0002**

**Planning and Development Department Staff Report**  
**VAR-2024-0002**

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**DISCUSSION**

**Location:**

The subject property is located at 204 Dr. Martin Luther King Jr. Dr.

**Background Information:**

In June 2024, an approximately 494-square-foot single-family home originally built on the subject property in 1961, collapsed due to extensive termite damage. Only a portion of the framing from the previous home remains. According to the new owner, BTA Innovative Concepts LLC, they aim to revitalize the property as an affordable efficiency rental investment, offering residents an affordable housing option. The owner proposes to rebuild an approximately 475-square-foot single-family home including one bedroom, one bathroom, a living room, kitchen, and an attached two-car garage.

Additionally, the owner proposes to construct a secondary dwelling unit in the rear of the property including approximately 136.8-square feet for visiting family members. Chapter 106, Zoning, of the Code of Ordinances requires approval of a Special Conditional Use Permit (SCUP) for a secondary dwelling unit within the R-1 Zoning District. SCUPs require two public hearings with the City Council ultimately deciding. The SCUP is scheduled for the November 4, 2024 Planning and Zoning Commission meeting.

The proposed secondary dwelling unit will increase the allowed density (dwelling units per acre) on the property. The maximum density allowed is 4.8 dwelling units per acre. The applicant is seeking a variance to allow for an increase in density to 28.5 dwelling units per acre on the 0.086-acre site. The subject property includes 3,750 square feet (25' x 120'), and was platted as Lot 14, Block 65, La Porte in 1926.

**Zoning**

The subject property is zoned Low-Density Residential (R-1). The below table summarizes the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Low-Density Residential (R-1)	Single-Family Home
<b>South</b>	Low-Density Residential (R-1)	Single-Family Home
<b>West</b>	Low-Density Residential (R-1)	Single-Family Home
<b>East</b>	Low-Density Residential (R-1)	Telecommunications Company



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0002**

**Notification Requirements:**

Staff finds that the public hearing notification requirements outlined in Section 106-194 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least fifteen (15) days prior to the hearing; written notice mailed to owners of real property within 300 feet of the site within ten (10) days of the hearing; and a sign was posted on site within ten (10) days of the hearing. In accordance with state law, a notice of the public hearing was also posted at City Hall and on the City’s website.

Staff mailed thirty-six (36) notices to all property owners within 300 feet of the site. As of the date of this writing, no notices have been returned.

**Applicable Code Provisions:**

Pursuant to Section 106-331, Table B Residential Area Requirements, the maximum density allowed for a single-family detached unit is 4.8 dwelling units per acre. Density refers to the number of dwelling units that can be developed on a specific piece of property, measured in dwelling units per acre (DU/acre).

**Analysis:**

Section 106-192 of the La Porte Zoning Ordinance states that the term “variance represents a deviation from the literal provisions of this chapter which is granted by the board when strict conformity to this chapter would cause an unnecessary hardship because of the circumstances unique to the property on which the variance is granted.” The Zoning Ordinance further defines an “unnecessary hardship as a physical hardship related to the property itself, as distinguished from a hardship related to convenience, and the hardship must not result from the applicant or property owner’s actions, and that by granting the variance, the spirit of the Zoning Ordinance will be observed.

The Board is authorized to grant a variance when the Board finds that **all** of the following conditions are met. The following table outlines the conditions and staff’s analysis:

Conditions	Staff Findings:
a. That the granting of the variances will not be contrary to the public interest.	Public interest is often expressed through City Council who are elected by citizens to advance the goals of the city through adoption of ordinances, i.e. laws. The requested variance is contrary to the public interest. Courts have held that to be contrary to the public, the variance must “unduly, and in a marked degree” conflict with basic objectives of zoning ordinances. The subject variance is in direct conflict with the basic objectives of the Zoning Ordinance which provides uniform standards for calculating density. The



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0002**

	proposed density is higher than the density allowed for multi-family developments.
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 situations 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 actions.	Staff has not identified a hardship unique to the property. Variances provide relief, where necessary, due to site constraints that prevent a certain improvement. The regulations in question are shared by the community.
c. That by granting the variance, the spirit of this chapter will be observed.	The spirit of this chapter will not be upheld if the variance is granted. Density provides a way to quantify how many dwelling units can be built on a particular piece of property. Applying the maximum density allowed (4.8 DU/acre) on the 0.086-acre property would allow for 0.4 units, which rounded up equates to one unit.

As mentioned above, granting the variance would be contrary to the public interest. Staff is not aware of any special conditions related to the property that would cause literal enforcement of the ordinance to result in unnecessary hardship or any special conditions that distinguish it from other properties in the area that would result in unnecessary hardship. The spirit of the ordinance will not be observed with the granting of the requested variance. Substantial justice raises issues of fairness for the community and will not be achieved through the granting of the subject variance. The regulations in question are shared by the community.

In 2021, HB 1475 was approved which allows for more objective criteria that the Board can consider in determining whether compliance with a city's zoning ordinance, as applied to a structure would result in unnecessary hardship. Until the passage of H.B. 1475, an unnecessary hardship would be one that was not self-imposed, personal in nature, related to the property for which the variance is sought, and not solely a financial hardship. The hardship needed to be a condition unique, oppressive, and not common to other property.



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0002**

If special conditions exist, then the Board may consider the following as grounds to make a determination whether compliance, as applied to a structure that is the subject of the variance, would result in unnecessary hardship. The table below outlines the criteria as it relates to a financial hardship:

Conditions	Staff Findings:
a. If the financial cost of compliance with the Zoning Ordinance is greater than 50% of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the City under Section 26.01. Tax Code, or successor and as amended, then the Board may find that to be an unnecessary hardship.	N/A, as no special conditions exist.
b. If compliance with the Zoning Ordinance would result in a loss to the lot on which the structure is located of at least 25% of the area on which development may physically occur, then the Board may find that to be an unnecessary hardship.	N/A, as no special conditions exist.

**Appeal Procedure:**

Section 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 (10) days after the filing of the decision in the office of the Board of Adjustment.

**ATTACHMENTS**

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Notification Map
- Exhibit D: Site Photos
- Exhibit E: Application

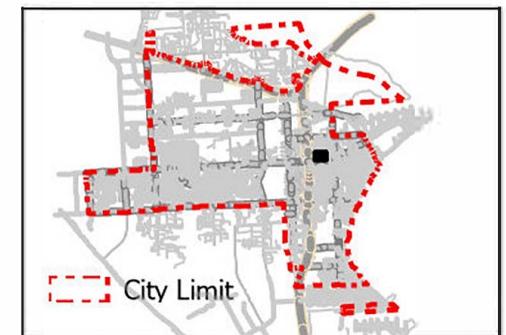
# Exhibit A

## Aerial Map

Parcel # 0231970650014

Case # VAR-2024-0002

 Subject Property



This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 75 150 Feet

1 inch = 150 feet



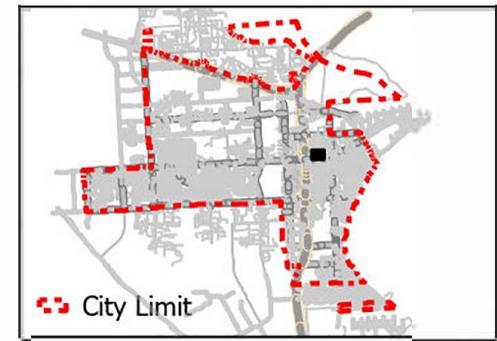
CITY OF LA PORTE PLANNING DEPARTMENT



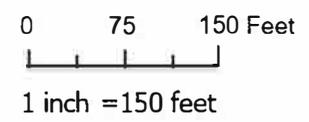
# Exhibit B Zoning Map

Parcel # 0231970650014  
Case # VAR-2024-0002

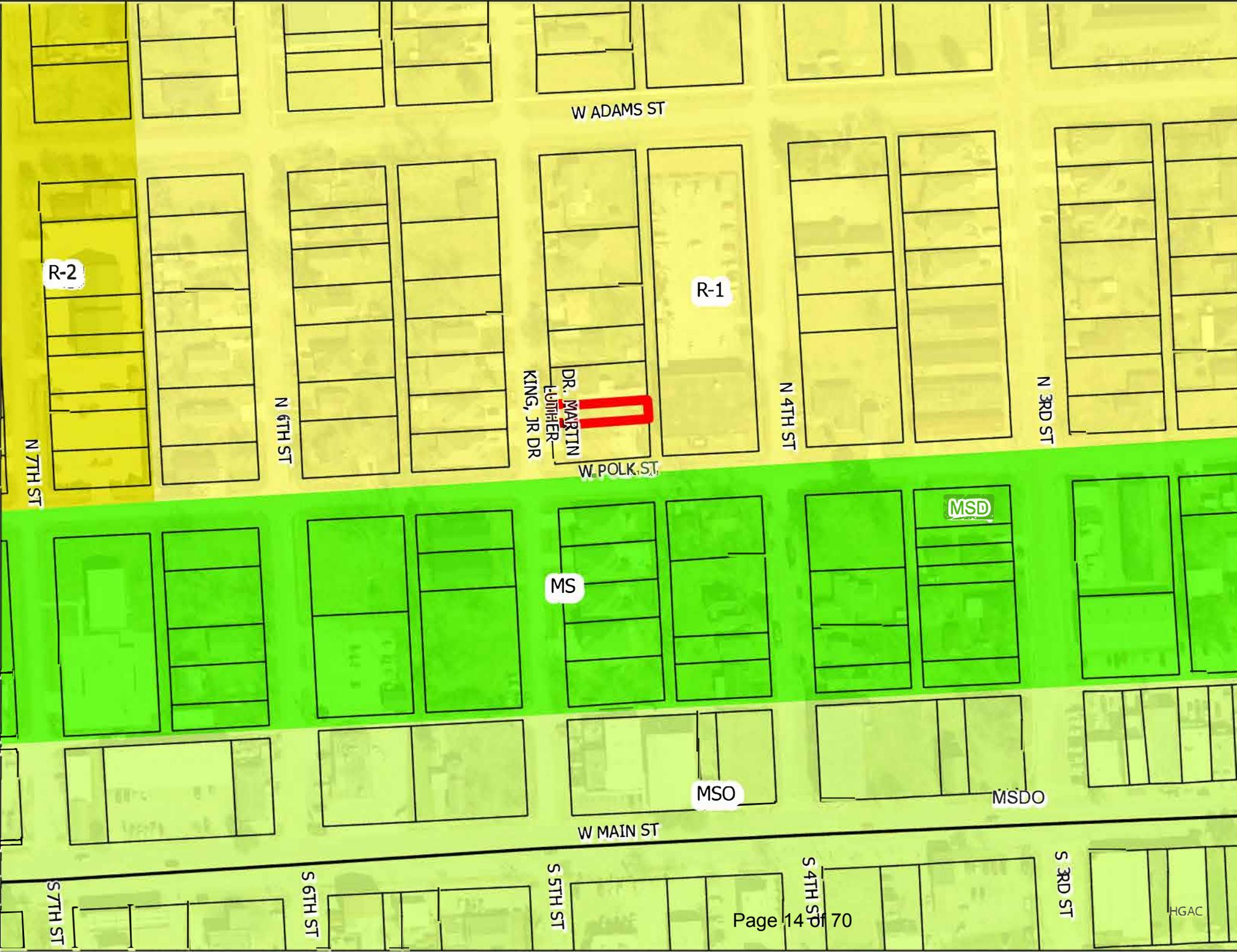
-  Subject Property
- Zoning Districts
-  Main Street District
-  Main Street District Overlay
-  Low Density Residential
-  Medium Density Residential



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CITY OF LA PORTE PLANNING DEPARTMENT

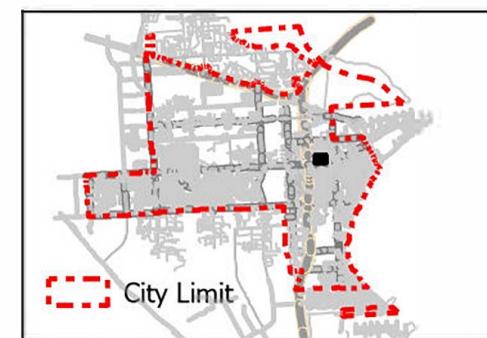


# Exhibit C

## Notification Map

Parcels within 300 feet of  
Parcel # 0231970650014  
Case # VAR-2024-0002

-  Subject Property
-  Properties Notified



This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 75 150 Feet

1 inch = 150 feet



CITY OF LA PORTE PLANNING DEPARTMENT



## Exhibit D

### Site Photo





# Exhibit E

## PLAN SNAPSHOT REPORT VAR-2024-0002 FOR CITY OF LA PORTE

<b>Plan Type:</b> Variance	<b>Project:</b>	<b>App Date:</b> 08/31/2024
<b>Work Class:</b> Variance	<b>District:</b> 4	<b>Exp Date:</b> NOT AVAILABLE
<b>Status:</b> Fees Paid	<b>Square Feet:</b> 0.00	<b>Completed:</b> NOT COMPLETED
<b>Valuation:</b> \$0.00	<b>Assigned To:</b> Matthews, Johnna	<b>Approval Expire Date:</b>

**Description:** Adding ADU prefab 1/1 combined with primary structure we will be less than 40% coverage required by the city.

<b>Parcel:</b> 0231970650014	Main	<b>Address:</b> 204 Dr Martin Luther King Jr Dr La Porte, TX 77571	Main	<b>Zone:</b> R-1(R-1)
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<b>Contact Person</b> Mark Higgins Home: (508) 272-3968 Business: 502723968 Mobile: (508) 272-3968	<b>Applicant</b> becky ta 204 Dr Martin Luther King drive la porte, TX 77571 Home: (202) 817-4937 Business: (202) 817-4937 Mobile: (202) 817-4937	<b>Owner</b> becky ta 204 Dr Martin Luther King drive la porte, TX 77571 Home: (202) 817-4937 Business: (202) 817-4937 Mobile: (202) 817-4937
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**Plan Custom Fields**

Lot Area (square footage or acreage)	3125	Type of Variance	Residential
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Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_becky_ta_8/31/2024.jpg	08/31/2024 17:53	ta, becky		Uploaded via CSS

Note	Created By	Date and Time Created
1. Left customer vmail regarding unpaid fees.	Johnna Matthews	09/23/2024 10:28

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00000479	Variance - Residential	\$150.00	\$150.00
<b>Total for Invoice INV-00000479</b>		<b>\$150.00</b>	<b>\$150.00</b>
<b>Grand Total for Plan</b>		<b>\$150.00</b>	<b>\$150.00</b>

Workflow Step / Action Name	Action Type	Start Date	End Date
<b>Application Completeness Check v.1</b>		09/09/2024 9:27	09/09/2024 9:27
Confirm Application Completeness v.1	Generic Action		09/09/2024 9:27
<b>Fees v.1</b>		09/09/2024 9:27	09/24/2024 8:08
Invoice Fees v.1	Generic Action		09/09/2024 9:27
Confirm Fees Paid v.1	Generic Action		09/24/2024 8:08
<b>Review v.1</b>			
Variance Review v.1	Receive Submittal		
<b>Zoning Board of Adjustment (ZBOA) v.1</b>			
Schedule Public Hearing (ZBOA) v.1	Hold Hearing		
Email Applicant Scheduled Hearing v.1	Generic Action		
Post Sign Posting on Property v.1	Generic Action		
Email Legal Ad to Bay Area Observer v.1	Generic Action		
Confirm Bay Area Observer Published v.1	Generic Action		
Mail Notice of Public Hearing v.1	Generic Action		
Prepare and Distribute Staff Report v.1	Generic Action		
Staff Report Approval v.1	Generic Action		
Post Agenda and Packet on Website v.1	Generic Action		

# PLAN SNAPSHOT REPORT (VAR-2024-0002)

Agenda and Packet to Board Members v.1	Generic Action
Agenda Posted On Bulletin v.1	Generic Action
<b>Issue Record of Decision v.1</b>	
Issue Record of Decision v.1	Generic Action
<b>Close Application v.1</b>	
Complete & Close Application v.1	Generic Action

August 31, 2024

Planning and Development Department

City of La Porte

604 W Fairmont Pkwy

La Porte, TX 77571

#### Project Description and Justification for Specialized Condition Use Permit

Dear Members of the Planning and Development Department,

We propose the installation of a Specialized Condition Use Permit (SCUP) for the property located at 204 Dr. Martin Luther King Dr., La Porte. The purpose of this permit is to facilitate the development of a dedicated space on the property to accommodate visiting family members. Given the property's dimensions and layout, this addition will maximize the utility of the existing land while adhering to local zoning regulations.

The proposed space will be designed to provide a comfortable and functional area for family members visiting the primary residence. This will enhance the property's utility and support the well-being of family members, particularly during special gatherings or extended visits. This can also act as a mother in law suite to help the rising cost of elderly care.

Due to the compact size of the property, the proposed space will be strategically located to make optimal use of the long stretch of yard. This design approach ensures that the land is used efficiently without overwhelming the existing structures or impinging on the neighborhood's character.

The project will maintain land coverage within the 40% limit specified by zoning regulations. The proposed addition will be carefully designed to fit within these constraints, ensuring that the primary structure remains the main focus of the property and that the development adheres to all city planning guidelines.

The installation of a Specialized Condition Use Permit for 204 Dr. Martin Luther King Dr. represents a thoughtful and beneficial enhancement to the property. By providing a dedicated space for family members while adhering to land coverage regulations, the project will improve the utility of the property and support the community's values. We respectfully request the City of La Porte's approval for this permit to proceed with the proposed development.

Thank you for considering this request. We are committed to ensuring that the project aligns with city planning objectives and contributes positively to the neighborhood.

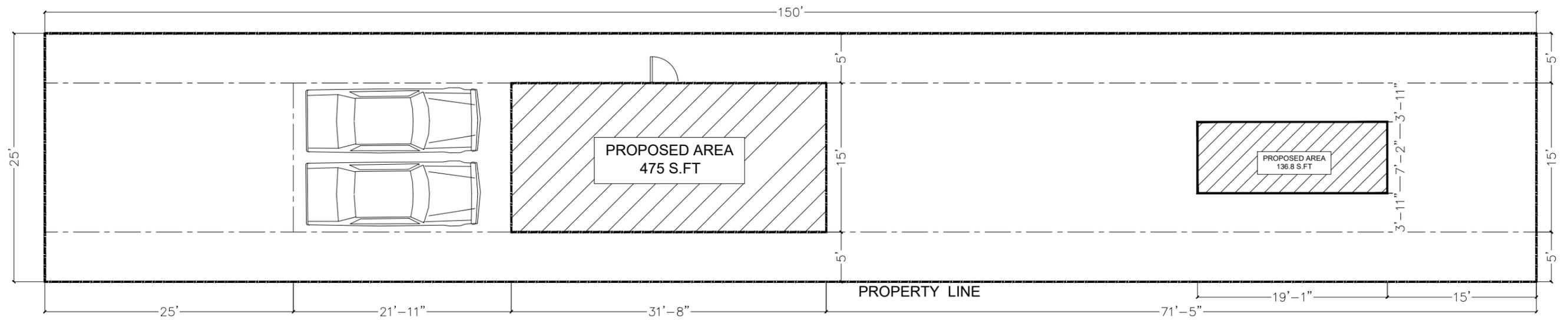
Sincerely,

Becky Ta

Becky Ta

Owner, 204 Dr. Martin Luther King Drive

La Porte, Texas 77571



SITE ADDRESS

204 DR. MARTIN LUTHER KING JR.  
DR., LA PORTE, TX 77571, USA

UZ  
CONSULTANT

Approved by  
Examined by  
Project by

Checked by  
Designed by  
Drawn by

Project Title  
HOUSE PLAN  
Dwg Title  
SITE PLAN

Date 301  
Scale 1:50  
Dwg No. S1  
Project No. 000  
Ver No.

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



## **AGENDA ITEM 5.b**

### **Variance # VAR-2024-0003:**

The Board will hold a Public Hearing to receive input on Variance VAR-2024-0003, a request by Carlos Martinez, owner, for variance from Section 106-748, Swimming Pools, Spas and Hot Tubs, of the La Porte Zoning Ordinance to allow a reduction in the required setback of a pool from an existing utility easement within the R-1 (Low-Density Residential) Zoning District, located at 1215 Bayou Glen Dr., on an approximately 0.14 acre-tract of land legally described as Lot 16 Block 1 Bayou Glen; La Porte, Harris County, Texas.



**Zoning Board of Adjustment  
October 24, 2024 – VAR-2024-0003**

**Planning and Development Department Staff Report  
Variance – #VAR-2024-0003**

**DISCUSSION**

**Location:**

The subject property is located at 1215 Bayou Glen Dr. in the City of La Porte.

**Background Information:**

The applicant is proposing to construct an approximately 210 square foot swimming pool with an approximately 42 square foot spa in the rear yard of the subject property and is seeking a Variance (Variance Request #VAR-2024-0003) from Section 106-748, Swimming Pools, Spas and Hot Tubs, of the La Porte Zoning Ordinance to allow a reduction in the required setback of a pool from an existing utility easement. Specially, Section 106-748 requires a swimming pool to be setback three (3) feet from a utility easement and does not allow encroachment into the utility easement. As proposed, the swimming pool will have a 1-foot setback from the existing 16-foot utility easement and will be completely within an existing 5-foot unobstructed aerial easement. These requirements were brought to the property owner’s attention, after submitting a pool permit and floodplain permit. The applicant was informed that CenterPoint does not allow permanent construction within their easements and directed that if there is an issue with the location of the pool, it will need to be handled between the owner and CenterPoint. To obtain city approval, a letter of no objection from CenterPoint will be required. According to City records, there is an existing sanitary sewer line which necessitates the need for the existing 16-foot utility easement.

The subject property and surrounding properties are located within the Bayou Glen subdivision, which is zoned Low Density Residential (R-1).

The following table summarizes the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Low Density Residential (R-1)	Single-Family Home
<b>South</b>	Low Density Residential (R-1)	Single-Family Home
<b>West</b>	Low Density Residential (R-1)	Single-Family Home
<b>East</b>	Low Density Residential (R-1)	40-foot pipeline easement

**Notification Requirements:**

Staff finds that the public hearing notification requirements outlined in Section 106-194 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least ten (10) days prior to the hearing; written notice mailed to owners of real property within 300 feet of the site within ten (10) days of the hearing; and a sign was posted on site within ten (10) days of the hearing. In accordance with state law, a notice of the public



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0003**

hearing was also posted at City Hall and on the City’s website.

As of the date of this writing, no notices have been returned from property owners within 300 feet of the site.

**Applicable Code Provisions:**

Pursuant to Section 106-748 (Swimming Pools, Spas, and Hot Tubs) of the La Porte Zoning Ordinance, swimming pools must be setback 3-feet from utility easements.

**Analysis:**

The applicant seeks approval of a variance that would allow for the construction of an approximately 210-square-foot swimming pool with an approximately 42 square foot spa to be constructed 1-foot from an existing utility easement and completely contained in an existing 5-foot unobstructed aerial easement. A setback defines an area of land which cannot be built upon. Setbacks from utility easements allow the owners of utility lines the ability to access their infrastructure. The setback allows enough space for work to be performed on infrastructure without damaging private property. The utility owner is not responsible for damages to private property.

Section 106-192 of the Zoning Ordinance states that the term “*variance represents a deviation from the literal provisions of this chapter which is granted by the board when strict conformity to this chapter would cause an unnecessary hardship because of the circumstances unique to the property on which the variance is granted.*” The Zoning Ordinance further defines an “unnecessary hardship as a physical hardship related to the property itself, as distinguished from a hardship related to convenience, and the hardship must not result from the applicant or property owner’s actions, and that by granting the variance, the spirit of the Zoning Ordinance will be observed.

The Board is authorized to grant a variance when the Board finds that **all** of the following conditions are met. The following table outlines the conditions and staff’s analysis:

Conditions	Staff Findings:
a. That the granting of the variances will not be contrary to the public interest.	Public interest is often expressed through City Council who are elected by citizens to advance the goals of the city through adoption of ordinances, i.e., laws. The requested variance is contrary to the public interest. Courts have held that to be contrary to the public, the variance must “unduly, and in a marked degree” conflict with basic objectives of zoning ordinances. The subject variance is in direct conflict with the basic objectives of the Zoning Ordinance as it relates to setbacks of swimming pools from utility easements. The subject utility easement was identified on the final plat which was approved in 1984. The



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0003**

	<p>unobstructed aerial easement was not shown on the final plat. Although, CenterPoint does not allow permanent construction within their easements. The applicant was instructed that if there is an issue with the location of the pool, it will need to be handled between the owner and CenterPoint. Granting of the variance will create inconsistencies in the neighborhood.</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 actions.</p>	<p>Staff has not identified a hardship unique to the property. Variances provide relief, where necessary, due to site constraints that prevent a certain improvement. The regulations in question are shared by the community. Prior to construction of the home in 1993, a 16-foot utility easement was approved on the final plat in 1984. The home could have been constructed smaller to allow space for the size pool that the applicant desires. Additionally, the applicant could choose to construct a smaller swimming pool.</p>
<p>c. That by granting the variance, the spirit of this chapter will be observed.</p>	<p>The spirit of this chapter will not be upheld if the variance is granted. The applicant could choose to construct a smaller swimming pool.</p>

In 2021, HB 1475 was approved which allows for more objective criteria which the Board can consider in determining whether compliance with a city's zoning ordinance, as applied to a structure would result in unnecessary hardship. Until the passage of H.B. 1475, an unnecessary hardship would be one that was not self-imposed, personal in nature, related to the property for which the variance is sought, and not a solely financial hardship. The hardship needed to be a condition unique, oppressive, and not common to other property.

For the first time, financial hardships can qualify an applicant for a variance. Pursuant to Section 211.009, Authority of Board, of the Texas Local Government Code, a variance from the terms of the zoning ordinance may be granted if:

1. the variance is not contrary to the public interest, and
2. due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and
3. so that the spirit of the ordinance is observed, and substantial justice is done.



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0003**

As mentioned above, granting the variance would be contrary to the public interest. Staff is not aware of any special conditions related to the property which would cause literal enforcement of the ordinance to result in unnecessary hardship or any special conditions that distinguish it from other properties in the area that would result in unnecessary hardship. The spirit of the ordinance will not be observed with the granting of the requested variance. Substantial justice raises issues of fairness for the community and will not be achieved through the granting of the subject variance. The regulations in question are shared by the community.

If special conditions exist, then the Board may consider the following as grounds to decide whether compliance, as applied to a structure that is the subject of the variance, would result in unnecessary hardship. The below table outlines the criteria as it relates to a financial hardship, and staff’s analysis:

Conditions	Staff Findings:
d. If the financial cost of compliance with the Zoning Ordinance is greater than 50% of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the City under Section 26.01. Tax Code, or successor and as amended, then the Board may find that to be an unnecessary hardship.	N/A, no special conditions exist.
e. If compliance with the Zoning Ordinance would result in a loss to the lot on which the structure is located of at least 25% of the area on which development may physically occur, then the Board may find that to be an unnecessary hardship.	N/A, no special conditions exist.

None of the criteria for approval of a variance has been met.

**Appeal Procedure:**

Section 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 (10) days after the filing of the decision in the office of the Board of Adjustment.



**Zoning Board of Adjustment  
October 24, 2024 – VAR-2024-0003**

**ATTACHMENTS**

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Notification Map
- Exhibit D: Site Photos
- Exhibit E: Application



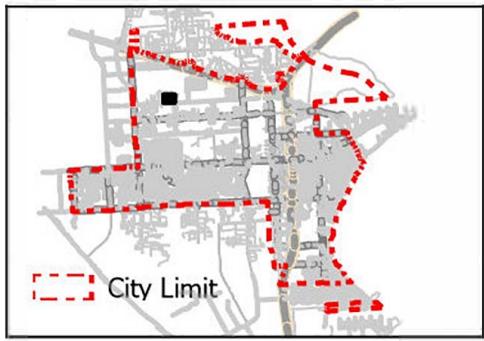
# Exhibit A

## Aerial Map

Parcel # 1159080010016

Case # VAR-2024-0003

 Subject Property



This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 75 150 Feet

1 inch = 150 feet



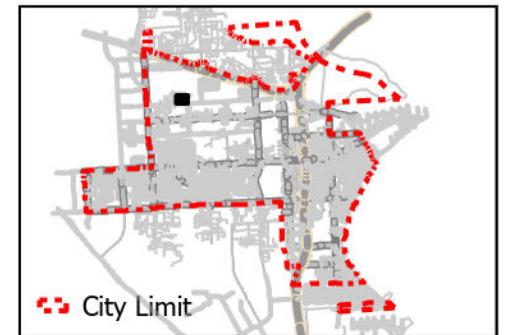
CITY OF LA PORTE PLANNING DEPARTMENT

# Zoning Map

Parcel # 1159080010016  
Case # VAR-2024-0003

-  Subject Property
- Zoning Districts
  -  Large Lot Residential
  -  Low Density Residential

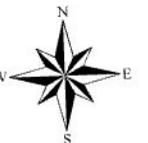
## Exhibit B



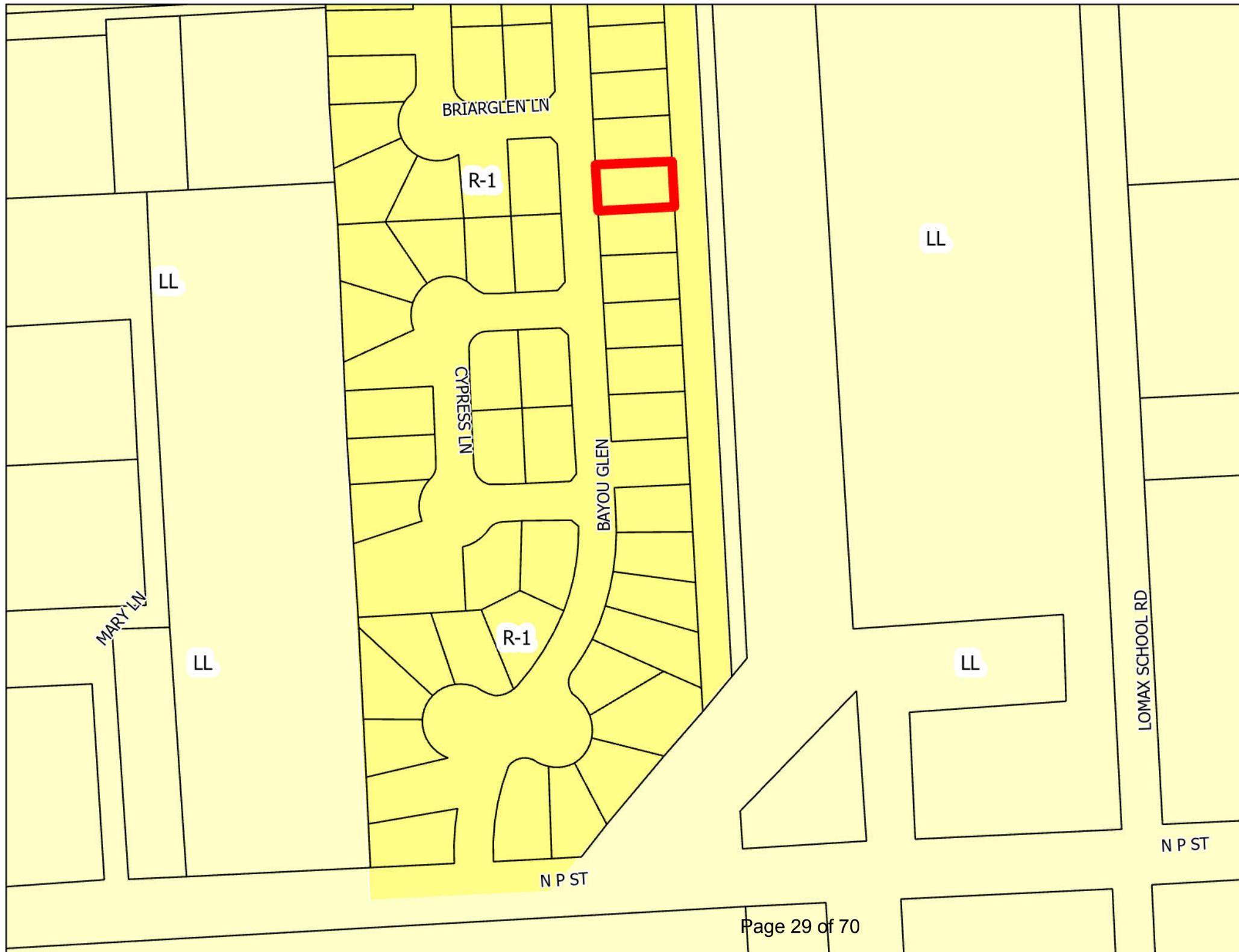
This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 75 150 Feet

1 inch = 150 feet



CITY OF LA PORTE PLANNING DEPARTMENT

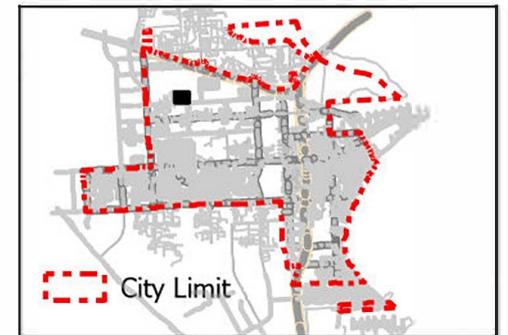


# Exhibit C

## Notification Map

Parcels within 300 feet of  
Parcel # 1159080010016  
Case # VAR-2024-0003

-  Subject Property
-  Noticed Properties



This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 80 160 Feet

1 inch = 175 feet



CITY OF LA PORTE PLANNING DEPARTMENT



# Exhibit D

## Site Photo





# Exhibit E

## PLAN SNAPSHOT REPORT VAR-2024-0003 FOR CITY OF LA PORTE

<b>Plan Type:</b> Variance	<b>Project:</b>	<b>App Date:</b> 09/19/2024
<b>Work Class:</b> Variance	<b>District:</b> Blank	<b>Exp Date:</b> NOT AVAILABLE
<b>Status:</b> In Review	<b>Square Feet:</b> 0.00	<b>Completed:</b> NOT COMPLETED
<b>Valuation:</b> \$0.00	<b>Assigned To:</b> Briscoe, Yvonne	<b>Approval Expire Date:</b>

**Description:** We are hoping that a variance can be granted in order to build our pool where water's edge will be allowed at 1' from rear utility easement as opposed to the 3' setback requirement.

<b>Parcel:</b> 1159080010016	Main	<b>Address:</b> 1215 Bayou Glen Dr La Porte, TX 77571	Main	<b>Zone:</b>
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<b>Contractor</b> Gerardo S Garcia 15642 Liberty Pine Lane Houston, TX 77049 Business: (713) 450-1053 Mobile: (832) 627-3616	<b>Applicant</b> Carlos Martinez 1215 BAYOU GLEN DR LA PORTE, TX 77571 Business: (832) 629-4294	<b>Owner</b> Carlos Martinez 1215 BAYOU GLEN DR LA PORTE, TX 77571 Business: (832) 629-4294
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### Plan Custom Fields

Lot Area (square footage or acreage)	6,000 Sqft	Type of Variance	Residential
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Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Carlos_Martinez_9/19/2024.jpg	09/19/2024 15:44	Martinez, Carlos		Uploaded via CSS

Note	Created By	Date and Time Created
1. called applicant to request project description / justification letter providing details of request including the proposed size of the pool. followed up with an email	Yvonne Briscoe	09/20/2024 9:11

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00000593	Variance - Residential	\$150.00	\$150.00
<b>Total for Invoice INV-00000593</b>		<b>\$150.00</b>	<b>\$150.00</b>
<b>Grand Total for Plan</b>		<b>\$150.00</b>	<b>\$150.00</b>

Hearing Type	Location	Scheduled Date	Status	Subject
Schedule Public Hearing (ZBOA) v.1	City Hall	10/24/2024	Scheduled	VAR-2024-0003 (1215 BAYOU GLEN DR LA PORTE, TX 77571)

**Attendees:** Johnna Matthews; Maria Pena; Planner II; Teresa Evans

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Variance Review v.1	Approved	09/20/2024	10/01/2024	09/20/2024	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning Division	Planning	Briscoe, Yvonne	Not Required	09/20/2024	10/01/2024	09/20/2024

Workflow Step / Action Name	Action Type	Start Date	End Date
<b>Application Completeness Check v.1</b>		09/20/2024 8:47	09/20/2024 9:28
Confirm Application Completeness v.1	Generic Action		09/20/2024 8:47
<b>Fees v.1</b>		09/20/2024 9:28	09/20/2024 10:25
Invoice Fees v.1	Generic Action		09/20/2024 9:28
Confirm Fees Paid v.1	Generic Action		09/20/2024 10:26
<b>Review v.1</b>			09/20/2024 14:51
Variance Review v.1	Receive Submittal	09/20/2024 0:00	09/20/2024 14:51

**Zoning Board of Adjustment (ZBOA) v.1** 09/20/2024 14:52

## PLAN SNAPSHOT REPORT (VAR-2024-0003)

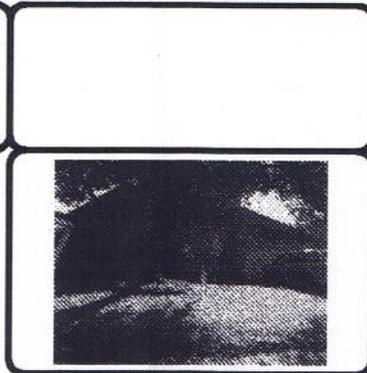
Schedule Public Hearing (ZBOA) v.1	Hold Hearing	09/20/2024 14:52
Email Applicant Scheduled Hearing v.1	Generic Action	09/24/2024 8:09
Post Sign Posting on Property v.1	Generic Action	
Email Legal Ad to Bay Area Observer v.1	Generic Action	
Confirm Bay Area Observer Published v.1	Generic Action	
Mail Notice of Public Hearing v.1	Generic Action	
Prepare and Distribute Staff Report v.1	Generic Action	
Staff Report Approval v.1	Generic Action	
Post Agenda and Packet on Website v.1	Generic Action	
Agenda and Packet to Board Members v.1	Generic Action	
Agenda Posted On Bulletin v.1	Generic Action	
<b>Issue Record of Decision v.1</b>		
Issue Record of Decision v.1	Generic Action	
<b>Close Application v.1</b>		
Complete & Close Application v.1	Generic Action	

Due to the 14' rear easement that we weren't familiar with nor the restrictions regarding building a pool over it, we were left with very limited space to build our family's dream pool. As it stands now and with the granting of the requested variance, the maximum width of our pool would still be limited to only 10' 6". Otherwise, without the variance, our pool would only be 8' 6" wide and not worth spending the money to build it. We are hoping to be granted the variance in order to move forward and build our dream pool. There have been previous variances allowed for similar pool requests, so we're hoping to be granted the same. Because this is the only setback issue, we are hoping the ZBOA grants our request for variance. The variance will not be contrary to the public interest. Enforcing the code provision will result in an unnecessary hardship due to the restricted space in the yard and available space to build.



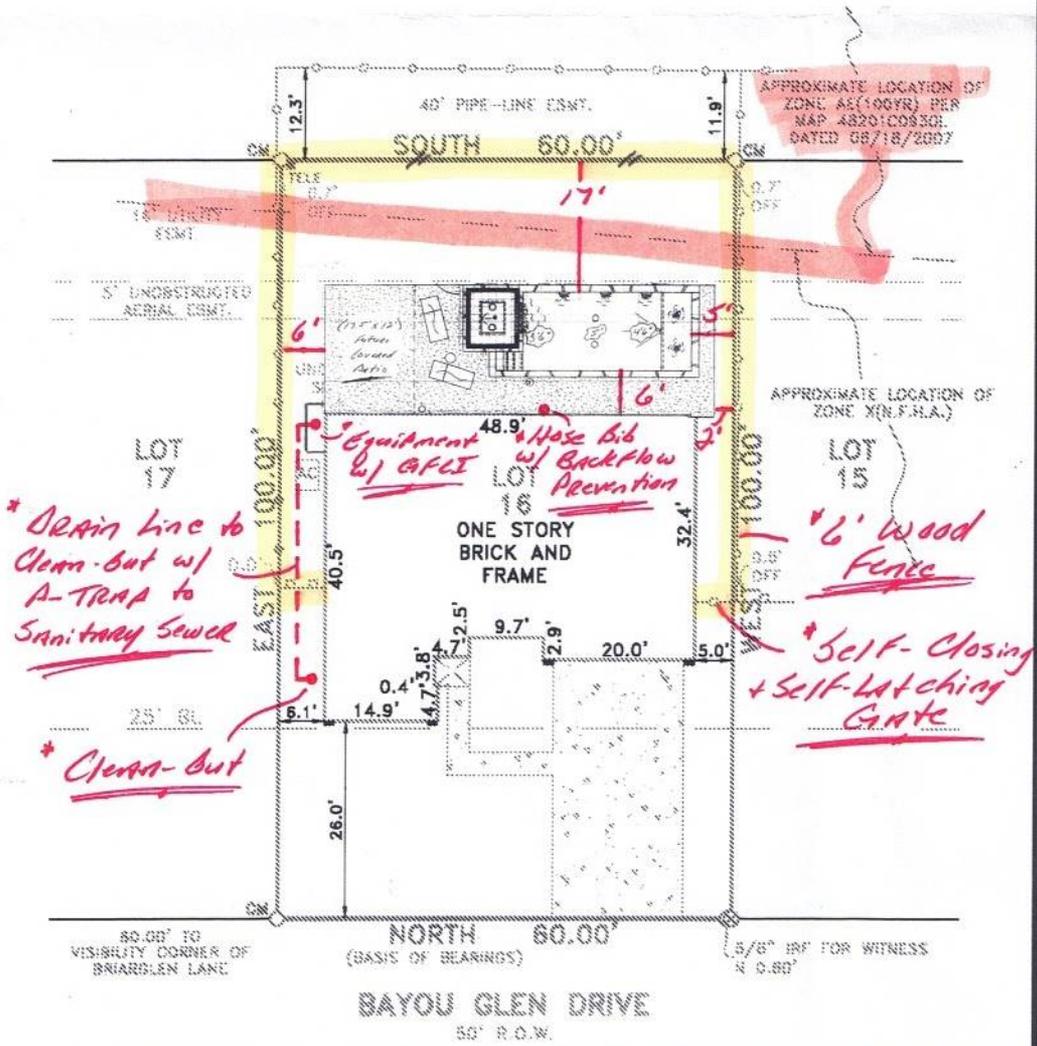
# 1215 Bayou Glen Drive

Being Lot 16, in Block 1, of BAYOU GLEN, a subdivision in Harris County, Texas, according to the Map or Plat thereof, recorded in Volume 321, Page 139, of the Map Records of Harris County, Texas.



### LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- 5/8" ROD FOUND
- ⊗ "X" FOUND/SET
- ◆ 60d NAIL FOUND
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- BRICK COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- I — IRON FENCE
- X — BARBED WIRE
- / — EDGE OF ASPHALT
- ▲ — EDGE OF GRAVEL
- CONCRETE
- COVERED AREA



### EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENT RECORDED IN VOL. 321, PG. 139, C.F. NOS. J317680 20140045734, 20140168011

### NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.  
**FLOOD NOTE:** According to the F.I.R.M. No. 48201C0930 L, this property does lie in Zone X and does not lie within the 100 year flood zone. Except as shown.

This survey is made in conjunction with the information provided by Trueline Technologies. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Accepted by: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Purchaser

Drawn By: JA  
 Scale: 1" = 20'  
 Date: 10/15/14  
 Job No. 1412031

C.B.G. Surveying, Inc.  
 12025 Shiloh Road, Ste. 230  
 Dallas, TX 75228  
 P 214.349.9485  
 F 214.349.2216  
 Form No. 10168800  
 www.cbgsurvey.com



JOSH CONNALLY  
 R.P.L.S. NO. 5706



SINCE 1990

## Swimming Pool Specifications (Gunite Construction)

Project:	Carlos Martinez - 1215 Bayou Glen Dr. La Porte, TX 77571	
Pool Specs.:	Dimensions: 29'6" X 10'6" Pool Depth: 3'6" to 5' to 4'6" Pool/Spa Gallons: 8,164 Turnover Rate: 1.5 Hrs. - Pool Pump: 2.7 HP Hayward TriStar Variable Speed w/ 90 GPM Flow Rate - Full Rated, 208-230 volt, 8.5-7.4 Amps  Pool Filter: Hayward 425 Sq.' Cartridge Filter Pool/Spa Heater: Hayward H400FDN 400K BTU Pool Light: Hayward ColorLogic 4.0 LED, 120V Pool Cover: Solar Cover Main Drain Covers: Rated ASME/ANSI A112.19.8-2007 (VGB Approved) Plaster: White Decking: 528 Sq.' of Slip-Resistant Spray Deck Textured Concrete Decking Fill Line: Connected w/ Siphon Breaking Valve Sanitation / Chlorinator: In-line Chlorinator Total Lot Area: 6,000 Sq.' Total Impervious: 3,052 Sq.' Coverage %: 51%	Spa Specs: - Size: 7' X 6' Spa Raised: 12" Depth: 3.5' Spillway: 48" Tiered Stone Blower: Hayward 1HP Light: Hayward ColorLogic 320 LED, 12V
<ul style="list-style-type: none"> <li>* Hose Bib in Pool Area w/ Siphon Breaking Valve</li> <li>* Filter Drain Line to Sanitary Sewer w/ P-Trap per Code</li> <li>* Electrical Receptacle @ Equipment per Current Required Electrical Codes 2020 NEC</li> <li>* Door Alarm @ Back Door(s) with Access to Pool per 2018 IRC</li> <li>* 360 Degree #8 Copper Bonding</li> <li>* All Construction per Current 2018 IRC</li> </ul>		

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



## **AGENDA ITEM 5.c**

### **Special Exception #SE-2024-0001:**

The Board will hold a Public Hearing to receive input on Special Exception SE-2024-0001, a request by Sherrie Daniels, applicant and owner; for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity within the R-1 (Low-Density Residential) Zoning District, on a tract of land located at 508 S. 2nd St., on an approximately 0.14 acre-tract of land legally described as Lots 26 & 27 Block 111 La Porte, Harris County, Texas.



**Planning and Development Department Staff Report**  
**Special Exception – #SE-2024-0001**

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**DISCUSSION**

Location:

The subject site is located at 508 S. 2nd St., La Porte, TX.

Background Information:

The applicant seeks approval of Special Exception request #SE-2024-0001 to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity.

The subject property has an existing single-family residence with a 3-foot side setback. The previous property owner, owned 4 lots and separated them, selling 2 to the adjacent property owner and the other 2 to a new property owner. Separating the lots, caused the structure to be nonconforming as it no longer met the required setbacks.

The new property owner would like to cover an existing uncovered patio and raise the floor to meet the current home. The proposed rear patio covering will meet all current codes and ordinances.

The 0.14-acre site is currently zoned Low Density Residential (R-1) and is located within the La Porte subdivision.

The following table summarizes the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Low Density Residential (R-1)	Single Family
<b>South</b>	Low Density Residential (R-1)	Single Family
<b>West</b>	Low Density Residential (R-1)	Single Family
<b>East</b>	Low Density Residential (R-1)	Single Family

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-194 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least ten (10) days prior to the hearing; written notice mailed to owners of real property within 300 feet of the site within ten (10) days of the hearing; and a sign was posted on site within ten (10) days of the hearing. In accordance with state law, a notice of the public hearing was also posted at City Hall and on the City’s website.



**Zoning Board of Adjustment**  
**October 24, 2024 – Special Exception #SE-2024-0001**

As of the date of this writing, no notices have been returned from property owners within 300 feet of the site.

Applicable Code Provisions:

Section 106-262:

“(g) *Enlargement to nonconforming structure.* A structure that is nonconforming may be altered, remodeled or otherwise improved, but not enlarged, unless the board of adjustment determines (pursuant to section 106-191 (Special exceptions) that such enlargement will not result in an increase in the degree of nonconformity with the regulations and development standards of the district in which it is located.

(1) *Submission of schedule to eliminate nonconformity.* The applicant shall present to the board of adjustment a schedule for elimination or substantial reduction of the nonconformity over a reasonable period of time not to exceed 20 years, or setting forth the reasons why such action is not reasonably possible.

(2) *Approval of schedule by board of adjustment.* The board of adjustment shall review and make any revisions found necessary to ensure that priority is given to elimination or reduction of those nonconformities that have significant adverse impacts on surrounding properties, and which can reasonably be ameliorated taking into account the effect of the configuration of the lot and the location of existing structures and the cost of eliminating or substantially reducing such nonconformities.”

Section 106-265:

“(a) *Application requirements.* An owner or qualified occupant of a nonconforming use or structure may seek an exemption from the extended useful life and termination requirements of section 106-266 (Extended useful life and termination). The grounds upon which such an exemption may be sought shall be either:

(i) that the nonconforming use or structure has no adverse impact upon allowed land uses in the district in which it is located; or

(ii) that the nonconforming use or structure can be made compatible with such surrounding uses upon compliance with specified conditions. Such owner or qualified occupant shall submit an application to the planning director, on a form provided by the planning director, no less than ten working days prior to the date scheduled for the public hearing being conducted pursuant to section 106-266 (Extended useful life and termination).”

Analysis:

The applicant seeks approval of a special exception that would allow for the construction of a covering over an existing patio.

Part of Section 106-262 which allows the Zoning Board of Adjustments to allow a nonconforming structure to be enlarged, includes the requirement that the applicant present a schedule for elimination or substantial reduction of the nonconformity over a reasonable period of time not to exceed 20 years, or setting forth the reasons why such action is not reasonably possible. The adjacent property owner recently purchased 2 of the 4 lots which were previously combined.



**Zoning Board of Adjustment**  
**October 24, 2024 – Special Exception #SE-2024-0001**

Section 106-265 of the Zoning Ordinance states that an owner or qualified occupant of a nonconforming use or structure may seek an exemption from the extended useful life and termination requirements of section 106-266 (Extended useful life and termination). The grounds upon which such an exemption may be sought shall be either:

<b>Criterion:</b>	<b>Staff Finding:</b>
a. That the nonconforming use or structure has no adverse impact upon allowed land uses in the district in which it is located.	The property is zoned Low Density Residential (R-1) and the use will remain consistent with the zoning designation of the property.
b. That the nonconforming use or structure can be made compatible with such surrounding uses upon compliance with specified conditions.	There are approx. 8 other lots in the same block that are also built close to their property line. The nonconforming structure is compatible with the surrounding uses.
c. That such enlargement will not result in an increase in the degree of nonconformity with the regulations and development standards of the district in which it is located.	Minimum side and rear setback requirements for the proposed rear patio covering will be met. The proposed enlargement will not result in an increase in the degree of nonconformity with the regulations and development standards of the district in which it is located.
d. Schedule for elimination or substantial reduction of the nonconformity over a reasonable period of time not to exceed 20 years, or setting forth the reasons why such action is not reasonably possible.	In accordance with Section 106-265, the applicant is seeking an exemption from the extended useful life and termination requirements of section 106-266 (Extended useful life and termination).

Section 106-191 of the Zoning Ordinance states that the term “special exception” represents a “deviation from the requirements of this chapter, specifically enumerated herein, which shall be granted only in the following instances, and then only when the board finds that such special exception will not adversely affect the value and use of adjacent or neighboring property or be contrary to the best public interest. The following table outlines those criteria and staff’s analysis of those criteria:

<b>Criterion:</b>	<b>Staff Finding:</b>
a. That the granting of the special exception will not be contrary to the public interest.	There are approx. 8 other lots in the same block that are also built close to their property line. The granting of this special exception to the applicant would be in line with adjacent neighbors.
b. That by granting the special exception, the spirit of this chapter will be observed.	The proposed enlargement of the nonconforming structure will meet all current code requirements. The spirit of this section of the code will be met with the granting of the requested special exception.



**Zoning Board of Adjustment**  
**October 24, 2024 – Special Exception #SE-2024-0001**

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 (10) days after the filing of the decision in the office of the Board of Adjustment.

**ATTACHMENTS**

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Notification Map
- Exhibit D: Site photos
- Exhibit E: Application

# Exhibit A

## Aerial Map

Parcel # 0232200000024

Case # SE-2024-0001

 Subject Property



This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

0 50 100 Feet

1 inch = 100 feet



CITY OF LA PORTE PLANNING DEPARTMENT

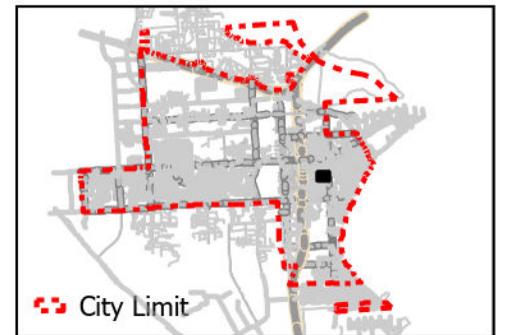


# Zoning Map

Parcel # 0232200000024  
Case # SE-2024-0001

## Exhibit B

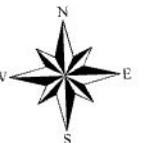
-  Subject Property
- Zoning Districts**
-  General Commercial
-  Low Density Residential
-  Medium Density Residential



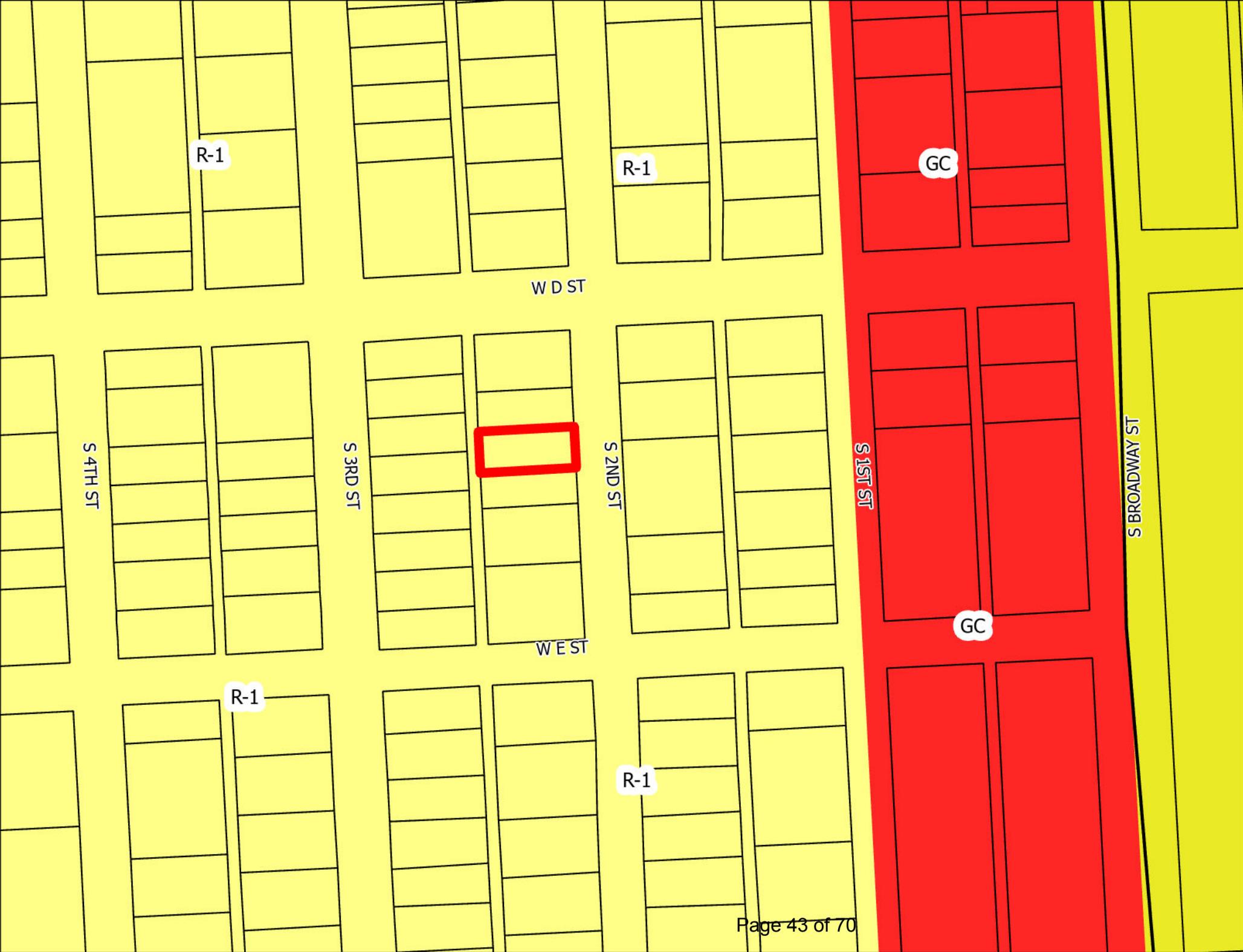
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0 75 150 Feet

1 inch = 150 feet



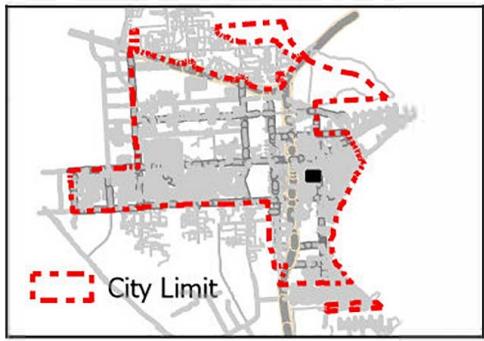
CITY OF LA PORTE PLANNING DEPARTMENT



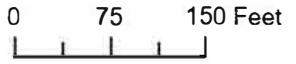
# Exhibit C Notification Map

Parcels within 300 feet of  
Parcel # 0232200000024  
Case # SE-2024-0001

-  Subject Property
-  Noticed Properties



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1 inch = 150 feet



CITY OF LA PORTE PLANNING DEPARTMENT



# Exhibit D

## Site Photo





# Exhibit E

## PLAN SNAPSHOT REPORT SE-2024-0001 FOR CITY OF LA PORTE

<b>Plan Type:</b> Special Exception	<b>Project:</b>	<b>App Date:</b> 09/20/2024
<b>Work Class:</b> Special Exception	<b>District:</b> Blank	<b>Exp Date:</b> NOT AVAILABLE
<b>Status:</b> Fees Paid	<b>Square Feet:</b> 0.00	<b>Completed:</b> NOT COMPLETED
<b>Valuation:</b> \$0.00	<b>Assigned To:</b>	<b>Approval Expire Date:</b>

**Description:** I want a permit to enclose existing patio. The last survey drawing shows only stone patio, however, the stones were placed over an existing concrete pad. I am also applying for exemption to the non-compliance 20 year occupancy timeline.  
I just paid \$195,000 for the home which is in very good condition. I request to be allowed a permit for the patio enclosure and special exemption for the non-compliance 20 yr occupancy rule.

<b>Parcel:</b> 0232200000024	Main	<b>Address:</b> 508 S 2Nd St	Main	<b>Zone:</b>
		La Porte, TX 77571		

Owner	Applicant
Sherrie Daniels	Sherrie Daniels
508 S 2ND ST	508 S 2ND ST
LA PORTE, TX 77571-5135	LA PORTE, TX 77571-5135
Business: (281) 471-6200	Business: (281) 471-6200
Mobile: (281) 691-4528	Mobile: (281) 691-4528

### Plan Custom Fields

Type of Special Exception Residential

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Sherrie_Daniels_9/20/2024.j pg	09/20/2024 4:46	Daniels, Sherrie		Uploaded via CSS

Note	Created By	Date and Time Created
1. advised application incomplete, need plot plan/ site plan. applicant stated has hired an engineer but does not have the document yet. Informed applicant that deadline for completed application is this coming Tuesday. November and December regular meetings may be cancelled due to conflicts with the holidays. followed up with an email	Yvonne Briscoe	09/20/2024 13:20
2. HCAD does not show owner, Ms. Daniels stated she just purchased the property and will provide a copy of the deed.	Yvonne Briscoe	09/26/2024 9:03

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00000628	Special Exception Application - Residential	\$150.00	\$150.00
<b>Total for Invoice INV-00000628</b>		<b>\$150.00</b>	<b>\$150.00</b>
<b>Grand Total for Plan</b>		<b>\$150.00</b>	<b>\$150.00</b>

Workflow Step / Action Name	Action Type	Start Date	End Date
<b>Application Completeness Check v.1</b>		09/20/2024 13:14	09/24/2024 14:49
Confirm Application Completeness v.1	Generic Action		09/20/2024 13:14
<b>Fees v.1</b>		09/24/2024 14:49	09/24/2024 16:25
Invoice Fees v.1	Generic Action		09/24/2024 14:49
Confirm Fees Paid v.1	Generic Action		09/24/2024 16:25
<b>Review v.1</b>			09/26/2024 14:42
Special Exception Review v.1	Receive Submittal		09/26/2024 14:42
<b>Zoning Board of Adjustment (ZBOA) v.1</b>			
Schedule Public Hearing (ZBOA) v.1	Hold Hearing		
Email Applicant Scheduled Hearing v.1	Generic Action		

**PLAN SNAPSHOT REPORT (SE-2024-0001)**

Post Sign Posting on Property v.1	Generic Action
Email Legal Ad to Bay Area Observer v.1	Generic Action
Confirm Bay Area Observer Published v.1	Generic Action
Mail Notice of Public Hearing v.1	Generic Action
Prepare and Distribute Staff Report v.1	Generic Action
Staff Report Approval v.1	Generic Action
Post Agenda and Packet on Website v.1	Generic Action
Agenda and Packet to Board Members v.1	Generic Action
Agenda Posted On Bulletin v.1	Generic Action
Record of Decision v.1	Generic Action
<b>Issue Record of Decision v.1</b>	
Issue Record of Decision v.1	Generic Action
Complete & Close Application v.1	Generic Action

Special Exception/Variance to Non-Compliant Lot

September 10, 2024

City of La Porte

Attention: Permitting

Owner: Sherrie Daniels

Location: 508 South 2<sup>nd</sup> Street, La Porte, TX 77571

Zone Designation: R1

Purpose Of Permit: Enclosure of existing concrete patio which previous owner covered with slate and concrete or grouting with narrow, round stairs located at the back door threshold to ground level.

Please note that this enclosure is very important to my overall feeling of security and safety in this scary day and age. Growing old may have its pluses but so far, I am not impressed.

I hope that this Variance request is favorably received by the Board of Review and await your final decision regarding this matter.

Sherrie Daniels  
508 S. 2<sup>nd</sup> Street  
La Porte, TX 77571  
281 691 4528  
Sherriewine4u2@yahoo.com

Special Exception/Variance to Non-Compliant Lot

September 10, 2024

City of La Porte  
Attention: Permitting

Owner: Sherrie Daniels

Location: 508 South 2<sup>nd</sup> Street, La Porte, TX 77571

Zone Designation: R1

Purpose Of Permit: Enclosure of existing concrete patio which previous owner covered with slate and concrete or grouting with narrow, round stairs located at the back door threshold to ground level.

To Whom It May Concern:

The purpose of this letter is to request a hardship special exception/variance as stipulated in City Ordinance 106-192 and as further outlined below:

1. On June 28, 2024 I purchased a 1950 single dwelling residential home located at 508 S 2<sup>nd</sup> Street, La Porte, TX 77571, Lots 26 and 27, Blk 111, La Porte, TX. I was not informed at the time of purchase that this home was in non-compliance to the regulations as outlined in La Porte's City Ordinances, Section 106 and more specifically, set-back requirements.
2. The home was constructed prior to 1988 so I am assuming the minimum set back requirements of 5' for the side property lines and the 25' of the front yard requirement were "grandfathered" in when the previous owners purchased the property. In addition, they purchased a total of four (4) lots, 24, 25, 26, and 27, Blk 111, La Porte, TX, however, prior to my purchase of the property, Lots 24 and 25 were sold to the next-door neighbor. This purchase resulting in my property having less than a 5' set back to the south side (left) property line.
3. I requested a permit to enclose an existing 16' x 16' patio, however, a permit is not allowed because my property is in non-compliance. I am requesting a hardship special exception to the refusal of a permit due to the following:
  - a. Health:
    1. I have mobility and equilibrium issues due to benign paroxysmal positional vertigo and degenerative joint disease resulting from sever osteoarthritis throughout the body, but most relevant to this request, the degenerative condition of my knee and feet resulting in difficulty navigating stairs. The current stairs are round and narrow resulting in a falling hazard for me. This enclosure is my attempt to eliminate this hazard.
    2. I also have also been diagnosed with a dyspnea which is a heart condition causing difficulty with breathing, light headiness, and chest pains due to insufficient blood to the heart. This just adds to the falling hazard in my day-to-day life.

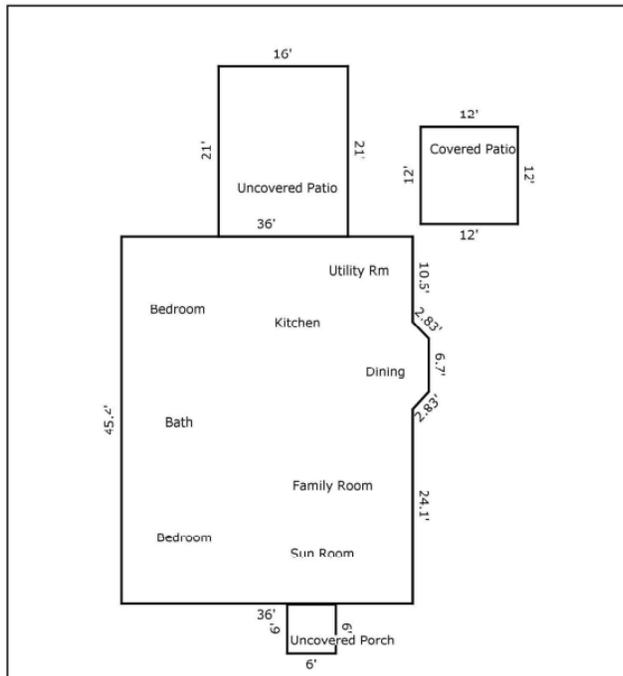
- b. Protection
  - 1. I am 68 years old and not getting any younger. The property does not have a fence around the entire circumference and would not even be eligible for a permit to erect one due to the existing non-compliance issue. I do not feel safe sitting outside by myself. Crimes against the elderly are on the rise and I need to be able to sit in my enclosure, windows open and a lock door between me and the rest of the world.
  - 2. Wildlife – I went to sit outside and encountered a snake on my patio. In my haste to get back into the home I fell on the steps and caused scraping and bruising of the knees which already have their share of problems. In addition, I have seen an opossum and a racoon wandering around the property that I do not wish to become acquainted with along with various cats and dogs.
- 4. In review of the requirements for a hardship variance, I wish to address these following requirements:
  - A. Expansion of current footprint of home – In response to this stipulation, please note that the home already had a 16' x 16' concrete patio prior to the previous owner's adding slate and concrete on top of the existing pad. By enclosing the existing patio area and raising the floor to meet the current threshold of my home, the results will not extend more than one foot above the height of the exterior finish grade elevation (raising floor a total of 12" from ground level), or does it place the enclosure a distance of less than two feet from any lot line, or encroach upon any utility easement and will eliminate a tripping/falling hazard for me.
  - B. Increase in the degree of nonconformity with the regulations and development standards of the district in which it is located – The enclosure is more than 5' from any side property line and 10' from the rear property line and will not, in anyway, increase the degree of nonconformity or will not adversely affect the value, be injurious to the enjoyment of and/or use of neighboring property, or be contrary to the best public interest.
  - C. Please refer to building plan for exact distance numbers.
- 5. I am requesting an exemption and/or extension from the extended useful life and termination requirements of Section 106-266 (Extended useful life and termination) - I recently purchased the home for a sale price of \$195,000.00 with a 30-year mortgage. I was not aware that the home was in non-compliance or when the non-compliance was actually declared and subject to a useful life span of 20 years or less. Therefore, per Ordinance 106-266, I am requesting an exemption and/or extension of the useful life period as necessary in order to enable me, the property owner, to recoup the current remaining useful investment in the property.

Building sketch of property showing patio. Enclosure dimensions are to be 16' x 16' x 8' sloping roof tall with 12" elevation and stick built.

DocuSign Envelope ID: 28177187-2379-4252-8C06-D684B0F6D8D2

Building Sketch

Borrower	Daniels, Sherrie			
Property Address	508 S 2nd St			
City	La Porte	County	Harris	State TX Zip Code 77571
Lender/Client	Shell Federal Credit Union			



Area Calculations Summary		Calculation Details	
TOTAL Sketch by a la mode			
Living Area	1651.8 Sq ft	$0.5 \times 2 \times 2 =$	2
First Floor		$0.5 \times 2 \times 3 =$	3
		$6.7 \times 2 =$	13.4
		$45.4 \times 36 =$	1634.4
<b>Total Living Area (Rounded):</b>	<b>1652 Sq ft</b>		
Non-living Area			



# SITE PLAN

Address: 508 S 2nd St

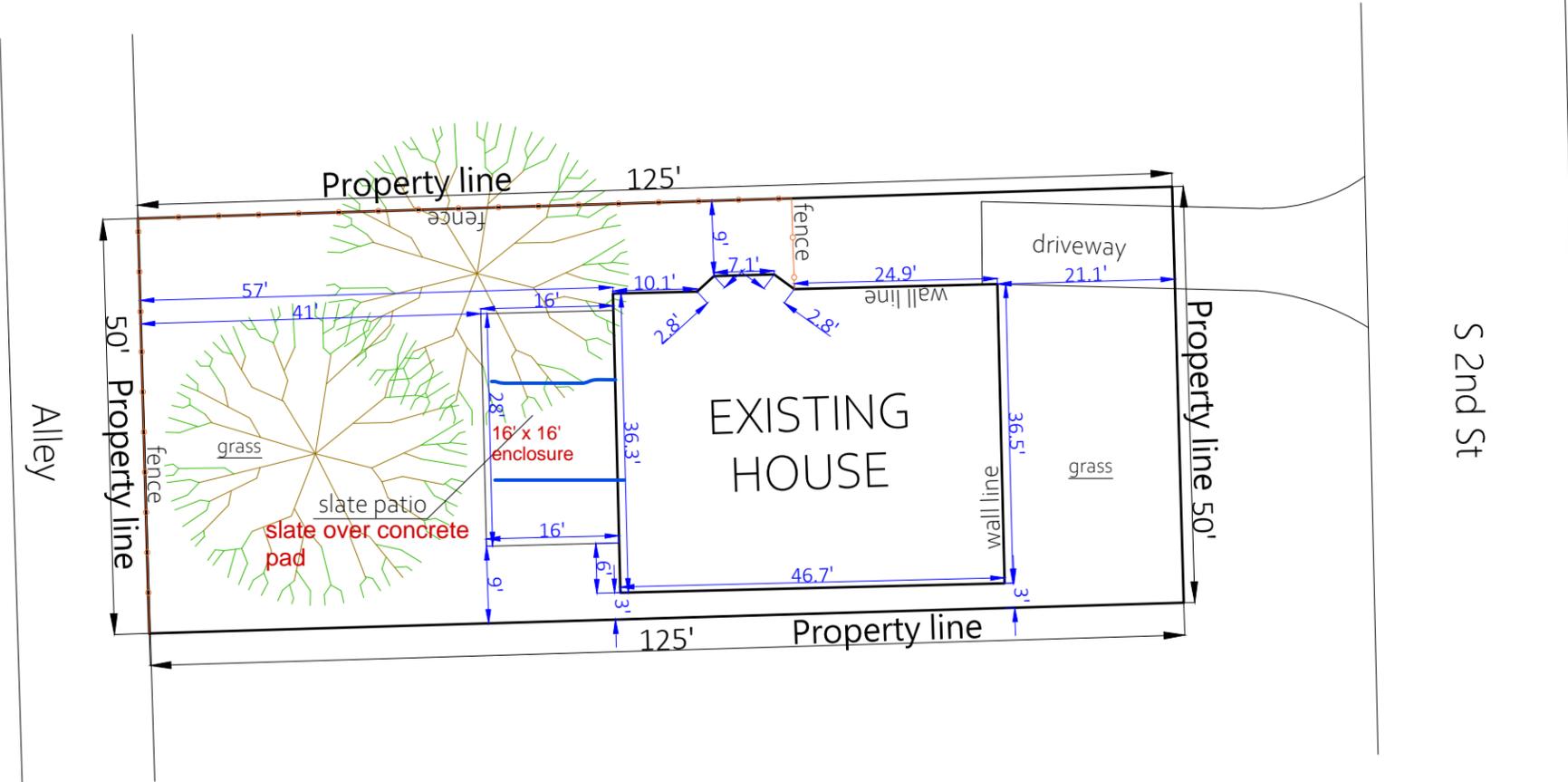
La Porte, TX 77571

Parcel ID: 0232200000024

Lot area: 0.14 Acres / 6,251 sq. ft.

Plot Size: 11"x17"

Drawing scale: 1"=20'



**BuyaSitePlan**  
Fast and Quality Site Plans

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



## **AGENDA ITEM 5.d**

### **Variance # VAR-2024-0004:**

The Board will hold a Public Hearing to receive input on Variance VAR-2024-0004, a request by Willis Gandhi, applicant, on behalf of Sailesh and Paresh Gandhi, owner, for approval of the following:

- A Variance from Section 106-443, Table A Commercial Area Requirements, to allow a reduction in the required landscaping along frontages (rights-of-way) from 10 feet to 4 1/2 feet; and
- A Variance from Section 106-800, Commercial Landscaping, regarding the requirement that all off-street parking, maneuvering, and loading areas shall be setback 30 feet from any street ROW line, on a lot located at 1245 S. 13<sup>th</sup> St., and legally as RES A, BLK 1, Home Porte, La Porte, Harris County, Texas.



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0004**

**Planning and Development Department Staff Report**  
**Variance-2024-0004**

---

**DISCUSSION**

**Location:**

The subject property is located at 1245 S. 13<sup>th</sup> St.

**Background Information:**

A single building comprising two hotel brands - TownePlace Suites and Fairfield Inn and Suites, both under the Marriott Group, is currently under construction at the subject property. During the review of the site plan, based on acreage (2.39 acres) and General Commercial (GC) zoning, Staff identified the necessity to comply with the following sections of the La Porte Zoning Ordinance:

- **Section 106-443, Table A, Commercial Area Requirements** which requires sites along right-of-way (ROW) frontages to maintain a minimum landscaped area of 10 feet in width with a number of plantings, and
- **Section 106-800, Commercial Landscaping** which requires off-street parking, maneuvering, and loading areas to be setback 30 feet from any street ROW line.

These requirements are applicable along W. K St. and S.15<sup>th</sup> St.; both considered unimproved ROWs. The applicant is requesting a variance to reduce the required 10-foot landscaped frontage by 5.35 feet, resulting in a proposed landscape frontage of 4.5 feet along both frontages. Additionally, parking spaces are proposed to be situated approximately 4.5 feet from the street ROW lines of both W. K St. and S. 15<sup>th</sup> St. Finally, proposed maneuvering areas which facilitate vehicle access to parking and loading areas, are also within the required 30-foot setback from the unimproved street ROW.

**Zoning**

The subject property is zoned General Commercial. Exhibit B illustrates the zoning districts and land uses of the subject property and surrounding properties. The below table summarizes surrounding zoning districts and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Commercial (GC)	Undeveloped ROW
<b>South</b>	General Commercial (GC)	Hotel
<b>West</b>	General Commercial (GC)	Undeveloped ROW
<b>East</b>	General Commercial (GC)	Undeveloped Land



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0004**

**Notification Requirements:**

Staff finds that the public hearing notification requirements outlined in Section 106-194 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least ten (10) days prior to the hearing; written notice mailed to owners of real property within 300 feet of the site within ten (10) days of the hearing; and a sign was posted on site within ten (10) days of the hearing. In accordance with state law, a notice of the public hearing was also posted at City Hall and on the City’s website.

Staff mailed fourteen (14) notices to all property owners within 300 feet of the site. As of the date of this writing, no notices have been returned.

**Applicable Code Provisions:**

- Section 106-443, Table A, Commercial Area requirements

Uses	Minimum Landscape Requirements
GC, General Commercial; all permitted or conditional	7.5% landscape area- one acre – 10 acres – 10 foot minimum frontage, with footnote 5

- Footnote 5 references Section 106-800, Commercial Landscaping
  - (a) Lot and Setback Standards
    - (1) All- off-street parking, maneuvering and loading areas shall be setback at least 30 feet from any street right-of-way line.

**Analysis:**

Section 106-192 of the La Porte Zoning Ordinance states that the term “variance represents a deviation from the literal provisions of this chapter which is granted by the board when strict conformity to this chapter would cause an unnecessary hardship because of the circumstances unique to the property on which the variance is granted.” The Zoning Ordinance further defines an “unnecessary hardship as a physical hardship related to the property itself, as distinguished from a hardship related to convenience, and the hardship must not result from the applicant or property owner’s actions, and that by granting the variance, the spirit of the Zoning Ordinance will be observed.

The Board is authorized to grant a variance when the Board finds that **all** of the following conditions are met. The following table outlines the conditions and staff’s analysis:

Conditions	Staff Findings:
a. That the granting of the variances will not be contrary to the public interest.	Public interest is often expressed through City Council who are elected by citizens to advance the goals of the city through adoption of ordinances, i.e. laws. Granting the variance will not be contrary to the public interest. It is important to note that



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0004**

	<p>the standards have not been applied uniformly throughout the city. This inconsistency suggests that the strict application of this regulation may not be serving the overall community effectively. By approving the variance, equitable treatment is promoted. Additionally, staff is proposing an amendment to Chapter 106, Zoning Ordinance, as it relates to the 30-foot setback for parking, maneuvering and loading areas. A meeting before the Chapter 106 Subcommittee is scheduled in November.</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 situations 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 actions.</p>	<p>Approving this variance will help ensure equitable treatment within our zoning framework and foster development that benefits the broader community. It is crucial to balance the application of regulations with the need for flexibility in specific circumstances.</p> <p>Granting the variance aligns with the city's commitment to fairness and will not undermine the intent of zoning regulations.</p>
<p>c. That by granting the variance, the spirit of this chapter will be observed.</p>	<p>By approving the variance, the City not only recognizes the intent behind zoning regulation, but also provides flexibility needed to accommodate unique circumstances that enhance the community, demonstrating a commitment to balanced and thoughtful consideration.</p>

In 2021, HB 1475 was approved which allows for more objective criteria that the Board can consider in determining whether compliance with a city's zoning ordinance, as applied to a structure would result in unnecessary hardship. Until the passage of H.B. 1475, an unnecessary hardship would be one that was not self-imposed, personal in nature, related to the property for which the variance is sought, and not solely a financial hardship. The hardship needed to be a condition unique, oppressive, and not common to other property.



**Zoning Board of Adjustment**  
**October 24, 2024 – VAR-2024-0004**

If special conditions exist, then the Board may consider the following as grounds to make a determination whether compliance, as applied to a structure that is the subject of the variance, would result in unnecessary hardship. The table below outlines the criteria as it relates to a financial hardship:

Conditions	Staff Findings:
a. If the financial cost of compliance with the Zoning Ordinance is greater than 50% of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the City under Section 26.01. Tax Code, or successor and as amended, then the Board may find that to be an unnecessary hardship.	N/A, as no special conditions exist.
b. If compliance with the Zoning Ordinance would result in a loss to the lot on which the structure is located of at least 25% of the area on which development may physically occur, then the Board may find that to be an unnecessary hardship.	N/A, as no special conditions exist.

**Appeal Procedure:**

Section 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 (10) days after the filing of the decision in the office of the Board of Adjustment.

**ATTACHMENTS**

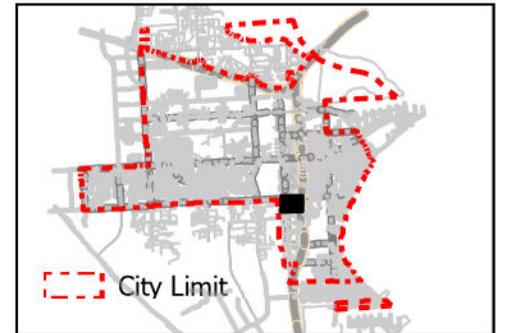
- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Notification Map
- Exhibit D: Site Photos
- Exhibit E: Application

# Aerial Map

Parcel # 1291920010001  
Case # VAR-2024-0004

 Subject Property

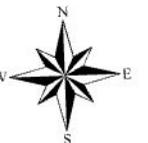
Exhibit A



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0 125 250 Feet

1 inch = 250 feet

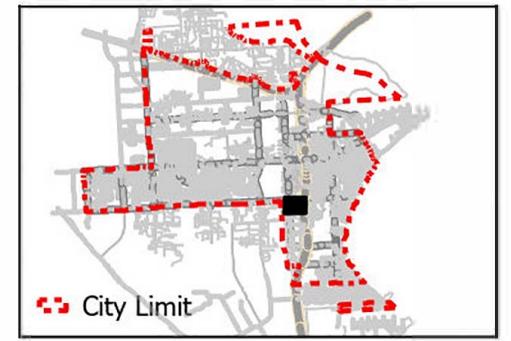


CITY OF LA PORTE PLANNING DEPARTMENT

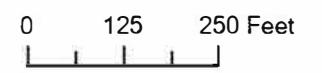
# Exhibit B Zoning Map

Parcel # 1291920010001  
Case # VAR-2024-0004

-  Subject Property
- Zoning Districts**
-  General Commercial
-  Heavy Industrial
-  Light Industrial
-  Planned Unit Development
-  Medium Density Residential



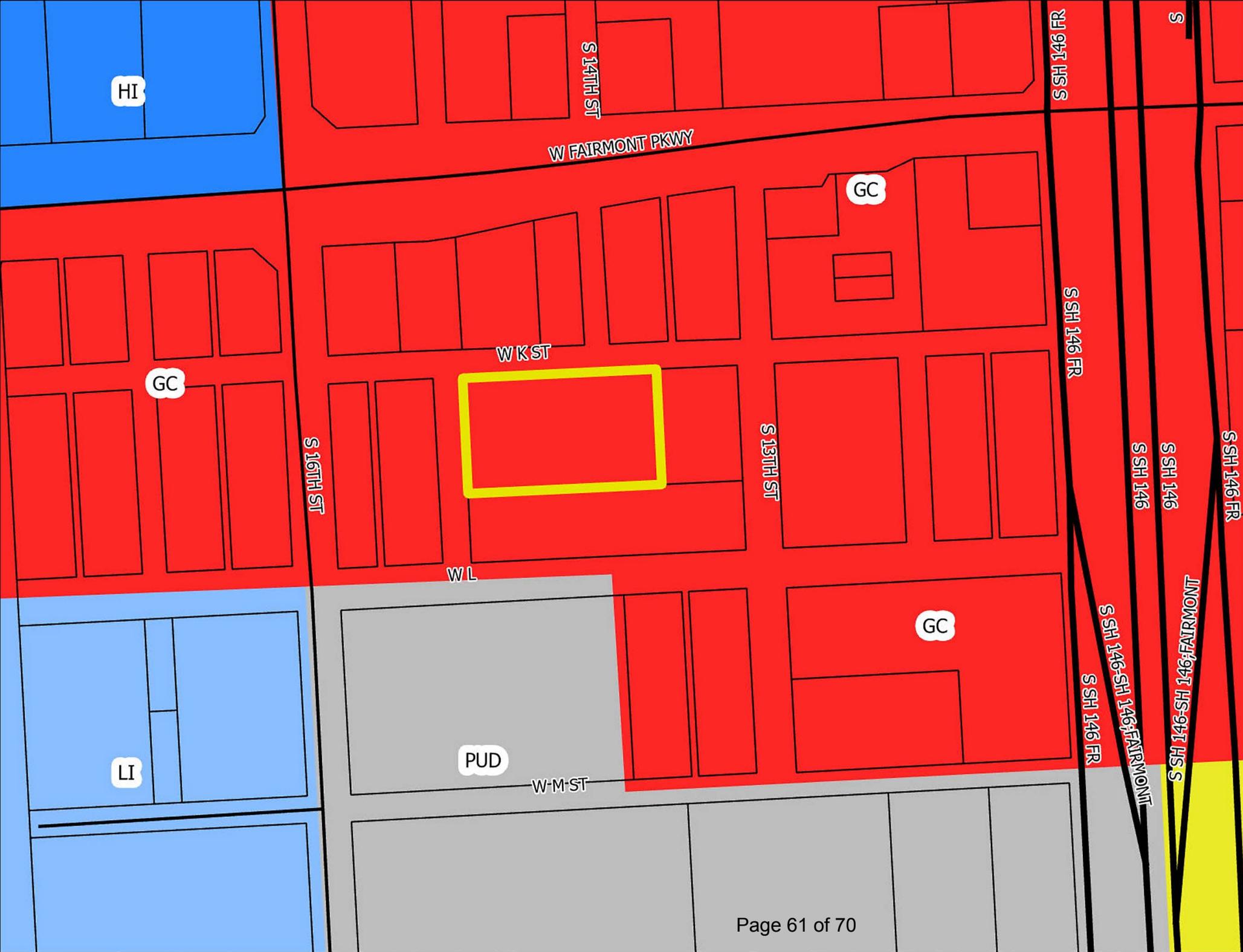
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1 inch = 250 feet



CITY OF LA PORTE PLANNING DEPARTMENT

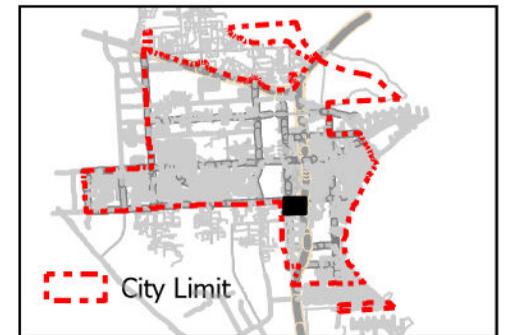


# Notification Map

Parcels within 300 feet of  
Parcel # 1291920010001  
Case # VAR-2024-0004

## Exhibit C

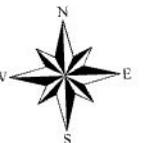
-  Subject Property
-  Noticed Properties



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0 125 250 Feet

1 inch = 250 feet



CITY OF LA PORTE PLANNING DEPARTMENT



## Exhibit D

## Site Photo





# Exhibit E

## PLAN SNAPSHOT REPORT VAR-2024-0004 FOR CITY OF LA PORTE

<b>Plan Type:</b> Variance	<b>Project:</b>	<b>App Date:</b> 09/23/2024
<b>Work Class:</b> Variance	<b>District:</b> Blank	<b>Exp Date:</b> NOT AVAILABLE
<b>Status:</b> Submitted	<b>Square Feet:</b> 0.00	<b>Completed:</b> NOT COMPLETED
<b>Valuation:</b> \$0.00	<b>Assigned To:</b> Matthews, Johnna	<b>Approval Expire Date:</b>

**Description:** variance from the required 10 foot street landscaping width requirement

<b>Parcel:</b> 1291920010001	Main	<b>Address:</b> 1245 S 13Th St La Porte, TX 77571	Main	<b>Zone:</b>
------------------------------	------	--	------	--------------

<b>Owner</b> Sailesh Ghandi 1251 S 13TH ST LA PORTE, TX 77571 Business: (409) 256-0018	<b>Applicant</b> Willis Gandhi Business: (409) 256-0018
--	---

### Plan Custom Fields

Lot Area (square footage or acreage)	2.39 acres	Type of Variance	Commercial
--------------------------------------	------------	------------------	------------

Workflow Step / Action Name	Action Type	Start Date	End Date
<b>Application Completeness Check v.1</b>		09/23/2024 13:18	
Confirm Application Completeness v.1	Generic Action		09/23/2024 13:18
<b>Fees v.1</b>			
Invoice Fees v.1	Generic Action		
Confirm Fees Paid v.1	Generic Action		
<b>Review v.1</b>			
Variance Review v.1	Receive Submittal		
<b>Zoning Board of Adjustment (ZBOA) v.1</b>			
Schedule Public Hearing (ZBOA) v.1	Hold Hearing		
Email Applicant Scheduled Hearing v.1	Generic Action		
Post Sign Posting on Property v.1	Generic Action		
Email Legal Ad to Bay Area Observer v.1	Generic Action		
Confirm Bay Area Observer Published v.1	Generic Action		
Mail Notice of Public Hearing v.1	Generic Action		
Prepare and Distribute Staff Report v.1	Generic Action		
Staff Report Approval v.1	Generic Action		
Post Agenda and Packet on Website v.1	Generic Action		
Agenda and Packet to Board Members v.1	Generic Action		
Agenda Posted On Bulletin v.1	Generic Action		
<b>Issue Record of Decision v.1</b>			
Issue Record of Decision v.1	Generic Action		
<b>Close Application v.1</b>			
Complete & Close Application v.1	Generic Action		

DISCOVERY OF ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF CARNES ENGINEERING INC. PRIOR TO ANY CONSTRUCTION WORK OR PURCHASES. ALL DIMENSIONS AND CLEARANCES TO BE VERIFIED BY OWNER/CONTRACTOR PRIOR TO BEGINNING ANY CONSTRUCTION. CARNES ENGINEERING INC. IS NOT RESPONSIBLE FOR ANY CONSTRUCTION ISSUES WHICH MAY ARISE DURING OR AFTER THE CONSTRUCTION OF THIS BUILDING. THERE ARE NO WARRANTIES OR WARRANTIES SPECIFIC OR IMPLIED ASSOCIATED WITH THESE DESIGN DOCUMENTS.

**GENERAL NOTES**

1. ALL PARKING SPACES ARE 9FT X 18FT.
2. PROVIDE AN EXPANSION JOINT AT THE PROPERTY LINE.
3. AUTOMATIC IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPING.
4. CAR STOPS TO BE PROVIDED ON THE NORTH SIDE OF THE PARKING LOT. THE DUMPSTER AND STORAGE AREA TO BE MADE OF BLOCK WITH STUCCO MATCHING THE BUILDING AND A SOLID METAL GATE.
5. OWNER TO PROVIDE A SECURITY SURVEILLANCE SYSTEM FOR INGRESS AND EGRESS POINTS AND FOR THE PARKING AREAS.
6. THERE ARE NO EASEMENTS ON THE PROPERTY.
7. THE SANITARY SEWER CONNECTION WILL BE THE RESPONSIBILITY OF THE CITY. THE CITY WILL INSPECT BEFORE BACKFILLING.
8. IF THE DOMESTIC WATER METER IS LARGER THAN 2" THE WATER TAP WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
9. FIRE LINE INSTALLATION AND BACK-FLOW PREVENTION DEVICE WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

PERFORMANCE STANDARDS: THE FOOTNOTES IN SECTION 106.310 CONTAIN A NUMBER OF PERFORMANCE STANDARDS REQUIRED FOR ALL COMMERCIAL AND INDUSTRIAL DEVELOPMENT. THE FOLLOWING NOTES MUST BE INCLUDED ON THE SITE PLAN:

LIGHTING AND GLARE: ANY LIGHTING USED SHALL BE ARRANGED SO AS TO DEFLECT LIGHT AWAY FROM ANY ADJOINING RESIDENTIAL ZONE OR FROM PUBLIC STREETS, DIRECT OR SKY-REFLECTED GLARE, WHERE FROM FLOODLIGHTS OR FROM HIGH TEMPERATURE PROCESSES SUCH AS COMBUSTION OR WELDING SHALL NOT BE DIRECTED ONTO ANY ADJOINING PROPERTY. THE SOURCE OF LIGHTS SHALL BE HOODED OR CONTROLLED IN SOME MANNER SO AS NOT TO LIGHT ADJACENT PROPERTY. BARE INCANDESCENT LIGHT BULBS SHALL NOT BE PERMITTED IN VIEW OF ADJACENT PROPERTY OR PUBLIC RIGHT-OF-WAY. ANY LIGHT OR COMBINATION OF LIGHTS WHICH CASTS LIGHT ON A PUBLIC STREET SHALL NOT EXCEED ONE FOOTCANDLE (METER READING) AS MEASURED FROM THE CENTERLINE OF SUCH ANY LIGHT OR COMBINATION OF LIGHTS WHICH CASTS LIGHT ON RESIDENTIAL PROPERTY SHALL NOT EXCEED 0.4 FOOTCANDLES (METER READING) AS MEASURED FROM SUCH PROPERTY.

RADIATION AND ELECTRICAL EMISSIONS: NO ACTIVITIES SHALL BE PERMITTED THAT EMIT DANGEROUS RADIOACTIVITY BEYOND ENCLOSED AREAS. THERE SHALL BE NO ELECTRICAL DISTURBANCE ADVERSELY AFFECTING THE OPERATION AT ANY POINT OF ANY EQUIPMENT OTHER THAN THAT OF THE CREATOR OF SUCH DISTURBANCE.

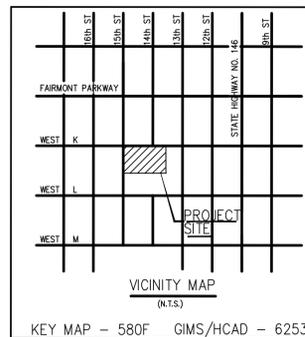
SMOKE: THE EMISSION OF SMOKE BY ANY USE SHALL BE IN COMPLIANCE WITH AND REGULATED BY THE APPROPRIATE FEDERAL, STATE OR LOCAL AGENCY.

DUST OR OTHER PARTICULATE MATTER: THE EMISSION OF DUST, FLY ASH OR OTHER PARTICULATE MATTER BY ANY USE SHALL BE IN COMPLIANCE WITH AND REGULATED BY THE APPROPRIATE FEDERAL, STATE OR LOCAL AGENCY.

ODORS: THE EMISSION OF ODOR BY ANY USE SHALL BE IN COMPLIANCE WITH AND REGULATED BY THE APPROPRIATE FEDERAL, STATE OR LOCAL AGENCY.

EXPLOSIVES: NO ACTIVITIES INVOLVING THE STORAGE, UTILIZATION, OR MANUFACTURE OF MATERIALS OR PRODUCTS SUCH AS TNT OR DYNAMITE WHICH COULD DECOMPOSE BY DETONATION SHALL BE PERMITTED EXCEPT SUCH AS ARE SPECIFICALLY LICENSED BY THE CITY COUNCIL.

NOISE: ALL NOISE SHALL BE MUFFLED SO AS NOT TO BE OBJECTIONABLE DUE TO INTERMITTENCE, BEAT FREQUENCY OR SHRILLNESS AND AS MEASURED AT ANY PROPERTY LINE IN ACCORDANCE WITH THE DECIBEL LEVELS OUTLINED IN SECTION 106-310 OF THE CITY CODE OF ORDINANCES.



NAME OF DEVELOPMENT: FAIRFIELD INN AND SUITES & TOWNPLACE SUITES  
 TYPE OF DEVELOPMENT: 4- STORY 140 ROOM MOTEL 157 PARKING SPACE, COMMERCIAL  
 LEGAL DESCRIPTION: HOME PORTE SUBDIVISION, COMMERCIAL RESERVE "A" BLOCK 1  
 ADDRESS: 1245 13TH STREET  
 AREA: 104,437 SQ.FT.~2.39 AC., BUILDING 20,595, LOT COVERAGE 20%  
 ZONING TYPE: GC  
 OWNER: PARESH & SAILESH GANDHI  
 DEVELOPER: WILLIS GANDHI  
 ENGINEER: JAMES E. DEEVER, JR. P.E.  
 HCAD: 1291920010001  
 NAICS: 721110  
 DEVELOPED AREA: 104,437 SQ.FT.~2.39 AC.

**FLOOD STATEMENT**

THIS TRACT IS IN FLOOD ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. MAP # 485487, PANEL 0945M, DATED JANUARY 06, 2017.

**OWNERS CERTIFICATION**

I PARESH & SAILESH GANDHI AS OWNER OF THE 2.39 ACRE TRACT DESCRIBED IN THE ABOVE FOREGOING SITE PLAN OF FAIRFIELD INN AND SUITES & TOWNPLACE SUITES DO HEREBY ESTABLISH SAID DEVELOPMENT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID SITE PLAN. I FURTHER CERTIFY THAT ALL IMPROVEMENTS SHOWN ON SAID SITE PLAN SHALL BE CONSTRUCTED IN THE LOCATIONS SHOWN.

WITNESS MY HAND IN THE CITY OF \_\_\_\_\_

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
 PARESH GANDHI

WITNESS MY HAND IN THE CITY OF \_\_\_\_\_  
 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
 SAILESH GANDHI

**CITY APPROVING AUTHORITY CERTIFICATE**

THIS IS TO CERTIFY THAT ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ THE CITY OF LA PORTE, TEXAS, HAS APPROVED THIS SITE PLAN AND DEVELOPMENT OF A HOTEL IN CONFORMANCE WITH THE ORDINANCES OF THE CITY OF LA PORTE.

BY: \_\_\_\_\_  
 DIRECTOR, PLANNING AND DEVELOPMENT

PLANNING MANAGER

CITY ENGINEER

**LANDSCAPING CALCULATIONS**

TOTAL AREA DEVELOPED 104,437 - COVERED AREA 20,595 = 83,842  
 TOTAL LOT COVERAGE 20,595/104,437 = 0.19% COVERED AND 81% UNCOVERED  
 LANDSCAPING REQUIRED (7.5%) = 104,437 X 0.075 = 7,832 SQFT  
 LANDSCAPING PROVIDED PERIMETER = 417' + 250' + 387' + 220' X 4.5' = 5,733 SQFT  
 LANDSCAPING PROVIDED AROUND THE BUILDING = 7,590 SQFT  
 LANDSCAPING PROVIDED IN THE PARKING AREA = 3,854 SQFT  
 TOTAL LANDSCAPING PROVIDED = 17,177 SQFT 16.4%  
 PARKING SPACE LANDSCAPING 157/10 = 16 TREE X 135 = 2,120 SQFT REQUIRED  
 PARKING SPACE LANDSCAPING PROVIDED = 16 TREE, 2,304 SQFT

**LANDSCAPING LEGEND**

1. TREES TO BE LIVE OAK (3 INCH CALIPER MIN., 6 FEET IN HEIGHT MIN.)
2. SHRUBS TO BE INDIAN HAWTHORN, DWARF VARIETY (WHITE OF PINK), 3 GALLON OR BIGGER (18 INCH TALL MIN.) OR THE EQUIVALENT, HEDGEROW TO BE 3 FEET HIGH MIN. WITHIN 2 YEARS OF PLANTING.



OAK TREE - 16 3" CALIPER



GRAPE MYRTLE - 73 3" CALIPER



INDIAN HAWTHORNE SHRUB - 425 3 GALLON

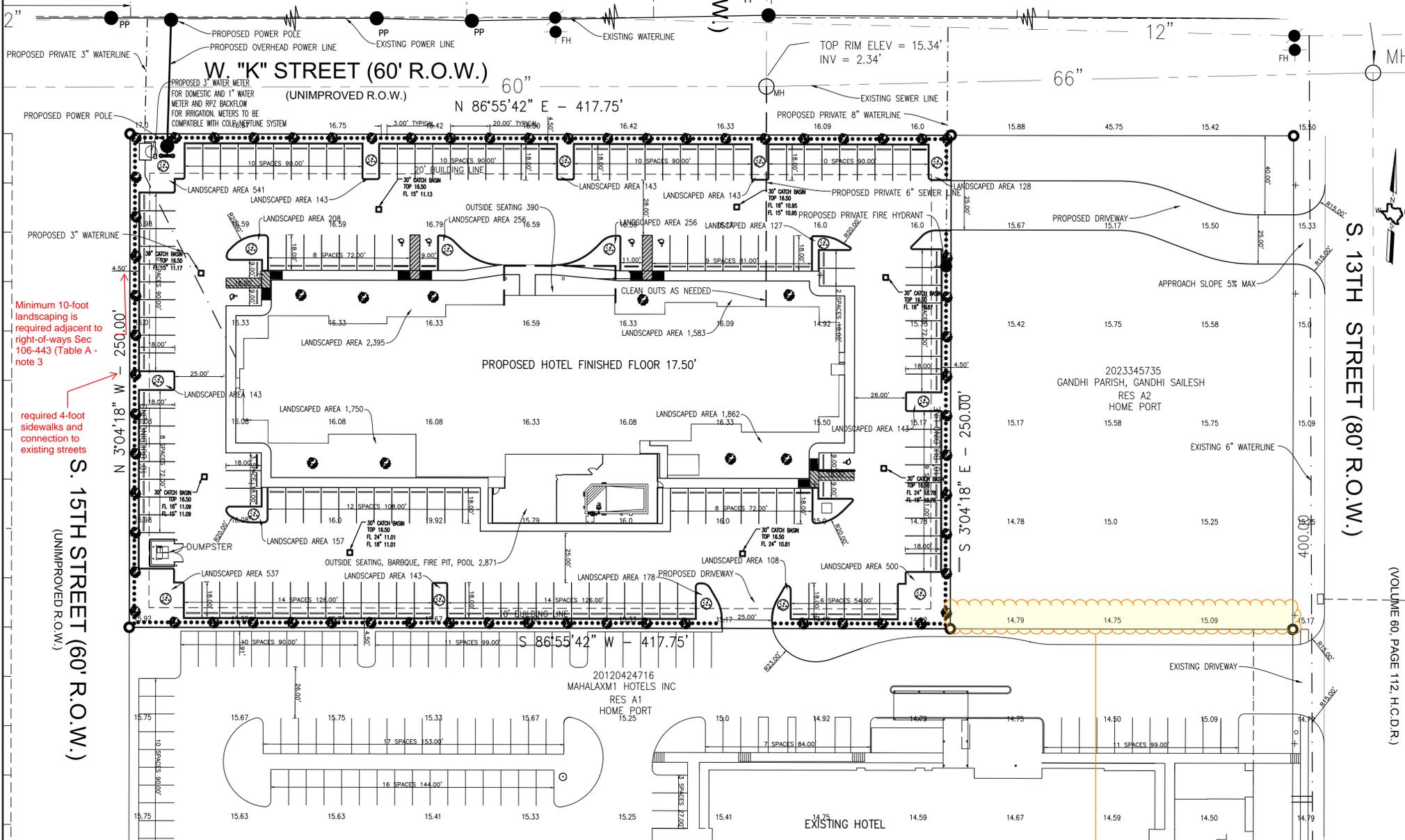
**PARKING CALCULATIONS**

NAICS - 721110  
 4 SPACES MINIMUM PLUS 1 PER ROOM AND 1 PER EMPLOYEE  
 140 ROOMS = 140 SPACES  
 4 EMPLOYEES = 4 SPACES  
 TOTAL REQUIRED = 144 SPACES  
 SPACES PROVIDED = 157  
 ACCESSIBLE SPACES REQUIRED = 5  
 ACCESSIBLE SPACES PROVIDED = 5

**GREASE TRAP**

THE GREASE TRAP WILL BE PROVIDED AS AN ABOVE GROUND UNDER THE 3 COMPARTMENT SINK.

(VOLUME 80, PAGE 112, H.C.D.R.)



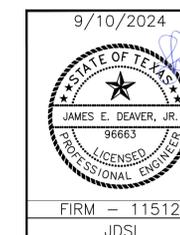
**SITE PLAN**

SCALE: 1"=30'

**LEGEND**

- XX.XX EXISTING GRADE
- TC XX.XX TOP OF CURB
- TP XX.XX TOP OF PAVEMENT
- FG XX.XX FINISH GRADE

Waiting for the drainage easement recording information.



**CARNES DESIGNS, LLC**

12605 I.H. 10 EAST  
 BAYTOWN, TEXAS 77520  
 (281) 385-1200  
 FAX (281) 385-0920

INFO@CARNESDESIGNS.COM

REV	DATE	BY	DESCRIPTION
01	01/30/24	MM	CITY OF LA PORTE REVISIONS
03	08/30/24	MM	CITY OF LA PORTE REVISIONS
04	09/10/24	MM	CITY OF LA PORTE REVISIONS

FAIRFIELD INN AND SUITES & TOWNPLACE SUITES  
 1245 13TH STREET  
 LA PORTE, TEXAS  
 HARRIS COUNTY

**SITE PLAN**

DESIGNED	MM	SCALE	AS NOTED	SHEET NO.
DRAWN	MM	DATE	12/14/2023	C-1
CHECKED				
FILE				



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**100 YEAR EVENT**

TC = 10 (A)<sup>0.1761</sup> + 10 MIN  
 A = 2.00 ACRES  
 TC = 10 (2.00)<sup>0.1761</sup> + 10 MIN = 11.12 MIN USE 10.00 MIN

**100 YEAR EVENT**

B 60.66  
 D 4.44  
 E 0.5797

**5 YEAR EVENT**

B 52.32  
 D 7.88  
 E 0.6900

**STORM SEWER 5 YEAR EVENT**

I = B/(TC+D)<sup>E</sup> 0.6900  
 I = 52.32/(10+7.88)<sup>0.1761</sup>  
 I = 7.15 IN/HR

**STORM SEWER 100 YEAR EVENT**

I = B/(TC+D)<sup>E</sup> 0.5797  
 I = 60.66/(10+4.44)<sup>0.1761</sup>  
 I = 12.90 IN/HR

**PRE DEVELOPED 100YR DRAINAGE AREA**

DA	C	I	AREA ACRES	Q CFS
1.	0.30	12.90	0.33	1.28
2.	0.30	12.90	0.29	1.12
3.	0.30	12.90	0.12	0.46
4.	0.30	12.90	0.12	0.46
5.	0.30	12.90	0.12	0.46
6.	0.30	12.90	0.12	0.46
7.	0.30	12.90	0.56	2.17
8.	0.30	12.90	0.56	2.17
TOTAL	0.30	12.90	2.22	8.59

**PRE DEVELOPED 5YR DRAINAGE AREA**

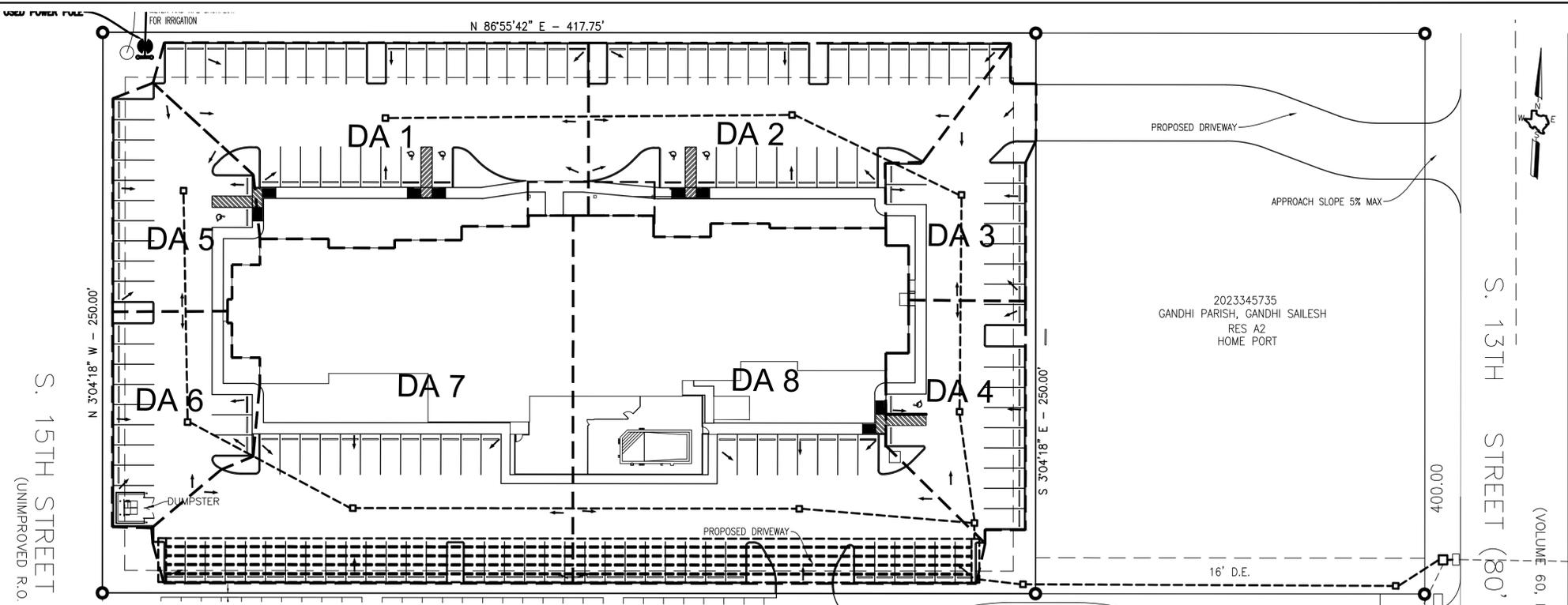
DA	C	I	AREA ACRES	Q CFS
1.	0.30	7.15	0.33	0.71
2.	0.30	7.15	0.29	0.62
3.	0.30	7.15	0.12	0.26
4.	0.30	7.15	0.12	0.26
5.	0.30	7.15	0.12	0.26
6.	0.30	7.15	0.12	0.26
7.	0.30	7.15	0.56	1.20
8.	0.30	7.15	0.56	1.20
TOTAL	0.30	7.15	2.22	4.76

**DEVELOPED 100YR DRAINAGE AREA**

DA	C	I	AREA ACRES	Q CFS
1.	0.85	12.90	0.33	3.62
2.	0.85	12.90	0.29	3.18
3.	0.85	12.90	0.12	1.32
4.	0.85	12.90	0.12	1.32
5.	0.85	12.90	0.12	1.32
6.	0.85	12.90	0.12	1.32
7.	0.85	12.90	0.56	6.14
8.	0.85	12.90	0.56	6.14
TOTAL	0.85	12.90	2.22	24.34

**DEVELOPED 5YR DRAINAGE AREA**

DA	C	I	AREA ACRES	Q CFS
1.	0.85	7.15	0.33	2.01
2.	0.85	7.15	0.29	1.76
3.	0.85	7.15	0.12	0.73
4.	0.85	7.15	0.12	0.73
5.	0.85	7.15	0.12	0.73
6.	0.85	7.15	0.12	0.73
7.	0.85	7.15	0.56	3.40
8.	0.85	7.15	0.56	3.40
TOTAL	0.85	7.15	2.22	13.49



**DRAINAGE AREA MAP**

SCALE: 1"=30'

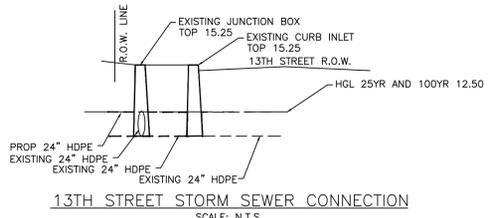


**13TH STREET OUTFALL 25 YEAR**

Station	Station	Length	Drainage Area	Drainage Area	RunoffCoeff	Cx Area	Cx Area	Tc	Tc	Intensity	Intensity	Runoff	Runoff	AddnFlow	TotalFlow	CapFull	AveVel	Line	Line	Invert Elev	Invert Elev	HGL Elev	HGL Elev	Surface Elev	Surface Elev	Line Id
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	(min)	(min)	(in/hr)	(in/hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(ft/s)	(in)	(%)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	
1	Outfall	3	0	0	0	0	0	10	10	0	0	0	0	11.5	11.5	7.54	3.66	24	0.11	10.5	10.5	12.5	12.5	15.25	15.25	

**13TH STREET OUTFALL 100 YEAR**

Station	Station	Length	Drainage Area	Drainage Area	RunoffCoeff	Cx Area	Cx Area	Tc	Tc	Intensity	Intensity	Runoff	Runoff	AddnFlow	TotalFlow	CapFull	AveVel	Line	Line	Invert Elev	Invert Elev	HGL Elev	HGL Elev	Surface Elev	Surface Elev	Line Id
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	(min)	(min)	(in/hr)	(in/hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(ft/s)	(in)	(%)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	
1	Outfall	3	0	0	0	0	0	10	10	0	0	0	0	11.5	11.5	7.54	3.66	24	0.11	10.5	10.5	12.5	12.5	15.25	15.25	



**13TH STREET STORM SEWER CONNECTION**

SCALE: N.T.S.

**5 YEAR**

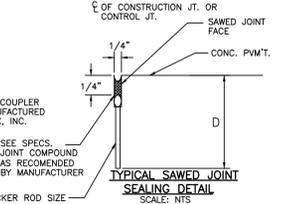
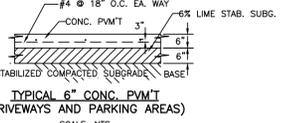
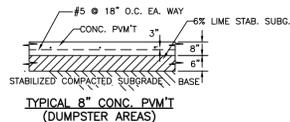
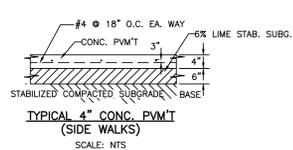
Station	Station	Length	Drainage Area	Drainage Area	RunoffCoeff	Cx Area	Cx Area	Tc	Tc	Intensity	Intensity	Runoff	Runoff	AddnFlow	TotalFlow	CapFull	AveVel	Line	Line	Invert Elev	Invert Elev	HGL Elev	HGL Elev	Surface Elev	Surface Elev	Line Id
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	(min)	(min)	(in/hr)	(in/hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(ft/s)	(in)	(%)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	
1	Outfall	18	0	2.22	0	0	1.89	0	13.5	0	6.3	0	11.88	0	11.88	7.54	3.78	24	0.11	10.7	10.68	12.7	12.68	16.75	16	
2	1	20	0	2.22	0	0	1.89	0	13.5	0	6.32	0	11.92	0	11.92	21.09	2	36	0.1	10.72	10.7	13.07	13.07	16.75	16.75	
3	2	6	0	2.22	0	0	1.89	0	13.5	0	6.32	0	11.93	0	11.93	9.23	3.8	24	0.17	10.73	10.72	13.03	13.01	16.75	16.75	
4	3	47	0.12	0.86	0.85	0.1	0.73	10	12.9	7.15	6.45	0.73	4.71	0	4.71	7.38	1.5	24	0.11	10.78	10.73	13.4	13.38	16.5	16.75	
5	4	94	0.12	0.74	0.85	0.1	0.63	10	12.2	7.15	6.59	0.73	4.15	0	4.15	3.25	2.35	18	0.1	10.87	10.78	13.54	13.39	16.5	16.5	
6	5	81	0.29	0.62	0.85	0.25	0.53	10	11.6	7.15	6.75	1.76	3.56	0	3.56	3.3	2.01	18	0.1	10.95	10.87	13.7	13.61	16.5	16.5	
7	6	180	0.33	0.33	0.85	0.28	0.28	10	10	7.15	7.15	2.01	2.01	0	2.01	2.04	1.64	15	0.1	11.13	10.95	13.94	13.76	16.5	16.5	
8	3	76	0.56	1.36	0.85	0.48	1.16	10	13	7.15	6.43	3.41	7.43	0	7.43	7.15	2.37	24	0.1	10.81	10.73	13.43	13.35	16.5	16.75	
9	8	198	0.56	0.8	0.85	0.48	0.68	10	11.6	7.15	6.73	3.41	4.58	0	4.58	7.15	1.46	24	0.1	11.01	10.81	13.61	13.53	16.5	16.5	
10	9	81	0.12	0.24	0.85	0.1	0.2	10	10.9	7.15	6.92	0.73	1.41	0	1.41	3.32	0.8	18	0.1	11.09	11.01	13.66	13.65	16.5	16.5	
11	10	81	0.12	0.12	0.85	0.1	0.1	10	10	7.15	7.15	0.73	0.73	0	0.73	3.32	0.41	18	0.1	11.17	11.09	13.68	13.68	16.5	16.5	

**100 YEAR**

Station	Station	Length	Drainage Area	Drainage Area	RunoffCoeff	Cx Area	Cx Area	Tc	Tc	Intensity	Intensity	Runoff	Runoff	AddnFlow	TotalFlow	CapFull	AveVel	Line	Line	Invert Elev	Invert Elev	HGL Elev	HGL Elev	Surface Elev	Surface Elev	Line Id
Line	To Line	(ft)	Incr (ac)	Total (ac)	(C)	Incr	Total	(min)	(min)	(in/hr)	(in/hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(ft/s)	(in)	(%)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	
1	Outfall	18	0	2.22	0	0	1.89	0	13	0	11.55	0	21.79	0	21.79	7.54	6.94	24	0.11	10.7	10.68	12.85	12.68	16.75	16	
2	1	20	0	2.22	0	0	1.89	0	13	0	11.58	0	21.86	0	21.86	21.09	3.09	36	0.1	10.72	10.7	14.15	14.12	16.75	16.75	
3	2	6	0	2.22	0	0	1.89	0	12.9	0	11.59	0	21.87	0	21.87	9.23	6.96	24	0.17	10.73	10.72	13.93	13.87	16.75	16.75	
4	3	47	0.12	0.86	0.85	0.1	0.73	10	11.7	12.9	12.08	1.32	8.83	0	8.83	7.38	2.81	24	0.11	10.78	10.73	15.17	15.09	16.5	16.75	
5	4	94	0.12	0.74	0.85	0.1	0.63	10	11.4	12.9	12.4	1.32	7.7	0	7.7	3.25	4.36	18	0.1	10.87	10.78	15.64	15.14	16.5	16.5	
6	5	81	0.29	0.62	0.85	0.25	0.53	10	11	12.9	12.4	3.18	6.54	0	6.54	3.3	3.7	18	0.1	10.95	10.87	16.19	15.87	16.5	16.5	
7	6	180	0.33	0.33	0.85	0.28	0.28	10	10	12.9	12.9	3.62	3.62	0	3.62	2.04	2.95	15	0.1	11.13	10.95	16.93	16.36	16.5	16.5	
8	3	76	0.56	1.36	0.85	0.48	1.16	10	12.6	12.9	11.7	6.14	13.53	0	13.53	7.15	4.31	24	0.1	10.81	10.73	15.27	15	16.5	16.75	
9	8	198	0.56	0.8	0.85	0.48	0.68	10	11.4	12.9	12.22	6.14	8.31	0	8.31	7.15	2.65	24	0.1	11.01	10.81	15.83	15.56	16.5	16.5	
10	9	81	0.12	0.24	0.85	0.1	0.2	10	10.8	12.9	12.52	1.32	2.55	0	2.55	3.32	1.45	18	0.1	11.09	11.01	15.99	15.94	16.5	16.5	
11	10	81	0.12	0.12	0.85	0.1	0.1	10	10	12.9	12.9	1.32	1.32	0	1.32	3.32	0.74	18	0.1	11.17	11.09	16.04	16.03	16.5	16.5	

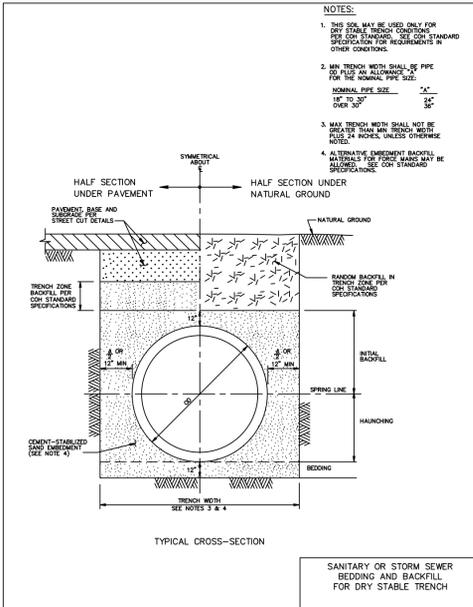
**EXPANSION JOINTS NOT TO EXCEED 20'**

SUBGRADE STABILIZATION  
 6% LIME STABILIZED  
 6" STABILIZED SUBGRADE COMPACTED A MINIMUM OF 95% MODIFIED PROCTOR DENSITY (ASTM D-698). CONCRETE SHOULD BE 3000 PSI CONCRETE WITH REINFORCEMENT AND THICKNESS AS DESIGNATED.



**CONSTRUCTION JOINT**  
SCALE: N.T.S.

1-P.V.M.T THK.	D
4"	1 1/4"
6"	1 1/2"



SANITARY OR STORM SEWER BEDDING AND BACKFILL FOR DRY STABLE TRENCH

**DETENTION SUMMARY**

1. TOTAL AREA	2.39	ACRES
2. DEVELOPED IMPERVIOUS AREA	2.00	ACRES
3. DETENTION STORAGE RATE	0.55	ACREFT/ACRE
4. DETENTION STORAGE VOLUME REQUIRED	1.10	ACRE FEET
5. DETENTION STORAGE VOLUME PROVIDED	1.10	ACRE FEET
6. MAXIMUM DESIGN WATER SURFACE ELEVATION	17.25	1983 ADJ
7. MAXIMUM OUTFALL RATE ALLOWED	8.59	CFS
8. MAXIMUM OUTFALL RATE PROVIDED	8.59	CFS
9. RESTRICTOR SIZE	12	INCHES

DETENTION STORAGE VOLUME PROVIDED IN PAVING 55,487 X 7.25 INCHES AVG = 34,649/43560 = 0.80 ACRE FT  
 DETENTION STORAGE VOLUME PROVIDED IN 36" PIPE = 1,840 X 7.07 = 13,008/43560 = 0.30 ACRE FT  
 TOTAL STORAGE VOLUME PROVIDED = 1.10 ACRE FT

**RESTRICTOR**

Q = CA x (2gh)<sup>1/2</sup>  
 Where,  
 C = 0.8  
 A = CROSS SECTIONAL AREA  
 g = 32.2 FEET / SEC<sup>2</sup>  
 h = HEAD DIFFERENTIAL USE 2'  
 A = Q

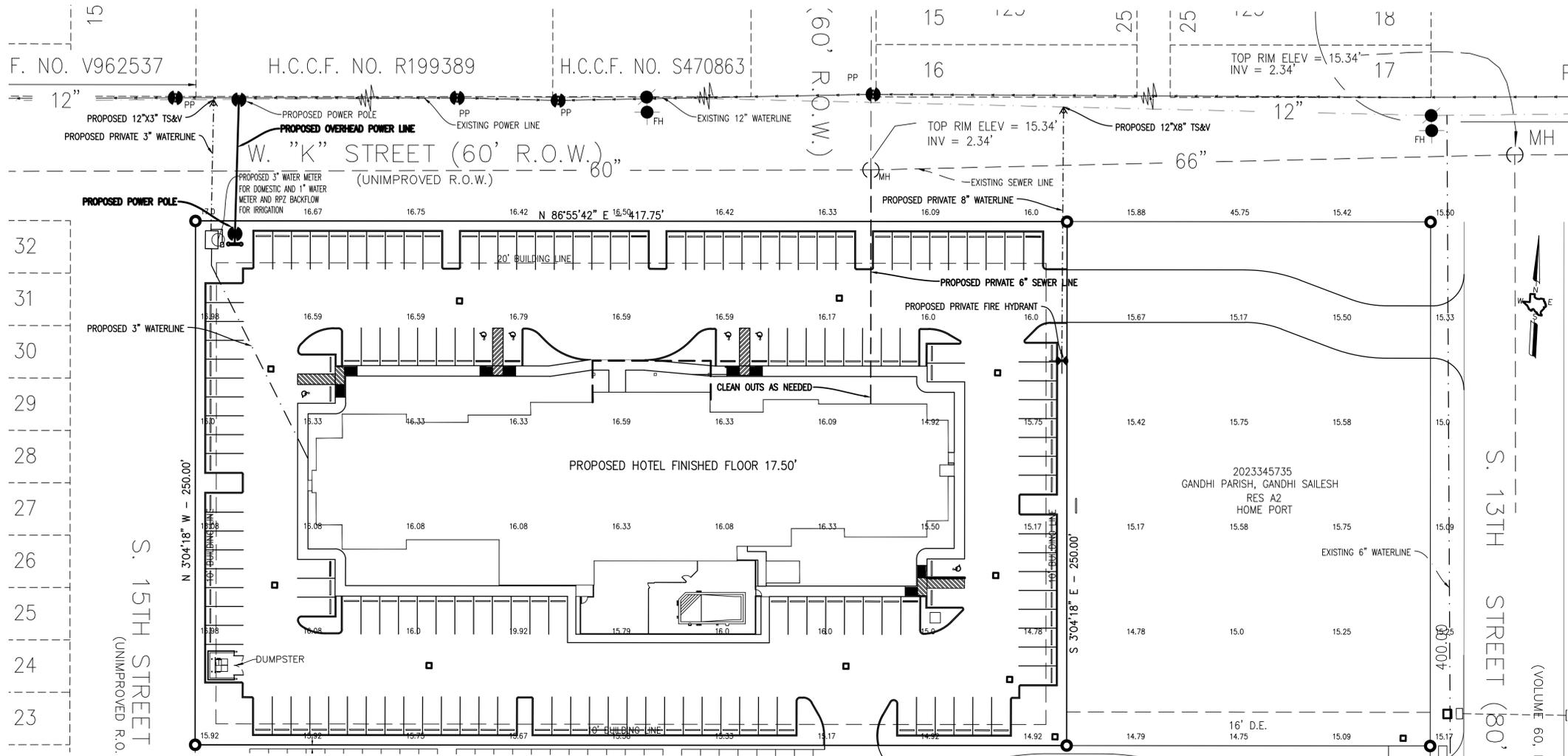
DISCOVERY OF ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF CARNES DESIGNS, LLC. PRIOR TO ANY CONSTRUCTION WORK OR PURCHASES. ALL DIMENSIONS AND CLEARANCES TO BE VERIFIED BY OWNER/CONTRACTOR PRIOR TO BEGINNING ANY CONSTRUCTION. CARNES DESIGNS, LLC IS NOT RESPONSIBLE FOR ANY CONSTRUCTION ISSUES WHICH MAY ARISE DURING OR AFTER THE CONSTRUCTION OF THIS BUILDING. THERE ARE NO WARRANTIES OR WARRANTIES SPECIFIC OR IMPLIED ASSOCIATED WITH THESE DESIGN DOCUMENTS.

**SANITARY SEWER CONSTRUCTION NOTES:**

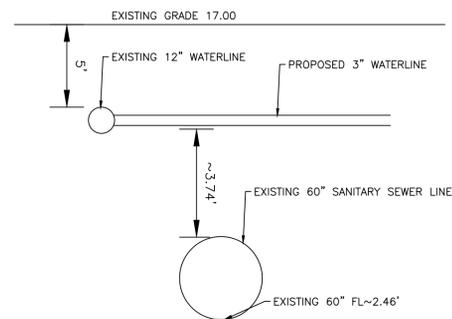
- 1) THE CONTRACTOR SHALL NOTIFY THE CITY OF LA PORTE DEPARTMENT 24 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND WRITTEN NOTIFICATION 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- 2) PLACEMENT OF UTILITIES IN UTILITY EASEMENTS SHALL BE GOVERNED BY THE "STANDARD 10 FOOT AND 14 FOOT EASEMENTS BACK-TO-BACK LOTS AND PERIMETER LOTS" AS ADOPTED BY THE UTILITY COORDINATION COMMITTEE (UCC) FOR THE HOUSTON METROPOLITAN AREA, INCLUDING CURRENT AMENDMENTS OR ADDENDA THERETO.
- 3) CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AT ALL TIMES DURING CONSTRUCTION AND SHALL RESHAPE AND REGRADE ANY DITCHES THAT WERE DISTURBED DURING CONSTRUCTION SO AS NOT TO IMPED DRAINAGE.
- 4) CONTRACTOR SHALL DE-WATER TRENCH BEFORE PLACING BEDDING AND SHALL KEEP TRENCH DRY DURING CONSTRUCTION.
- 5) SANITARY SEWER PIPE SIZES 8" THROUGH 15" SHALL BE P.V.C. SDR 35 PIPE, ASTM D3034, WITH SDR 35 FITTINGS. PIPE SIZES 6" AND SMALLER TO BE SCH 40 P.V.C.
- 6) SANITARY SEWER JOINTS (ALL TYPES, PVC INCLUDED) SHALL BE RUBBER GASKET EQUIPPED BELL AND SPIGOT TYPE. CHEMICALLY WELDED SANITARY SEWER JOINTS ARE NOT ACCEPTABLE.
- 7) WHEREVER SANITARY SEWER LINES CROSS WATER LINES WITH LESS THAN NINE (9) FEET OF DISTANCE, THE SEWER LINE SHALL BE CONSTRUCTED OF 150 PSI LINED DUCTILE IRON OR C-900 PVC PIPE FOR A DISTANCE OF NINE (9) FEET EACH SIDE OF WATER LINE.
- 8) WHEREVER SANITARY SEWER LINES CROSS BETWEEN 2 AND 9 FEET BELOW A WATER LINE, THE SEWER LINE SHALL BE BACKFILLED WITH CEMENT STABILIZED SAND (MINIMUM 2 SACKS PER CUBIC YARD OF SAND) TO A DEPTH OF ONE PIPE DIAMETER OR 12" (WHICHEVER IS GREATER) ABOVE THE SEWER LINE FOR A DISTANCE OF NINE (9) FEET ON EITHER SIDE OF THE WATER LINE.
- 9) CONTRACTOR TO MAINTAIN A RECORD OF STUB, STACK, AND CLEANOUT LOCATIONS.
- 10) FINISHED GRADE ON SANITARY SEWER MANHOLE RIMS SHALL BE 3" ABOVE FINISH GRADE WITHIN STREET R.O.W., AND 6" ABOVE FINISHED GRADE WITHIN EASEMENTS. CLEAN FILL SHALL BE ADDED AND SLOPED AWAY FROM THE MANHOLE RIM FOR STORM WATER DRAINAGE.
- 11) ALL MANHOLE RIMS SHALL BE ABOVE THE 100 YEAR FLOOD ELEVATION. IF THE MANHOLE TOP IS TO BE SEALED AND VENTED, A DETAIL OF A VENTED MANHOLE WILL BE INCLUDED IN THE CONSTRUCTION PLANS.
- 12) IF THE SANITARY SERVICE STUBS CROSS UNDER THE STREET, THE FLOW LINE OF THESE STUBS AT THE STREET R.O.W. SHALL BE AS SHOWN ON PLANS, AT LEAST 0.5 FEET ABOVE THE MAIN SEWER LINE, OR FOUR (4) FEET BELOW NATURAL GROUND WHICHEVER IS LOWER. IN ALL CASES THE MINIMUM STUB SLOPE WILL BE 0.70%.
- 13) DEFLECTION TESTING SHALL BE PERFORMED FOR ALL NON RIGID PIPE TYPES. DEFLECTION TESTING SHALL BE CONDUCTED AFTER THE GRAVITY SANITARY SEWER HAS BEEN IN PLACE FOR AT LEAST 30 DAYS. NO PIPE SHALL EXCEED A DEFLECTION OF 5%. THE DEFLECTION TEST SHALL BE CONDUCTED USING A RIGID BALL OR MANDREL HAVING AN INSIDE DIAMETER EQUAL TO 95% OF THE INTERIOR DIAMETER OF THE PIPE. THE TEST SHALL BE PERFORMED WITHOUT MECHANICAL PULLING DEVICES. I. & E. TEST FOR SANITARY SEWER SYSTEM SHALL BE IN ACCORDANCE WITH CITY OF PASADENA REQUIREMENT.
- 14) LOW-PRESSURE AIR TESTING OF INSTALLED PIPE SHALL BE DONE IN STRICT ACCORDANCE WITH ASTM D2878, ASTM D2924 OR OTHER APPROPRIATE PROCEDURE. MINIMUM GUIDELINES SHALL BE AS PER CHAPTER 317.2 (g)(4)(A)(B), DESIGN CRITERIA FOR SEWERAGE SYSTEMS, TEXAS WATER CODE.

**WATER DISTRIBUTION CONSTRUCTION NOTES:**

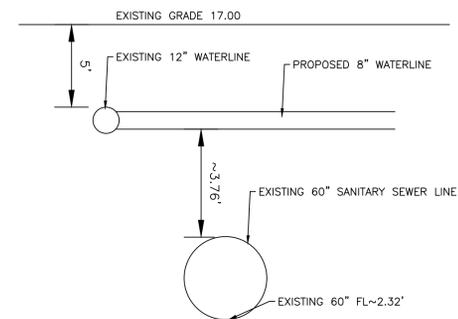
- 1) ALL UTILITIES SHOWN ON THE DRAWINGS ARE SHOWN AT APPROXIMATE LOCATIONS BASED ON THE BEST AVAILABLE INFORMATION. CONTRACTOR TO FIELD VERIFY LOCATION PRIOR TO CONSTRUCTION. ANY DAMAGE TO THE UTILITIES DURING CONSTRUCTION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 2) CONTRACTOR SHALL CONSTRUCT THE PROPOSED WATER MAINS WITH THE SPECIFICATIONS RELATING TO EXCAVATION, TRENCHING AND BACKFILL FOR WATER MAINS.
- 3) ALL WATER MAINS - 4 INCHES THRU 12 INCHES IN DIAMETER, IF NOT OTHERWISE SHOWN, SHALL BE AWWA C-900 PVC PIPE (CL-150).
- 4) WATER VALVES ON MAIN LINES TO BE LOCATED AS CLOSE AS POSSIBLE TO LOT LINE.
- 5) ALL WATER MAINS WITHIN STREET R.O.W. HAVE MINIMUM 4' COVER BELOW TOP OF CURB. WATER MAINS WITHIN EASEMENTS HAVE MINIMUM 4' COVER BELOW NATURAL GROUND.
- 6) FIRE HYDRANT ASSEMBLIES TO BE LOCATED 3' BEHIND CURB. DEFLECT WATER LINES AS SHOWN ON PLANS. SEE DETAIL SHEET FOR TYPICAL ASSEMBLY.
- 7) A MINIMUM OF 6 INCH CLEARANCE MUST BE MAINTAINED WHEN A WATER LINE CROSSES ANOTHER UTILITY. CURRENT TCEQ REGULATIONS SHALL BE ADHERED TO WHEN CROSSING SANITARY SEWER FACILITIES.
- 8) ALL WELDED STEEL SECTIONS TO EXTEND A MINIMUM OF 5 FEET PAST BENDS AND CROSSES.
- 9) NEW WATER LINES MUST BE DISINFECTED ACCORDING TO THE GUIDELINES ESTABLISHED IN THE "RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS".
- 10) ALL GATE VALVES, TEES, CROSSES, AND OTHER FITTINGS SHALL BE PLACED BACK OF CURB, NOT UNDER PAVEMENT.
- 11) EXISTING WATER TO BE REMOVED OR ABANDONED IN PLACE. IF ABANDONED, ALL OPENINGS ARE TO BE PLUGGED.
- 12) ALL GATE VALVES WILL BE INSPECTED FOR ALIGNMENT (PLUMB) AND OPERATION FULL OPEN TO FULL CLOSE POSITIONS.



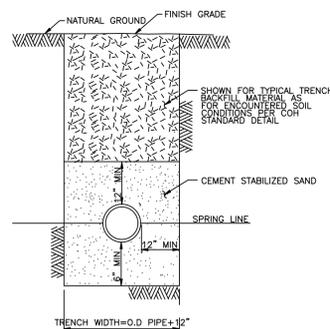
**UTILITY PLAN**  
SCALE: 1"=30'



**3" WATERLINE CROSSING**  
SCALE: N.T.S.



**8" WATERLINE CROSSING**  
SCALE: N.T.S.



**SANITARY SEWER BEDDING AND BACKFILL**



8/30/2024

JAMES E. DEAVAR, JR.  
96663  
LICENSED PROFESSIONAL ENGINEER

FIRM-115212  
JDSI

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BAYTOWN, TEXAS 77523  
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FAX (281) 385-0920

INFO@CARNESDESIGNS.COM  
WWW.CARNESDESIGNS.COM

REV	DATE	BY	DESCRIPTION

**FAIRFIELD INN AND SUITES & TOWNPLACE SUITES**  
1245 13TH STREET  
LA PORTE, TEXAS  
HARRIS COUNTY

**UTILITY PLAN**

DESIGNED	MM	SCALE	AS NOTED	SHEET NO.
DRAWN	MM	DATE	06/06/2024	<b>C-4</b>
CHECKED				
FILE				

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



## **AGENDA ITEM 7**

### **CONSIDER APPROVAL OF THE 2025 MEETING SCHEDULE:**

Discussion and Possible Action to adopt the regular meetings of the Zoning Board of Adjustment schedule for 2025.



# City of La Porte

## 2025 Zoning Board of Adjustment (ZBOA) Meeting Schedule

All meetings begin at 6 p.m. in the Council Chambers of City Hall, 604 W. Fairmont Pkwy., La Porte Texas.

Application Submittal Deadline (Friday 5:00 p.m.)	ZBOA Meeting Date 4 <sup>th</sup> Thursday (6:00 p.m.)
December 20, 2024	January 23, 2025
January 24, 2025	February 27, 2025
February 21, 2025	March 27, 2025
March 21, 2025	April 24, 2025
April 18, 2025	May 22, 2025
May 23, 2025	June 26, 2025
June 20, 2025	July 24, 2025
July 25, 2025	August 28, 2025
August 22, 2025	September 25, 2025
September 19, 2025	October 23, 2025
October 24, 2025	<b>* November 27, 2025</b>
<b>November 21, 2025</b>	<b>* December 25, 2025</b>

**\* Meeting dates subject to change or cancelation due to holidays.**

Only complete applications will be accepted. If a complete application is submitted after the deadline, (including new applications & revisions/resubmittals) the application will follow the next submittal deadline schedule.