

**City of La Porte**  
**Special Conditional Use Permit #24-91000002**

**This permit is issued to:** Sophia Filfil, GardenBure Development, LLC  
**Owner or Agent**

9018 Tri City Beach Road, Baytown, TX 77523  
**Address**

**For Development of:** Yara Lakes Estates Subdivision  
**Development Name**

Northeast corner of SH 146 and Wharton Weems Blvd.  
**Location**

**Legal Description:** Lots 1-33, Block 1267, La Porte Subdivision, Tract 1M, Abstract 35, J Hunter Survey, and Tracts 5 & 5L, Abstract 30, W.P. Harris Survey.

**Zoning:** PUD, Planned Unit Development

**Use:** Residential

**Permit Conditions:**

This Special Conditional Use Permit (SCUP) is applicable for the subject property, a copy of which shall be maintained in the files of the City's Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances, and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Land uses permitted within the development are restricted to "Single Family" residential.
3. The residential land uses identified in the General Plan as "Single Family" shall be constructed in accordance with the requirements outlined in Section 106-333 of the Code of Ordinances and applicable building codes with some deviations. Each single-family residential lot shall have a minimum width of 40 feet, a minimum depth of 125 feet, and a minimum lot area of 5,000 square feet. The side setback will be five (5) feet on both sides, and the front setbacks on cul-de-sac lots will be twenty (20) feet. The maximum density for the single-family residential shall not exceed 6.0 units per acre.
4. Gutters shall be installed on all homes and face the front yard.
5. In lieu of a fence along the eastern boundary of the project, the developer shall be required to plant shade trees, at a minimum 4" caliper and 25' on center. In addition to the shade trees, shrubs shall be planted at no less than 5 gallons in size with a minimum spacing of 3' on center. These plantings are required along the entire length of the eastern and northern boundaries. The landscape shall be owned and maintained by the Homeowner's Association.
6. The developer shall install an 8' high masonry fence with soundproofing materials along the western and southern boundaries of the project.
7. All public streets internal to the development site shall be constructed in accordance with the City's Public Improvement Criteria Manual and shall be dedicated to the city.

8. Access to any public right-of-way is subject to the requirements of Section 106-835, Figure 10-3 and will be reviewed at the time of Site Development Plan. TXDOT right-of-way access permits shall be presented prior to permit issuance for all driveways requested on Highway 146. Maximum driveway widths shall be in compliance with city code requirements.
9. The developer will be required to submit for approval by the City Engineer, a drainage report indicating how the proposed development will accommodate the requirements for storm water detention in accordance with the City's Public Improvement Criteria Manual, or if discharging in a TXDOT or Harris County system, approval by such authority. The detention pond shall be sized for maximum lot coverage and lot imperviousness. The developer may enhance the existing detention pond to accommodate the development's detention requirements with engineering approval.
10. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
11. A traffic impact analysis, performed by a licensed engineer agreed to by both the City and the applicant, shall be required and subject to TxDOT criteria and approval. If any mitigation is required by the study, the applicant will be responsible for their proportion of the impact. All contributions would be subject to reimbursement through TIRZ, pursuant to approval by the TIRZ Board.
12. If extension of any public water or sanitary sewer line is required as part of this development, the applicant will be required to execute a utility extension agreement with the city and install such improvements at the developer's expense.
13. A sanitary sewer flow impact study shall be required. If the study shows a negative effect downstream, the developer shall perform improvements to the downstream sanitary sewer system at the developer's expense.
14. The subdivision lift station shall be designed and built by the developer, as per TCEQ requirements and approved by the City, at the developer's expense, then turned over to the City for ownership and maintenance after the one (1) year warranty. The warranty will start upon the project acceptance date.
15. The parkland dedication to the city will be approximately 2.6974- acres. The landscape/open space reserves, to be maintained by the Homeowner's Association, will be an additional 1.4206- acres. Per Section 86-25 (c) of the La Porte Code of Ordinances, the developer shall provide a cash payment in lieu of a dedication of land less than 1- acre per 93 dwelling units. Additionally, in accordance with Section 86-25 (b)(4), the developer may exercise the option to construct the neighborhood park amenities and improvements in lieu of payment of the park development fee.
16. A pedestrian plan for the residential area will be required and will provide access to parkland.
17. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: \_\_\_\_\_

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Director of Planning and Development

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City Secretary