

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



AGENDA ITEM 5.d

Special Exception #SE-2026-0003:

The Board will hold a Public Hearing to receive input on Special Exception #SE-2026-0003, a request submitted by Stephanie Mendoza, applicant, on behalf of Roelof and Judy Nieuwenhuis, property owners; for a Special Exception from Sec. 106-834, General Provisions of Chapter 106 (Zoning) of the City of La Porte's Code of Ordinances, to waive the requirement that a single-family dwelling be located on the lot so that space is available for a future two-car garage, within the Mixed Use (MU) zoning district, on approximately 0.07 acres of land, located at 545 Circle Drive; La Porte, Harris County, Texas.



Planning and Development Department Staff Report

Special Exception – #SE-2026-0003

REQUEST

Consider Special Exception #SE-2026-0003, for a Special Exception from Sec. 106-834, General Provisions of Chapter 106 (Zoning) of the City of La Porte’s Code of Ordinances, to waive the requirement that a single-family dwelling be located on the lot so that space is available for a future two-car garage, within the Mixed Use (MU) zoning district.

DISCUSSION

Location:

The subject property consists of approximately 0.07 acres and is located at 545 Circle Drive, La Porte, Harris County, Texas.

Background Information:

The subject property is currently zoned Mixed Use (MU) and is located within the Beach Park subdivision, originally platted in 1895. Many lots within this subdivision were created prior to the adoption of modern zoning and subdivision standards and are therefore smaller than current lot size and development requirements.

The applicant is proposing to construct a single-family detached dwelling unit on the property. Section 106-834 of the Zoning Ordinance requires that every single-family dwelling unit erected be located on the lot in such a manner that space is available for a minimum two-car garage, either attached or detached, that can be located and accessed on the lot. The ordinance does not require the immediate construction of the garage but requires that sufficient space be reserved to allow for a future garage.

Due to the limited lot size and configuration, the proposed placement of the dwelling would not leave adequate space to accommodate a future two-car garage that meets access requirements. Therefore, the applicant is requesting a Special Exception to waive this requirement.

Staff also note that the subject property consists of a nonconforming lot and a portion of an additional lot. In accordance with Policy P2025-0002, combining a nonconforming lot and a portion of a nonconforming lot requires the property to be replatted. Therefore, approval of this Special Exception would not authorize construction independently, and the applicant would be required to submit and obtain approval of a replat prior to issuance of building permits.

Zoning

The subject property is zoned Mixed Use (MU) zoning district. The table below summarizes surrounding zoning districts and land uses:



Zoning Board of Adjustment
April 2, 2026 – Special Exception #SE-2026-0003

	Zoning	Land Use
North	Mixed Use (MU)	Single-family residence
South	Mixed Use (MU)	Circle Drive / Single-family residence
West	Mixed Use (MU)	Single-family residence
East	Mixed Use (MU)	Single-family residence

Applicable Code Provisions:

Sec. 106-834. - General Provisions:

(f) Garage requirement. Every single-family dwelling unit hereafter erected shall be so located on the lot so that at least a two-car garage, either attached or detached, can be located and accessed on said lot.

Analysis:

Section 106-834 of the La Porte Code of Ordinances allows the Board of Adjustment to grant a Special Exception to waive certain provisions when the Board determines that the required criteria are satisfied.

Staff’s analysis of the criteria is provided below.

Criterion:

- a. That such Special Exception will not adversely affect the value and use of adjacent or neighboring property.***

The surrounding area consists primarily of single-family residential development. The proposed dwelling will be similar in scale and use to surrounding homes and will maintain the residential character of the neighborhood.

While the Special Exception would waive the requirement that the lot accommodate a future two-car garage, the dwelling will still be constructed in a manner consistent with residential development patterns in older neighborhoods where some properties do not include garages.

Staff finds that the requested Special Exception is unlikely to adversely affect the value or use of adjacent or neighboring properties.

- b. That the Special Exception is not contrary to the best public interest.***

The intent of the ordinance provision is to ensure that residential development has the ability to accommodate adequate off-street parking through the potential construction of a garage. However, the subject property is a historically platted, undersized lot, which creates limitations on site layout and available building area.

Allowing the Special Exception would permit reasonable residential development while maintaining compatibility with surrounding land uses. The request does not introduce a



Zoning Board of Adjustment
April 2, 2026 – Special Exception #SE-2026-0003

more intensive use and would allow the property to be developed in a manner consistent with the surrounding residential neighborhood.

Staff finds that granting the Special Exception would not be contrary to the best public interest.

- c. That the off-street parking and loading requirements are unnecessary for the proposed use of the building or structure for which the Special Exception request applies.***

The proposed use is a single-family residential dwelling, which generally generates limited parking demand. While the Special Exception would waive the requirement that the lot be capable of accommodating a future two-car garage, the property can still provide off-street parking through driveway or parking area improvements.

Given the limited size of the historically platted lot and the residential nature of the use, requiring sufficient space to accommodate a future two-car garage may be unnecessary to meet the parking needs of the dwelling.

Staff finds that the off-street parking needs of the proposed use can be accommodated without requiring space for a future two-car garage, and therefore the requirement may be considered unnecessary in this case.

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 thirty-two (32) notices to all property owners within 300 feet of the site. As of the date of this writing, no notices have been returned.

RECOMMENDATION

Based on the above analysis, staff recommends approval of Special Exception #SE-2026-0003, for a Special Exception from Sec. 106-834, General Provisions of Chapter 106 (Zoning) of the City of La Porte's Code of Ordinances, to waive the requirement that a single-family dwelling be located on the lot so that space is available for a future two-car garage, within the Mixed Use (MU) zoning district, on approximately 0.07 acres of land, located at 545 Circle Drive; La Porte, Harris County, Texas.

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



Zoning Board of Adjustment
April 2, 2026 – Special Exception #SE-2026-0003

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: FLUP Map
- Exhibit D: Notification Map
- Exhibit E: Legal Ad
- Exhibit F: Site photos
- Exhibit G: Application