

City of Houston, Texas, Ordinance No. 2015- 867

AN ORDINANCE ESTABLISHING ABSTRACT 1 J AUSTIN SCHULTZ; ABSTRACT 1 J AUSTIN; ALLEN AC, BLOCKS 43, 44, 52-55, 61 & 62; CRISTINA JAMAUX ESTATES, BLOCK 1; DEPENBROCK ALLEN SECTION 62, BLOCKS 1-6; DEPENBROCK SECTION 2, BLOCKS 1 & 2; HOGAN STREET ADDITION, BLOCK 1; HOGAN STREET SECTION 2, BLOCK 1; QUITMAN ESTATES, BLOCK 1; QUITMAN TOWNHOMES, BLOCK 1; QUITMAN TERRACE, BLOCK 1; RICHTER; SCHULTZ; TRACT 7C AND WRIGHTWOOD, ALL WITHIN THE CITY OF HOUSTON, AS A SPECIAL MINIMUM LOT SIZE AREA, PURSUANT TO CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATED THERETO; AND DECLARING AN EMERGENCY.

\* \* \* \* \*

**WHEREAS**, Section 42-197 of the Code of Ordinances, Houston, Texas (the "Code"), authorizes the establishment of a special minimum lot size area to preserve the lot size character of existing residential neighborhoods in the City that do not have a minimum lot size established by deed restrictions; and

**WHEREAS**, an application was filed with the Department of Planning and Development (the "Department") requesting the establishment of a special minimum lot size area for the Abstract 1 J Austin Schultz; Abstract 1 J Austin; Allen AC, Blocks 43, 44, 52-55, 61 & 62; Cristina Jamaux Estates, Block 1; Depenbrock Allen Section 62, Blocks 1-6; Depenbrock Section 2, Blocks 1 & 2; Hogan Street Addition, Block 1; Hogan Street Section 2, Block 1; Quitman Estates, Block 1; Quitman Townhomes, Block 1; Quitman Terrace, Block 1; Richter; Schultz; Tract 7C and Wrightwood, which areas are within the City (collectively, the "Area"); and

**WHEREAS**, the Director of the Department determined that the application was properly filed in accordance with the provisions of Section 42-198 of the Code; and

**WHEREAS**, the Director of the Department caused notice of the application to be duly given as provided in Section 42-201 of the Code; and

**WHEREAS**, the Director of the Department conducted a community meeting within or near the proposed area as provided in Section 42-201 of the Code; and

**WHEREAS**, the Director has determined that the owners of 55 percent or more of the lots within the Area support the designation of the Area as a special minimum lot size area; and

**WHEREAS**, the Director of the Department referred the application to the Houston Planning Commission, which conducted a public hearing on the application on October 30, 2014 and reviewed the application pursuant to the criteria of Section 42-204 of the Code; and

**WHEREAS**, the Houston Planning Commission considered the application on October 30, 2014 and voted to recommend that the City Council establish the Special Minimum Lot Size Area; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the findings and recitals contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted and made a part of this Ordinance.

**Section 2.** That all terms not defined in this Ordinance shall have the meanings ascribed to them in Chapter 42 of the Code.

**Section 3.** That the City Council finds that the application for the establishment of a special minimum lot size area for the Area satisfies the criteria of Section 42-204(a) of the Code. The City Council further finds that the minimum lot size in the Area is 4,500

**Section 4.** That the City Council hereby establishes a special minimum lot size area along the Area, said area also being approximately described by the property description in Exhibit "A" and the map attached as Exhibit "B."

**Section 5.** The minimum lot size of 4,500 square feet shall be the lot size requirement for the special minimum lot size area. The Director of the Department is hereby directed to cause a copy of this Ordinance to be filed for recordation in the real property records of Harris County, the county in which the Area is located, as soon as practicable after the effective date of this Ordinance.

**Section 6.** That the Director of the Department of Planning and Development may assign a sequential number to this special minimum lot size area for purposes of identification.

**Section 7.** That this Ordinance and the special minimum lot size area established by this Ordinance shall terminate on the 40th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

**Section 8.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the

Mayor fails to sign this Ordinance within five days of its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 16<sup>th</sup> day of September 2015.

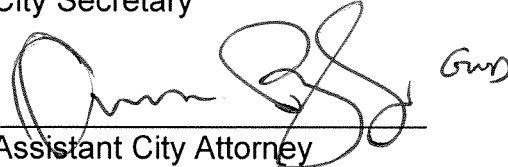
APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of this foregoing Ordinance is SEP 22 2015, 2015.



\_\_\_\_\_  
City Secretary



\_\_\_\_\_  
Assistant City Attorney

(Prepared by Legal Dept.

SOI/fg 8/11/15

Requested by Patrick Walsh, Director, Planning and Development Department

L.D. File No. 0611500464001)

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AYE	NO	
✓		<b>MAYOR PARKER</b>
....	....	<b>COUNCIL MEMBERS</b>
✓		STARDIG
✓		DAVIS
✓		COHEN
	<b>ABSENT</b>	BOYKINS
	<b>ABSENT</b>	MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
	<b>ABSENT</b>	COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT  
 REVIEW  
 DATE: **SEP 22 2015**

## EXHIBIT A

### PROPERTY DESCRIPTION

All or a portion of the following:

Blocks 43 through 44, and Blocks 52 through 55, Subdivision Block 61, and the East Part of Block 62, A.C. Allen Addition to the City of Houston, a subdivision in Harris County, according to the map or plat thereof, recorded in Volume 1, Page 56, of the Map Records of Harris County, Texas; and

All of Block 1, Hogan Street Addition, a subdivision of the Allen Addition, NSBB, Harris County, Texas, also being a replat of Lots 10 and 11, Block 44, Allen Addition, according to the map or plat thereof, recorded in Volume 587, Page 21, of the Map Records of Harris County, Texas; and

All of Block 1, Hogan Street Second Addition, a subdivision of the Allen Addition, NSBB, Harris County, Texas, also being a replat of Lot 13 and a portion of Lot 14, Block 43, Allen Addition, according to the map or plat thereof, recorded in Volume 589, Page 157, of the Map Records of Harris County, Texas; and

All of Block 1, Quitman Terrace, John Austin Survey, A-1, Harris County, Texas, being a replat of Lots 17-18 of the A.C. Allen Addition, according to the map or plat thereof, recorded in Volume 591, Page 247, of the Map Records of Harris County, Texas; and

All of Block 1, Cristina Jamaux Estates, John Austin Survey, Abstract No. 1, Harris County, Texas, being a replat of Lot 3, Block 62, A.C. Allen Addition, according to the map or plat thereof, recorded in Volume 621, Page 242, of the Map Records of Harris County, Texas; and

Blocks 1 through 6, H. Deppenbrocks Subdivision, a subdivision of the western portion of Block 62, Allen Addition, Harris County, Texas, according to the map or plat thereof, recorded in Volume 1, Page 14, of the Map Records of Harris County, Texas; and

Block 1, Quitman Estates, a subdivision in the western portion of Block 62, Allen Addition, also being a portion of Lots 5 and 6, Block 4, H. Deppenbrocks, according to the map or plat thereof, recorded in Volume 624, Page 182, of the Map Records of Harris County, Texas; and

Block 1, Quitman Townhomes Subdivision, a subdivision in Harris County, being a replat of a portion of Lots 7 and 8, Block 4, H. Deppenbrocks, according to the map or plat thereof, recorded in Volume 609, Page 253, of the Map Records of Harris County, Texas; and

Blocks 1 and 2, H. Depenbrock Subdivision in the western portion of Lot 62 of the Allen Addition, Harris County, Texas, according to the map or plat thereof, recorded in Volume 373, Page 87, of the Deed Records of Harris County, Texas; and

All of Block 1, South Terrace Court, a subdivision in Harris County, being a replat of the western portions of Lots 3 through 6 and all of Lots 7 through 11A, Block 1, Depenbrock Addition, according to the map or plat thereof, recorded in Volume 673, Page 44, of the Map Records of Harris County, Texas; and

All of Block 1, Morris Vista, a subdivision in Harris County, being a replat of the western portion of Lots 1 and 2, Block 2, Depenbrock Addition, according to the map or plat thereof, recorded in Volume 654, Page 200, of the Map Records of Harris County, Texas; and

Lots 1 through 15, Wrightwood Addition, a subdivision in Harris County, according to the map or plat thereof, recorded in Volume 357, Page 37, of the Deed Records of Harris County, Texas; and

Lots 1 through 8, Schultz Addition, out of the Henry Depenbrock tract, in the John Austin Two League Grant, Harris County, Texas, according to the map or plat thereof, recorded in Volume 405, Page 251, of the Deed Records of Harris County, Texas; and

Tract 9, Abstract 1, John Austin Survey, adjacent to Lot 8 of Schultz Addition, Harris County, Texas, also known as 2518 Ideal Street, Houston, Texas, and being the same property described in the deed filed under Harris County Clerk's File No. P405127 of the Real Property Records of Harris County, Texas; and

Tract 1, out of the John Austin Survey, Abstract No. 1, also known as 0 Ideal Street, Houston, Texas, and being the same property described in the deed filed under Harris County Clerk's File No. 20080227781 of the Real Property Records of Harris County, Texas; and

Tract 3C, containing 0.2145 acre more or less, out of Depenbrock Homestead Tract, in the John Austin Survey, Abstract No. 1 in Harris County, Texas, and being the same property described in the deed filed under Harris County Clerk's File No. S383443 of the Real Property Records of Harris County, Texas; and

Tract 3D, in Harris County, Texas, being a part of the H. Depenbrock Homestead Tract, in the John Austin Two League Grant, A-1, and a portion of the Augusta Thom Homestead Tract, and being the same property described in the deed filed under Harris County Clerk's File No. C884812 of the Real Property Records of Harris County, Texas; and

Tract 3A, a 75 foot by 175.4 foot tract out of the John Austin Survey, Abstract No. 1, Harris County, Texas, and being the same property described in the deed filed under Harris County Clerk's File No. V736045 of the Real Property Records of Harris County, Texas; and

Tract 3B, being a part of the Henry Depenbrock Homestead, in the John Austin Two League Grant, Abstract No. 1, in Harris County, Texas and being the same property described in the deed filed under Harris County Clerk's File No. D859508 of the Real Property Records of Harris County, Texas; and

Tract 3E, Abstract 1J, John Austin Survey, also known as 2501 Ideal Street, and being the same property described in the deed filed under Harris County Clerk's File No. 20100288568 of the Real Property Records of Harris County, Texas; and

2202 South Street, containing a 0.1796 acre tract of land being part of Lot 14 of the unrecorded Richter Addition, also known as part of Lots 1, 2, and 3, in the Herman Richter Addition, unrecorded, out of the John Austin Survey Abstract No. 1, as described by Harris County Clerk's File No. 20110483467 of the Real Property Records of Harris County, Texas; and

2208 South Street, Tract 9A, a 5000 square foot tract out of the H. Richter Three-Acre Tract in the John Austin Two League Grant and out of the 33325 square feet reserved by Mary Louisa Richter out of said three acres, Harris County, Texas, as described by Harris County Clerk's File No. W668134; and

2212 South Street, as described by Harris County Clerk's File No. L051196 of the Real Property Records of Harris County, Texas; and

2216 South Street, Harris County, Texas, a tract of land out of the H. Richter Three-Acre Tract in the John Austin Survey, Harris County, Texas, as described by Harris County Clerk's File No. 20090270792 of the Real Property Records of Harris County, Texas; and;

2218 South Street, being Lot 4 of Richter's Subdivision, a part of the H. Richter Three-Acre Tract in the John Austin Two League Grant, Harris County, Texas, as described by Harris County Clerk's File No. D334487 of the Real Property Records of Harris County, Texas; and

2220 South Street, being Lot 3 of Richter's Subdivision, a part of the L. Richter Three-Acres Homestead in the northeast corner of the John Beldon tract out of the John Austin Two League Grant, Abstract No. 1, Harris County, Texas, as described by Harris County Clerk's File No. U677340 of the Real Property Records of Harris County, Texas; and

213 Henry Street, being a part of the Richter Three-Acre Tract, and Tract 69A, Block 61, Allen Addition, as described by Harris County Clerk's File No. Z326886 of the Real Property Records of Harris County, Texas; and

2209 Thomas Street, being a part of the Richter Three-Acre Tract, and Tract 69, Block 61, Allen Addition, as described by Harris County Clerk's File No. 20060023535 of the Real Property Records of Harris County, Texas; and

2211 Thomas Street, being a part of the Richter Three-Acre Tract, as described by Harris County Clerk's File No. 20150144477 of the Real Property Records of Harris County, Texas; and

214 Quitman Street, being a part of the Richter Three-Acre Tract, as described by Harris County Clerk's File No. D250749 of the Real Property Records of Harris County, Texas; and

216 Quitman Street, being a part of the Richter Three-Acre Tract, as described by Harris County Clerk's File No. B368238 of the Real Property Records of Harris County, Texas; and

220 Quitman Street, being a part of the Richter Three-Acre Tract, as described by Harris County Clerk's File No. T992107 of the Real Property Records of Harris County, Texas; and

301 Winnie Street, being a part of the Richter Three-Acre Tract, and a portion of Lots A through F, Allen Addition, as described by Harris County Clerk's File No. U440806 of the Real Property Records of Harris County, Texas; and

304 Quitman Street, being a part of the Richter Three-Acre Tract, as described by Harris County Clerk's File No. U251150 of the Real Property Records of Harris County, Texas; and

306 Quitman Street, being a part of the Richter Three-Acre Tract out of Lots A, B, C, D, E, and F, in Block 61, in the Allen Addition, a subdivision in Harris County, Texas, as described by Harris County Clerk's File No. 20070156730 of the Real Property Records of Harris County, Texas; and

0 Quitman Street, being a part of Lots 1 and 2, Depenbrock, a subdivision in Harris County, Texas, as described by Harris County Clerk's File No. 20110546437; and

303 Winnie Street, being a part of the Richter Three-Acre Tract out of Lots A, B, C, D, E, and F, in Block 61, in the Allen Addition, a subdivision in Harris County, Texas, as described by Harris County Clerk's File No. U547539; and



201 Quitman Street, being a part of the Richter Three-Acre Tract and a portion of the Depenbrock Addition, a subdivision in Harris County, Texas, as described by Harris County Clerk's File No.20140086212; and

205 Quitman Street, being a part of the Richter Three-Acre Tract and a portion of the Depenbrock Addition, a subdivision in Harris County, Texas, as described by Harris County Clerk's File No. 20130601687; and

207 Quitman Street, a tract described by HCAD account number 0301070000002, being a portion of the property described by Harris County Clerk's File No. 20130345641.


**EXHIBIT B**



# Allen A C Special Minimum Lot Size Area Designation

Source: Harris County Appraisal District  
 Date: March 18, 2014  
 Reference: MLSA 384

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

 Area Under Consideration



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**