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City of Houston, Texas, Ordinance No. 2006- 9

**AN ORDINANCE ESTABLISHING THE SOUTH SIDE OF THE 1700 BLOCK OF ALBANS STREET WITHIN THE CITY OF HOUSTON AS A SPECIAL MINIMUM LOT SIZE REQUIREMENT 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 42-213 of the Code of Ordinances, Houston, Texas (the "Code"), authorizes the establishment of a special minimum lot size requirement area to preserve the character of existing residential neighborhoods in urban areas that do not have 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 requirement area for the south side of the 1700 block of Albans Street which area is within the City (the "Area"); and

**WHEREAS**, the Area is located within the "urban area" as that term is defined in Chapter 42 of the Code; and

**WHEREAS**, the Director of the Department determined that the application was properly filed in compliance with Subsection 42-213(b) of the Code; and

**WHEREAS**, the Director of the Department caused notice of the application to be duly given as provided in Subsection 42-213(c) of the Code; and

**WHEREAS**, no timely protest of the establishment of the special minimum lot size requirement area was filed by a property owner within the Area; and

**WHEREAS**, the Director of the Department has approved the application and has referred the application to the City Council for the establishment of a special minimum lot size area pursuant to Subsection 42-213(g) of the Code; **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 requirement for the Area should be approved pursuant to Section 42-213 of the Code. The City Council further finds that the prevailing lot size in the Area is 6,545 square feet.

**Section 4.** That the City Council hereby establishes a special minimum lot size requirement area along the south side of the 1700 block of Albans Street, said area also being described as:

Lots 1-12, Block B, Sunset Place Subdivision. D

The prevailing lot size of 6,545 square feet shall be the lot size requirement for the special minimum lot size requirement 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 special minimum lot size requirement area is located, as soon as practicable after the effective date of this Ordinance.

**Section 5.** That the Director of the Planning and Development may assign a sequential number to this special minimum lot size requirement area for purposes of identification.

**Section 6.** That this Ordinance and the special minimum lot size requirement established by this Ordinance shall terminate on the 20th anniversary of the effective date of this Ordinance, unless earlier terminated by an ordinance adopted by the City Council.

**Section 7.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days of its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 4th day of January, 2006.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JAN 10 2006

  
City Secretary

(Prepared by Legal Dept. DEBORAH F. McARTEE)  
(DFM/ba December 27, 2005 Senior Assistant City Attorney)  
(Requested by Marlene L. Gafrick, Director, Planning and Development Department)  
L.D. File No. 0610500138001  
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Return to  
Shady Nebo  
City of Houston Planning & Development Dept  
611 Walker St, # 600  
Houston, TX 77002

AYE	NO	
✓		MAYOR WHITE
.....	.....	COUNCIL MEMBERS
✓		LAWRENCE
✓		JOHNSON
✓		CLUTTERBUCK
✓		EDWARDS
✓		WISEMAN
✓		KHAN
✓		HOLM
✓		GARCIA
✓		ALVARADO
✓		BROWN
✓		LOVELL
✓		SEKULA-GIBBS
✓		GREEN
✓		BERRY
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT  
REVIEW  
DATE: JAN 10 2006

I, ANNA RUSSELL, City Secretary of the City of Houston, Texas, do hereby certify that the within and foregoing is a true and correct copy of Ordinance 2006-9 passed and adopted by the City Council of said City on the 4th day of January 2006, as the same appears in the records in my office.

WITNESS my hand and the Seal of said City this 10th day of January, 2006



A handwritten signature in cursive script that reads "Anna Russell".

Anna Russell  
City Secretary of the City of Houston

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW THE STATE OF TEXAS COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED. In the Official Public Records of Real Property of Harris County, Texas on

MAR - 1 2006



A handwritten signature in cursive script that reads "Beverly B. Kaufman".

COUNTY CLERK  
HARRIS COUNTY, TEXAS

*Beverly B. Kaufman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

2006 MAR - 1 PM 1:58

FILED

HP 010-44-2042