

ORDINANCE NO. 2021-3853

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 0.27-ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF NORTH 1ST STREET AND WEST MADISON STREET, AND BEING LEGALLY DESCRIBED AS LOTS 13-16, BLOCK 108, TOWN OF LA PORTE, HARRIS COUNTY, TEXAS, FROM GENERAL COMMERCIAL (GC) TO MEDIUM DENSITY RESIDENTIAL (R-2); MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

WHEREAS, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities, and that such rules and regulations as adopted by the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, on October 21, 2021, the La Porte Planning and Zoning Commission conducted a public hearing regarding a request to rezone a 0.27 acre tract of land located at the northeast corner of North 1st Street and West Madison Street and legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, from General Commercial (GC) to Medium Density Residential (R-2), following lawful publication of the notice of said public hearing; and

WHEREAS, on October 21, 2021, after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission recommended that the request to rezone a 0.27 acre tract of land located at the northeast corner of North 1st Street and West Madison Street and legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, from General Commercial (GC) to Medium Density Residential (R-2) be approved; and

WHEREAS, on December 13, 2021, the City Council of the City of La Porte conducted a public hearing regarding a request to rezone a 0.27 acre tract of land located at the northeast corner of North 1st Street and West Madison Street and legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, as from General Commercial (GC) to Medium Density Residential (R-2); and

WHEREAS, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of La Porte, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

WHEREAS, the City Council desires that the request to rezone a 0.27 acre tract of land located at the northeast corner of North 1st Street and West Madison Street and legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, from General Commercial (GC) to Medium Density Residential (R-2) be approved;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference.

Section 2. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by changing the zoning classification of the following described property, to wit: a 0.27-acre tract of land located at the northeast corner of N. 1st St. and W. Madison St., and legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, from General Commercial (GC) to Medium Density Residential (R-2).

Section 3. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration in compliance with code provisions.

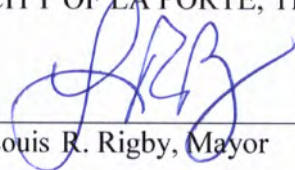
Section 7. It is directed that the Official Zoning Map of the City of La Porte, Texas be changed to reflect the zoning classification established by this ordinance

Section 8. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Map and Classification contained in this ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte’s Comprehensive Plan.

Section 9. This ordinance shall be effective after its passage and approval.

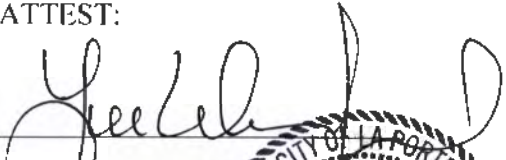
PASSED AND APPROVED this, the 13th day of DECEMBER, 2021.

CITY OF LA PORTE, TEXAS



Louis R. Rigby, Mayor

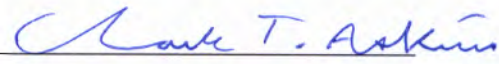
ATTEST:



Lee Woodward, City Secretary



APPROVED:



Clark Askins, Assistant City Attorney



October 22, 2021

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #21-92000003

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the October 21, 2021 meeting on a zone change request by Maria Cristina Rodriguez, applicant and owner; for a zone change of property legally described as Lots 13-16, Block 108, Town of La Porte, Harris County, Texas, from General Commercial (GC) to Medium Density Residential (R-2). The site is a 0.27-acre tract of land located at the northeast corner of N. 1st St. and W. Madison St.

The Commission voted 5-0 on a motion to approve the requested zone change.

Respectfully submitted,


Ian Clowes, City Planner
On Behalf of the Planning and Zoning Commission

Area Map

**Zone Change
#21-92000003**

**NE Corner
N. 1st and Madison**

Legend

 Subject Tract



This product is for informational purposes 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 property boundaries

1 inch = 63 feet




OCTOBER 2021
PLANNING DEPARTMENT

Zoning Map

**Zone Change
#21-92000003**

**NE Corner
N. 1st and Madison**

Legend

 Subject Tract

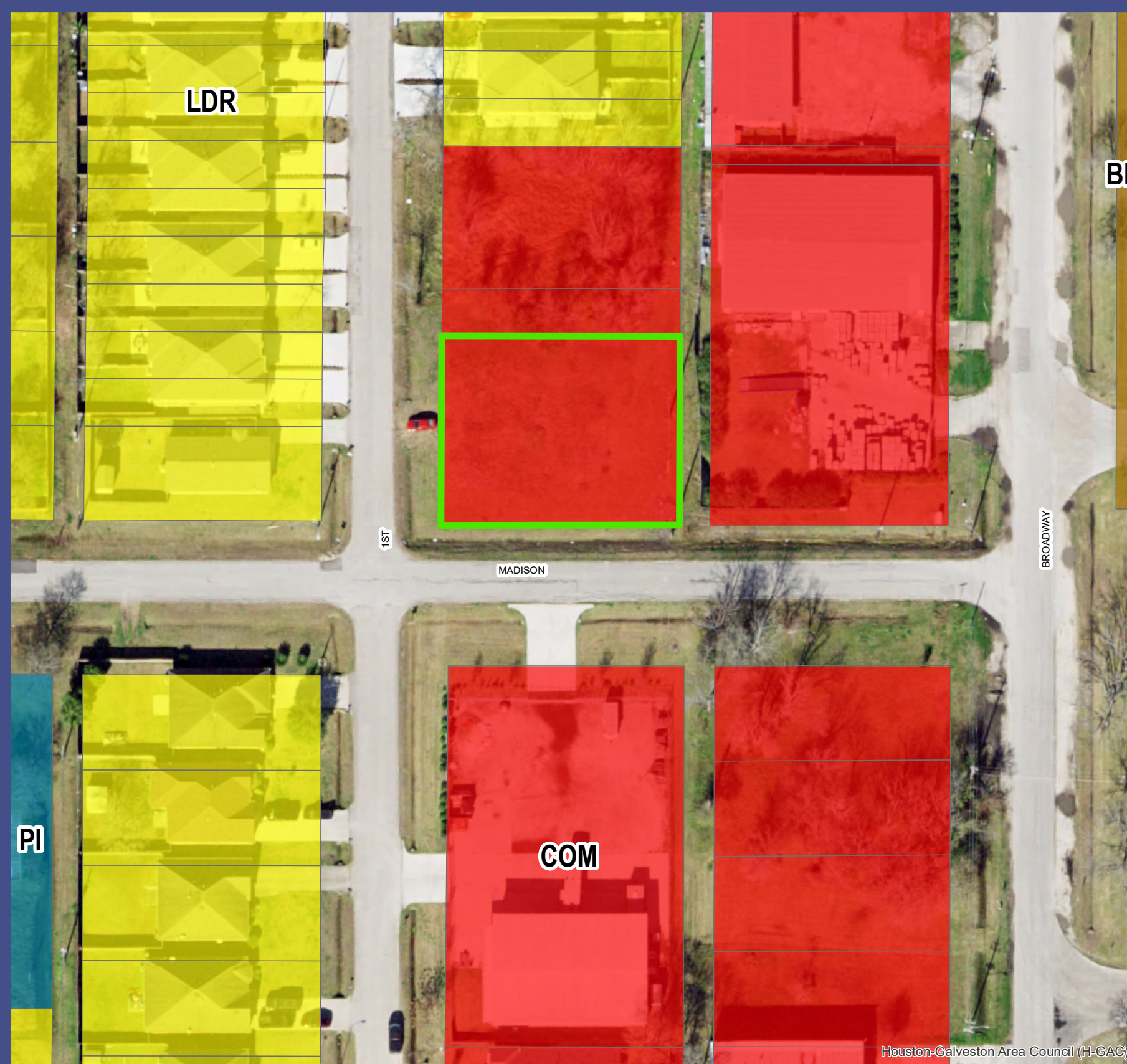


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OCTOBER 2021
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FLUP Map

**Zone Change
#21-92000003**

**NE Corner
N. 1st and Madison**

Legend

 Subject Tract



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OCTOBER 2021
PLANNING DEPARTMENT



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: N 45th Ave., LA PORTE TX. 77571

Legal description where zone change is being requested: LTS. 13, 14, 15 & 16 BLK 108

HCAD Parcel Number where zone change is being requested: 023-218-008-0013

Zoning District: current GC, desired R2 Lot area: 12,500 SF

A request for approval of a zone change is hereby made to the City of La Porte.

Description of Request: Formally requesting to change the above mentioned property from commercial to a residential property

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Maria Cristina Rodriguez

Company (if applicable): _____

Address: 519 Arxana St

City: Houston State: Texas Zip: 77034

Phone: (832) 453-4587 Email: marieris_cantu@hotmail.com

AUTHORIZED AGENT (if other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): [Signature] Date: 09/15/2021

STAFF USE ONLY:

Case Number: **ZC 21-92000003**

Date Application Received:
9/15/2021



AFFIDAVIT OF POSTING
PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: _____

LEGAL DESCRIPTION: _____

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: _____.

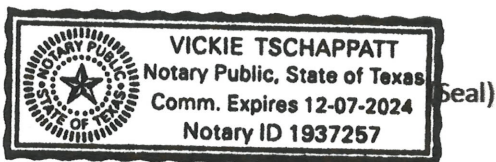
3. Said sign shall be placed on the property within 20 feet of the abutting street.

4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

[Handwritten Signature]
Applicant's Signature

Maria Cristina Rodriguez
Applicant's Printed Name

Subscribed and sworn before me this 15 day of September, 2021, by
(Print Applicant's Name).



[Handwritten Signature: Vickie Tschappatt]
Notary Public

My commission expires: 12-7-24

