City of La Porte
Planning and Zoning Commission Agenda

Notice is hereby given of a **Regular Meeting** of the La Porte Planning and Zoning Commission to be held on **Thursday, September 15, 2016 at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Open public hearing to receive input on an application for Special Conditional Use Permit #16-91000003, a request by Kenneth and Joanne Humphries to allow for construction of a secondary dwelling unit on the property located at 2711 Crescent Drive, legally described as Tract 1, Crescent View Subdivision.
    a. Staff Presentation
    b. Applicant Presentation
    c. Public Comments (for, against, or questions)
    d. Question and Answer
4. Close public hearing.
5. Consider approval or other action on Special Conditional Use Permit request #16-91000003.
6. Administrative reports.
7. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
8. Adjourn.

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281-470-5019.

CERTIFICATION

I certify that a copy of the Thursday, September 15, 2016, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the 12th day of September, 2016.

Title: City Planner

City of La Porte, Texas
Planning and Zoning Commission

September 15, 2016

AGENDA ITEM 3-5

Consider recommendation of approval of a Special Conditional Use Permit (#16-91000003) to allow for construction of a secondary dwelling unit for a "mother-in-law" unit on the property located at 2711 Crescent Drive and also described as Tract 1, Crescent View Subdivision

Applicant: Kenneth & Joanne Humphries

Eric J. Ensey, City Planner

Planning and Development Department

City of La Porte, Texas

Planning and Development Department
Staff Report

ISSUE

Consideration of a request by Kenneth Humphries and Joanne for a Special Conditional Use Permit (SCUP) to allow construction of a secondary dwelling unit for a "mother-in-law" suite at the property addressed 2711 Crescent Drive, legally described as Tract 1, Crescent View Subdivision.

RECOMMENDATION

Should the Commission desire to consider a recommendation for approval of this request, staff recommends considering various conditions, as described later in this staff report.

DISCUSSION

Applicant:
Kenneth Humphries

Applicant's Request:
The applicant desires to construct an 880 square foot secondary dwelling on their property. This structure would house a garage and "mother-in-law" suite. The attached Exhibit A includes the SCUP Application, project description letter and site plan drawings submitted by the applicant.

Site:
The legal description of the subject parcel is Tract 1 of the Crescent View Subdivision and is located east of S. Broadway between Wharton Weems and McCabe. The site contains an existing single family residential house. The attached Exhibit B is an area vicinity map showing the location of the applicant's property.

Background Information:
The subject site is 33,241 square feet in area and is zoned R-1, Low Density Residential. The City of La Porte's Land Use Map identifies this parcel as "low density residential." The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	R-3, High Density Residential	Pelican Bay Townhomes
South	R-1, Low Density Residential	Existing house at 2715 Crescent Drive
West	R-1, Low Density Residential	Existing House at 136 Crescent View
East	N/A	Galveston Bay

Notification Requirements:
Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with all applicable code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City's website as required by state law.

At the time this staff report was drafted, four response letters were received all in support of the request (see Exhibit C).

Analysis:
The city's residential use table (Section 106-331) allows for secondary dwelling units in the R-1 district through consideration of a Special Conditional Use Permit. Although the zoning ordinance does not contain a definition of a secondary dwelling unit, a "mother-in-law suite" is commonly categorized as a secondary dwelling unit. The following are a number of considerations staff analyzed as part of this application:

Use.
There is currently a trend across the country to allow for secondary dwelling units on lots as mother-in-law suites. There have been approval of similar requests in the City in the past few years. Secondary dwelling units provide that ability while providing some privacy and separation through detaching the structure. The use of this site will remain single family detached residential, however the applicant is requesting consideration of this SCUP to allow for construction of a separate structure that will house family and guests on special occasions.

Building Permit.
Because this is residential development, a certified site plan is not required. However, the applicant will be required to submit all applicable information as part of the required building permit application. The proposed secondary dwelling will be required to comply with all setback and other requirements outlined in the city's Zoning Ordinance and will be reviewed at the time of building permit review.

Driveway Access.
The applicant's preliminary layout shows that the proposed secondary dwelling will utilize the existing driveway. There are no plans at this time that indicate a separate driveway for the proposed secondary dwelling.

Conclusion:
Section 106-217 of the Code of Ordinances outlines specific conditions for approval of SCUP applications. There are three different conditions that must be met in order to approve a SCUP. The following table identifies each of the three conditions and staff's finding on each:

Condition:	**Staff Analysis:**
(1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.	The proposed secondary dwelling unit will be compatible with the use of other properties in the vicinity as it will still maintain the use of the property as single-family detached residential.
(2) That the conditions placed on such use as specified in each district have been met by the applicant.	The conditions staff is recommending are outlined in the following section of this staff report. Approval of this SCUP will allow the applicant to construct a secondary dwelling unit on the subject property, however the construction will need to comply with all applicable building and zoning codes. Those requirements will be reviewed by staff at the time of building permit submittal. The Commission has the authority to impose additional conditions on the SCUP.
(3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.	The applicant will need to verify whether or not the conditions imposed are acceptable.

Based on the analysis above, staff finds that if the Planning and Zoning Commission desires to recommend approval of the proposed Special Conditional Use Permit, then a number of conditions should be considered in the approval.

1. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.

2. The plan shall comply with all applicable 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.

3. The proposed secondary dwelling unit shall only be used for residential purposes.

[Any additional conditions requested by the Planning and Zoning Commission.]

ATTACHMENTS

Exhibit A: SCUP
Exhibit B: SCUP Application and Supplemental Information from the Applicant
Exhibit C: Area Map
Exhibit D: Notification Response Letters

EXHIBIT A

City of La Porte
Special Conditional Use Permit #16-91000003

This permit is issued to: Kenneth Humphries
Owner or Agent

7514 Olympia Drive, Houston, TX 77063
Address

For Development of: Secondary Dwelling Unit
Development Name

2711 Crescent Drive, La Porte, TX 77571
Address

Legal Description: Tract 1, Crescent View Subdivision

Zoning: R-1, Low Density Residential

Use: Single Family Residential, Secondary Dwelling Unit

Permit Conditions:

This Special Conditional Use Permit 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. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
2. The plan shall comply with all applicable 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.
3. The proposed secondary dwelling unit shall be used only for residential purposes.

Failure to begin construction of the building 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: _____

_____ Director of Planning

_____ City Secretary

Exhibit B

City of La Porte
604 W. Fairmont Pkwy.
La Porte, TX 77571

Planning & Development Department

SPECIAL CONDITIONAL USE PERMIT APPLICATION

Phone: 281.470.5073
Fax: 281.470.5005
www.laportetx.gov

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER NAME: Kenneth & Joanne Humphries PHONE 1: 713-249-2569

PHONE 2: 713-978-6610 X:111 FAX #: 713-978-6318

E-MAIL: [redacted]

MAILING ADDRESS: 7514 Olympia Dr., Houston, TX 77063

2. BUSINESS INFORMATION:

BUSINESS NAME: _____ BUSINESS TYPE: _____

CONTACT NAME: _____ PHONE #: _____

E-MAIL: _____ FAX #: _____

MAILING ADDRESS: _____

3. PROPERTY DESCRIPTION:

PARCEL NO(s) (13-digit HCAD Tax ID #): 0600550000001

PROPERTY ADDRESS (If existing): 2711 Crescent Dr.,La Porte, TX 77571

PROPERTY LEGAL DESCRIPTION TR 1, Crescent View

4. SUPPORTING DOCUMENTATION (Check Applicable):

- [x] GENERAL PLAN
- [ ] SITE PLAN
- [ ] PLAT

REASON FOR REQUEST?: See Attached

OWNER or AUTHORIZED AGENT'S SIGNATURE: [signature]

PRINTED NAME: Kenneth M. Humphries DATE: 7/29/16

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:

- [x] COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- [x] ATTACH APPLICABLE PLAN(S)
- [x] SUBMIT $300.00 NON-REFUNDAB LE APPLICATION FEE

(STAFF USE ONLY):

DATE RECEIVED: _____ *RECEIVED BY:* _____

PROJECT NUMBER: _____ - _____

SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: _____

KENNETH M. HUMPHRIES
7514 OLYMPIA DRIVE
HOUSTON, TEXAS 77063

Exhibit B

July 29, 2016

Planning and Development
City of La Porte
604 W. Fairmont Parkway
La Porte, TX 77571

RE: 2711 Crescent Dr., La Porte, TX
Special Conditional Use Permit Application

Gentlemen:

We are requesting permission to build a Guest Quarters consisting of two bedrooms, a bath, a Coffee Bar and a Sitting Area on the second floor level of the garage structure that we have recently permitted.

The primary residence is a three bedroom house on a large bay front lot, which we hope will be a family retreat. Since we have five grown children, we need the extra bedrooms to accommodate family, as well as guests, for holidays, special occasions and any other time that we can convince children and grandchildren to come visit. We have no intention of ever renting the property.

If this application is approved, I will submit a revised plan of the second floor of the garage for a permit revision. I have enclosed two (2) copies of Drwgs. A01.01 Site Plan and A0.201 Roof and Floor Plan for your reference.

Thank you for your consideration of this request.

Sincerely,

Kenneth M. Humphries

Exhibit B

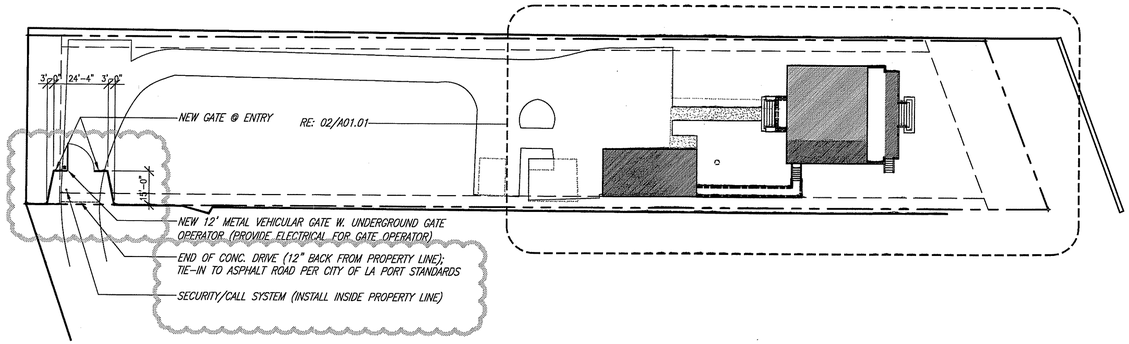
A AN ADDITION/REMODEL FOR

Ken & Joanne Humphries

2711 CRESCENT DRIVE
LA PORTE, TX. 77571

DESIGNER

COLBY DESIGN
4901 MAIN ST.
HOUSTON, TX. 77002
713.524.1497



01 FULL SITE PLAN

SCALE 1/32"=1'-0"

LEGAL DESCRIPTION

LOT 15, SECTION 3 OF CHESTWOOD SUBDIVISION ACCORDING TO THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

AREA CALCULATIONS

RESIDENCE		
EXIST. FIRST FL. A/C	1,200	SF
EXIST. SECOND FL. A/C	1,180	SF
EXISTING A/C TOTAL	2,380	SF
FIRST FL. A/C ADDITION	372	SF
SECOND FL. A/C ADDITION	425	SF
ADDITION A/C TOTAL	797	SF
TOTAL A/C FIRST FL. A/C TOTAL + SECOND FL. A/C TOTAL	3,177	SF
COVERED ENTRY	177	SF
COVERED PATIO	587	SF
NEW STEPS	162	SF
TOTAL NON A/C	926	SF
FOOTPRINT TOTAL FIRST FL. A/C TOTAL + TOTAL NON A/C	3,306	SF

ACCESSORY BUILDING		
FIRST FL. A/C	60	SF
SECOND FL. A/C	880	SF
EXISTING A/C TOTAL	940	SF
GARAGE	820	SF
FOOTPRINT TOTAL FIRST FL. A/C + GARAGE	880	SF

IMPERVIOUS CALCULATIONS

RESIDENCE FOOTPRINT	3,306	SF
ACCESSORY FOOTPRINT	880	SF
BUILDING FOOTPRINT TOTAL	4,186	SF
EXISTING CONC. DRIVE	8,491	SF
NEW WALKWAY	321	SF
COVERED WALKWAY	254	SF
TOTAL HARDSCAPE	9,066	SF
TOTAL IMPERVIOUS COVER BUILDING FOOTPRINT TOTAL + TOTAL HARDSCAPE	13,252	SF
LOT SIZE	33,240	SF
IMPERVIOUS % FIRST IMPERVIOUS COVER / LOT SIZE	39.9%	SF

SHEET INDEX

RESIDENCE

A01.01 SITE PLAN
D02.01 DEMOLITION PLAN
A02.01 FIRST FLOOR PLAN
A02.02 SECOND FLOOR PLAN
A02.03 THIRD FLOOR PLAN
A02.04 ROOF PLAN

SHEET INDEX

RESIDENCE (CONT'D)

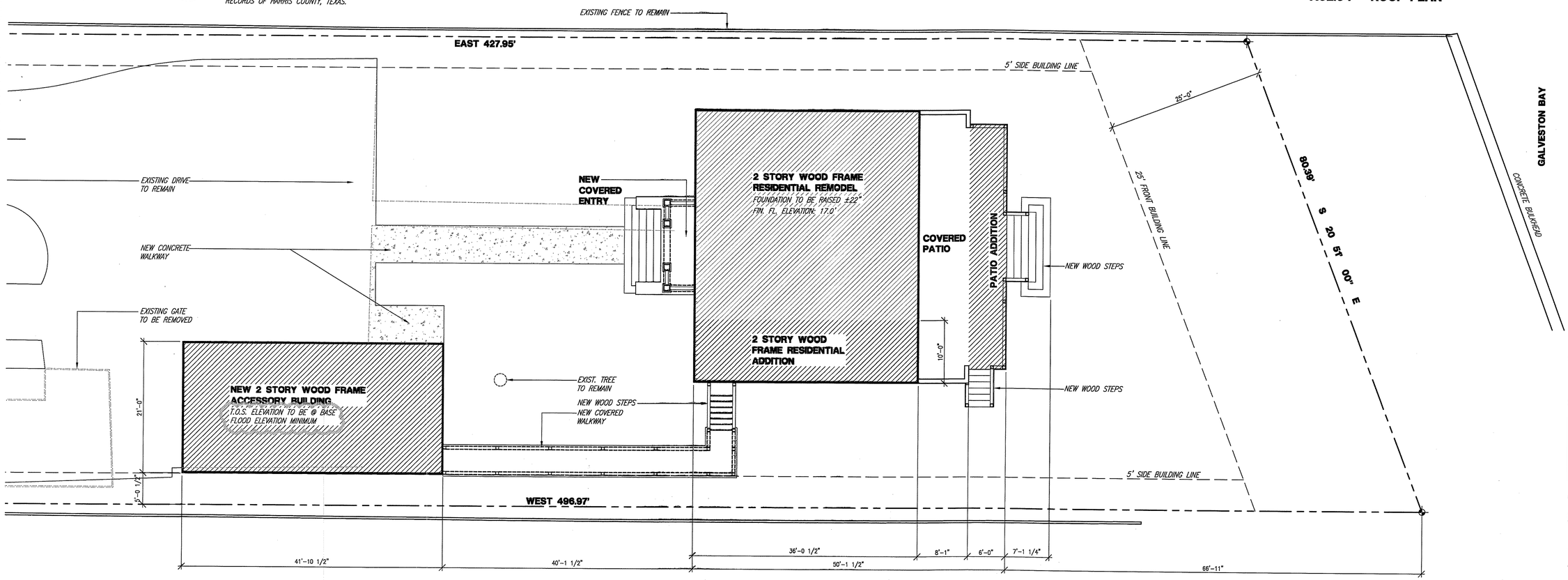
A03.01 EXT. ELEVATIONS
A03.02 EXT. ELEVATIONS
A03.03 EXT. ELEVATIONS
A03.04 EXT. ELEVATIONS
A04.01 WALL SECTIONS
A04.02 WALL SECTIONS
A04.03 CORNICE DETAILS
A04.04 COVERED WALKWAY DETAILS
A05.01 INT. ELEVATIONS
A05.02 INT. ELEVATIONS
A05.03 INT. ELEVATIONS
A05.04 INT. ELEVATIONS
A05.05 INT. ELEVATIONS
A05.06 INT. ELEVATIONS
A06.01 MOULDING SCHED.
A06.02 INTERIOR DETAILS
A08.01 DOOR & WINDOW SCHEDULE
E02.01 FIRST FLOOR ELECTRICAL
E02.02 SECOND FLOOR ELECTRICAL
E02.03 THIRD FLOOR ELECTRICAL

ACCESSORY BUILDING

A02.01 FLOOR & ROOF PLANS
A03.01 EXTERIOR ELEVATIONS
A03.02 EXTERIOR ELEVATIONS
A04.01 WALL SECTIONS
A05.01 INTERIOR ELEVATIONS
A08.01 DOOR & WIN. SCHED.
E02.01 ELECTRICAL PLAN

STRUCTURAL

S1 FOUNDATION FRAMING PLAN
S2 FOUNDATION DETAILS
S3 FIRST FLOOR CEILING FRAMING PLAN
S4 SECOND & THIRD FL. CEILING FRAMING PLAN
S5 ACCESSORY BUILDING FOUNDATION PLAN & FOUNDATION DETAILS
S6 ACCESSORY BUILDING FIRST & SECOND FL. CEILING FRAMING PLAN
S7 GEN. NOTES & DETAILS



02 PARTIAL SITE PLAN

SCALE 1/8"=1'-0"

LEGAL DESCRIPTION

LOT 15, SECTION 3 OF CHESTWOOD SUBDIVISION ACCORDING TO THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

no.	issue	date
1	ISSUED FOR STRUCTURAL PROPOSAL	07 JAN 2016
2	ISSUED FOR STRUCTURAL	31 MAR 2016
3	ISSUE FOR PERMIT	08 JUL 2016
4	ISSUE FOR PERMIT RESPONSE I	19 JUL 2016

SITE PLAN

SCALE: 1/8"=1'-0"

A REMODEL FOR

HUMPHRIES

2711 CRESCENT DR.
LA PORTE, TEXAS 77571

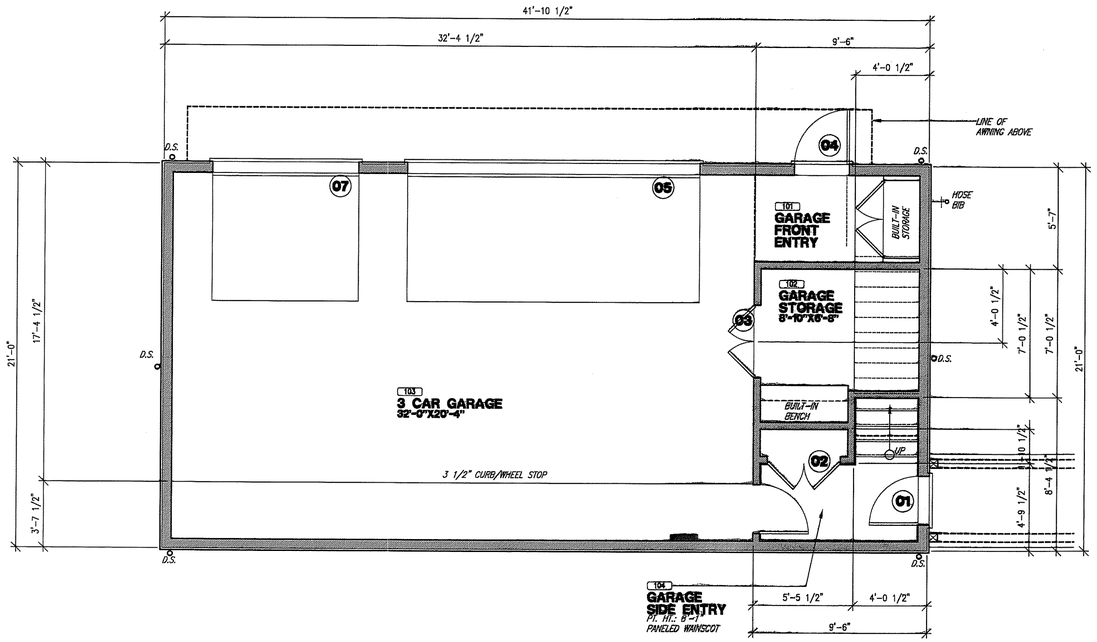
COLBY DESIGN
4901 MAIN ST.
HOUSTON, TEXAS 77002
713/524-1497

FILE NAME: NAME.DWG

JOB NO.	DATE	SHEET NO.
JOB NO.	07.01.2015	A01.01

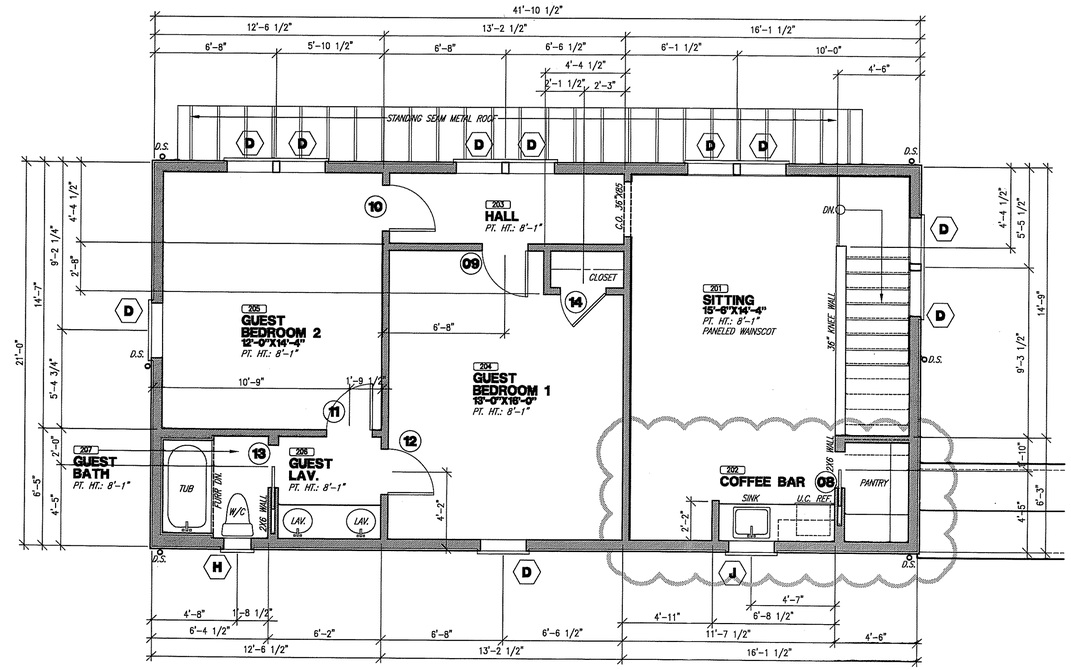
SHEET 1-2

Exhibit B



01 FIRST FLOOR PLAN

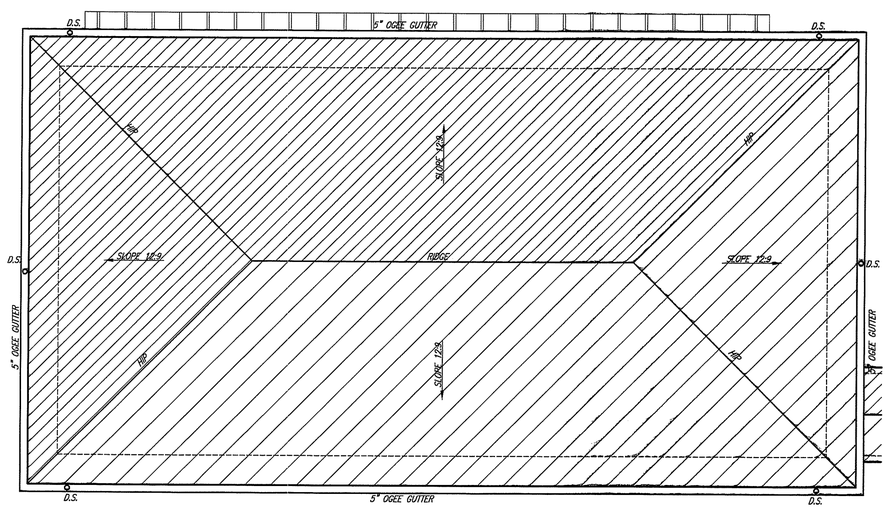
SCALE: 1/4"=1'-0"



02 SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

**** ALL EXT. WALLS TO BE 2X6 FRAMING ****



03 ROOF PLAN

SCALE: 1/4"=1'-0"

AREA CALCULATIONS

ACCESSORY BUILDING

FIRST FL. A/C	60	SF
SECOND FL. A/C	880	SF
EXISTING A/C TOTAL	940	SF
GARAGE	820	SF
FOOTPRINT TOTAL *FIRST FL. A/C + GARAGE*	880	SF

DRAWINGS AND SPECIFICATION AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF COLBY DESIGN. THEY ARE NOT TO BE USED ON EXTENSIONS TO THIS PROJECT, OR OTHER PROJECTS, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO COLBY DESIGN.

THE CONTRACTOR IS RESPONSIBLE FOR CONFIRMING AND CORRELATING DIMENSIONS AT THE JOB SITE. COLBY DESIGN WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE PROJECT.

no.	issue	date
1	ISSUE FOR STRUCTURAL PROPOSAL	07 JAN 2016
2	ISSUE FOR STRUCTURAL	01 APR 2016
3	ISSUE FOR STRUCTURAL UPDATE	06 APR 2016
4	ISSUE FOR PERMIT	07 JUL 2016
5	ISSUE FOR PERMIT RESPONSE 1	19 JUL 2016

FLOOR & ROOF PLAN

SCALE: 1/4"=1'-0"

A REMODEL FOR

HUMPHRIES

2711 CRESCENT DR.
LA PORTE, TEXAS 77571

COLBY DESIGN
4901 MAIN ST.
HOUSTON, TEXAS 77002
713/524-1497

JOB NO. 09.03.2015 **A02.01**

JOB NO. DATE SHEET NO.

SHEET 2-2

AREA MAP

Exhibit C

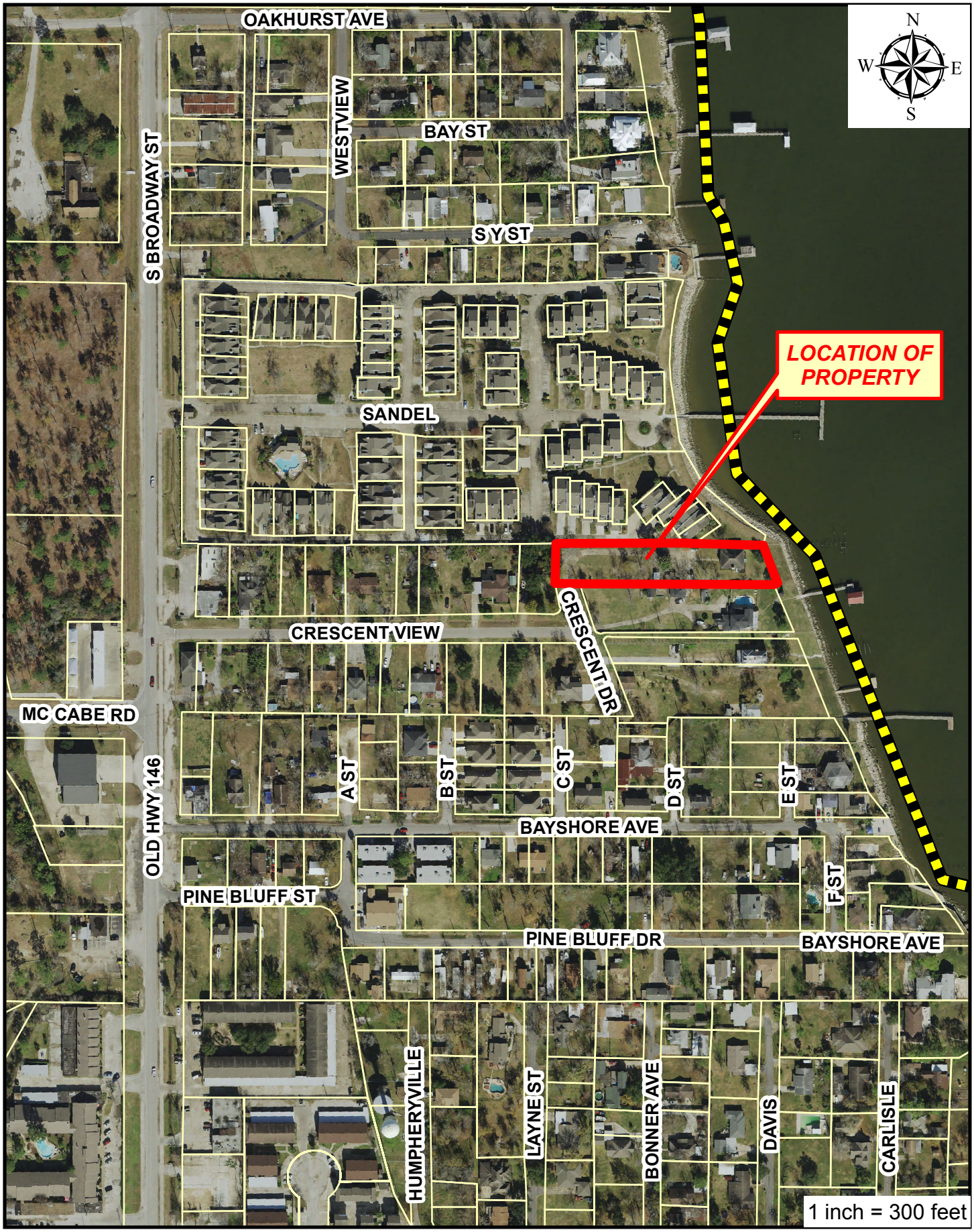


Exhibit D

A Meeting of the La Porte

Planning and Zoning Commission
(Type of Meeting)

Scheduled for

September 15, 2016
(Date of Meeting)

to Consider

Variance Request #16-91000003
(Type of Request)

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

No issues, so no reason to be opposed.

I am **OPPOSED** to granting this request for the following reasons:

Don Peters
Name (please print)

Signature

2601 S. Broadway #57
Address

La Porte, TX 77571
City, State, Zip

Exhibit D

A Meeting of the La Porte

Planning and Zoning Commission
(Type of Meeting)

RECEIVED
SEP 09 2016
BY:

Scheduled for

September 15, 2016
(Date of Meeting)

to Consider

Variance Request #16-91000003
(Type of Request)

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

ADJACENT PROPERTY HAS APARTMENT OVER DETACHED GARAGE. PROPOSED GARAGE W/APARTMENT WOULD BE CONGRUENT WITH TYPES OF STRUCTURES IN NEIGHBORHOOD.

I am **OPPOSED** to granting this request for the following reasons:

TERRY MATTHEWS
Name (please print)

Terry Matthews
Signature

2807 CRESCENT
Address

LA PORTE, TEXAS 77571
City, State, Zip

Exhibit D

A Meeting of the La Porte

Planning and Zoning Commission
(Type of Meeting)

Scheduled for

September 15, 2016
(Date of Meeting)

to Consider

Variance Request #16-91000003
(Type of Request)

RECEIVED
SEP 09 2016
BY:

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

Many of the houses have the same and it is only fair to allow it.

I am **OPPOSED** to granting this request for the following reasons:

Vidya O'Sullivan
Name (please print)

2715 Crescent
Address

Signature

LP 77571
City, State, Zip

Exhibit D

A Meeting of the La Porte

Planning and Zoning Commission
(Type of Meeting)

Scheduled for

September 15, 2016
(Date of Meeting)

to Consider

Variance Request #16-91000003
(Type of Request)

RECEIVED
SEP 09 2016
BY:

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

We have no reasons to be opposed.

I am **OPPOSED** to granting this request for the following reasons:

Carlos F. Sales Amy I. Sales
Name (please print)

2401 S. Broadway St. #44
Address

Signature

La Porte, TX 77571
City, State, Zip