

**STATE OF TEXAS
COUNTY OF HARRIS
CITY OF EL LAGO**

**MINUTES
CITY OF EL LAGO
PLANNING & ZONING COMMISSION
JULY 18, 2016 at 6:00 PM**

- 1. PLANNING & ZONING COMMISSION MEETING CALLED TO ORDER** – Pursuant to public notice as required by law, Chairman Gartman called the El Lago Planning & Zoning Commission meeting to order at 6:35 p.m. on April 27, 2016.

The following were present:

Chairman Russ Gartman
Commission Members Jeff Corbin, Randy Roof and Al Strahan
City Secretary Ann Vernon

- 2. CITIZENS COMMENTS – Citizens are invited to speak for up to (3) three minutes on matters relating to the city and Planning & Zoning Commission.** – There were no comments
- 3. CONSIDER AND APPROVE REPORT TO THE CITY COUNCIL RECOMMENDING CHANGES TO AMEND THE CITY’S ZONING ORDINANCES:**

**REPORT OF THE CITY OF EL LAGO PLANNING &
ZONING COMMISSION**

HAVING CONDUCTED A COMPREHENSIVE REVIEW OF THE CITY OF EL LAGO ZONING ORDINANCE AND HAVING HELD A DULY CALLED AND NOTICED PUBLIC HEARING, THE CITY OF EL LAGO PLANNING AND ZONING COMMISSION RECOMMENDS THAT THE EL LAGO CITY COUNCIL AMEND THE CITY’S ZONING ORDINANCE, AS FOLLOWS:

- In § 5.05 Zone B, Subsection (4): Add (i) Smoke Shops to the list of uses for which a special use permit may be granted by an affirmative vote of 4 Councilmembers.
- In § 5.05, Zone B, Subsection (3): Add (l) Tattoo Parlors to the list of uses specifically prohibited.
- In §4.01 Nonconforming Uses: Amend Subsection (4)(iii) to read: “Such ~~structural~~ alterations, improvements or reconstructions which are structural in nature are made during its lifetime subsequent to becoming a nonconforming use to an extent in the aggregate not to exceed ten (10) percent of the fair market value of the building or structure, unless it is changed to a conforming use.”
- In §4.01 Nonconforming Uses: Amend Subsection (6) to read: “No nonconforming use shall be changed to another nonconforming use.”

6. In §4.01 Nonconforming Uses, Add a new Subsection (4)(v) to read:
" Such change has the purpose of expanding off-street parking and/or off-street loading capabilities." Delete "or" at the end of Subsection 4(iii) and add "or" at the end of Subsection 4(iv).
7. In §5.05(2)(n) Add a new condition (4) for Retail stores and other businesses supplying everyday shopping needs of the immediate neighborhood, as follows: "(4) That wares may be displayed on the sidewalk in front of their location and/or in their parking lot limited to hours of normal operation, not before 8:00 a.m. or after 9:00 p.m. and any such display is limited to 50% of the store front, not to extend beyond 10 feet out from the front of the building." Delete "and" at the end of condition (2) and add "and" at the end of condition (3).
8. In §5.04(17) Amend the fourth sentence of the subsection as follows: "No vehicle(s) as described in this subsection may be parked, stored or left standing on any portion of a property used for residential purposes if said vehicle or any combined measurement of said vehicles are greater than thirty (30) feet in length, are wider than ten (10) feet in width or higher than ten (10) feet in height unless said vehicle(s) has/have been parked, stored or left standing on the property in accordance with this subsection on the date of the passage of this ordinance."
9. Add a new §5.04 (2A) to read as follows:
(2A) Any person desiring to cut any curb or otherwise construct any driveway for the purpose of ingress and egress to and from the property to be served shall make application for a permit to the building official. The application shall be in writing and shall be accompanied by a plat or map of the property upon which the driveway is to be located. If approved by the building official, the city secretary shall charge a minimum fee of forty dollars (\$40.00) for the issuance of the permit. The fee shall cover the expenses of the issuance of the permit. No permit shall be issued to authorize the construction of a driveway or improved flat surface within the building setback lines described and contained in subsection (11) of this section unless the driveway extends from the curb (i) into the garage located on the property or, if there is no garage there located, to the back building line of the residence house on the property, or (ii) back to the curb if the curb cuts are separated by a distance of at least thirty-five (35) feet. In addition, a permit shall be issued to authorize said construction if a part of the permitted driveway

or improved flat surface commences at the curb and extends to a garage, fence or into the back yard of the property to the back building line of the residence house on the property. Notwithstanding the provisions of this subsection, no permit shall be issued to authorize the construction of a driveway in excess of thirty-five (35) feet wide in front of the front building line of the residence house on the property, or which, when added to all other improved surfaces or structures (excepting sidewalks), takes up more than 35% of the total area located between the curb and the building line of the residence house on the property to be served by the driveway. For a residence house located on a corner lot, this percentage of improved surface prohibition does not apply to a driveway sought to be permitted from the side street of the lot on which the residence house is located.

Include the attached drawing as an Exhibit to subsection 2A.

Commissioner Roof motioned to approve the recommendation to the City Council as listed. Commissioner Corbin seconded the motion and it was approved unanimously. Commissioner Strahan asked the City Attorney about variances to the zoning ordinance and was told that the Board of Adjustment exists to grant or deny variances from a decision by the Building Official. If an owner wants, they can appeal the Building Official's decision to the Board of Adjustment, but must show that his decision makes it impossible or causes unreasonable harm for the owner to use his property.

4. OTHER ITEMS MEMBERS OF THE COMMISSION WOULD LIKE TO BE CONSIDERED ON A FUTURE AGENDA

Commissioner Strahan said that the Commercial District parking spaces need to be addressed.

- 5. ADJOURNMENT**– There being no further business, Commission Strahan motioned and Commissioner Corbin seconded adjourning the meeting. Commissioner Gartman adjourned the meeting at 6:16 p.m

Russ Gartman, Chairman

ATTEST:

Ann Vernon, City Secretary