



PLANNING BOARD MEETING

Tuesday, June 25, 2024 at 5:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

AGENDA

Planning Board will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the Planning Board of the City of Port Lavaca, Texas, will hold a regular meeting Tuesday, June 25, 2024 beginning at 5:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

CITY OF PORT LAVACA is inviting you to a scheduled Zoom meeting.

Topic: Planning Board

Time: Jun 25, 2024 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82066719677?pwd=K0WkiqTKvSoMuER179Is17yyheVOkl.1>

Meeting ID: 820 6671 9677

Passcode: 791888

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

1. To consider a Variance request to the Ordinance Chapter 26- Manufactured Housing and Recreational Vehicles for a manufactured home to be placed on a residential lot that is not in a manufactured housing park. The property is described as Block 47, Lot 1 of the Original Townsite (723 S. Benavides St.).

COMMENTS FROM THE PUBLIC

** (Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).*

ADJOURN

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The Planning Board of The City of Port Lavaca, scheduled for **Tuesday, June 25, 2024**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, June 21, 2024**.

Derrick Smith, *Director of Development Services*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: To consider a Variance request to the Ordinance Chapter 26- Manufactured Housing and Recreational Vehicles for a manufactured home to be placed on a residential lot that is not in a manufactured housing park. The property is described as Block 47, Lot 1 of the Original Townsite (723 S. Benavides St.).

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: June 25, 2024 AGENDA ITEM _____

DATE: 06/19/2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider a Variance to Ordinance Chapter 26- Manufactured Housing and Recreational Vehicles for a manufactured home to be placed on a residential lot that is not in a manufactured housing park. The property is described as Block 47, Lot 1 of the Original Townsite (723 S. Benavides St.).

Chapter 26 – Manufactured housing

In accordance with Chapter 26.4(2)(c) of City of Port Lavaca Code of Ordinances, HUD-Code manufactured housing shall be installed only in a manufactured housing park, manufactured housing subdivisions or other property approved by the building official as described in the remainder of this subsection. A HUD-Code manufactured home will be permitted to be installed on any lot on which a manufactured home was situated in the past 180 days.

Jacob Benjamin is requesting a variance to place a manufactured home on 723 S. Benavides Street. Mr. Benjamin’s variance application explains that his request is due to medical necessity. Mr. Benjamin states that he has purchased a new manufactured home, and the land purchase is contingent on the variance approval. He has also included a note from his primary care provider that states that he should live within three (3) minutes response rate by EMS or to get to the hospital.

According to the tax role, the current property owner is Larry R. Johnson c/o Elsa P. Johnson.

Staff Recommendation: Denial

When considering whether to grant a variance, the Board must make specific findings that (1) it meets the intent of the ordinance and substantial justice will be provided to the applicant; (2) the variance is not contrary to public interest; and (3) that due to special conditions, literal enforcement of the ordinance would result in an unnecessary hardship to the property owner.

An unnecessary hardship does not include a hardship created by the property owner. The hardship must be unique to the property. The variance request for a manufactured home to be permanently installed on 723 S. Benavides does not meet the intent of the Code of Ordinances. Furthermore, the property does not have unique hardships to prevent meeting the spirit of the ordinances. Therefore, staff recommends denial as per the aforementioned ordinance citation.

Attachments:

- Request for Variance Form
- Calhoun County Appraisal District Summary
- Calhoun County Appraisal District Parcel Image

Property Details		
Account		
Property ID:	17363	Geographic ID: S0001-00470-0001-00
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	723 S BENAVIDES ST PORT LAVACA, TX 77979	
Map ID:	S0001-00470-0001-00	Mapsc0: 1600.3
Legal Description:	PORT LAVACA ORIGINAL TOWNSITE, BLOCK 47, LOT 1	
Abstract/Subdivision:	S0001 - PORT LAVACA ORIGINAL TOWNSITE	
Neighborhood:	1600	
Owner		
Owner ID:	100135	
Name:	JOHNSON LARRY R	
Agent:		
Mailing Address:	JOHNSON ELSA P 710 S SAN ANTONIO PORT LAVACA, TX 77979	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values	
Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$7,700 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$7,700 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$7,700 (=)
Homestead Cap Loss:	\$0 (-)
Assessed Value:	\$7,700
Ag Use Value:	\$0

Values displayed are 2024 preliminary values and are subject to change prior to certification. Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction	
Owner: JOHNSON LARRY R	%Ownership: 100.0%

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CITY OF PORT LAVACA



City of Port Lavaca Request for Variance

RECEIVED

JUN 17 2024

Date: 6/15/24

Name: Jacob Benjamin

Address: 414 S. Lavaca

Variance being requested: manufactured home to be placed at 723 S. Benavides St.

Reason for request: Medical Necessity. I am currently living in a travel trailer which is unsuitable for my needs. I have purchase a brand new manufactured home. I have a contract for sale pending for the above address through Gulf Coast Title, contingent upon a variance being granted. It is essential that I live with the city as outlined by the attached letter from my primary care physician.

Jacob Benjamin
Signature

361 336 918
Phone number

Date of Planning Board: 6/25/24

Received by: [Signature]

PORT LAVACA CLINIC



Let our family care for your family.

John B. Wright, MD
Port Lavaca Clinic Associates, PA
1200 North Virginia
Port Lavaca, TX 77979

361-552-6721
Fax: 361-552-7463

Re: Benjamin, Jacob, DOB 12/15/1957

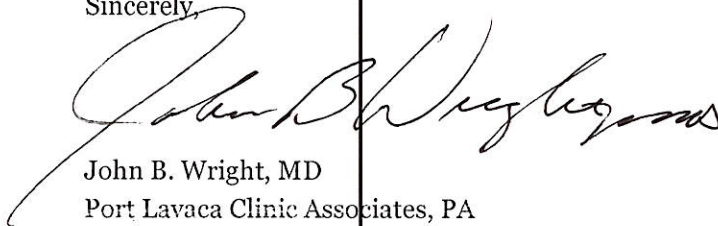
6/11/2024

To Whom it May Concern,

I have been Mr. Benjamin's primary care provider for the past 8 years. He has several critical illnesses including having a tracheostomy secondary to vocal cord paralysis. In addition, he has atrial fibrillation and diabetes mellitus. He has also poor mobility due to osteoarthritis and respiratory issues. He can suddenly become incapacitated due to his medical problems and response times that vary by minutes can make huge difference in his possible outcome. Ideally, he should live within 3 minutes response rate by EMS or to get to the hospital.

Should you have any questions, do not hesitate to call: 361-552-6721.

Sincerely,



John B. Wright, MD
Port Lavaca Clinic Associates, PA