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**CITY OF PORT LAVACA**

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**PB MEETING:** July 08, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 06.28.2024

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**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.).

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**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.

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.

**Staff Recommendation:** Denial

**Planning Board Recommendation:** Motion was to deny the variance contingent on the legality of the specific use permit for the sole and singular use for the applicant.

Attachments:

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

Property Details		
<b>Account</b>		
Property ID:	17363	Geographic ID: S0001-00470-0001-00
Type:	Real	Zoning:
Property Use:		Condo:
<b>Location</b>		
Situs Address:	723 S BENAVIDES ST PORT LAVACA, TX 77979	
Map ID:	S0001-00470-0001-00	Mapsco: 1600.3
Legal Description:	PORT LAVACA ORIGINAL TOWNSITE, BLOCK 47, LOT 1	
Abstract/Subdivision:	S0001 - PORT LAVACA ORIGINAL TOWNSITE	
Neighborhood:	1600	
<b>Owner</b>		
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 (+)
<b>Market Value:</b> \$7,700 (=)	
Agricultural Value Loss:	\$0 (-)
<b>Appraised Value:</b> \$7,700 (=)	
Homestead Cap Loss:	\$0 (-)
<b>Assessed Value:</b> \$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

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