

Application for Special Minimum Building Line Block

Section 42-170 of Chapter 42 of the Code of Ordinances



PLANNING &
DEVELOPMENT
DEPARTMENT

This packet provides the information and forms needed to apply for the Special Minimum Building Block (SMBLB). Staff from the Planning and Development Department will check whether your application meets the requirements and can help you through the process.

This packet includes:

- A Special Minimum Building Line Block (SMBLB) Application
- A Step-By-Step Guide for Applicants
- Example of a Boundary Map and Notification Sign
- Frequently asked Questions and helpful tips
- A blank "Evidence of Support" page for other property owners to sign

Before you submit the application, you must meet with a staff member for a preliminary submittal review. This meeting helps confirm whether your application meets the eligibility requirements which are:

1. Contains at least one blockface, but not more than two opposing blockfaces;
2. Contain all lots on each blockface;
3. Form a contiguous area;
4. Have at least 60% of the lots developed for or restricted to single-family use (exclusive of land used for a park, library, place of worship, or school); and
5. Contain at least one lot that does not have a minimum building line established by deed restrictions

A survey is required for at least one lot on each blockface within the proposed special minimum building line block that includes the location and dimensions of all buildings on the lot.

A completed application package, after you have had a successful preliminary submittal meeting, may be mailed or delivered in person during regular business hours to:

Planning and Development Department
Attn: Community and Regional Planning
611 Walker Street, 6th Floor
Houston, TX 77002

If you have questions or would like to schedule your required preliminary submittal meeting, please contact the Community and Regional Planning Division at (832) 393-6637. More information is also available at www.houstonplanning.com.

¡ATENCIÓN! Si necesita ayuda en español o gustaría recibir más información acerca de este asunto, comuníquese al número 832-393-6659.

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PLEASE PRINT LEGIBLY

Application Information (Required)

Describe the location of the application area.

Example: 1600-1700 block of Planning St, north and south sides, between Renew St and Welcome Ave.

Date and name of Planner at your Preliminary Meeting: _____

Date and name of Planner at your Preliminary Meeting: _____

Does the boundary have active deed restrictions that establish a lot size? ☐ Yes ☐ No ☐ Unknown

If yes, are your deed restrictions attached to this application ☐

If not, how do you know that you don't have deed restrictions

Main Applicant (Required)

Applicant's Name: _____

If not a property owner within the boundary, what is your role? _____

Phone Number: _____ E-mail address: _____

Address: _____

Signature: _____ Date _____

****By signing this application, I certify that the information provided is true and correct.****

Co - Applicant (Optional)

Applicant's Name: _____

If not a property owner within the boundary, what is your role? _____

Phone Number: _____ E-mail address: _____

Address: _____

Signature: _____ Date _____

****By signing this application, I certify that the information provided is true and correct.****

STAFF USE ONLY

File Number: _____

Super Neighborhood: _____

Council District: _____

Planner Assigned: _____

Historic District: _____

Restricted ☐

Planner Notes:

Special Minimum Building Line Block

Step-By-Step Guide For Applicants



PLANNING & DEVELOPMENT DEPARTMENT

STEP BY STEP GUIDE FOR APPLICANTS

☐ **Step 1: Preliminary Meeting with the Planning Department**

To schedule, call Community and Regional Planning at (832) 393-6637.

☐ **Step 2: Submit a complete application to the Planning Department**

Mail or hand-deliver the full application to the Planning and Development Department. If anything is missing, the application will be returned with instructions. Within two business days, staff will notify you whether the application is accepted or needs revisions. If it is accepted it will be added to the City's website and will notify the District Council Member.

☐ **Step 3: Planning Application Review**

Staff will begin to review the application and determine eligibility within 30 business days. If your application is ineligible, you will be contacted by staff.

☐ **Step 4: Posting of Signs and 30-Day Protest Period**

If your application is eligible, staff will deem your application complete and will send you instructions for posting notification signs. Signs must be posted within 10 days of the date of the letter. Simultaneously, staff will send notifications to property owners within the proposed boundaries. The notifications will include instructions on how property owners may support or protest the application. Any protest must be made in writing within 30 days of the date of the letter.

☐ **Step 5: After 30-Day Protest Period**

After the 30-day period:

- If there is no protest, the application is forwarded to City Council.
- If there is a protest, the application goes to the Planning Commission for a public hearing.

☐ **Step 6: Planning Commission - Public Hearing (if applicable)**

All property owners will receive a letter with the hearing date, time, and location. The public may provide comments. After the hearing, the Commission will decide whether to recommend renewal to City Council. If the Commission denies the request, the decision is final.

☐ **Step 7: City Council Action**

City Council will consider the recommendation by the Planning Commission, if applicable. City Council's decision to approve or deny the application is final. To speak during the public comment session, contact the City Secretary at (832) 393-1100 or citysecretary@houstontx.gov. Speaking and/or attending is not mandatory.

☐ **Step 8: Recordation**

After City Council approval, the Planning Department will file the ordinance with Harris County Property Records for recordation.

Special Minimum Building Line Block

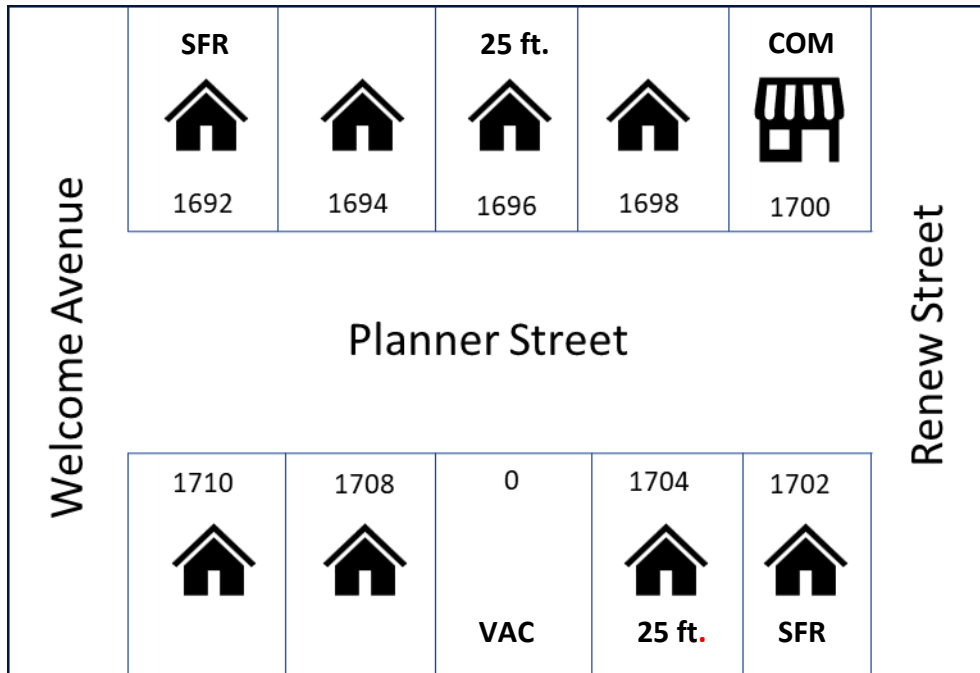
Example of Boundary Description and Notification Signs



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EXAMPLE OF A BOUNDARY MAP

1600 - 1700 block of Planning St, north and south sides, between Renew St and Welcome Ave.



For Your Reference:

SFR = Single Family

COM = Commercial

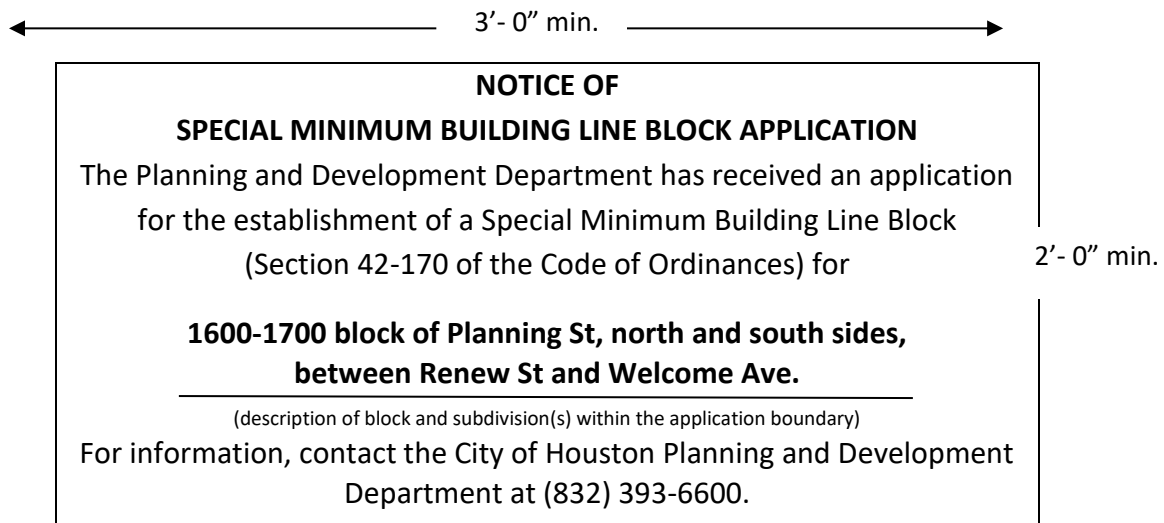
VAC = Vacant

MF = Multifamily

EXC = Church, Park, School

EXAMPLE OF A NOTIFCATION SIGN

The applicant must post at least two signs per blockface within the SMBLB boundary within 10 days of receiving written notice. Staff may approve a different number of signs if appropriate. Signs must be at least 2' x 3', face the street, and be easy to read. After posting, the applicant must notify Planning staff and keep the signs in place until the application is approved.





Frequently Asked Questions

What is an SMBLB application?

An SMBLB application provides property owners an opportunity to preserve the building line character of a blockface or two opposing blockfaces. This means any structures built in the application area must have building lines greater than or equal to the established Special Minimum Building Line. The application is submitted by a property owner within the application area, or a representative of an entity in your neighborhood.

What if my building line is less than the designated Special Minimum Building Line?

For example, if a 15-foot Special Minimum Building Line is established for your block, no structures will be permitted to be built with a building line of less than 15 feet. If you currently own a lot with a structure that has a building line that is less than the Minimum Building Line there is no penalty, however, future building lines would need to meet the established Special Minimum Building Line.

What can I build on my lot?

There are no land use restrictions with a Special Minimum Building Line ordinance. Also note that this application does not determine the physical design of buildings, aside from how far they are built from the front property line subject to a Special Minimum Building Line designation. **Please note that deed restrictions for building lines may already be imposed on some properties in your neighborhood. In those cases, the more restrictive of either the proposed minimum building line or deed restriction will be applied to the property.**

Can I add to or rebuild my single-family/multifamily/commercial property?

Yes, if you have an existing single-family lot you are allowed to rebuild or improve your home. If you have an existing commercial or multifamily lot, you are allowed to rebuild or improve the building. Any new residence or addition on your property would need to meet the Special Minimum Building Line. If you decide to add a porch that is habitable or has enough space to add furniture, it must meet the Special Minimum Building Line.

What happens during the application process?

An applicant will submit a complete application. Staff will conduct an application data analysis to determine eligibility. Once complete, staff will notify the applicant and property owners within the boundary area to start a 30-day protest period.

What if I support or disagree with the application?

If you receive notice of a 30-day protest and you support the application; no further action will be required. If you disagree, you may file a written protest, and the application will be forwarded to the Planning Commission.

Special Minimum Building Line Block

Frequently Asked Questions



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Frequently Asked Questions (Continued)

What happens at Planning Commission?

Planning Commission will hold a public hearing, comments and concerns will be heard, and commissioners will vote to approve or deny the application. If approved, the case goes to City Council. If denied, the decision is final.

What happens if there's no protest or it's approved and it goes to City Council?

If City Council approves the application, the SMLB is extended for 40 years.

How is the Special Minimum Building Line calculated?

The Planning and Development Department calculates the Special Minimum Building Line by using the following steps outlined in the ordinance:

1. List the building lines in order of largest to smallest.
2. Express each lot's building line as a percentage of the total sum of the building lines within the proposed special minimum building line block by dividing the building line of each lot by the sum of the combined building lines of all lots within the entire special minimum building line block.
3. Add the areas expressed as a percentage in the order of the list until the cumulative sum of the percentages reaches 70 percent or greater, or in the case of a special minimum building line block within a historic district designated by the city council, 60 percent or greater; and
4. The building line of the lot at which the cumulative sum reaches the percentage required by item (3) of this section is the proposed special minimum building line requirement.

Building Line Rank	Address	Building Line in feet	% of all B.L.'s	Cumulative %
1	1611 Dachshund	23	14.3%	14.3%
2	1603 Dachshund	20	14.3%	28.6%
3	1613 Dachshund	18	14.3%	42.9%
4	1607 Dachshund	18	14.3%	57.1%
5	1609 Dachshund	18	14.3%	71.4%
6	1601 Dachshund	15	14.3%	85.7%
7	1605 Dachshund	13	14.3%	100.0%
The fifth largest building line in this example is 18 feet. This would be the new Special Building Line for this street.				

If you have questions or need assistance at any time, please call the Planning and Development Department at (832) 393-6600 or visit the department's website at www.houstonplanning.com.

Si tiene preguntas o necesita ayuda en cualquier momento, llame al Departamento de Planificación y Desarrollo al (832) 393-6659 o visite el sitio web del departamento en www.houstonplanning.com.

Evidence of Support

Special Minimum Building Line Block



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PLEASE PRINT LEGIBLY

Below are signatures of property owners within the proposed Special Minimum Building Line Block boundary who support the request to preserve the character of the existing lot sizes and the creation of a Special Minimum Building Line Block for the following area: _____

By signing this evidence of support, I hereby represent:

(1) That I am the lot owner or representative of the property listed with my signature, and

(2) I support the petition to create a Special Minimum Building Line Block.

Property Owner Information Form

Property Owner (Please Print Name): _____

Address: _____

Date: _____ Telephone: _____

Signature: _____

Property Owner (Please Print Name): _____

Address: _____

Date: _____ Telephone: _____

Signature: _____

Property Owner (Please Print Name): _____

Address: _____

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