

Application for Special Minimum Building Line Block to Rescind

Section 42-178 of Chapter 42 of the Code of Ordinances



PLANNING &
DEVELOPMENT
DEPARTMENT

This application serves to rescind an established Special Minimum Building Line Block application. The Planning and Development Department staff will help you determine if your neighborhood qualifies for this application and can assist you in completing the application process. **An application to rescind a Special Minimum Building Line Block shall be accepted by the Planning and Development Department five years after the effective date of the ordinance establishing the special minimum building line requirement.** If approved, an ordinance will be created that rescinds the special minimum building line requirement for your block.

This packet includes:

- An Application to Rescind a Special Minimum Building Line Block (SMBLB)
- A Step-By-Step Guide for Applicants
- Example of a 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. The petition must be signed by at least 67% of the property owners within the boundary area

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:

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Step-By-Step Guide For Applicants



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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 Rescind a Special Minimum Building Line Block**

Mail or hand-delivered a complete application to the Planning & Development Department. If the application is incomplete, it will be returned with instructions. Within two (2) business days, staff will contact the applicant(s) regarding whether their application is accepted or rejected. If the application is rejected, staff will explain any necessary 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, and it has 67% support, the application is forwarded to City Council.
 - If there is a protest, the application goes to the Planning Commission for a public hearing if it has at least 67% support and has received protests.
- Applications recommended for approval by the Commission will be forwarded to the City Council.
- Applications denied by the Commission will not be forwarded to the City Council.

☐ **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 application 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 it has at least 67% support. 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.

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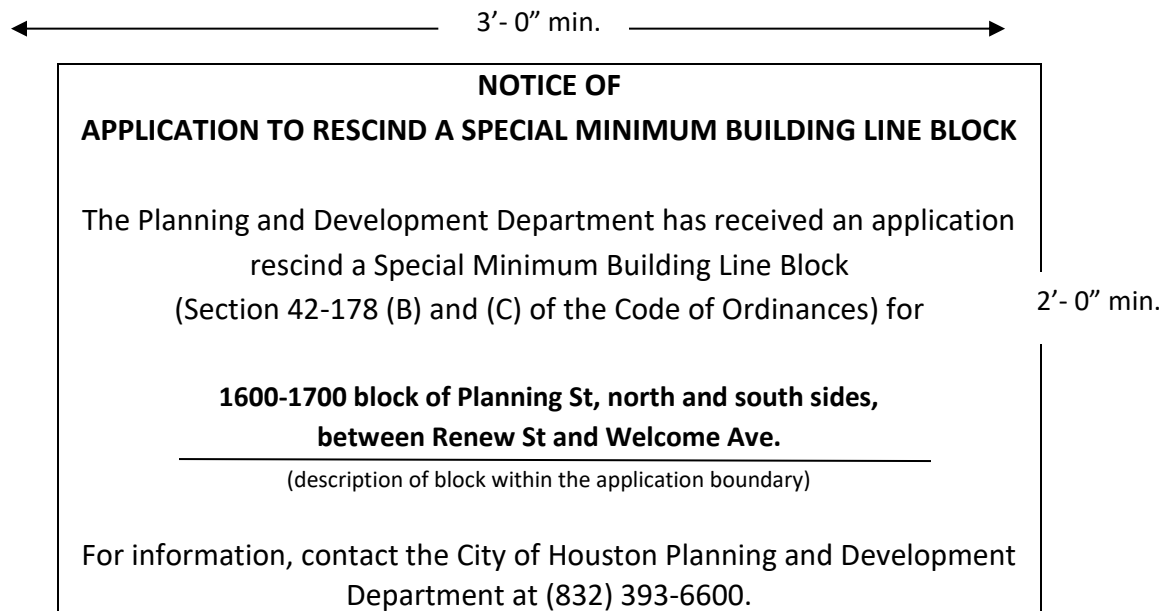
Example of Boundary Description and Notification Signs



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EXAMPLE OF A NOTIFCATION SIGN

The applicant must post at least two signs per blockface within the SMLSB 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 will happen to my lot if the Special Minimum Building Line Block is rescinded?

Any protection currently provided by the Special Minimum Building Line ordinance would no longer apply to your property.

What happens during the application process?

An applicant to rescind a Special Minimum Building Line Block will submit a completed application packet. You may choose to support this application by signing the Evidence of Support page before its submission. Planning and Development Department staff will review the application and notify residents within the application area that a complete application has been submitted.

What if I support or disagree with the application?

Notification sent to property owners will indicate a 30-day protest period allowing property owners to file a written protest with the Planning and Development Department. If an application to rescind an SMBLB receives at least 67% support when it is submitted to the Planning and Development Department and there is

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Frequently Asked Questions



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Frequently Asked Questions (Continued)

a protest from a property owner within the block, the application will be referred to the Houston Planning Commission. If an application to rescind an SMBLB receives less than 67% support when it is submitted to the Planning and Development Department, the application fails, and no further action shall be taken.

What happens at Planning Commission?

If a protest is received, interested parties will be given an opportunity to speak at the Planning Commission. The Planning Commission will recommend approval of, or deny, the application to rescind the Special Minimum Building Line Block. If recommended for approval, the application will be forwarded to City Council. If the application is denied by the Planning Commission or City Council, the application may not be resubmitted for an additional five years.

What happens after the City Council?

If the City Council approves the application to rescind the Special Minimum Building Line Block designation, the ordinance will no longer apply to the application area

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 to Rescind



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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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