

PREVAILING BUILDING LINE

The requirements for the preservation of prevailing building lines are found in the Code of Ordinances, City of Houston, Sec. 42-163. Attached are copies of the **Prevailing Building Line Application Form**, a **Petition** sample, an **Evidence of Support** sample, a **Deed Restriction** affidavit, a **Map/sketch** sheet, a **Map/sketch** example, and a sample notification sign.

A completed application package shall include the information listed under item **4 SUBMITTAL REQUIREMENTS**. This package must be delivered or e-mailed as a PDF file to the Planning and Development Department, Development Services Division, on any working day during working hours.

Within ten (10) days of receipt of the completed application package, the director of the Planning and Development Department will notify in writing the property owners within the proposed special building line requirement area that an application has been received. An application is not complete until a review by Planning Staff makes the determination. If any information is missing or incorrect, the applicant will be notified and offered an opportunity to submit the requested information. Any owner of property wishing to protest against the establishment of the special building line application will have up to fifteen (15) days from the date of the notice letter to file a written protest with the Planning and Development Department.

If all criteria are met and there are no protests, the Director may administratively approve the application and take the appropriate steps to refer the application to the City Council.

If there are protests, or if the application does not meet all relevant criteria, the Director will not administratively approve the application, and will promptly refer the application to the Planning Commission. Within thirty (30) days of the referral, the Planning Commission shall conduct a public hearing during a regularly scheduled Commission meeting regarding the application. The director shall give written notice to each owner of property within the proposed special building line requirement area of the pending public hearing.

The public may present comments in person or in writing at the public hearing. At the end of the public hearing, the Commission shall consider whether to recommend that the City Council establish the special building line requirement area. If the Commission decides to recommend that the City Council establish the special building line requirement area, the Director shall take the appropriate steps to refer the application to the City Council. Should the Commission deny the special building line requirement area application, the decision of the Commission shall be final.

To CONTACT US:

Location

City of Houston
Planning and Development Dept.
Development Services
611 Walker Street, Sixth Floor

Telephone: 713-837-7701

Fax: 713-837-7926

Web site: www.houstonplanning.com

Mailing Address

City of Houston
Planning and Development Dept.
Development Services
P. O. Box 1562
Houston, Texas 77251-1562

PETITION SAMPLE

(Date)

I, (name of petitioner), owner of property within the proposed boundaries of the special building line requirement area, specifically, Block (xx), Lot (yy), of (name of subdivision), do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec. 42-163. With this petition and other required information, I request to preserve the character of the existing blockface(s) for Block (xx), Lot(s) (yy) in (name of subdivision) through the application of and creation of a special building line requirement area.

(Signature of petitioner)

(Printed name of petitioner)

Petitioner

EVIDENCE OF SUPPORT SAMPLE

Listed below is evidence by the owners of property within the proposed boundaries of the special building line requirement area, or their authorized agent, who support the request to preserve the character of the existing blockface(s) for Blocks xx, Lot(s) xx in (name of subdivision) through the application of and creation of a special building line.

A special building line is determined by the most frequently occurring single-family building line setback within a special building line area. The application data identifies building setbacks range from _____ to _____ feet. The special building line shall be determined by the City Council by adopting an ordinance.

By signing this evidence of support, I hereby represent: (1) that I am the owner or the owner's authorized agent of the property with respect to which I have affixed my signature, and (2) I support the petition of (name of petitioner) to create a special building line requirement area for Block (xx), Lots (yy) in (name of subdivision).

1)

Printed name	Address	Telephone
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Signature	Date
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2)

Printed name	Address	Telephone
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Signature	Date
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3)

Printed name	Address	Telephone
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Signature	Date
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4)

Printed name	Address	Telephone
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Signature	Date
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EVIDENCE OF SUPPORT SAMPLE (cont.)

5)

Printed name	Address	Telephone
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Signature

Date

6)

Printed name	Address	Telephone
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Signature

Date

7)

Printed name	Address	Telephone
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Signature

Date

8)

Printed name	Address	Telephone
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Signature

Date

9)

Printed name	Address	Telephone
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Signature

Date

10)

Printed name	Address	Telephone
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Signature

Date

SPECIAL BUILDING LINE REQUIREMENT AFFIDAVIT

I am eighteen years of age or older, of sound mind and capable of making this affidavit. I have personal knowledge of the facts set forth in the affidavit each of which is true and correct.

Initial (1), (2), or (3) as applicable:

1. _____ I affirm that all the property in the proposed Building Line Area does not have deed restrictions (the land is unrestricted).
2. _____ I affirm that some or all of the properties have deed restrictions; however, the ordinance for which I am applying will not violate the provisions of the deed restrictions for front setback.
3. _____ I affirm that some of the properties have deed restrictions that address building line; however, at least one of the properties in the application is not restricted for building line.

I have read the above affidavit and all statements therein are true and correct.

Applicant Signature

Date

Applicant Printed name

Address

Texas Drivers License or I.D. Number

NW

N

NE

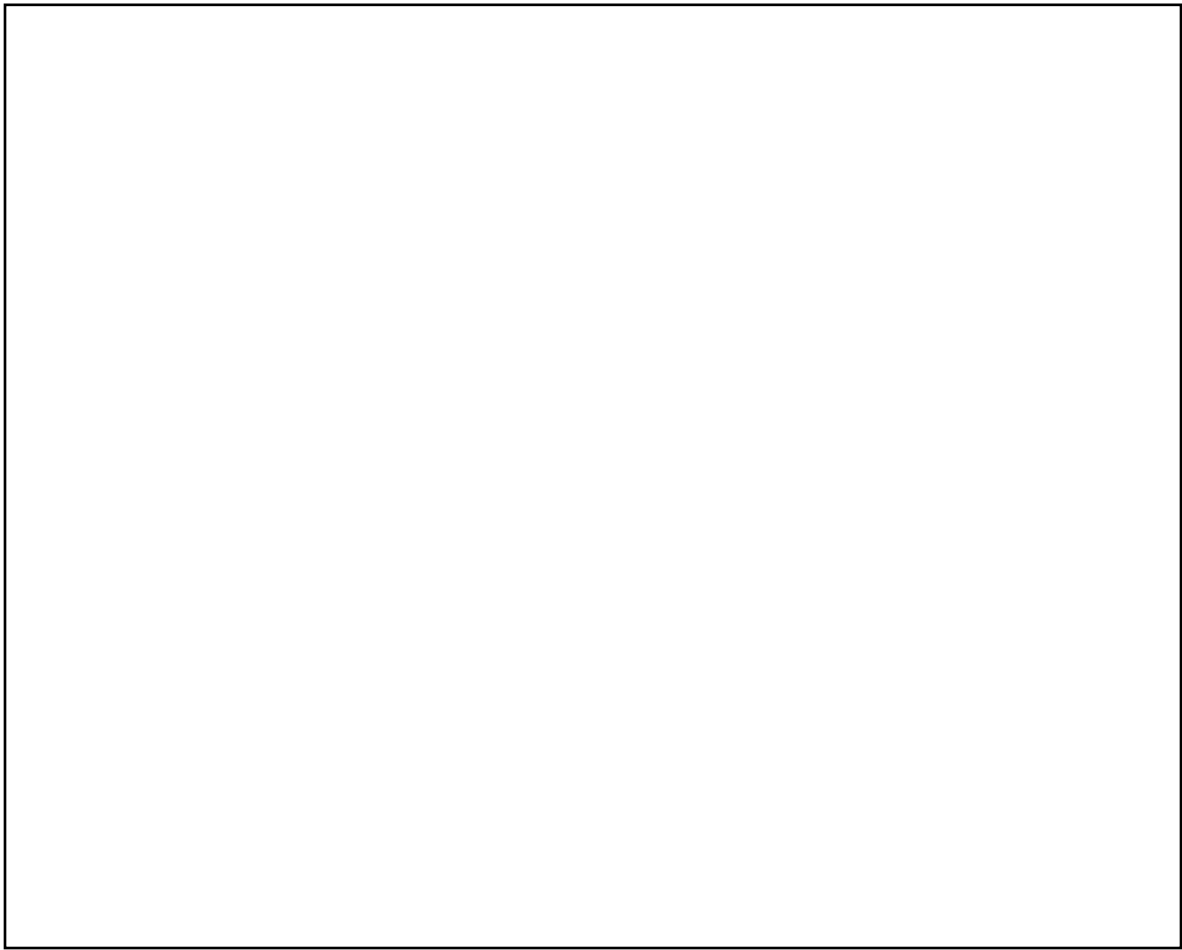
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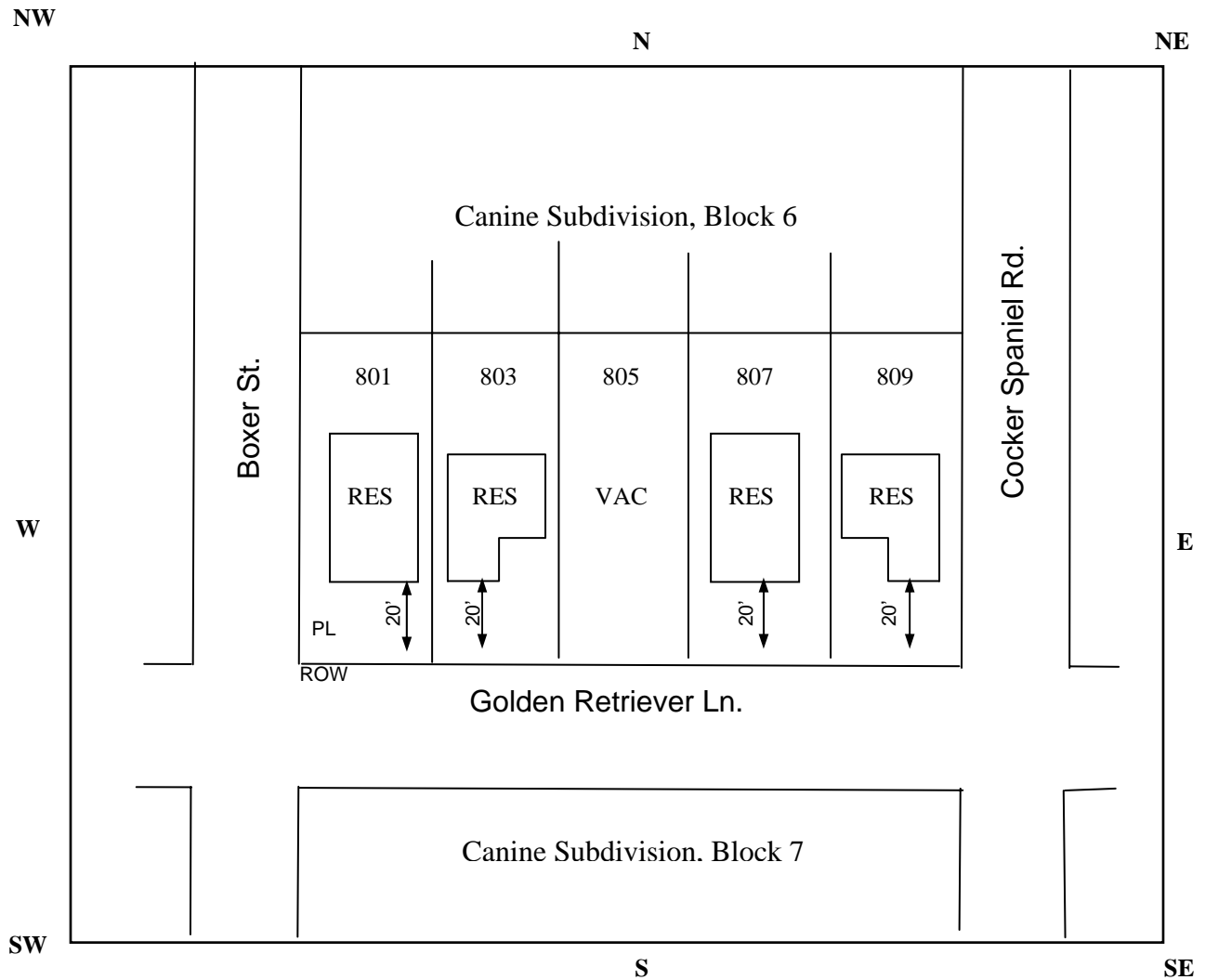
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MAP/SKETCH

Map/sketch should look similar to the drawing shown on the application. Additional map/sketch information shall provide the address and land use for all lots within the proposed special building line requirement area.

On this map/sketch data for each lot within the proposed special building line requirement area shall show the distance from the front property line to each building on the lot. If there is not enough room to include all the blockfaces and information, additional MAP/SKETCH sheets can be added to the application so that the entire boundary is covered.



MAP/SKETCH SAMPLE

Map/sketch should look similar to the drawing shown on the application. Additional map/sketch information shall provide the address and land use for all lots within the proposed special building line requirement area.

Information for each lot within the proposed special building line requirement area shall be shown on the drawing that includes the distance from the front property line to each building on the lot and each lot's physical address number. If there is not enough room to include all the blockfaces and information, additional MAP/SKETCH sheets can be added to the application so that the entire boundary can be covered.

Sign Requirements

The **applicant** is responsible for posting (2) signs within the boundary of the proposed prevailing Building Line area within 10 days of a complete application. The Planning and Development Department will inform the applicant of a completed application to post signs. (See Sample Sign below). A sign (minimum size: 2' x 3') shall be placed within fifteen feet **from each right-of-way** bordering the site. Each sign shall face the R-O-W with print large enough to be legible from the ROW. The applicant is responsible for contacting staff once the signs are in place. The applicant shall use reasonable efforts to maintain the signs to the end of the process.

SAMPLE SIGN

3'-0"

NOTICE OF
PREVAILING BUILDING LINE AREA APPLICATION:

The Planning and Development Department has received an application for the establishment of a prevailing building line area (ordinance 42-163) for Golden Retriever (north side) between Boxer Street and Cocker Spaniel Road. A special building line is determined by the most frequently occurring single-family building line setback within a special building line area.

Contact the Houston Planning and Development Department at (713) 837-7963 for information. Or applicant at (713) _____ - _____

2'-0"