
Special Minimum Lot Size Block (SMLSB) Application to Rescind



PLANNING &
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Dear Applicant:

This application serves to rescind an established Special Minimum Lot Size 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 Lot Size Block shall be accepted by the Planning and Development Department no earlier than five years after the effective date of the ordinance establishing the special minimum lot size requirement.** If approved, an ordinance will be created that rescinds the special minimum lot size requirement for your block.

This application packet includes:

- an Application to Rescind a Special Minimum Lot Size Block (SMLSB).
- a list of Submittal Requirements and a sample of the notification signs.
- a blank Evidence of Support page for other property owners to sign.
- a sample of a Map Sketch
- a set of Frequently Asked Questions

It is recommended, but not required, that each applicant meet with a staff person for a preliminary meeting before an application is submitted, allowing staff to go over the eligibility requirements that are reviewed for all applications.

A complete application must include all items listed in the submittal requirements on page 5 of this packet. A complete application package must be mailed or hand-delivered during standard business hours to:

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

A step-by-step guide is provided in this packet. Contact the Community and Regional Planning division at (832) 393-6600 with any questions or to schedule a meeting prior to submitting an application. More information can be found on www.houstonplanning.com. Thank you for your interest and we look forward to meeting with you soon.

¡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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Application to Rescind a Special Minimum Lot Size Block: Frequently Asked Questions

What is a Special Minimum Lot Size Block (SMLSB) application, what does it mean and who created the boundary?

An SMLSB application provides property owners an opportunity to preserve the lot size character of a blockface or two opposing blockfaces. It was supported by property owners within the application boundary, reviewed by Planning and Development staff, and was approved by the Houston City Council. Any new lots that are created must currently be greater than or equal to the established Special Minimum Lot Size.

What if my lot is currently smaller than the designated Special Minimum Lot Size?

If a 5,000 square foot special minimum lot size is established for your area, no lots can be divided into any size less than 5,000 square feet. If you currently own a lot that is smaller than the special minimum lot size, you are not allowed to divide your property. If you have a 10,000 square foot lot, you can divide your property into two 5,000 square foot lots.

What can I build on my lot?

On a single-family lot, you can build a single-family home, a single-family home with a detached garage apartment not larger than 900 square feet, or a duplex. A Special Minimum Lot Size Ordinance does not determine the physical design of buildings. Please note that deed restrictions may already be imposed on your neighborhood. In those cases, the more restrictive of either the special minimum lot size or deed restrictions 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, improve, or add to your home. If you have an existing commercial or multifamily lot you are allowed to rebuild, improve, or add to the building. Please note that deed restrictions may already be imposed on your neighborhood. In those cases, the more restrictive of either the special minimum lot size or deed restrictions will be applied to the property.

What will happen to my lot if the Special Minimum Lot Size Block is rescinded?

Any protections currently provided by the Special Minimum Lot Size Ordinance would no longer apply to your property.

What happens during the application process?

An applicant to rescind a Special Minimum Lot Size 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 was submitted.

What if I disagree with this 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 SMLSB receives at least 67% support when it is submitted to the Planning and Development Department and there is 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 SMLSB 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 the Planning Commission?

At the Planning Commission, there will be a public hearing where you will have an opportunity to speak. The Planning Commission will recommend approval of, or deny, the application to rescind the Special Minimum Lot Size Block. If recommended for approval, the application will be forwarded to the 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 Lot Size Block designation, the ordinance will no longer apply to the application area.

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

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Application to Rescind a Special Minimum Lot Size Block (SMLSB) Steps

- **Step 1: Meet with Staff of the Planning and Development Department (Optional)**
Applicants may choose to meet with Planning and Development staff before submitting an application. At the meeting, the applicant should bring a map with the proposed boundary and a copy of any existing deed restrictions. To schedule a pre-submittal meeting, contact Community and Regional Planning at (832) 393-6600.
- **Step 2: Submit a Complete Application to Rescind a Special Minimum Lot Size Block**
A complete application package must be mailed or hand-delivered during standard business hours to the Planning & Development Department. If the application is determined to be incomplete, it will be returned with an explanation of what is needed to make it complete. The application package can be mailed through the US Postal Service or hand delivered to the Planning and Development Department. Within two (2) business days, Planning and Development 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.
- **Step 3: Application Review and Notification Signs**
An accepted application will be posted on the Planning and Development Department's website within two (2) business days. Planning and Development staff will review the application, and within 30 business days, determine if the application meets eligibility requirements. After it has been determined that the application meets eligibility requirements staff will notify the applicant(s) and send an instruction letter for the posting of notification signs within the application boundary area. The applicant will have 10 days from when they receive the instruction letter to post the signs.
- **Step 4: 30-Day Protest Period**
Within 15 days of receiving a complete application, the Planning & Development Department will send a notification to property owners within the application boundary, as well as the District Council Member. The notifications will include instructions on how property owners may object to this application. Any objections must be made in writing within 30 days of the date of the notice.
- **Step 5: Department Review of Protest Responses**
At the end of the thirty days, one of the following actions will occur:
 - the application will be sent to the City Council if it has at least 67% support with no protests; or
 - the application will be sent to the Planning Commission for a public hearing if it has at least 67% support and has received protests.A notification letter will be sent to property owners no less than 15 days before the Planning Commission hearing date. 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: Attend the Planning Commission Public Hearing**
A letter indicating the time, date, and place of the Planning Commission meeting will be sent to all property owners within the application area. Members of the public may present comments about the rescind application at the public hearing. After the public hearing, the Commission will consider whether or not to recommend that the City Council rescind the SMLSB. If the Commission recommends that the City Council rescind the SMLSB, the Planning and Development Director will refer the application to the City Council. If the application is denied, the decision of the Commission will be final.
- **Step 7: City Council Action**
The City Council will consider all applications to rescind Special Minimum Lot Size Blocks approved by the Planning Commission. The City Council's action to approve or deny the application is final. Persons wanting to address the City Council during the public comment session of the meeting should contact the City Secretary at (832) 393-1100 or citysecretary@houstontx.gov.

IMPORTANT NOTICE: WE WILL NOT ACCEPT APPLICATIONS THAT ARE SENT THROUGH EMAIL OR FAX

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Main Applicant Information (required)

Full Name: _____ Date: _____

Address: _____
Street Address *Apartment/Unit #*

City *State* *ZIP Code*

Phone: _____ Email _____

Are you a property owner within the application boundary? YES NO If no, what is your relation to the application boundary? _____

Did you have a preliminary meeting with the Planning & Development Department? YES NO If yes, what was the date of the meeting? _____

Does the application boundary have deed restrictions? YES NO If yes, do they address a Minimum Lot Size? _____

Describe the location of the application boundary. (Example: "Houston Subdivision Section 1, Blocks 1 and 2, Lots 1-24" or "1600 Block of Planning and Development Street, north and south sides")

Signature of applicant: _____

Alternate Applicant Information (optional)

Full Name: _____ Date: _____

Address: _____
Street Address *Apartment/Unit #*

City *State* *ZIP Code*

Phone: _____ Email _____

Signature of alternate applicant: _____

Application Information (STAFF USE ONLY)

File Number: _____ Super Neighborhood: _____
Application number to be rescinded: _____
City Council District: _____ Planner Assigned: _____

Special Minimum Lot Size Block (SMLSBlock)

Application to Rescind



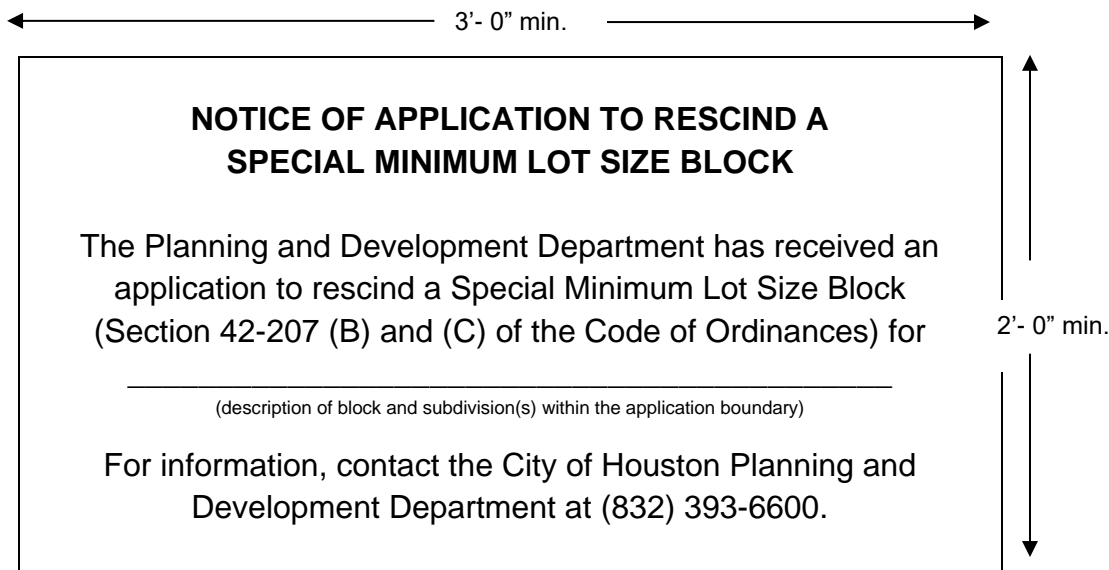
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Submittal Requirements (Please check and complete)	
Completed application form (page 4)	<input type="checkbox"/>
Sample of Notification Sign (page 5)	<input type="checkbox"/>
Evidence of support from lot owners of at least 67% of the boundary area (page 6)	<input type="checkbox"/>
Copy of deed restrictions, if applicable***	<input type="checkbox"/>
Map or sketch showing the area to be rescinded (page 7)	<input type="checkbox"/>

*****DISCLAIMER:** The Planning Department reviewed the deed restrictions you submitted for your subdivision and noted no language addressing a minimum lot size or minimum building line requirement. As such, revisions to Chapter 42 of the City of Houston Code of Ordinances extending the minimum lot size and minimum building line requirements to neighborhoods within the corporate boundaries of the City of Houston that do not have a minimum lot size or minimum building line established in their deed restrictions are applicable to your subdivision. It's important to understand, however, that Planning's review and decision regarding the eligibility of your subdivision to avail itself of the protections set forth in Chapter 42 of the City of Houston Code of Ordinances is based solely on the instruments you have provided and which purport to be the most recent, valid version of your subdivision's deed restrictions. The City of Houston is making no assurances or representations regarding the actual validity of your deed restrictions. You should consult with a private attorney if you have any questions or concerns about your deed restrictions.

Sample Notification Sign (Fill in the blank)

The applicant is responsible for obtaining and posting a minimum of two (2) signs per blockface within the boundary of the proposed Special Minimum Lot Size Block within ten (10) days of written notice from the Planning and Development Department. Planning and Development staff may approve an alternative number of signs for the application to rescind a Special Minimum Lot Size Block upon determining that the signs will provide sufficient notice within the application area. Each sign shall be at least two feet by three feet (2' x 3'), face the street, and be legible from the street. Applicants are responsible for contacting Planning and Development Staff once the signs are posted. The applicant shall use reasonable efforts to maintain the signs until the Planning and Development Director or the Houston Planning Commission has approved an application. Applicants shall include the name of each subdivision in the application on the notification sign.



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Evidence of Support to Rescind a Special Minimum Lot Size Block

Below are the signatures of property owners within the application boundary who support the request to rescind a Special Minimum Lot Size Block. (Example: "Houston Subdivision Section 1, Blocks 1 and 2, Lots 1-24" or "1600 Block of Planning and Development Street, north and south sides")

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 rescind a Special Minimum Lot Size Block.

Property Owner (Please Print Name):	Address:	
Signature: X	Date:	Telephone:
Property Owner (Please Print Name):	Address:	
Signature: X	Date:	Telephone:
Property Owner (Please Print Name):	Address:	
Signature: X	Date:	Telephone:
Property Owner (Please Print Name):	Address:	
Signature: X	Date:	Telephone:
Property Owner (Please Print Name):	Address:	
Signature: X	Date:	Telephone:

For questions regarding Special Minimum Lot Size Block applications, call the Planning and Development Department at (832) 393-6600 or visit the department's website 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.

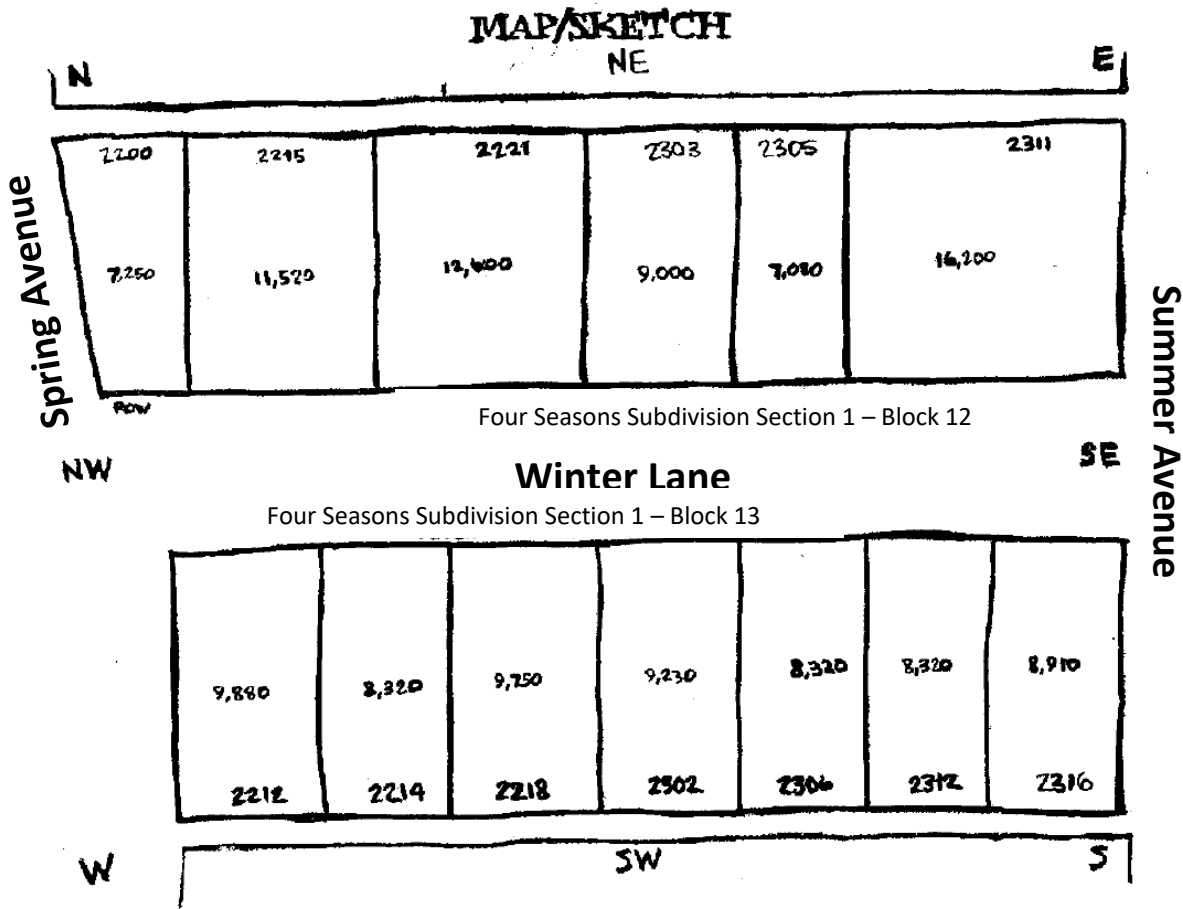
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Sample Map Sketch (Include Map Sketch in Application)

As part of the application to rescind a Special Minimum Lot Size Block, applicants must provide a map sketch of the proposed application area. It should look similar to the drawing below.



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

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Special Minimum Lot Size Block: Public Information Request Form

How can applicants or property owners stay updated as to the status of an application?

Applicants or property owners within an application to rescind a Special Minimum Lot Size Block can receive information about an application, including who is applying for the rescind, as well as details related to the support of the application. Please follow the steps below to request information from our department's Public Information Office.

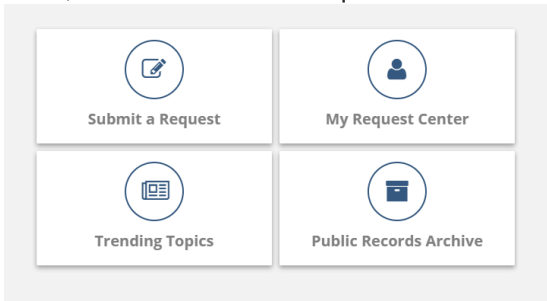
- First, go to the Public Information Act Requests home page:

<https://www.houstontx.gov/pia.html>

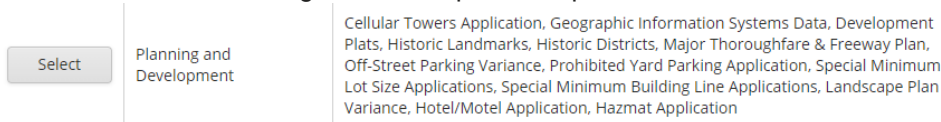
- Second, scroll down to click on "Please click here to access the portal"

Using the online portal, you may now request public records of most City departments. [Please click here to access the portal.](#)

- Third, click on "Submit a Request."



- Fourth, select the Planning and Development Department



- Finally, create an account and then, fill out the request form

Login
If you have used this service previously, please log in. If this is your first online request, please create an account and provide as much contact information as possible. You will be able to track the progress of your request by logging in to your account.

Login and Submit

Email Address:*

Password:*

Submit

You can also find the steps to request information in the following [video](https://www.youtube.com/watch?v=qjxeK59ohks&t=91s).
<https://www.youtube.com/watch?v=qjxeK59ohks&t=91s>