CITY OF HOUSTON
Planning & Development Department

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Mayor

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Public Hearing Notice with special request

PHS

October 21, 2026

NOTICE OF PUBLIC HEARING WITH VARIANCE

REFERENCE NUMBER：2026-1562

PLAT NAME：Highland Heights Green partial replat no 1

The Planning and Development Department has received a subdivision plat application to allow a partial replatting of Highland Heights Green being Reserve "A", Block 1, as recorded under Film Code No. 697535 of the Harris County Map Records. The property is located at west along Tuskegee Street between Mansfield Street and W Tidwell Road. The purpose of the replat is to change the use of a reserve restricted to Landscape/Open Space to Recreation.

Pursuant to the Local Government Code 212.015 and the City of Houston's Code of Ordinances, Chapter 42, the Planning Commission has established a public hearing date for this item. As required, the Department has mailed written notice of this public hearing to all property owners within 300ft of the boundary of the proposed replat per the most recent property tax records.

Attached you will also find a copy of the Variance being requested with this application.

The applicant, Kevin Kolb, with Total Surveyors, Inc., on behalf of the developer, can be contacted at 281-479-8719 for additional information regarding this project. You may also contact the planner Dorianne Powe-Phlegm, with the Planning and Development Department regarding this notice via email at Dorianne.Powe@houstontx.gov or call (832) 393-6570.

The Houston Planning Commission will hold a public hearing to consider this application. A sign with this information has also been posted on the site.

PLANNING COMMISSION MEETING INFORMATION:
Thursday, November 12, 2026 , at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

Members of the public may make comments or express concerns about the proposed project by attending the meeting at City Council Chamber listed above. **Anyone attending the meeting must sign up on a designated form located at the entrance to the Council Chamber.**

See reverse side for useful information.
Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

Council Members: Amy Peck • Tarsha Jackson • Joe Panzarella • Carolyn Evans-Shabazz • Fred Flickinger • Tiffany D. Thomas • Mary Nan Huffman • Mario Castillo • Joaquin Martinez • Edward Pollard • Martha Castex-Tatum • Julian Ramirez • Willie Davis • Twila Carter • Alejandra Salinas • Sallie Alcorn Controller: Chris Hollins

You may submit comments by sending an email to speakercomments.pc@houstontx.gov, at least 24 hours in advance of the meeting. ALL comments submitted by the deadline will be made part of the meeting record.

212.015 (c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

NOTE: YOU MUST LIVE OR OWN PROPERTY IN THE PROTEST AREA TO QUALIFY FOR THREE-FOURTHS AFFIRMATIVE VOTE OF PLANNING COMMISSION.

THE PLAT MAY BE DEFERRED. THE NEW DATE FOR COMMISSION ACTION WILL BE INDICATED ON THE POSTED SIGN(S) THE MONDAY MORNING FOLLOWING THE PLANNING COMMISSION DEFERRAL

To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on this page explains more about the terminology used in this letter.

TERMINOLOGY

- **CHAPTER 42:** The City of Houston's, Code of Ordinances that describes the rules and regulations for subdividing property within the corporate limits and the extraterritorial jurisdiction.
- **EXTRATERRITORIAL JURISDICTION (ETJ):** Represents the area extending beyond Houston's corporate limits approximately five miles into the unincorporated areas of Harris, Fort Bend, Liberty, Montgomery, and Waller counties.
- **SUBDIVISION PLAT:** A graphical presentation of a particular surveyed tract of land laying out street rights-of-way, lots and reserves, building setback lines, and easements which must comply with the development requirements of the City of Houston's, Code of Ordinances, Chapter 42. These regulations, adopted by City Council, are intended to promote the safe, orderly and healthy development of the City and its extraterritorial jurisdiction. The approved map subsequently may be filed and recorded with the appropriate county clerk's office as the official map of record for this property.
- **SUBDIVISION REPLAT:** Is simply a subdivision plat that further subdivides an existing subdivision plat. Typically, a replat will make changes to the layout of lots, reserves, building setback lines and easements
- **DEED RESTRICTIONS:** Private covenants between property owners that are recorded with the appropriate county clerk's office that bind all or some property owners in a neighborhood or subdivision to follow a specific set of guidelines. Typically, deed restrictions are designed to limit activities, building layout and design, and / or land uses. A replat does not amend or remove any deed restrictions.
- **Local Government Code 212.015.** The state law section that describes the purpose and requirements of property owner notification when preparing certain replats.
- **VARIANCE:** A deviation from strict compliance with the rules and regulations of Chapter 42. The applicant must document a reasonable hardship that staff can evaluate. This is a type of Special Request.
- **SPECIAL EXCEPTION:** A modification to certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards. This is a type of Special Request.
- **RECONSIDERATION OF REQUIREMENT:** At the request of the property owner of a proposed subdivision, the commission may reconsider any requirement or condition of approval imposed on it.
- **SITE PLAN:** A site plan is an architectural drawing that outlines the specific layout and design of a development project or property.

PLANNING COMMISSION BODY, AUTHORITY AND OBLIGATION

- The Houston Planning Commission is a non-legislative body authorized to govern the subdivision rules and regulations described in Chapter 42. The Commission consists of 26 members and meets per their adopted Commission meeting schedule available on Planning Department webpage.

PLANNING DEPARTMENT STAFF, AUTHORITY AND OBLIGATION

- Development Services Division reviews subdivision plats, replats and development plats for compliance with the rules and regulations described in Local Government Code 212.015, Chapter 42, Chapter 26, and Chapter 33 and prepares recommendations for Planning Commission consideration.

PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S
Variance Request Form

Application Number: 2026-1562
Plat Name: Highland Heights Green partial replat no 1
Applicant: Total Surveyors, Inc.
Date Submitted: 9/21/2026

(Sec. 42-47 and Sec. 42-81)
Specific Variance is being sought and extent of variance:
To allow a reserve restricted to landscaping and open space to be replatted into a reserve restricted to recreation.

Chapter 42 Section: 42-193 (C(2)(c)

Chapter 42 Reference:
(c) Property within a subdivision plat that contains lots restricted to single-family residential or residential use may be replated to amend a plat restriction only as provided below:
(2) A plat restriction limiting the use of property specifically to 'nonresidential': (c). May be amended to any more specific "nonresidential" use of that property.

Statement of Facts
(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR
The site is located within the City of Houston, and within a 32 lot single family subdivision, platted in November, 2021. During the replat, Restricted Reserve “A” was created to be open space for the enjoyment of the property owners with the subdivision of Highland Heights Green. The developer of the subdivision has now decided to construct a pickle ball court, along with sidewalks and lighting. This decision necessitates the need for a change in restricted use. This change in use will greatly benefit the future owners of the single family homes by allowing the developer to create a beneficial amenity to the community.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;
The circumstances supporting the granting the variance are not the result of a hardship created or imposed by the applicant. This site was originally platted to create a reserve restricted to landscaping and open space for the use of the community. Thew original thought for the use was to just create green space with an area for a dog park. Based upon the real estate market and the feed-back that the

developer has received from the buyers, it has become evident that amenities are very valuable to the prospective buyers. Due to this information the developer has decided to invest more in the community and build a pickle ball court for the use and enjoyment of the community.

(3) The intent and general purposes of this chapter will be preserved and maintained;
The intent and general purposes of this chapter will be preserved and maintained, by granting the variance. By allowing the restricted use to change to recreation, the developer will be able to create a beneficial amenity to the future home owners. The existing ordinance currently allows land restricted to single family use to be replated into a recreational reserve, but apparently a variance is needed to replat a landscape reserve into a recreational reserve.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;
The granting of the variance will not be injurious to the public health, safety or welfare by granting the variance. The general use of the existing reserve will not change, this reserve will continue to used for the general enjoyment of the future home owners. This recreation reserve will allow the community to have place to exercise and enjoy the outdoors.

(5) Economic hardship is not the sole justification of the variance.
Economic hardship is not the sole justification for the variance. The granting of the variance will allow the develop to make a significant investment into the community to benefit the future home owners.

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Applicant: Total Surveyors, Inc.
Date Submitted: 9/21/2026

(Sec. 42-47 and Sec. 42-81)
Specific Variance is being sought and extent of variance:
To Allow a reserve restricted to recreation to be less than 5,000 sq. ft.

Chapter 42 Section: 42-190

Chapter 42 Reference:

Type of Reserve	Minimum Size
Recreation	5,000 sq. ft.

Statement of Facts
(1a) The imposition of the terms, rules, conditions, policies and standards of this chapter would create an undue hardship by depriving the applicant of the reasonable use of the land; OR
This replat will not modify any of the single family lot or reserve lines. The land area of Restricted Reserve “A” is 4,928 sq. ft. This falls slightly below the 5,000 sq. ft. requirement, by 72 sq. ft. Along the north side of Restricted Reserve “A” is Restricted Reserve “B”, which restricted to parking. There is 100 sq. ft. of extra land area within the Restricted Reserve “B”, but the reserve lines cannot be adjusted, due to the fact that the parking spaces have been built and fill the 50’ frontage.

(1b) Strict application would make this project infeasible due to the existence of unusual physical characteristics that affect the property in question, or would create an impractical development or one otherwise contrary to sound public policy;

(2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;
The circumstances supporting the granting the variance are not the result of a hardship created or imposed by the applicant. This site was originally platted to create a reserve restricted to landscaping and open space for the use of the community. Thew original thought for the use was to just create green space with an area for a dog park. Based upon the real estate market and the feed-back that the developer has received from the buyers, it has become evident that amenities are very valuable to the prospective buyers. Due to this information the developer has decided to invest more in the community and build a pickle ball court for the use and enjoyment of the community.

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STATE OF TEXAS

COUNTY OF HARRIS

We, ZAR CAPITAL TUSKEGEE FUND, LP, a Texas limited partnership, acting by and through Khizar Hanif, its Managing Partners, hereinafter referred to as Owners of the 0.1131 acre tract described in the above and foregoing map of HIGHLAND HEIGHTS GREEN PARTIAL REPLAT NO 1, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'-6") for ten feet (10'-0") perimeter ground easements or seven feet, six inches (7'-6") for fourteen feet (14'-0") perimeter ground easements or five feet, six inches (5'-6") for sixteen feet (16'-0") perimeter ground easements, from a plane sixteen feet (16'-0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby each aerial easement totals twenty one feet, six inches (21'-6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'-0") for ten feet (10'-0") back-to-back ground easements, or eight feet (8'-0") for fourteen feet (14'-0") back-to-back ground easements or seven feet (7'-0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'-0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby each aerial easement totals thirty feet (30'-0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley, or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets or permanent access easements, shall be hereby established and maintained as private streets or permanent access easements by the owners, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firefighters, fire fighting equipment, police and emergency vehicles of whatever nature at all times and do hereby bind ourselves, our heirs, successors and established as private streets or permanent access easements.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15'0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions.

IN TESTIMONY WHEREOF, ZAR CAPITAL TUSKEGEE FUND, LP, a Texas limited partnership, has caused by these presents to be signed by Khizar Hanif, Managing Partner, thereunto authorized, this __ day of _____, 2026.

ZAR CAPITAL TUSKEGEE FUND, LP
a Texas limited PARTNERSHIP

By: _____
Ignacio Perez
Manager

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Ignacio Perez known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this _____ day of _____, 2026

_____
Notary Public in and for the State of Texas

Printed Name: _____

My Commission Expires: _____

I, Kevin K. Kolb, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision shown hereon is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron pipes or rods having an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to state plane coordinates (NAD 83); and NAVD 1988 with 2001 adjustment, and to the nearest public street intersection.

Total Surveyors Inc.
4301 Center St.
Deer Park, Texas 77536
281-479-8719

_____
KEVIN K. KOLB
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5269
STATE OF TEXAS

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of HIGHLAND HEIGHTS GREEN PARTIAL REPLAT NO 1, in conformance with the laws of the State of Texas and the ordinances of the City of Houston as shown hereon and authorized the recording of this plat this the _____ day of _____, 2026.

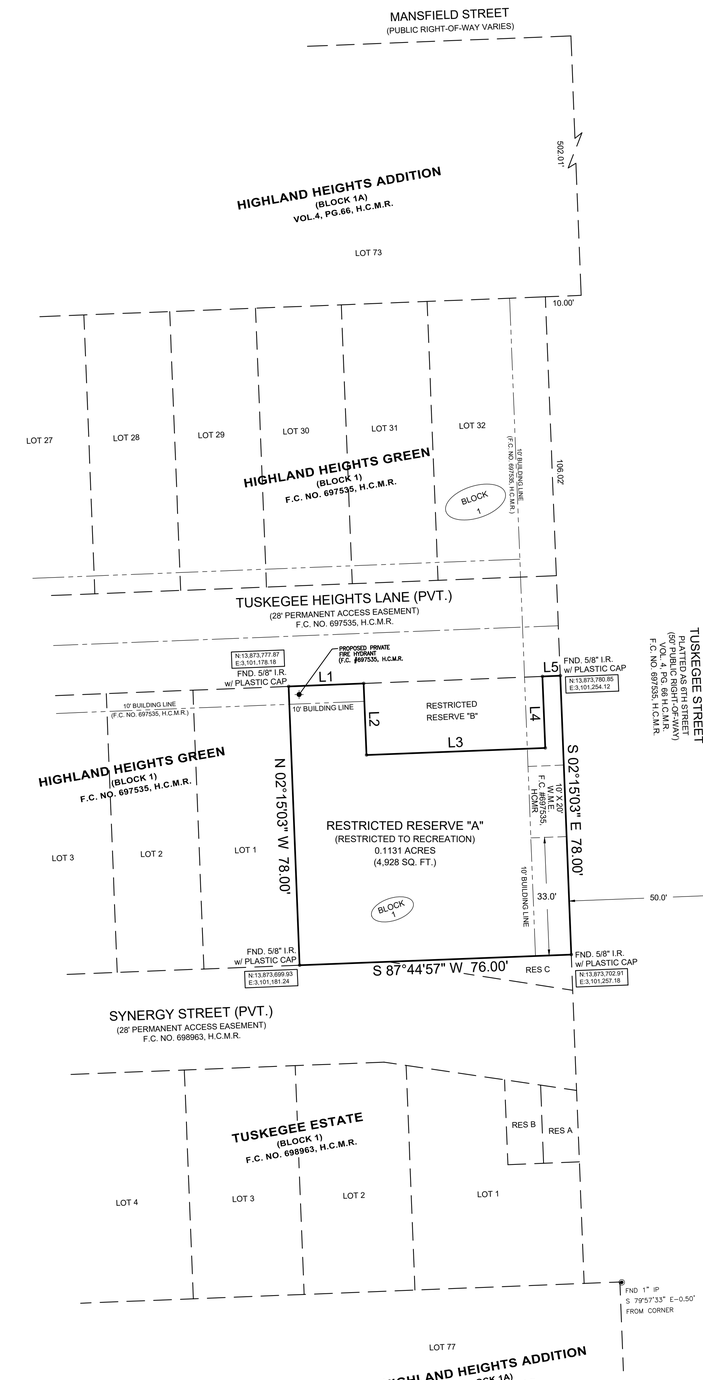
By: _____
Lisa M. Clark, Chair
or
M. Sonny Garza, Vice-Chair

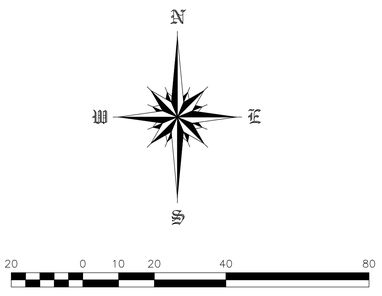
By: _____
Vonn Tran
Secretary

I, Teneshia Hudspeth, Clerk of the County Court of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2026, at _____ o'clock __.m., and duly recorded on _____, 2026, at _____ o'clock __ .m., and in Film Code Number _____ of the Map Records of Harris County for said county.
Witness my hand and seal of office, at Houston, the day and date last above written.

_____
Teneshia Hudspeth
Clerk of the County Court
Harris County, Texas

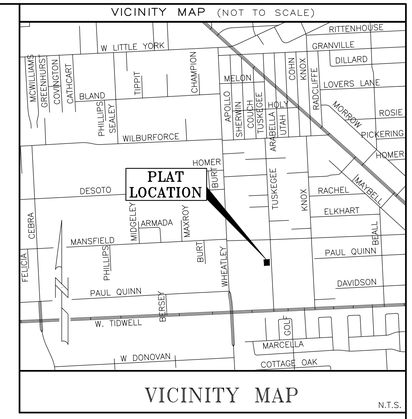
By : _____
Deputy





LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°44'57" E	21.01'
L2	S 02°15'03" E	20.00'
L3	N 87°44'57" E	50.00'
L4	N 02°15'03" W	20.00'
L5	N 87°44'57" E	4.99'



VICINITY MAP
N.T.S.

PLAT NOTES:

1. Unless otherwise indicated, the building lines (b.l.), whether one or more, shown on this subdivision plat are established to evidence compliance with the applicable provisions of Chapter 42, Code of Ordinances, City of Houston, Texas, in effect at the time this plat was approved, which may be amended from time to time.
2. The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor of 0.9998957.
3. This property is located in Park Sector number 1.
4. Absent written authorization by the affected utilities, all utility and aerial easements must be kept unobstructed from any non-utility improvements or obstructions by the property owner. Any unauthorized improvements or obstructions my be removed by any public utility at the property owner's expense. While wooden post and paneled wooden fences along the perimeter and back to back easements and alongside rear lots lines are permitted, they too may be removed by public utility at the property owner's expense should they be an obstruction. Public Utilities may put said wooden posts and paneled wooden fences back up, buy generally will not replace with new fencing.

B.L. = BUILDING LINE
GAR. = GARAGE
ESMT. = EASEMENT
SQ. FT. = SQUARE FEET
No. = NUMBER
C.O.S. = COMPENSATING OPEN SPACE
F.C. = FILM CODE
E.A.E. = EMERGENCY ACCESS EASEMENT
H.A.C.F. = HARRIS COUNTY CLERK'S FILE
H.A.D.R. = HARRIS COUNTY DEED RECORDS
H.A.M.R. = HARRIS COUNTY MAP RECORDS
W.M.E. = WATER METER EASEMENT

HIGHLAND HEIGHTS GREEN PARTIAL REPLAT NO 1

A SUBDIVISIOM OF 0.1131 ACRES (4,928 SQUARE FEET) OF LAND SITUATED WITHIN THE E. BENSON SURVEY, ABSTRACT No. 110, BEING A REPLAT OF RESTRICTED RESERVE "A", BLOCK 1, OF HIGHLAND HEIGHTS GREEN, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 697535 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

REASON FOR REPLAT:
TO CHANGE THE LAND USE FOR RESTRICTED RESERVE "A" TO RECREATION

SCALE: 1" = 20' DATE: SEPTEMBER, 2026

1 RESTRICTED RESERVE 1 BLOCK

OWNER:

TUSKEGEE LAND AND DEVELOPMENT LLC
a Texas limited liability company

PREPARED BY:

TOTAL SURVEYORS, INC.
4301 CENTER STREET, DEER PARK, TEXAS
PHONE: 281.479.8719 | TOTALSURVEYORS.COM
T.B.P.L.S. FIRM REGISTRATION No. 10075300