



CITY OF HOUSTON

Planning and Development Department

John Whitmire
Mayor

Vonn Tran
Director
P.O. Box 1562
Houston, TX 77251-1562

T. 832.393.6600
www.houstontx.gov

September 25, 2026

NOTICE OF VARIANCE

PROJECT NAME: 4801 N Main Street
REFERENCE NUMBER: 26025696



Dear Property Owner:

The Planning and Development Department has received a development plat application with a variance request for a property located east of Studewood Street and north of E. 14th Street at the corner of N. Main Street and Kermit Street. You are receiving this letter because you are listed in the Harris County Appraisal District records as a neighboring owner for property that falls within the Chapter 42 required notification area adjacent to this variance request.

Jose Diego Monroy, the applicant, has filed the request on behalf of the owner of the subject site. The applicant is requesting to dedicate 6 ft. to the right-of-way along Kermit Street in lieu of the ordinance required 9.5 ft. for a commercial conversion of an existing building. Enclosed are copies of the variance request, the proposed development plat, and the site plan submitted by the applicant.

The Planning and Development Department staff is currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. A sign with this information has also been posted on the project site. The Houston Planning Commission will hold a public meeting to consider this application.

PLANNING COMMISSION MEETING INFORMATION:

Thursday, October 15, 2026, beginning at 2:30 p.m.

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.

You may also submit comments or sign up as speakers in the following ways:

1. Send email to: speakercomments.pc@houstontx.gov,

Please submit written comments at least 24 hours in advance of the meeting, so staff may compile them in order of the agenda items. ALL comments submitted will be made part of the meeting record.

2. Sign up to speak on a designated form at the entrance to the Council Chamber before the start of the Planning Commission meeting.

For additional information regarding this project, please call the applicant, Jose Diego Monroy, at 832-781-0906. You may also contact the Planning and Development Department regarding this notice via email at planning.variances@houstontx.gov or call (832) 394-8849. To view the complete Planning Commission meeting agenda, go to www.houstonplanning.com. Information on the reverse side of this page explains more about the terminology used in this letter.

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.

Para más información acerca de este documento, favor de llamar al Departamento de Planificación y Desarrollo al 832-393-6659.

TERMINOLOGY

- **CHAPTER 42:** The section of the City of Houston 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 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 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.
- **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.
- **SPECIAL EXCEPTION:** A commission-approved adjustment to the certain standards of Chapter 42. The applicant must document existing special circumstances unique to the land that justify modification of the development standards.

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 25 members and meets every two weeks per their adopted Commission meeting schedule.

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 Chapter 42. Development plats must also comply with Chapter 26 (Off-street Parking and Loading) and Chapter 33 (Trees, Shrubs and Screening Fences).

CITY OF HOUSTON SEC. 42-82 AND 42-83

- Notification to property owners within 250 feet of certain proposed development applications with a requested variance is required. The proposed development must be located within the city limits.

PROPERTY OWNERSHIP INFORMATION

For notification purposes, property ownership information and property owner mailing addresses are obtained from the most recent property tax rolls of the county in which the property is located.



Houston Planning Commission

VARIANCE REQUEST APPLICATION

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL ADDRESS		
JDM Group Company	Jose Diego Monroy	832-781-0906			
PROPERTY ADDRESS	PROJECT NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
4801 N Main Street	26025696	77009	5359D	453X	H

HCAD ACCOUNT NUMBER(S): 0331890010001

PROPERTY LEGAL DESCRIPTION: Torres Juan Ramon

PROPERTY OWNER OF RECORD: Lots 1 & 2, Block A, Sojourner

ACREAGE (SQUARE FEET): 12,000 sq. ft.

WIDTH OF RIGHTS-OF-WAY: N. Main Street: 60 ft.; Kermit Street: 31 ft.

EXISTING PAVING SECTION(S): N. Main Street: 40 ft.; Kermit Street: 20 ft.

OFF-STREET PARKING REQUIREMENT: 6 spaces

OFF-STREET PARKING PROVIDED: 8 spaces

LANDSCAPING REQUIREMENTS: Complies

LANDSCAPING PROVIDED: Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]: Residential building (2,198 sq. ft.), wood shed (226 sq. ft.), wood ramp (147 sq. ft.)

PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]: Converted commercial building (2,198 sq. ft.), wood shed to remain (226 sq. ft.), concrete ramp (115 sq. ft.)

PURPOSE OF VARIANCE REQUEST: To dedicate 6 ft. to the right-of-way along Kermit Street in lieu of the ordinance required 9.5 ft. for a commercial conversion of an existing building.

CHAPTER 42 REFERENCE(S): Sec. 42-121. - Dedication of rights-of-way. (b) When an existing public street with a right-of-way width that does not meet the requirements of [section 42-122](#) of this Code is adjacent to and forms a boundary of a subdivision plat or development plat, the owner of the property within the proposed subdivision or development shall dedicate sufficient additional right-of-way within the proposed subdivision or development adjacent to the existing right-of-way to provide one-half of the total right-of-way width necessary to meet the requirements of [section 42-122](#) of this Code. The commission shall waive the requirement to dedicate right-of-way upon finding that the applicant has made a satisfactory showing that the proposed subdivision or development will not contribute to a significant increase in traffic on the street.

DEVELOPMENT PLAT VARIANCE



Houston Planning Commission

APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE): The applicant respectfully requests a variance to Chapter 42 (Sec. 42-121 and 42-122) to reduce the required Right-of-Way (R.O.W.) dedication along Kermit Street from 9.5 feet to 6.0 feet for the Torres Office Building project.

The property is a 12,000 sq. ft. lot undergoing a conversion from residential to commercial use. While the ordinance requires a full 9.5-foot dedication, dedicating this depth does not entirely eliminate the lot's physical space, but it does remove a considerable area that critically affects and compromises the site's proposed stormwater drainage system. Furthermore, Kermit Street is located in a mostly residential area; extending the R.O.W. by a full 9.5 feet would not provide a considerable benefit to public infrastructure, as the street does not experience excessive vehicular or pedestrian flow. Additionally, per City comments, there are no future plans to widen this street. The proposed 6.0-foot dedication represents a practical compromise that improves the public R.O.W. while retaining the critical land needed for site drainage.

The applicant must clearly identify how the requested variance meets the criteria in either (1a) or (1b) and ALL items (2) through (5). The information provided will be used to evaluate the merits of the request.

- (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**
- (1b) **Strict application of the requirements of this chapter would make a 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;**

Strict application of the 9.5-foot dedication requirement creates a physically impractical development due to the size constraints of this existing 12,000 sq. ft. lot. Removing 9.5 feet of property depth eliminates a critical portion of the area specifically needed to route and construct the on-site private stormwater drainage infrastructure. Without this specific surface area, achieving compliance with the City's commercial stormwater detention requirements becomes geometrically and physically infeasible.

- (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 variance are not the result of a hardship created or imposed by the applicant. The existing lot dimensions, the existing 31-foot right-of-way along Kermit Street, and the physical configuration of the property are pre-existing conditions. The applicant is proposing to adaptively reuse the existing residential structure for office use and is working within these existing site constraints while also providing the required stormwater drainage improvements.

- (3) **The intent and general purposes of this chapter will be preserved and maintained;**

The general intent and purpose of Chapter 42 will be preserved and maintained. The applicant is still proposing a meaningful 6.0-foot R.O.W. dedication, which expands the public right-of-way and improves the corridor. Because

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Houston Planning Commission

Kermit Street is a low-traffic residential street with no city plans for future widening, the proposed 6.0-foot dedication thoroughly satisfies the public need for space without unnecessarily penalizing the property.

(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 public health, safety, or welfare. The proposed 6.0-foot dedication will increase the existing public right-of-way along Kermit Street while preserving sufficient on-site area to construct the proposed private stormwater drainage improvements. Vehicular and pedestrian access to the property will continue to be provided in accordance with applicable City requirements.

(5) Economic hardship is not the sole justification of the variance.

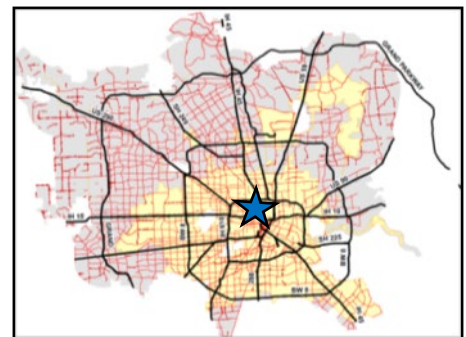
Economic hardship is not the sole justification for the variance. The request is based primarily on the existing dimensions and physical configuration of the property and the need to provide sufficient on-site area for the proposed stormwater drainage improvements. The requested variance is therefore based on physical and engineering constraints rather than financial considerations.

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Location Map



DEVELOPMENT PLAT VARIANCE



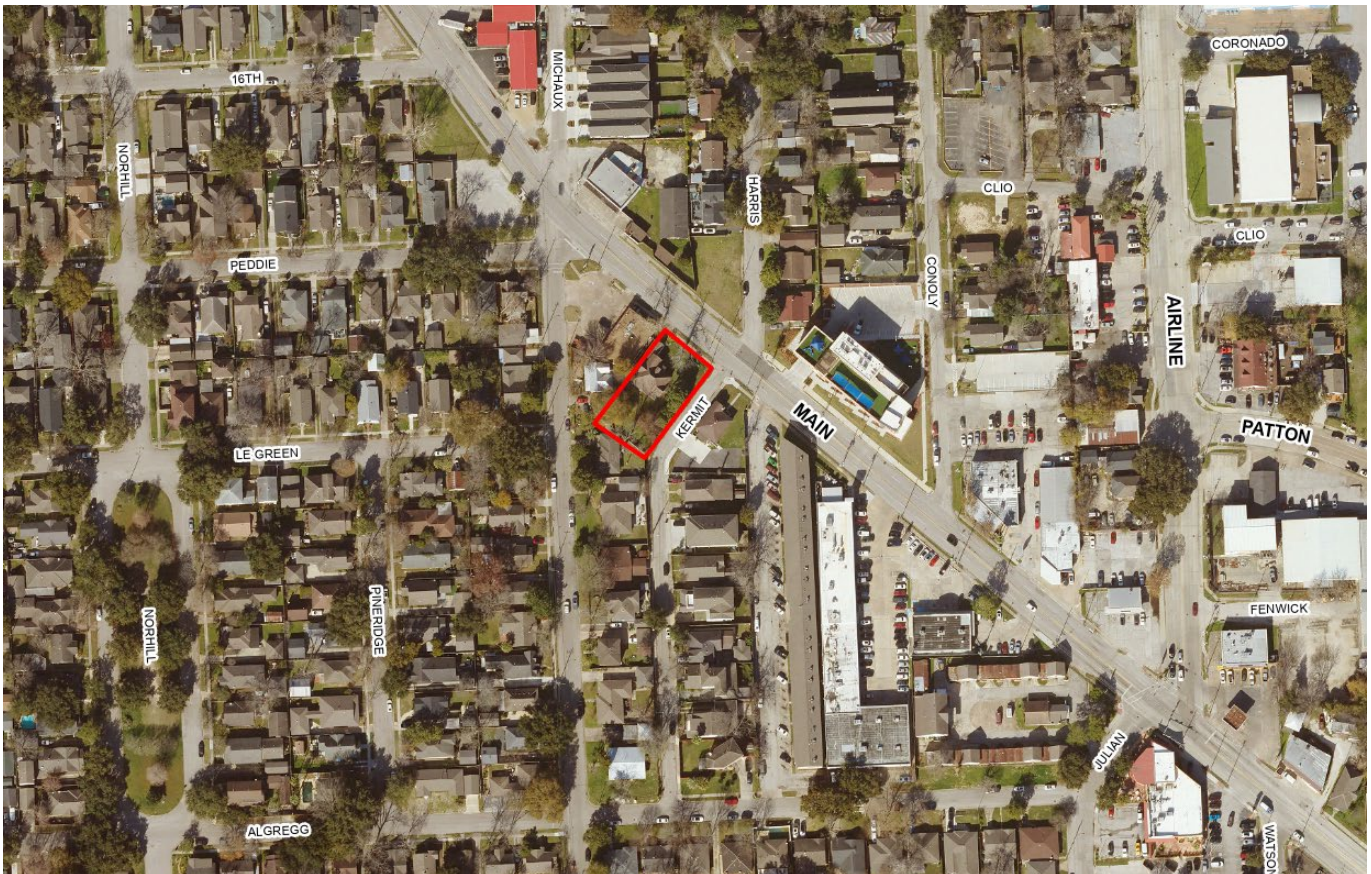
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Aerial Map



DEVELOPMENT PLAT VARIANCE



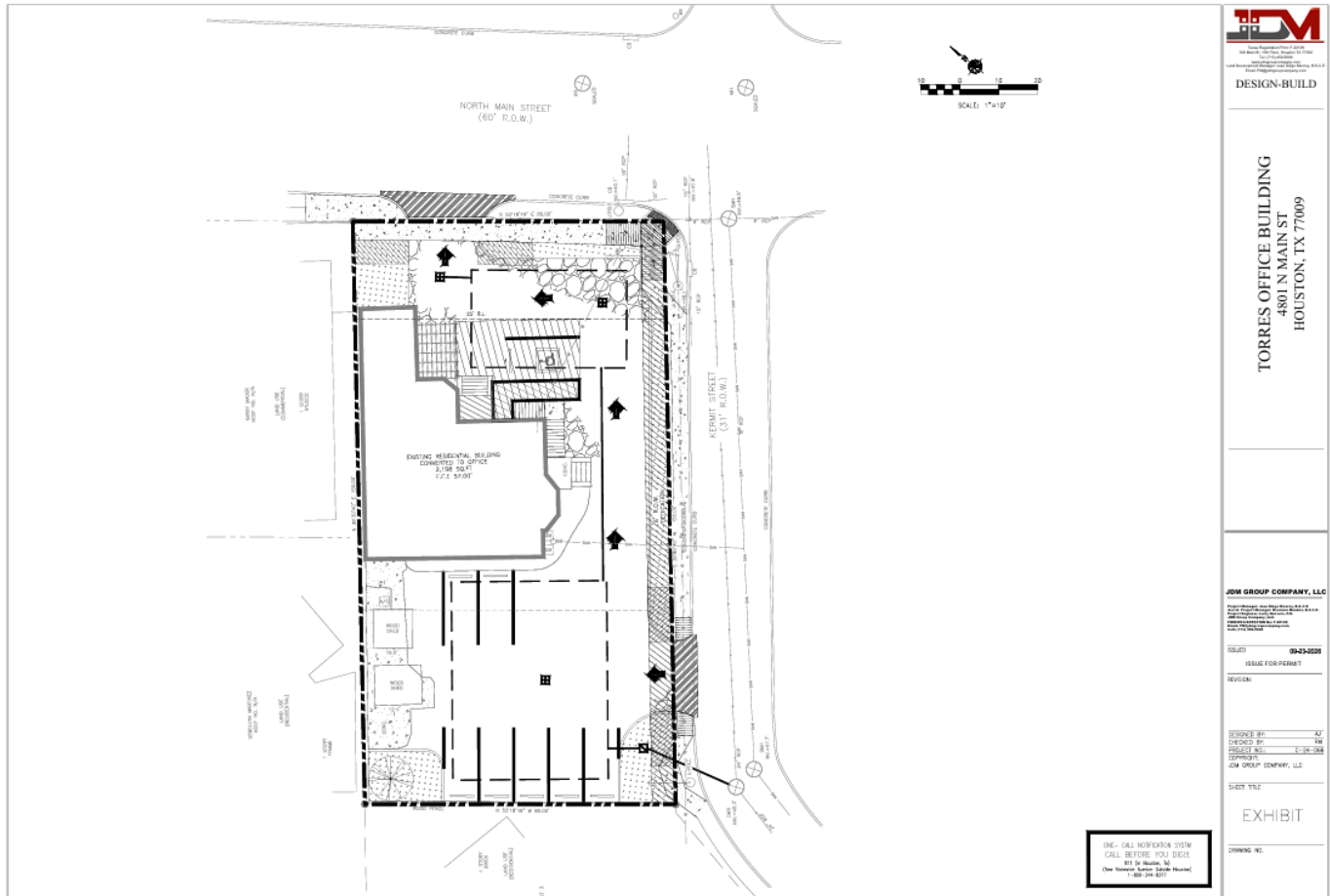
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Site Plan



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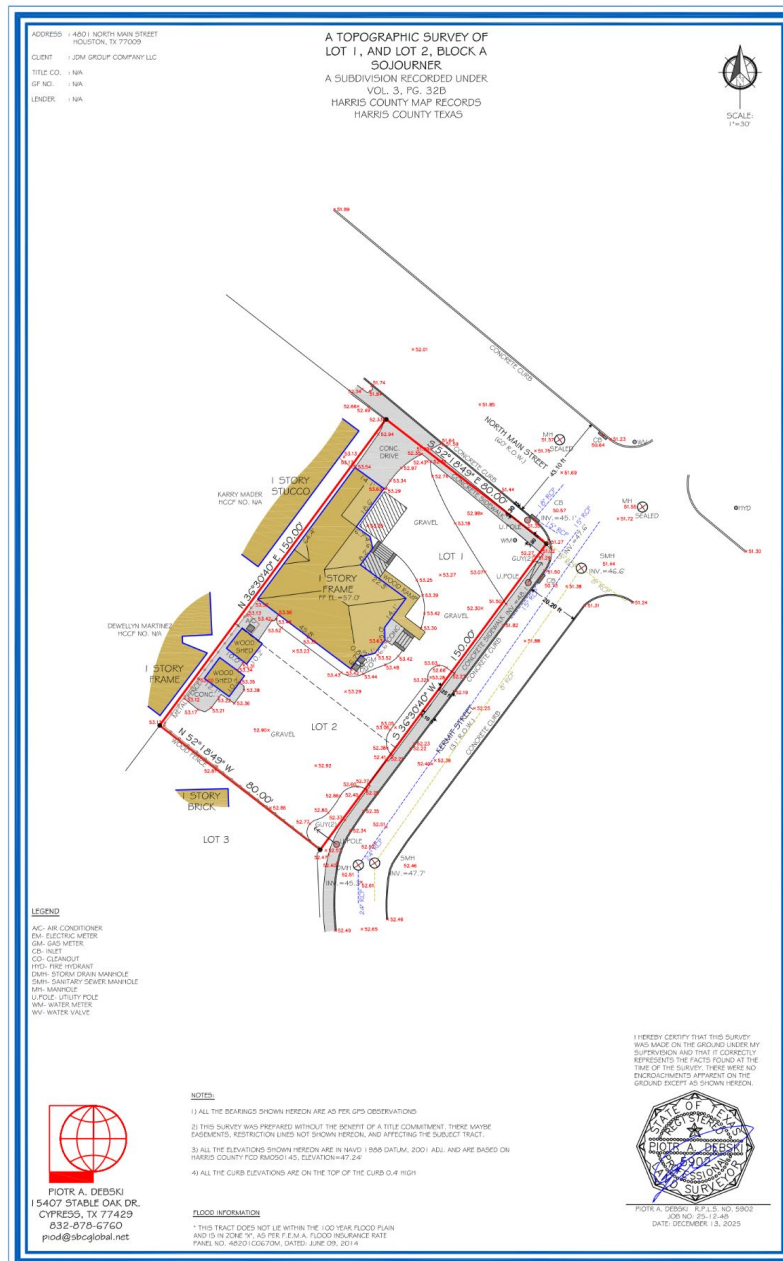
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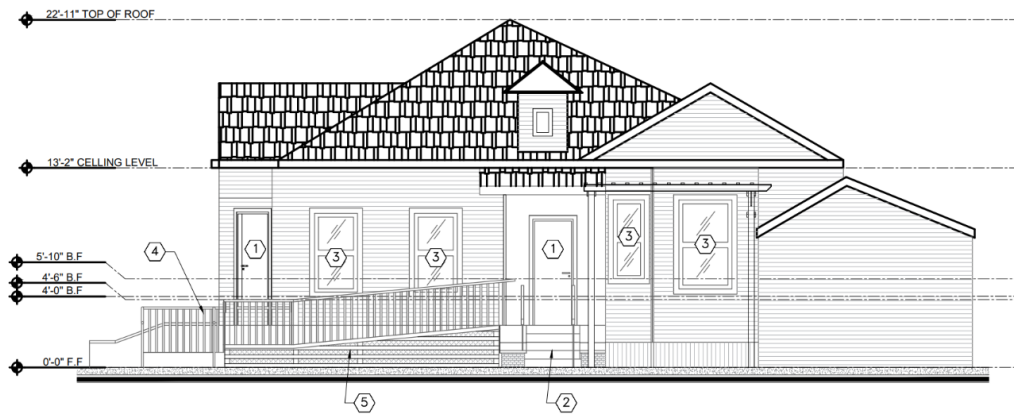
Survey



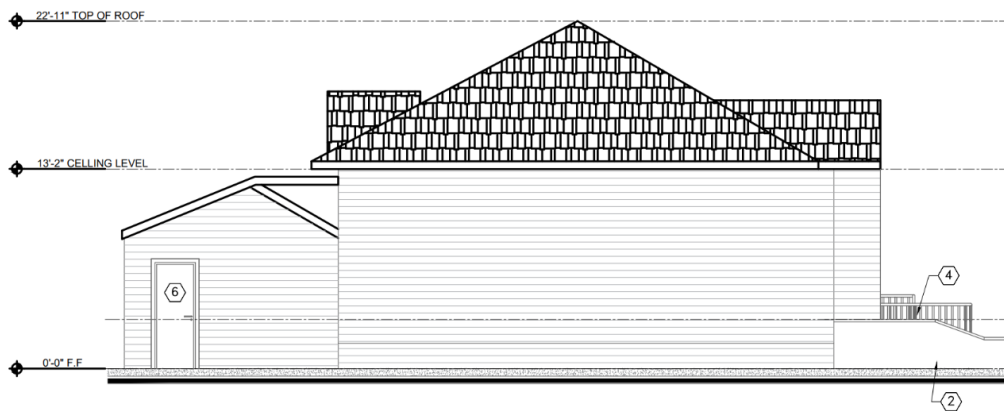
DEVELOPMENT PLAT VARIANCE



Elevations



1 FRONT ELEVATION
SCALE: 3/8" = 1'-0"



2 REAR ELEVATION
SCALE: 3/8" = 1'-0"

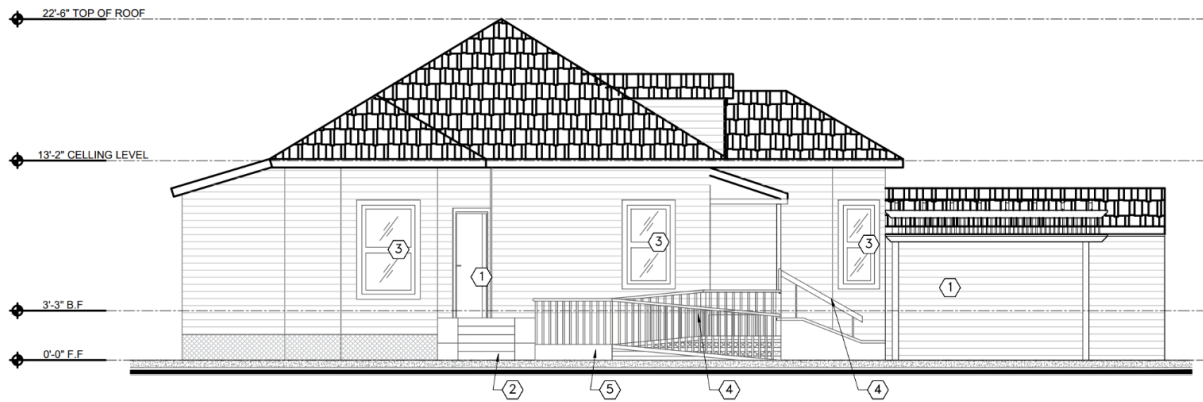
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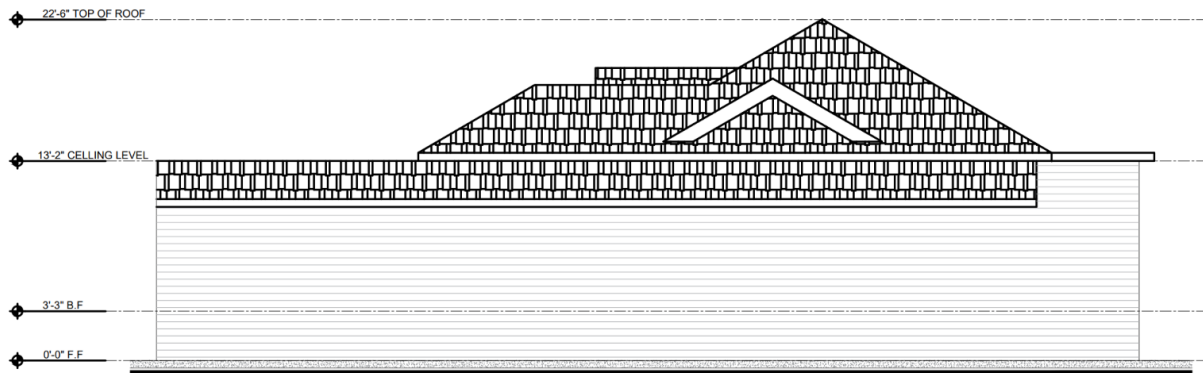
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① RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



② LEFT ELEVATION
SCALE: 1/4" = 1'-0"

DEVELOPMENT PLAT VARIANCE