



CITY OF HOUSTON

Planning and Development Department

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October 9, 2026

NOTICE OF VARIANCE

PROJECT NAME: 1501 Wichman Street
REFERENCE NUMBER: 26075937



Dear Property Owner:

The Planning and Development Department has received a development plat application with a variance request for a property located south of Interstate 10 and West of Studemont Drive north of the intersection between East 2nd Street and Wichman 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.

Eric Hughes, the applicant, has filed the request on behalf of the owner of the subject site. The applicant is requesting a 5-foot building line in lieu of the city ordinance 10-foot garage building line along East 2nd Street, a local street, for a new single-family residence. 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, Oct. 29, 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, Eric Hughes, at 713-505-1177. You may also contact the Planning and Development Department regarding this notice via email at planning.variances@houston.tx.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.



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VARIANCE REQUEST APPLICATION

APPLICANT COMPANY	CONTACT PERSON	PHONE NUMBER	EMAIL		ADDRESS
HR Design Dept	Eric Hughes	713-505-1177			
PROPERTY ADDRESS	PROJECT NUMBER	ZIP CODE	LAMBERT	KEY MAP	DISTRICT
1501 Wichman Street	26075937	77007	5358C	493E	C

HCAD ACCOUNT NUMBER(S):	0142020000013
PROPERTY LEGAL DESCRIPTION:	Lots 13 and 14, Block F Forest Park Annex
PROPERTY OWNER OF RECORD:	Marek & Bailey Walker (HCAD shows father Brett Walker)
ACREAGE (SQUARE FEET):	6,100 sq. ft.
WIDTH OF RIGHTS-OF-WAY:	Wichman Street: 70ft.; East 2 nd Street: 70ft.
EXISTING PAVING SECTION(S):	Wichman Street: 16ft.; East 2 nd Street: N/A
OFF-STREET PARKING REQUIREMENT:	2 spaces
OFF-STREET PARKING PROVIDED:	3 spaces
LANDSCAPING REQUIREMENTS:	Complies
LANDSCAPING PROVIDED:	Complies

EXISTING STRUCTURE(S) [TYPE; SQ. FT.]:	NA – vacant lot
PROPOSED STRUCTURE(S) [TYPE; SQ. FT.]:	2,934 sq. ft.

PURPOSE OF VARIANCE REQUEST: To request a 5-foot building line in lieu of the city ordinance 10-foot building line along East 2nd Street, a local street, for a new single family-residence.

CHAPTER 42 REFERENCE(S): Sec. 42-156. - Collector and local streets—Single-family residential.

(b) Except as otherwise required or authorized by this chapter, the building line requirement for a lot restricted to single-family residential use along a local street that is not an alley shall be:

(1) 20 feet along the front of a lot and ten feet along the back and side of a lot adjacent to a local street; or

(2) 10 feet if the subdivision plat contains a typical lot layout and the subdivision plat contains plat notations that reflect the requirements of this section.



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APPLICANT'S STATEMENT OF FACTS

SUMMARY OF VARIANCE CONDITIONS (BE AS COMPLETE AS POSSIBLE):

Ordinance Requirement: Chapter 42 requires a 10-foot side-street building line along the adjacent East 2nd Street right-of-way.

Proposed Request: To allow a 5-foot side-street building line in lieu of the required 10-foot building line along the unimproved East 2nd Street right-of-way for the construction of a single-family residence.

Site Conditions: The adjacent 70-foot right-of-way is unimproved, contains no city utilities or road infrastructure, and terminates at the bayou. East 2nd Street was physically realigned 250 feet south, causing this property to function as an interior lot where a 10-foot setback creates an unnecessary restriction on a 50-foot-wide lot.

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. An electronic copy of any supporting documentation reference within the "Applicant's Statement of Facts" should be emailed to the Planning Department at planning.variances@houstontx.gov.

(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

Strict enforcement of the 10-foot side-street building line requirement under Chapter 42 creates an undue hardship by imposing corner-lot restrictions on a site that functions physically, visually, and operationally as an interior lot.

The subject property abuts a 70-foot unimproved right-of-way designated as East 2nd Street. However, East 2nd Street was physically realigned approximately 250 feet to the south, where it currently exists as an improved public roadway. The adjacent ROW remains a vacant, forested green corridor with no pavement, curbs, sidewalks, or City of Houston underground utility infrastructure. Furthermore, because this dedicated ROW terminates directly at the bayou, there is no physical possibility or municipal plan for future roadway extension or through-traffic.

Treating this property as a traditional corner lot severely restricts the buildable footprint on a standard 50-foot-wide lot. When combined with required site planning considerations—including respecting the adjacent 100-year floodplain, maintaining proper site drainage, and preserving natural tree canopy—the mandatory 10-foot side setback unreasonably limits the orientation, massing, and footprint of a single-family home. Because the adjacent ROW functions as a natural green buffer rather than a functional roadway, enforcing a corner-lot building line deprives the owner of the reasonable use and enjoyment of the property comparable to other interior residential lots in the vicinity.

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- (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;**

- (2) The circumstances supporting the granting of the variance are not the result of a hardship created or imposed by the applicant;**

The hardship is entirely created by unique, pre-existing physical conditions and historical right-of-way dedications beyond the applicant's control. The applicant did not realign East 2nd Street, nor did the applicant establish the paper right-of-way that terminates at the bayou without municipal infrastructure.

The hardship arises solely from the automatic administrative application of corner-lot setback rules to an unimproved, paper ROW that serves exclusively as an open green space. The applicant is seeking only to utilize a standard 5-foot side setback—the standard for interior lots across the city—to construct a single-family home in a reasonable, harmonious manner.

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

The intent of Chapter 42's 10-foot side-street building line is to preserve sight-distance triangles at intersections, ensure vehicular turning clearances, protect public utility corridors, and maintain a uniform streetscape buffer along active public rights-of-way.

Granting a variance to allow a 5-foot building line along this unimproved ROW fully preserves the spirit and intent of the ordinance because none of these functional requirements apply to this location:

- **No Intersection or Traffic:** Because there is no active street or vehicular traffic, intersection visibility triangles and turning sightlines are non-existent and uncompromised.
- **No Public Infrastructure:** Confirmed absence of City of Houston water, sewer, or drainage mains within the adjacent ROW eliminates the need for an expanded structural buffer for utility maintenance.
- **Streetscape Uniformity:** The adjacent ROW functions as a natural green space leading to the bayou; a 5-foot side building line maintains adequate separation while respecting the natural environment.

Furthermore, the proposed single-family residence will fully comply with all other standard Chapter 42 regulations, including maintaining required front-yard and garage setbacks, as well as providing a full 5-foot side setback where it would typically not be required for an interior lot.

- (4) The granting of the variance will not be injurious to the public health, safety or welfare;**

Granting a 5-foot side setback adjacent to an unimproved, non-trafficked right-of-way will have zero negative impact on public health, safety, or welfare:

- **Public Safety & First Responders:** Emergency vehicle access, traffic safety, and sight distances remain completely unaffected, as there is no roadway or vehicular movement within the dedicated ROW.
- **Light, Air, & Shadow:** The adjacent 70-foot-wide unimproved ROW provides an expansive open buffer, ensuring surrounding properties retain abundant natural light, ventilation, and open space separation.

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- **Drainage & Flooding:** The project fully respects the adjacent 100-year floodplain and local drainage patterns. The proposed development maintains an impervious cover ratio of approximately 47%, well below the city's allowable 65% threshold, promoting natural infiltration and stormwater management.
- **Pedestrian & Traffic Clearance:** Because no sidewalk or street infrastructure exists or is planned within this segment, reducing the setback creates no hazard or obstruction for pedestrians or motorists.

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

The requested variance is justified by unique physical site conditions and site-planning constraints, not financial considerations. The property was acquired to build a single-family residence that harmonizes with its natural surroundings near the bayou.

On a 50-foot-wide lot, strict adherence to a 10-foot side-street setback—imposed solely by an unimproved paper street—forces a severe narrowing of the home's footprint. This restriction compromises architectural proportion, site drainage layout, floodplain avoidance, and the preservation of existing trees. The variance is sought to achieve a standard, functional architectural layout and proper environmental site orientation on a constrained lot, independent of development costs or property valuation.

DEVELOPMENT PLAT VARIANCE



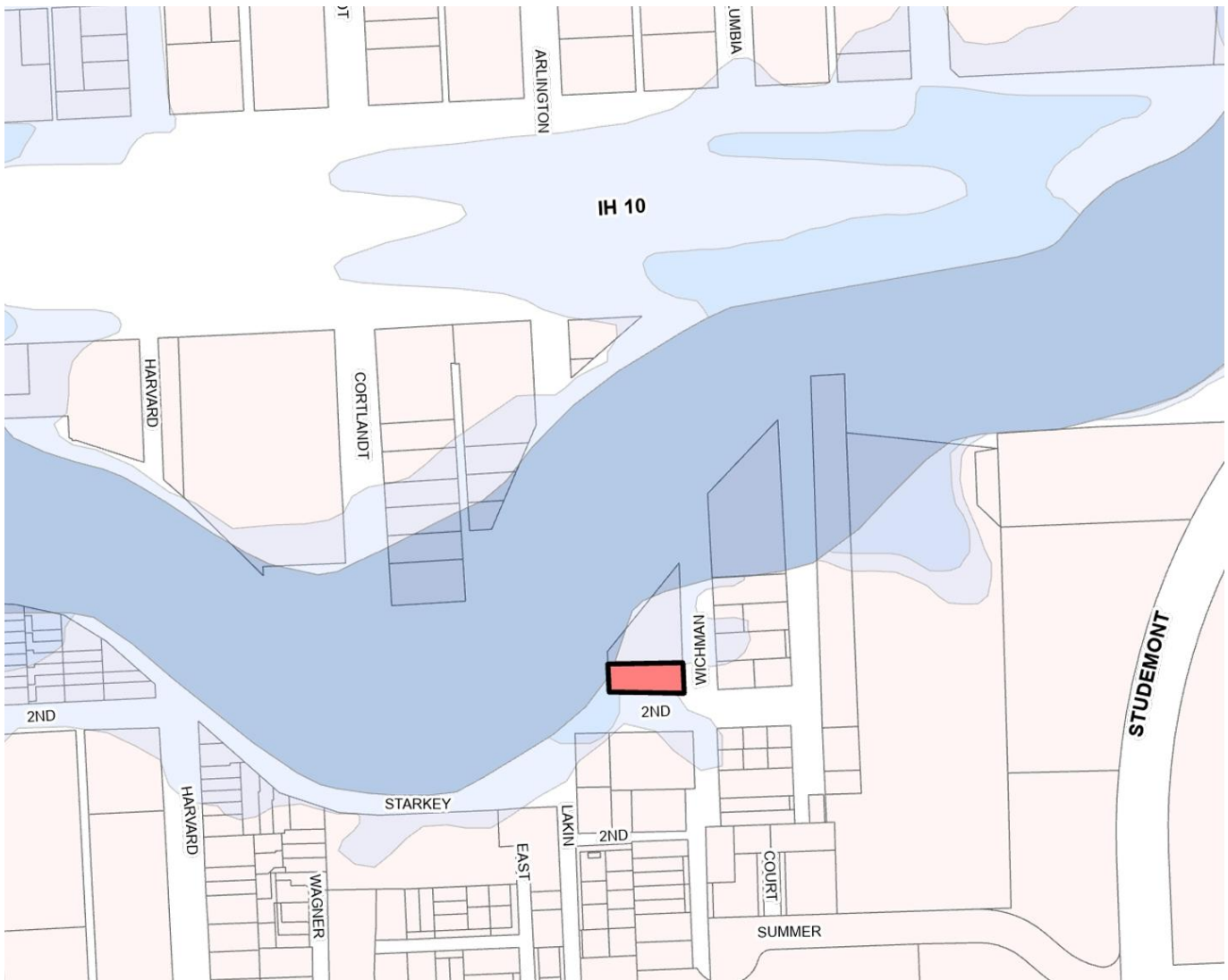
PLANNING &
DEVELOPMENT
DEPARTMENT

ITEM: XX

Meeting Date: 10/29/26

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Location Map



DEVELOPMENT PLAT VARIANCE



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Aerial Map

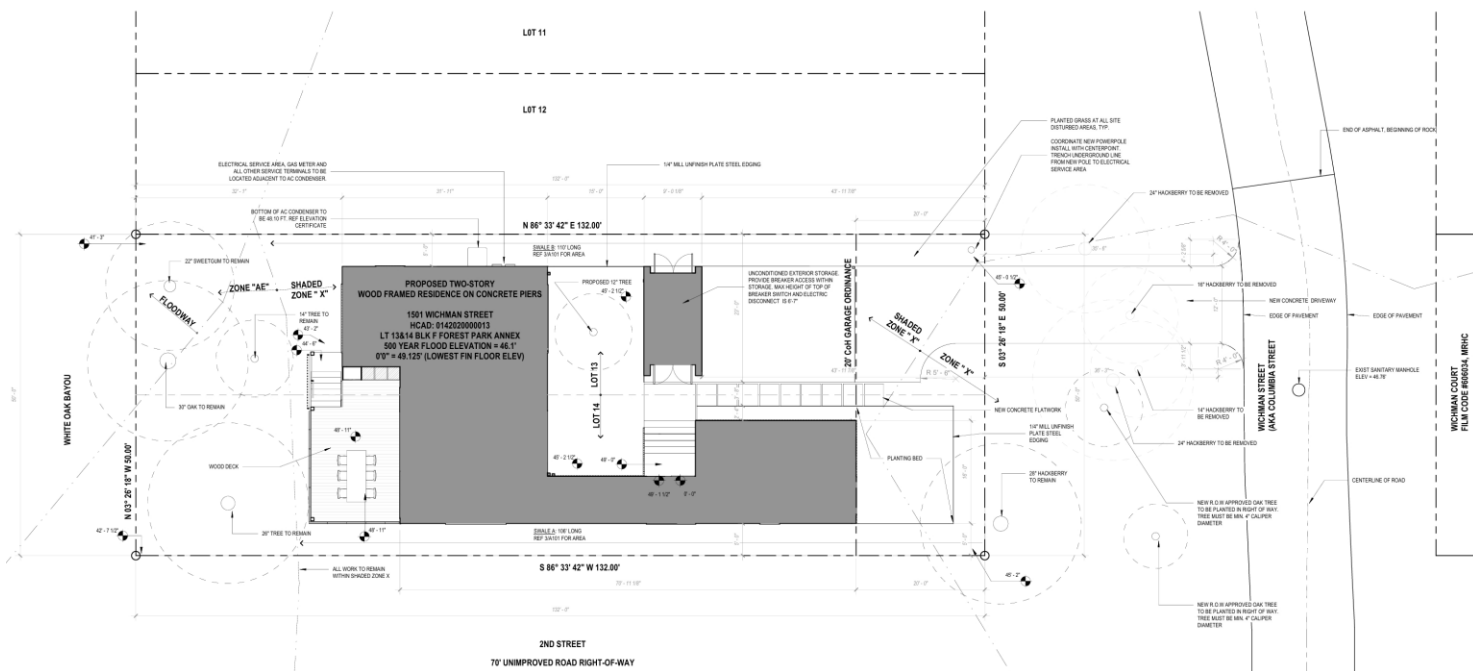


DEVELOPMENT PLAT VARIANCE



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Site Plan



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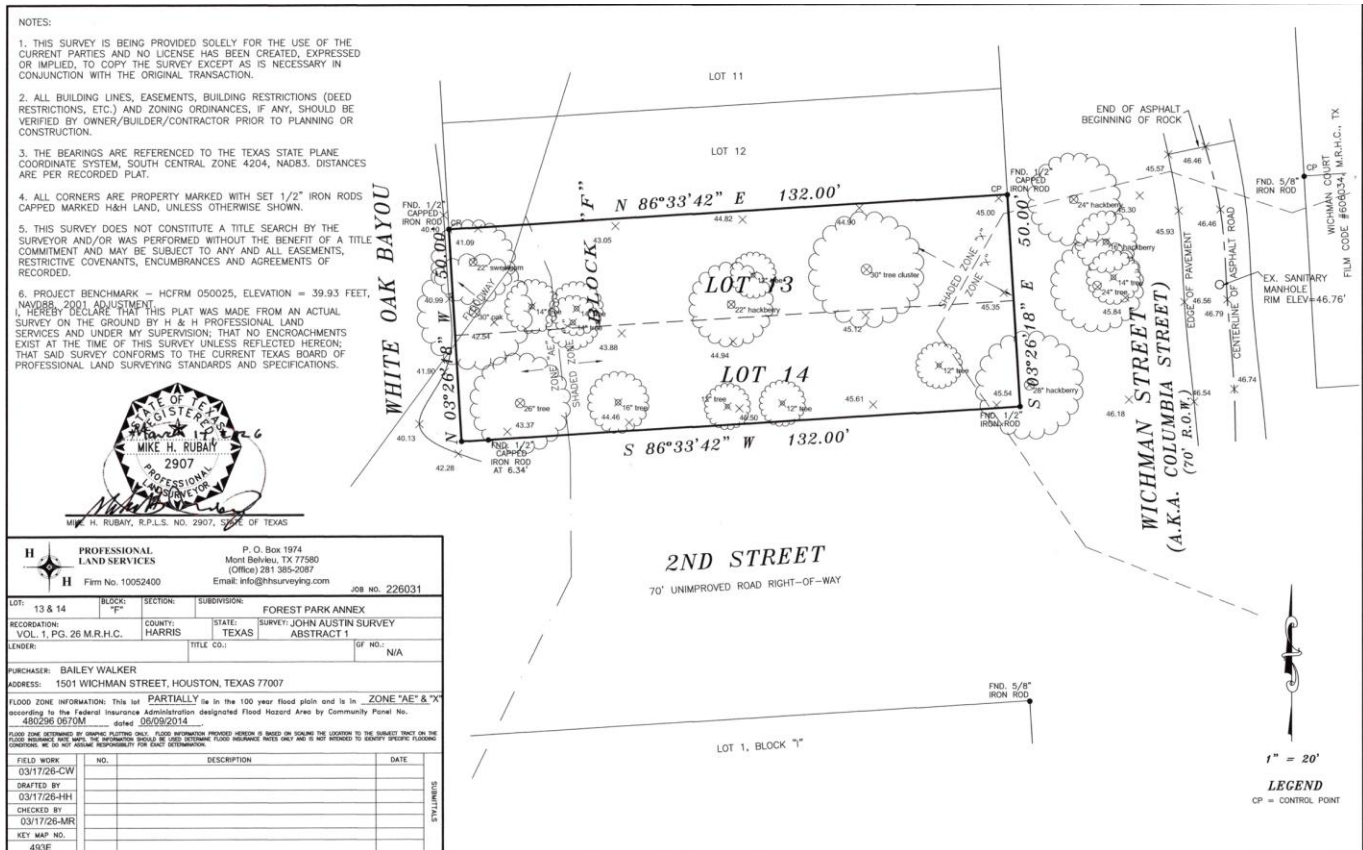
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Survey



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Elevations



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