CITY OF HOUSTON
Planning & Development Department

John Whitmire
Mayor

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Public Hearing Notice with special request

PHS

November 3, 2026

NOTICE OF PUBLIC HEARING WITH VARIANCE

REFERENCE NUMBER : 2026-1614

PLAT NAME: Cruz Auto Shop

The Planning and Development Department has received a subdivision plat application to allow a partial replatting of Gatewood Addition, Section 4 being Lots 520 and 521, Block 25, as recorded in Volume 55, Page 22, of the Harris County Map Records. The property is located at 954 Salter Drive; at the southwest intersection of Salter Drive and Dowlwood Drive. The purpose of the replat is to create one (1) unrestricted reserve.

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, JOHN ENGLISH, with REKHA ENGINEERING, INC., on behalf of the developer, can be contacted at 713-895-8080 for additional information regarding this project. You may also contact the planner Aracely Rodriguez, with the Planning and Development Department regarding this notice via email at Aracely.Rodriguez@houstontx.gov or call (832) 393-6574.

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, December 3, 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: 2026-1614
Plat Name: Cruz Auto Shop
Applicant: REKHA ENGINEERING, INC.
Date Submitted: 10/2/2026

(Sec. 42-47 and Sec. 42-81)
Specific Variance is being sought and extent of variance:
We request a variance for dual building line at 954 Salter Drive. The owner is replatting his 2 lots into 1 unrestricted reserve.

Chapter 42 Section: 155

Chapter 42 Reference:
Sec. 42-155. - Collector and local streets—Uses other than single-family residential.
(a) The building line requirement for a tract used or to be used for other than single-family residential purposes adjacent to a street that is a collector street or local street that is not an alley shall be ten feet unless otherwise required or authorized by this chapter.
(b) The building line requirement for property used or intended for to be used for other than single-family residential purposes adjacent to a street that is a collector street or local street and that is not an alley and across which street are located single-family residential lots having platted building lines greater than ten feet shall be the lesser of 25 feet or the greatest building line on the single-family residential lots directly across the street from the 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
Strict application of the requirements of this chapter would create an impractical situation, due to existing site constraints, the owner cannot move the mobile building to anywhere else on the site due to available
space. The replatting process was started due to the fact that the utility building had a 12’ expansion in 2022 that was not permitted since the original permitting completed in 2014, per H.C. Attorney’s Office, so the
owner was flagged by the H.C. fire marshal. The business is currently operating and has not been issued a stop work order by the county due to the owner presently updating his H.C. permits. (See below for history)
Emails from to Rekha – JHE below as listed:
4-13-26
From Alex Keiser – Assistant H.C. Attorney’s Office
Email Showing this project has 8 permits already obtained in 2013 & 2014 including septic, site & driveway for mobile home & utility building w project numbers for each
4-13-26 “ “ “
Email showing 12’ expansion of utility bldg. in floodplain not permitted for the 12’

expansion only. Attached where photos presented in 2014 vs 2022 plus confirmed in email this site w mobile home was permitted in 2014
4-13-26 “ “ “
Email stating permit for mobile home and utility building permit was obtained in 2014 under HC permit no 1411260103, with consultant ABC Design Studio
5-1-26 “ “ “
Emails from FMO informs Alex that there is no stop work order on this site

(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;
For the reasons stated above, it is obvious that the circumstances stated above which support the granting of the variance are not the result of a hardship created or imposed by the Owners of the Property, it is true that the mobile home was built out of compliance but the owner depended on the expertise of the consultants he hired in 2013 to inform him then with the permitting set of documents, also the owner currently has plans being approved for drainage improvements which requires a permit from Harris County Engineering.

(3) The intent and general purposes of this chapter will be preserved and maintained;
With the granting of the variance, the intent and purposes of the rule will be preserved and maintained since the applied 25’ building line will prevent any future new construction from encroaching on the building line.

(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 as the existing mobile building has been at the current location for over 13 years.

(5) Economic hardship is not the sole justification of the variance.
The existing mobile building is about 1,216 square feet, if the owners were to adhere to the new building line they would have to remove approximately 592 square feet from the mobile building which would deprive the owner the use of the current existing mobile home as his primary residence since 2013 and moving forward with his wife.

PLANNING & DEVELOPMENT DEPARTMENT

APPLICANT'S
Variance Request Form

Application Number: 2026-1614
Plat Name: Cruz Auto Shop
Applicant: REKHA ENGINEERING, INC.
Date Submitted: 10/2/2026

(Sec. 42-47 and Sec. 42-81)
Specific Variance is being sought and extent of variance:
The specific variance being requested is to allow a single-family residential lot to be replatted as an unrestricted reserve instead of landscape, park, recreation, drainage or open space use.

Chapter 42 Section: 193

Chapter 42 Reference:
: Sec. 42-193. Rules governing partial replats of certain property.
(c) Property within a subdivision plat that contains lots restricted to single-family residential or residential use may be replatted to amend a plat restriction only as provided below: (1) A plat restriction limiting the use of property to residential or single-family residential use may be amended to permit the use of that property only for landscape, park, recreation, drainage, or open space uses.

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

(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;
This 0.3903 acre tract being Lots 520 and 521, Block 25 of Gatewood Addition, Section 4 is being used as the owners residence and place of business so the owner would have to relocate one of those uses to another property and incur the costs associated with that change.

(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 of the variance are not the result of a hardship created or imposed by the applicant because the property was being used as non-residential at the purchase of this property in 2013. There are currently commercial developments mixed with residential on both sides of Salter Drive.

(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 because the property is being used for non-residential use for over 13 years and the properties to the West of this development are currently being used for commercial purposes as well.

(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; The granting of the variance will not be injurious to the public health, safety or welfare because there are other existing commercial developments located on Salter Drive.

(5) Economic hardship is not the sole justification of the variance.
Economic hardship is not the sole justification for the variance because at the purchase of this property by Mr. Cruz the tract was permitted and being used for non-residential purposes. The property does have separately filed deed restrictions and the single-family residential use is on the face of the plat.

STATE OF TEXAS
COUNTY OF HARRIS

I, Amilcar Munoz Cruz, owner hereinafter referred to as Owners (whether one or more), of the 0.3903 acre tract described in the above and foregoing map of CRUZ AUTO SHOP, 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 on the land so dedicated.

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 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 the 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 the 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 the 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 the 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 is hereby 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 dedicate to the public a strip of land fifteen (15' 0") feet 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 and all 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 shall hereby be 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 certify and covenant that they have complied with or will comply with existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

FURTHER, Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

WITNESS our hand in the City of Houston, Texas, this _____ day of _____, 2026.

By: _____
Amilcar Munoz Cruz, Owner

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Amilcar Munoz Cruz, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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 Harris County, Texas
My Commission Expires _____

I, Todd J. Slaton, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eights (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

_____
Todd J. Slaton
Registered Professional Land Surveyor
Texas Registration No. 5082

STATE OF TEXAS · REGISTERED · TODD J. SLATON · 5082 · PROFESSIONAL · LAND SURVEYOR

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of CRUZ AUTO SHOP, 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 _____ day of _____, 2026.

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

By: _____
Vonn Tran
Secretary

I, Milton Rahman, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

_____
Milton Rahman, P.E.
County Engineer

I, Teneshia Hudspeth, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on _____, 2026 by an order entered into the minutes of the court.

_____
Teneshia Hudspeth
County Clerk
of Harris County, Texas

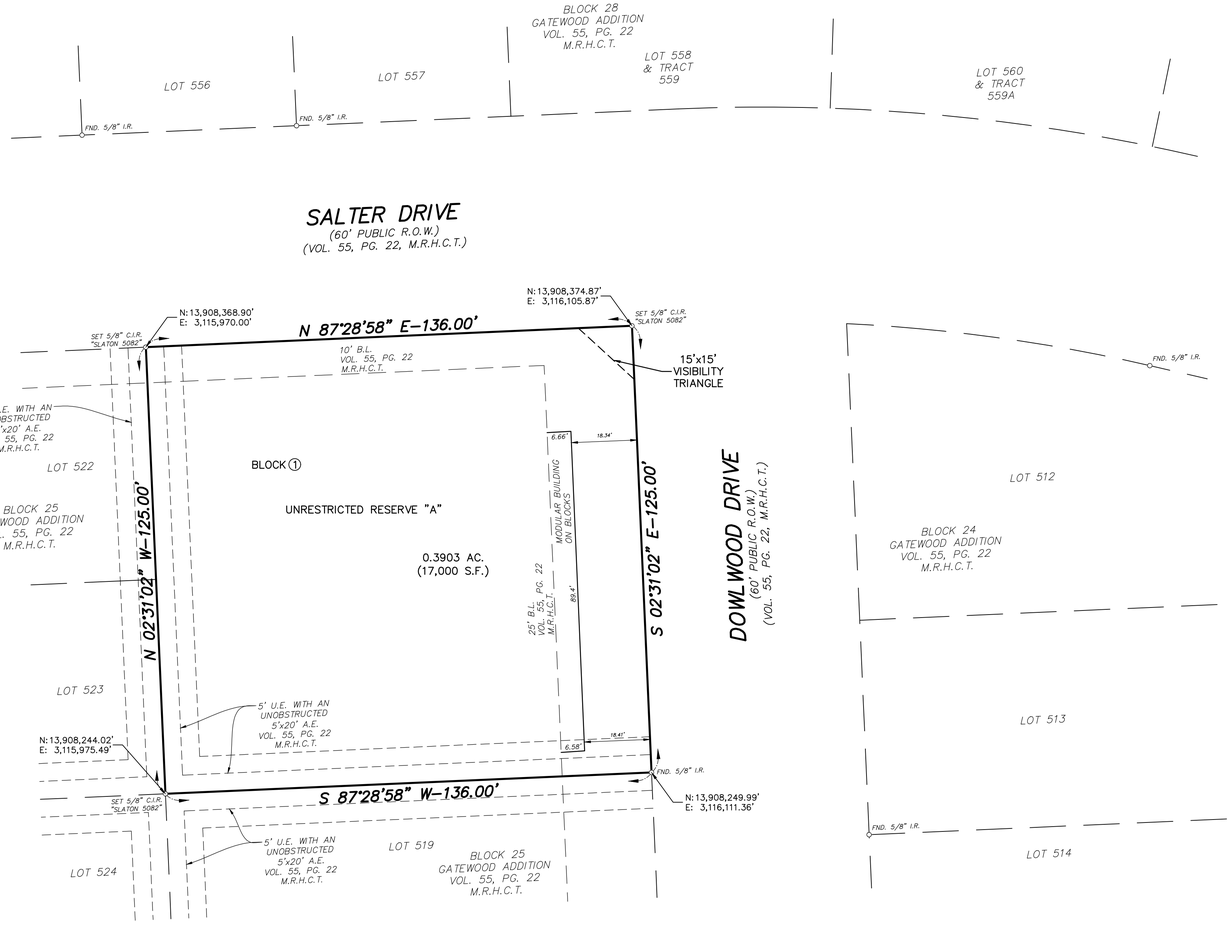
By: _____
Deputy

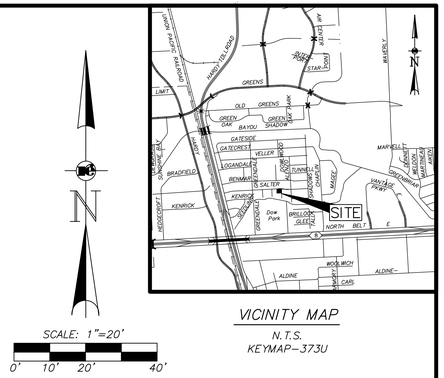
I, Teneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2026, at _____ o'clock ____M., and duly recorded on _____ 2026, at _____ o'clock ____M., and at Film Code No. _____ 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
County Clerk
of Harris County, Texas

By: _____
Deputy





VICINITY MAP
N.T.S.
KEYMAP-373U

NOTES:

1. Unless otherwise indicated, the building line (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. Any additional structures or additions must adhere to the building line and site visibility triangle as shown on this plat. In addition, if the existing structure(s) is ever demolished, then any replacement structure(s) shall adhere to the building line and site visibility triangle shown on this plat.

3. The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale 0.99991969.

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 may be removed by any public utility at the property owner's expense. While wooden posts 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 utilities at the property owner's expense should they be an obstruction. Public utilities may put said wooden posts and paneled wooden fences back up, but generally will not replace with new fencing.

5. Site drainage plans for the future development of this reserve must be submitted to the Harris County Flood Control District and Harris County Engineering Department.

6. This plat requires compliance with landscaping requirements prior to occupancy of structures as mandated in "Regulations of Harris County, Texas for the Approval and Acceptance of Infrastructure."

LEGEND

AC.	ACRES
A.E.	AERIAL EASEMENT
B.L.	BUILDING LINE
C.I.R.	CAPPED IRON ROD
C.M.	CONTROLLING MONUMENT
D.R.H.C.T.	DEED RECORDS HARRIS COUNTY, TEXAS
FND.	FOUND
H.C.C.F. NO.	HARRIS COUNTY CLERK'S FILE NUMBER
M.R.H.C.T.	MAP RECORDS HARRIS COUNTY, TEXAS
NO.	NUMBER
R.O.W.	RIGHT OF WAY
S.F.	SQUARE FEET
U.E.	UTILITY EASEMENT
VOL., PG.	VOLUME, PAGE

REASON FOR REPLAT: TO REMOVE A LOT LINE AND CREATE AN UNRESTRICTED RESERVE

CRUZ AUTO SHOP

A SUBDIVISION OF 0.3903 ACRES OF LAND LOCATED IN THE S.W. UPSHAW SURVEY, ABSTRACT NO. 821, AND BEING A REPLAT OF LOTS 520 AND 521, BLOCK 25, OF GATEWOOD ADDITION, PER MAP OR PLAT RECORDED IN VOLUME 55, PAGE 22 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS

SCALE: 1" = 20' 0 LOTS 1 RESERVE 1 BLOCK DATE: JUNE, 2026

OWNER:
AMILCAR MUNOZ CRUZ
244 MCFARLAND ROAD
HOUSTON, TEXAS 77060

PREPARED BY
CIVIL ENGINEERING AND LAND SURVEYING FIRM:
REKHA ENGINEERING, INC.
7676 Hillmont Street, Suite 350
Houston, Texas 77040
713-895-8080
713-895-8081
Job No.: 0401-4689
TBPLS FIRM NO. 10133800
TBPE NO. F-3712
Contact: John H. English, Sr. Vice President
jake1@pdq.net

File info: I:\4589 Willie Cruz - Auto - 954 Salter Dr - civil plus survey\PLAT\4689-PLAT.dwg Jun 19, 2026 - 11:45am CAD2