CITY OF HOUSTON
Planning & Development Department

John Whitmire
Mayor

Vonn Tran
Director
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Special Request Notice

VAR/SE

November 17, 2026

NOTICE OF VARIANCE

REFERENCE NUMBER：2026-1811

PLAT NAME：Residence at New Heights

The Planning and Development Department has received a subdivision plat application with a variance request for the property located at 506 & 510 E 31st Street, along IH 610, between N Main Street & Columbia Street. Pursuant to the City of Houston's Code of Ordinances, Chapter 42, the Department has mailed written notice of this application with special request to all property owners within 300ft of the boundary of the proposed plat per the most recent property tax records.

The applicant is requesting a variance to allow a reduced building line of 16.5' along IH-610 in lieu of the required 25' building line. Enclosed are copies of the variance request, the proposed subdivision plat and any exhibits provided by the applicant.

The applicant, Carlos G Espinoza, with CGEA|Planning + Design, on behalf ofthe developer, can be contacted at 713-965-7385 for additional information regarding this project.You may also contact the Planner, Tammi Williamson, with the Planning and Development Department regarding this notice via email at Tammi.Williamson@houstontx.gov or call (832) 393-6623.

The Planning and Development Department staffis currently reviewing this application and will present a recommendation to the Houston Planning Commission. The Commission isthe non-legislative body authorized to review and render decisions on subdivision applications and requests.

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

PLANNING COMMISSION MEETING INFORMATION:
Thursday, December 17, 2026 , at 2:30 PM
City Hall Annex Building, 900 Bagby Street
City Council Chamber, Public Level, Houston, Texas

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

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 .**

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.

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.
- **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: 2026-1811
Plat Name: Residence at New Heights
Applicant: CGEA|Planning + Design
Date Submitted: 11/2/2026

(Sec. 42-47 and Sec. 42-81)
Specific Variance is being sought and extent of variance:
TO ALLOW A REDUCED SETBACK OF 16.5' B.L. ALONG IH-610 WEST IN LIEU OF THE REQUIRED 25' B.L.

Chapter 42 Section: 152

Chapter 42 Reference:
Sec. 42-152. - Building line requirement along major thoroughfares.
(a) The portion of a lot or tract that is adjacent to a major thoroughfare shall have a building line requirement of 25 feet unless otherwise authorized by this chapter.

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
Imposition of the rules prohibits reasonable use of the land. This property is considered to be platted lots by Chapter 42 standards. This property was platted prior to the creation of Chapter 42. The new property owner would like to provide more housing alternatives to Houstonians.
Due to development requirements, the developer is required to provide a ROW dedication to East 31st Street pushing back the building footprint to feeder road along the interstate highway on the south.
Historically, the 610 ROW has taken over the original subdivision design. The Independence Heights Subdivision was there pre-dating the highway in the 1950's. Currently the ROW imposes a 25' setback that is clearly not historically design friendly. This portion of 610 has driving lanes, acting more like a local street that are approximately 11 feet in width each, totally 22 feet in lane width.
Existing character of the community, along the feeder road at 10' setbacks along US Highway 610 or less. We believe allowing our development to be at 16.5 feet, would fit the existing character of the community. The spirit of the ordinance would be preserved, as the distance of the back of curb on the highway to the fence line varies from 24 feet to 31 feet, the proposed housing structures would be at greater than 25' distance in spirit with chapter 42 and the historical character of other nearby homes. Similar structures (closer to the street) along US-610 are built there, therefore we are in character with the community.
Our approach is to provide a safe alternative to this developer to meet housing development in the historic Northside of Houston. As discussed, major thoroughfare building lines add a burden to what can be built, when the highway keeps moving into already built housing stock. The back of the curb distance is +/24 feet, with the

additional 25’ setback, we will meet the spirit of Chapter 42, 25 foot setback. There are no sound walls built per TxDOT and based on public information, there are no plans to build any. TxDOT has not plans to expand the IH-45 highway project near this site nor reconstruct the immediate area.

(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 hardship imposed is done by the highway placement that came in after the establishment of the existing subdivision, absorbing the properties to the south and imposing he 25' BL.

(3) The intent and general purposes of this chapter will be preserved and maintained;
The site intends to take driveway access from East 31st Street, which would typically allow a 10' BL along the feeder road, save for its Major thoroughfare status. The conditions of the major thoroughfare would be preserved, as the distance of the back of curb on the highway to the fence line varies from 24 feet to 31 feet, the proposed housing structures would be at greater than 25’ distance in spirit with chapter 42 and the historical character of other nearby homes.

(4) The granting of the variance will not be injurious to the public health, safety or welfare;
The granting of the variance would not be injurious to public health and safety as there is still a substantial setback between the back of curb and the proposed BL and building within the 25' BL would not be out of character for this blockface.

(5) Economic hardship is not the sole justification of the variance.
It is not economic hardship but the existing status of the feeder and existing character of the blockface that justify the granting of the variance.

STATE OF TEXAS

COUNTY OF HARRIS

We, OPPORTUNE RENTAL INVESTMENTS 610 LLC AND MARIO BRAUGHTON, hereinafter referred to as Owners (whether one or of the 0.2754 acre tract described in the above and foregoing map of RESIDENCE AT NEW HEIGHTS, do hereby make and establish said subdivision an 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 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 declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

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 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 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 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..

IN TESTIMONY WHEREOF, the OPPORTUNE RENTAL INVESTMENTS 610 LLC AND MARIO BRAUGHTON, has caused these presents to be signed by HOMERO RODRIGUEZ and MARIO BRAUGHTON, its president, this _____ day of

_____, 2026.

OPPORTUNE RENTAL INVESTMENTS 610 LLC,

By:_____
HOMERO RODRIGUEZ, MANAGING PARTNER

MARIO BRAUGHTON,

By:_____
MARIO BRAUGHTON

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared HOMERO RODRIGUEZ, known to me to be the persons whose names 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 _____, 202_.

_____
Notary Public in and for the
State of Texas

Print Name:_____

My Commission expires:_____

BEFORE ME, the undersigned authority, on this day personally appeared MARIO BRAUGHTON, known to me to be the persons whose names 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 _____, 202_.

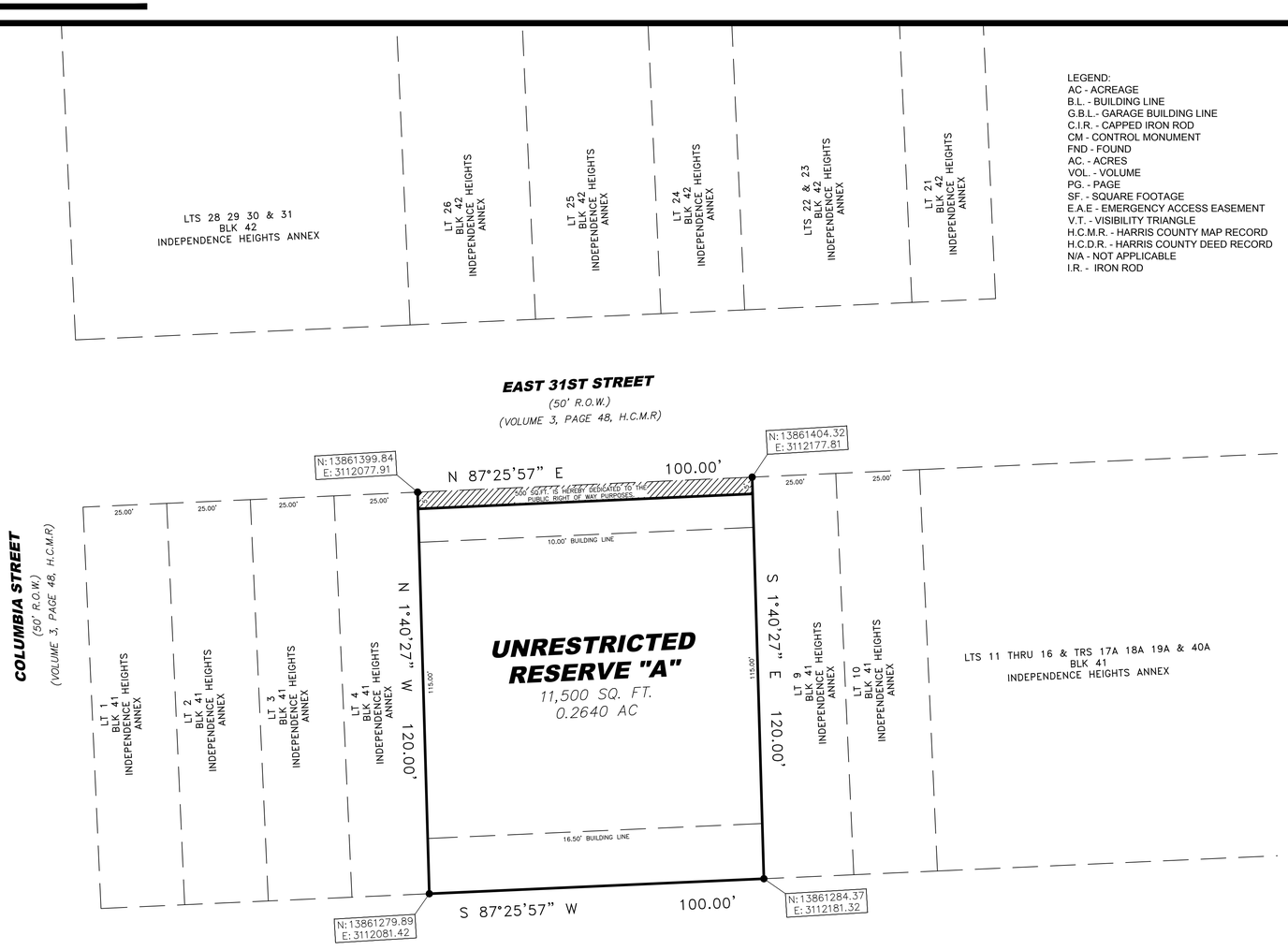
_____
Notary Public in and for the
State of Texas

Print Name:_____

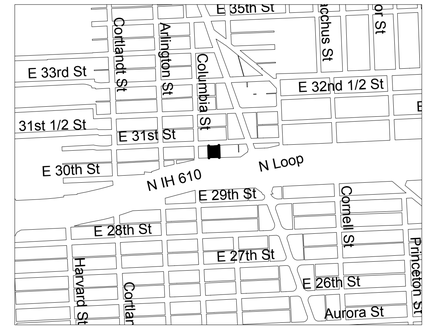
My Commission expires:_____

I, Daniel W. Goodale, am 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 eighths (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.

_____
Daniel W. Goodale, RPLS
Texas Registration No. 4919



LEGEND:
AC - ACREAGE
B.L. - BUILDING LINE
G.B.L. - GARAGE BUILDING LINE
C.I.R. - CAPPED IRON ROD
CM - CONTROL MONUMENT
FND - FOUND
AC. - ACRES
VOL. - VOLUME
PG. - PAGE
SF. - SQUARE FOOTAGE
E.A.E - EMERGENCY ACCESS EASEMENT
V.T. - VISIBILITY TRIANGLE
H.C.M.R. - HARRIS COUNTY MAP RECORD
H.C.D.R. - HARRIS COUNTY DEED RECORD
N/A - NOT APPLICABLE
I.R. - IRON ROD



Vicinity Map
not to scale

KEY MAP NO. 453N

GENERAL NOTES:

1. Bearings were based on the Texas State Plane Coordinate System, South Central Zone (NAD83).
2. The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD 83), and may brought to surface by applying the following scale factor 1.0000401999119.
3. 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.
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.

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of RESIDENCE AT NEW HEIGHTS 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 _____ 202__.

By:_____ By:_____
Lisa M. Clark Or M. Sonny Garza
Chair Vice-Chairman

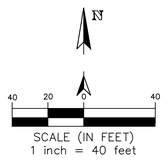
By:_____
Vonn Tran
Secretary

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_____, 202_, at _____o'clock____M. and duly recorded on_____,202_,at_____o'clock____M., and at 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
County Clerk
Of Harris County, Texas

By:_____
Deputy



RESIDENCE AT NEW HEIGHTS

A SUBDIVISION OF 0.2754 ACRES (12,000 SQUARE FEET) OF LOT 5, 6, 7 & 8, BLOCK 41 OF INDEPENDENCE HEIGHTS ANNEX, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 48 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

DATE: SEPTEMBER, 2026 SCALE: 1" = 40'

RESERVE: 1, BLOCKS: 1

REASON FOR REPLAT: TO CREATE ONE (1) UNRESTRICTED RESERVE

LAND PLANNER:

CGEA | PLANNING +DESIGN

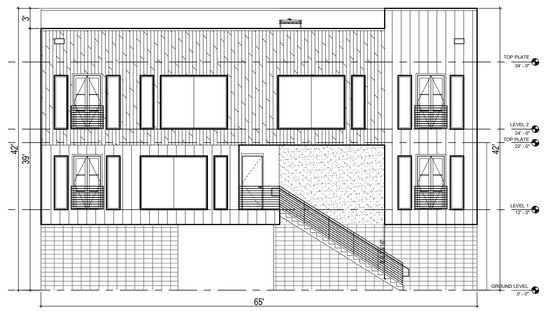
4601 YALE STREET
HOUSTON, TEXAS 77018
O:713.965.7385
E: INFO@CGEAPLANNING.COM

HABLAMOS ESPAÑOL

OWNER:

OPPORTUNE RENTAL INVESTMENTS 610 LLC AND MARIO BRAUGHTON
506 and 510 E 31ST ST
HOUSTON TX 77018

CGEA|PLANNING+DESIGN :: 2025_0017 :: RESIDENCE AT NEW HEIGHTS



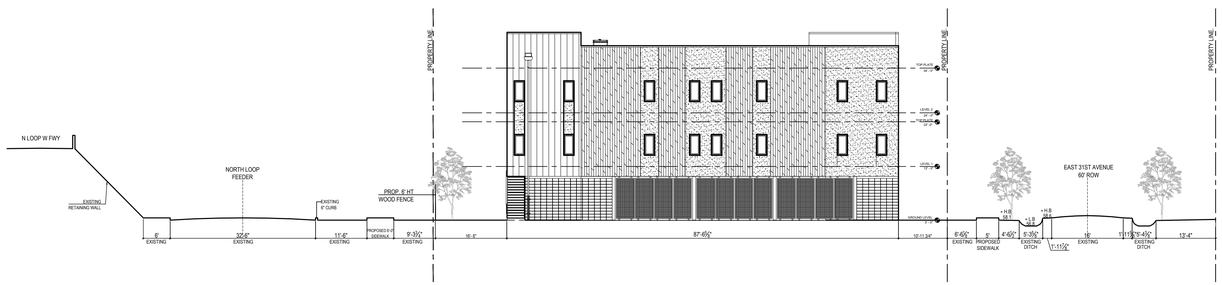
20 N LOOP ELEVATION

NTS



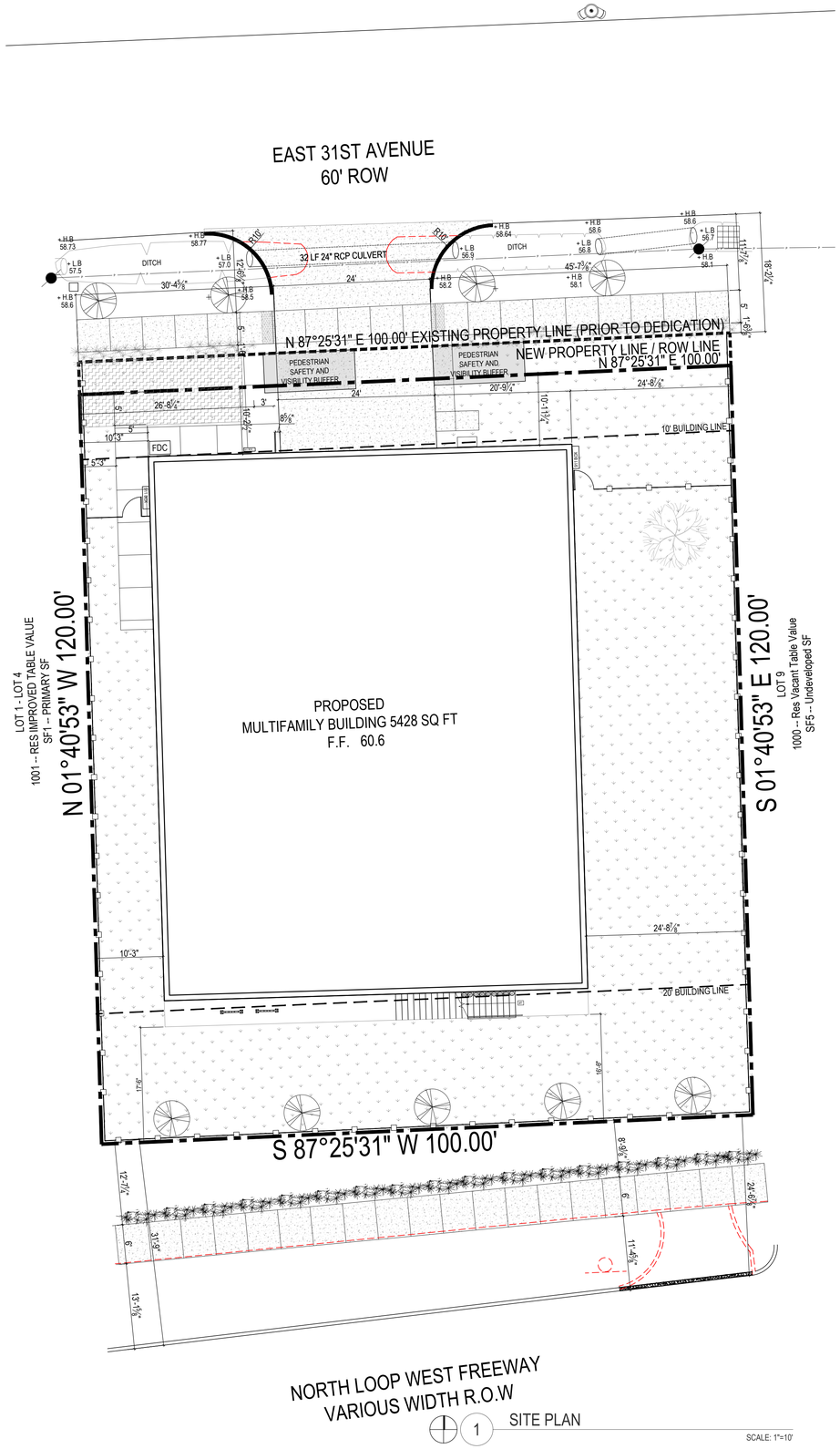
18 E 31ST ST ELEVATION

NTS



15 SIDE ELEVATION

NTS



1 SITE PLAN

SCALE: 1"=10'

LEGAL DESCRIPTION

LTS 5, 6,7 & 8 BLK 42
INDEPENDENCE HEIGHTS ANNEX

PROPERTY ADDRESS

510 E 31ST ST
HOUSTON TX 77018

GOVERNING CODES

"INTERNATIONAL BUILDING CODE" (2021 EDITION) WITH CITY OF HOUSTON AMENDMENTS
2023 NATIONAL ELECTRICAL CODE WITH COH AMENDMENTS
2021 INTERNATIONAL FIRE CODE WITH COH AMENDMENTS
2021 UNIFORM MECHANICAL CODE WITH COH AMENDMENTS
2021 UNIFORM PLUMBING CODE WITH COH AMENDMENTS
2021 INTERNATIONAL ENERGY CONSERVATION CODE WITH COH AMENDMENTS

PARKING REQUIRED BY USE

TOTAL UNITS: 8
8 2BDR REQ PARKING 13.32 (1.666 FACTOR)
TOTAL 14 REQ

14 PARKING SPACES PROVIDED

LANDSCAPE REQUIREMENTS

100.00' EAST 31ST AVENUE
3.33 TREES REQUIRED = 4 TREES PROVIDED (EAST 31ST AVENUE).
100.00' NORTH LOP WEST FREEWAY
3.33 TREES REQUIRED = 4 TREES PROVIDED (NORTH LOP WEST FREEWAY).
10 SHRUBS FOR EACH REQUIRED STREET TREE
80 SHRUBS REQUIRED = 80 SHRUBS PROVIDED
15 PARKING SPACES SHOWN
1.4 PARKING LOT TREES REQUIRED = 2 TREES PROVIDED.

TREES SHALL BE 2" CAL. AMERICAN HOLLY STREET TREE.
SHRUBS SHALL BE 3 GAL JAPANESE BOXWOODS.
NO TREE CREDITS CLAIMED FOR THIS PROJECT.

BUILDING SQUARE FOOTAGES

IMPERVIOUS AREA CALCULATIONS:

LOT SIZE 12000 SF (0.275 AC)
BUILDING: 5428 SF
SIDEWALK: 573 SF
CONCRETE DRIVEWAY: 253 SF
TOTAL IMPERVIOUS AREA: 6254 SF (0.1436 AC)
52% IMPERVIOUS COVERAGE

GAGE
ARCHITECTURE
FIRM BR915
5331 INKER STREET #100 HOUSTON, TX 77007
713.955.4447 WWW.GAGEARCHITECTURE.COM

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REGISTERED ARCHITECT
CRAIG A. GAGE
#36911
STATE OF TEXAS

11.17.2026

REVISION	ISSUE	DATE
X	ISSUE FOR CITY PERMIT	11.17.2026

510 E 31 ST UNITS 1-8

MULTI FAMILY

510 E 31 ST UNITS 1-8
HOUSTON, TX 77018

SCALE	NOTED
DATE	05.26.2026
JOB#	25110

LANDSCAPE & DIMENSION

24 x 36 in.
SHEET

L1.0