



BENCHMARK ENGINEERING CORPORATION
ENGINEERING • PLANNING • LAND SURVEYING

TEXAS BOARD OF PROFESSIONAL ENGINEERS
REGISTRATION NUMBER F-6788
2401 FOUNTAINVIEW DRIVE, SUITE 500
HOUSTON, TEXAS 77057
(713) 266-9930

CONSULTING ENGINEERS

FAX (713) 266-3804

March 26, 2014

The Honorable Commissioner
W.A. "Andy" Meyers
Fort Bend County, Precinct 3
22333 Grand Corner Drive
Katy, Texas 77494



Re: Request for approval and granting of three variances for the development of Lakes of Bella Terra Subdivisions 28 & 29, located in FBCMUD 133, ETJ City of Houston, Fort Bend County, Texas

Dear Commissioner Meyers:

On behalf of L.O.B. Limited Partnership, we hereby request Commissioners Court consideration for approval and granting of the following three variances:

1. Development of the subject property with lots having less than the minimum lot size of 5,000 square feet (s.f.) in area (Fort Bend County Subdivision Regulation, Section 5.14E4).
2. Development of the subject property to allow a shared common wall along the property line between two adjacent lots (Fort Bend County Subdivision Regulation, Section 5.12C5).
3. Permission to allow the construction of parallel parking spaces along La Strada Street and San Lucas Street in Section 28.

1. Description of Lot Areas

The total development area of Sections 28 & 29 is 9.992 acres; and the proposed projects utilize public street system. The total number of lots in Sections 28 & 29 combined is 78; of these 8 lots have an area over 5,000 s.f. The remaining 70 lots have a typical area of 2,900 s.f. In the two sections combined, compensating common open space of 34,568 s.f. has been provided. This substantially exceeds the minimum compensating common open space required by City of Houston's Chapter 42 Planning & Development Ordinance. In addition, the development plan provides additional open space of 20,426 s.f. in the area for the enjoyment of the residents to include 35 guest parking spaces and additional landscape and recreational areas.

It is noteworthy to mention that Sections 28 & 29 will be an integral part of the Lakes of Bella Terra Community Association (LOB/HOA) and as such, the residents in Sections 28 & 29 will be afforded the privilege of utilizing the LOB/HOA amenity areas which include two recreational center facilities, lake basins/landscape improvements with walking trails, dog park, fishing ponds and other recreational facilities for the enjoyment of the residents in subject development.

2. Description of shared Common Wall Concept

The proposed townhome development will utilize the concept of having two adjacent dwelling units to have a shared common wall in one structural building, whereby the separating distances between the structural buildings are set at a minimum of 10 feet.

The Honorable Commissioner
W.A. "Andy" Meyers
March 26, 2014
Page 2

3. Use of parallel parking spaces for guest parking:

In order to provide convenience to the residents of subject development, guest parking spaces are being provided. The parallel parking spaces are located in close proximity to the residential dwelling units to help reduce on the inconvenience to the guests, in particular during inclement weather conditions. The Lakes of Bella Terra Community Association has agreed to provide a letter stating acceptance of responsibility for repairs and maintenance of the parallel parking spaces.

The proposed development plan meets all the conditions and stipulations of the City of Houston's Chapter 42 Planning & Development Ordinance. This is evidenced by the granting of approval of the Preliminary Plats of Sections 28 & 29 and Final Plat and Construction Plans of Section 28. (Final Plat of Section 29 will be submitted at a later date).

It is Benchmark's professional opinion that the variances requested are generally in conformance with the Fort Bend County Development Guidelines. This type of development product is needed to cater to and accommodate market demands for varied type of dwelling units for added lifestyle living which supplements and compliments the current development plan; as such the granting of the variances will not deprive the applicant of the reasonable use of his land. The granting of the variances will not be detrimental to the public safety or welfare, or injurious to other property owners. The granting of the variances will not have the effect of preventing the orderly subdivision of the other lands in the area in accordance with the provisions of FBC Regulations of Subdivisions, and a more appropriate design solution exists which is not currently allowed in this chapter. The variance(s) requests are not based on economic hardship.

Based on the above data and information, we hereby respectfully request that the Commissioner's Court of Fort Bend County, Texas review our evidencing undue hardship request and provide us with approval for granting the variances as stated.

Should you need additional information, please contact me.

Sincerely,

BENCHMARK ENGINEERING CORPORATION



Saib Y. Saour, P.E., R.P.L.S.
President



Attachments:

- Copy of overall layout of Sections 28 & 29
- Final plat of Section 28
- Letter of Agreement for ownership & maintenance of parallel parking spaces LOB/Sections 28 & 29/HOA



March 25, 2014

The Honorable Commissioner
W.A. "Andy" Meyers
Fort Bend County, Precinct 3
22333 Grand Corner Drive
Katy, Texas 77494

Re: Maintenance and Repair of the parallel parking spaces within Section 28 and Section 29
of Lakes of Bella Terra

Dear Commissioner Meyers:

The Lakes of Bella Terra Community Association, Inc. ("LOBT") agrees that until such time as LOBT is relieved of any or all of its responsibilities pertaining to the parallel parking spaces located within Section 28 and Section 29 of the community, subject to the imposition by LOBT of reasonable rules and regulations pertaining to the use of such parallel parking spaces, to maintain and repair such parallel parking spaces in a prudent and commercially reasonable manner. Such obligation upon LOBT may be incorporated into a Supplementary Declaration to be filed in the Real Property Records of Fort Bend County, Texas, which Supplementary Declaration shall address this and other issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Bassam Barazi".

Bassam Barazi
President
Lakes of Bella Terra Community Association, Inc.