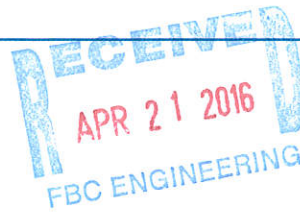




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TBPLS Reg. No. 100518-00  
TBPE Reg. No. F-68



April 11, 2016

Mr. Andy Meyers  
Fort Bend County Commissioner, Precinct 3  
22333 Grand Corner Drive  
Katy, Texas 77494

**RE: Request for Subdivision Variance for Fort Bend County Emergency Services District No. 3 Fire Station No. 2**

Commissioner Meyers,

On behalf of our client, Fort Bend County Emergency Services District No. 2, herein referred to as the “applicant”, we request a variance for the referenced subdivision in accordance with Section 2.21 “Variances,” Fort Bend County Regulation of Subdivisions.

The county has requested that the applicant dedicate a 10-foot landscape reserve where their property borders Spring Green Boulevard. This requirement is in direct conflict with Section 42-180, Paragraph A, Subsection 3 of the City of Houston’s Code of Ordinances that requires “that direct vehicular access is provided from a street, shared driveway, or alley.” As a solution, we request a variance be granted to allow the applicant to provide a 10-foot landscape easement where their property is adjacent to Spring Green Boulevard. The following describes how the applicant’s request addresses the variance conditions outlined in the County’s subdivision regulations.

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

The special circumstance affecting the property is a result of the conflict between the City of Houston and Fort Bend County regulations. The applicant cannot adhere to both regulations without a variance and would lose use of its land if a variance is not granted. By creating the 10-foot landscape easement, the applicant will be able to meet the City of Houston regulations and development on the property will be in accordance with the intent of the Fort Bend County regulations.

2. The granting of the variance will not be detrimental to the public safety or welfare, or injuries to other property in the area.

Permitting a landscape easement will not be detrimental to the public safety or surrounding properties. The 10-foot landscape easement will limit development within the boundary to landscape development, but will also allow the applicant to ensure direct access to their property from Spring Green Boulevard. The applicant will need direct access to Spring Green Boulevard as there are plans to abandon Katy-Flewellen Road, which would be the only other access point from a public road to the property.

3. The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

If the variance is granted, the landscape easement will look and function similar to the surrounding landscape reserves along Spring Green Boulevard. By granting the variance, the applicant can move forward with their development to build a fire station that will service the local community and will not prevent the orderly subdivision of other lands in the area.

4. A more appropriate design solution exists which is not currently allowed in this chapter.

Granting the variance is the only way to allow the development to meet City of Houston and Fort Bend County regulations. Creating a 10-foot landscape easement in lieu of an actual reserve will restrict the area necessary to address the county's requirements and maintain the right-of-way frontage for the tract in order to meet the City of Houston access requirements. Additionally, Spring Green Boulevard will eventually be the only public street adjacent to the property.

The applicant appreciates the County's consideration of this variance request. Please let us know if you have any additional questions or concerns.

Thank you,

Weisser Engineering Company, Inc.

