



BENCHMARK ENGINEERING CORPORATION  
ENGINEERING • PLANNING • LAND SURVEYING

TEXAS BOARD OF PROFESSIONAL ENGINEERS  
REGISTRATION NUMBER F-6788  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS  
REGISTRATION NUMBER 10009000  
2401 FOUNTAINVIEW DRIVE, SUITE 500  
HOUSTON, TEXAS 77057  
(713) 266-9930

May 3, 2022

The Honorable Commissioner,  
Mr. Ken R. DeMerchant  
Fort Bend County Precinct 4  
1517 Eugene Heimann Circle  
Richmond, Texas 77469

Re: Oasis at Clodine Partial Replat No 1 and Extension - Variance Request

Dear Commissioner, Demerchant:

On behalf of Owais Developments LLC., a Texas limited liability company, we hereby request Commissioners Court consideration for approval and granting of the following variances. The developer for Oasis at Clodine has recently purchased two acres south of the current development on Clodine Road and wishes to expand the development as Phase II. By expanding the development, the developer will be adding an additional twenty-two homes and extending/connecting to existing Jay Bird Lane private street stub to the south, this will create a "U" shape private street system which will eventually service a total of 54 residential lots for this overall development.

1. **Front building Setback:**  
A proposed 22' foot Building Line in lieu of the minimum required Building Line of 25' feet per (Fort Bend County Subdivision Regulation, Section 5.12 C.1A).
2. **Lot Size:** Development of the subject property with lots having less than the minimum lot size of 5,000 square feet (sq. ft.) in area (Fort Bend County Subdivision Regulation, Section 5.14 E4).
3. **Side Lot Lines:** (Fort Bend County Subdivision Regulation, Section 5.12 C2).
4. **Building Side Setbacks:** Development of the subject property to allow a shared common wall (Zero Lot Line) along the property line between two adjacent lots and a Building Side Setback separation distance between the two buildings of 6' feet. (Fort Bend County Subdivision Regulation, Section 5.12 C5).
5. **Private Streets:** Development of the subject property request to construct a 28' private street connection to (Jay Bird Lane) an existing development to the north, with public utility street in lieu of the required 60' right-of-way public street. (Fort Bend County Subdivision Regulation, Section 5.9)

1. Description of Lot Areas

The total development area of 2.7132 acres; and the proposed project will utilize a private street system. The total number of lots is 23 with combined compensating common open space from the existing development will be provided. The combination of both developments will exceed the minimum compensating common open space required by City of Houston's Chapter 42 Planning & Development Ordinance. In addition, the development plan provides shared additional open space areas for the enjoyment of the residents to include 12 additional guest parking areas and additional landscape and open space areas including the share of the existing .

2 Description of Shared Common Wall Concept

The proposed addition to the overall development will utilize the identical 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 6 feet.

The proposed development plan meets all the conditions and stipulations of the City of Houston's Chapter 42 Planning & Development Ordinance.

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.

cc. Ms. Maggie Dalton  
Fort Bend County Engineering