



BENCHMARK ENGINEERING CORPORATION  
ENGINEERING • PLANNING • LAND SURVEYING

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February 10, 2023

The Honorable Commissioner,  
Mr. Andy Meyers  
Fort Bend County Precinct 3  
13131 Dairy Ashford Road. #390  
Sugar Land, Texas 77478

Re: Imperial Retreat Townhomes - Variance Request

Dear Commissioner, Meyers:

On behalf of Owais Developments LLC., a Texas limited liability company, developer, we hereby request Commissioners Court consideration for approval and granting of the following variances.

1. **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).
2. **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).
3. **Dead-end Private Street:** Development of the subject property request to allow Private Dead-end streets in lieu of a cul-de-sac turn around (Fort Bend County Subdivision Regulation, Section 5.6).
4. **Private Streets:** Development of the subject property request to construct a 28' private street system connection from Old Richmond Road just north of Voss Road in lieu of the required right-of-way width for public streets. (Fort Bend County Subdivision Regulation, Section 5.9).
5. **Building Separation / 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).
6. **Sidewalks:** Development of the subject property to not required to be constructed on private street developments per (Fort Bend County Subdivision Regulation, Section 5.8).

1. Description of Lot Areas

The total development area of 3.57 acres; and the proposed project will utilize a private street system. This development will create a private street system which will eventually service a total of 43 residential lots and 5 open space reserves for the use of the residents in this private community. This development will provide the required compensating common open space by City of Houston's Chapter 42 Planning & Development Ordinance.

In addition, the development plan provides a total of 12 guest parking spaces, 5 over the requirement.

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.

Also, proposed utilities will be provided from existing FBC MUD 41 across Old Richmond Road and the developer has received an agreement from the City of Sugar Land to extend a public sanitary line through Duhacsek Park to service the future development. ROW from this property has been acquired.

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. Fort Bend County Engineering