



EST. 1955

SPRING VALLEY

V I L L A G E

Board of Adjustment Meeting

September 21, 2022

6:00 p.m.



EST. 1955

SPRING VALLEY
V I L L A G E

AGENDA

**City of Spring Valley Village
Board of Adjustment Meeting
Council Chambers of City Hall
1025 Campbell Road, Houston, Texas 77055
WEDNESDAY, SEPTEMBER 21, 2022 AT 6:00 P.M.**

The meeting agenda and agenda packet are posted online at www.springvalleytx.com.

The video link to this meeting is <https://us02web.zoom.us/j/89470791702>

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 894 7079 1702 and #.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

- 1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT**
- 2. APPROVAL OF MEETING MINUTES:** August 17, 2022 Meeting
- 3. CONDUCT A PUBLIC HEARING CONCERNING:** A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District "A", to allow an enclosure of an existing porte-cochere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.
 - A. Presentation of Variance Request by Applicant
 - B. Those In Favor
 - C. Those Opposed
 - D. Adjourn Public Hearing
- 4. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District "A", to allow an enclosure of an existing porte-cochere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.

5. ADJOURNMENT

I certify that a copy of the September 21, 2022 Board of Adjustment agenda was posted this day, the 14th day of September 2022 at 5:00 p.m. pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code.

Attest:



Jasmin Torres, City Secretary

The Board of Adjustments reserves the right to convene in executive session from time to time as deemed necessary during this meeting to discuss any of the matters listed in the agenda.

In compliance with the Americans with Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. To better serve attendees, requests for accommodations or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308, or Email jtorres@springvalleytx.com for further information.

Minutes

**MINUTES OF THE BOARD OF ADJUSTMENT MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
WEDNESDAY, AUGUST 17, 2022 AT 6:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
1025 CAMPBELL ROAD, HOUSTON, TEXAS**

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

With a quorum of the Board present, the Meeting of the Spring Valley Village Board of Adjustments was called to order by Development Services Coordinator Carianne Livengood at 6:02 p.m.

Members Present:

Board Secretary William Featherston
Board Member Cameron Kreager
Board Member Bradley Jones
Alternate Board Member Susan Diehl
Alternate Board Member Travis Wells

Also present were:

City Attorney Loren Smith
Director of Community Development Zachary Meadows
Development Services Coordinator Carianne Livengood

3. APPROVAL OF MEETING MINUTES: March 29, 2022 Meeting

Acting Chairman Featherston made a motion to approve the March 29, 2022 meeting minutes, and Board Member Jones seconded the motion. Motion carried 5-0.

3. CONDUCT A PUBLIC HEARING CONCERNING: A Request from Luisa Rolon for a Variance from Chapter 12 Planning & Zoning, Subsection 05:02.03.09.03.05, of Section 5, Building and Use Restrictions in Dwelling District "A", to Allow for the Wall of the Garage to Remain at 4.2 Feet From the Side Property Line, for the Property Located at 8836 Larston Street, Houston, Texas, 77055.

Acting Chairman Featherston opened the Public Hearing at 6:05

A. Presentation of Variance Request by Applicant

Steve Cagle, representing Luisa Rolon, spoke regarding the packet submitted as evidence for the variance. Mr. Cagle detailed the history of events regarding ongoing contact with City staff and representatives about setback regulations that prevent non-conforming structures to build a second story addition until brought into compliance. Mrs. Rolon is requesting the variance to keep the garage wall in its current location, which will allow her to finish the construction on her property.

Luisa Rolon, Applicant, summarized her struggle with the project and how much the overall process has affected her livelihood. Mrs. Rolon restated her reasons for the variance request.

B. Those In Favor

Laura Otilar, who lives at 8844 Larston Street, spoke in favor of the variance request.

Jay Beasley, who lives at 8840 Larston Street, spoke in favor of the variance request.

Tiffany McGuire, who lives at of 8841 Larston Street, spoke in favor of the variance request.

Aaron Davis, who lives at 8849 Larston Street, spoke in favor of the variance request.

Tom Ramsey, who lives at 8405 Raylin Drive, spoke in favor of the variance request.

Jerry Garcia, Architect for Mrs. Rolon, spoke in favor of the variance request.

Written letters from the following were presented in favor of the variance request:

- Marcus Vajdos, of 8325 Burkhart Circle
- David Moen, of 8405 Winningham Lane
- Jay Michael Wilson, of 1110 Joshua Lane
- The Coopers, of 8860 Larston Street
- David Graves, of 8848 Larston Street
- Trisha Gitmeyer, of 8853 Larston Street
- James Beasley, of 8840 Larston Street (duplicate; spoke in person)
- Laura Otilar, of 8844 Larston Street (duplicate; spoke in person)
- Tiffany McGuire, of 8841 Larston Street (duplicate; spoke in person)
- Aaron Davis, of 8849 Larston Street (duplicate; spoke in person)

C. Those Opposed

Kenny Jones, who lives at 1245 Ben Hur Drive, spoke in opposition of the variance request.

Anne Shoemaker, who lives at 1301 Ben Hur Drive, spoke in opposition of the variance request.

Trey Hoffman, who lives at 8810 Heather Circle, offered comments and provided an overview of the ordinance regulations.

Anne-Marie McMichael, who lives at 1400 Beutel Drive, offered comments and additional overview of ordinances as it relates to Board of Adjustments Role.

Karen Jones, who lives at 1245 Ben Hur Drive, spoke in opposition of the variance request.

Director of Community Development, Zachary Meadows, was asked to read into the record a letter written by Phyllis & Kent Roberts, who live at 1310 Ben Hur Drive. This letter was read and presented in opposition to the variance request.

E. Adjourn Public Hearing

Acting Chairman Featherston closed the public hearing at 7:27 p.m.

- 4. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request from Luisa Rolon for a Variance from Chapter 12 Planning & Zoning, Subsection 05:02.03.09.03.05, of Section 5, Building and Use Restrictions in Dwelling District “A”, to Allow for the Wall of the Garage to Remain at 4.2 Feet From the Side Property Line, for the Property Located at 8836 Larston Street, Houston, Texas, 77055.

Alternate Board Member Wells requested Mr. Cagle to elaborate on the existing conditions based on the photos provided during his presentation. Alternate Board Member Wells requested clarification from Director of Community Development, Zachary Meadows, regarding the setback requirement if the structure had originally met the five (5) foot requirement outlined in the exception language of the Zoning Ordinance. Mr. Meadows stated his understanding of the Ordinance, which would have allowed the second story, if the now-attached garage had a setback of five (5) feet at the time of the proposed construction. There was discussion over relevant sections of the Zoning Ordinances between City Attorney Loren Smith, and Board Members.

Following discussion, Board Member Jones made a motion to approve the variance request as presented. Board Member Kreager seconded the motion. Motion approved 5-0. A copy of the Decision is attached to these minutes.

5. ADJOURNMENT

Acting Chairman Featherston made a motion to adjourn the meeting at 7:38 p.m., and Alternate Board Member Diehl seconded the motion. Motion carried 5-0.

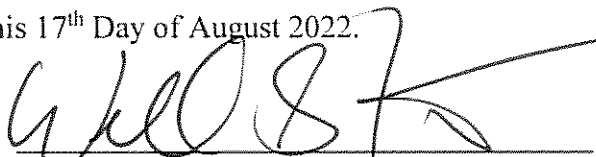
Signed: _____
Douglas Doyle
Chairman, Board of Adjustment

Attest: _____
Jasmin Torres, City Secretary

The vote of the Board was 5 votes for the motion and 0 votes against the motion with each member of the Board voting as follows:

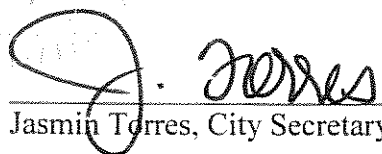
BOARD MEMBER	VOTE
1. William Featherston	<u>YEA</u>
2. Cameron Kreager	<u>YEA</u>
3. Bradley Jones	<u>YEA</u>
4. Susan Diehl	<u>YEA</u>
5. Travis Wells	<u>YEA</u>

All plans, documents, and letters contained in the City's files and submitted at the hearing regarding this matter were made a part of the record of this hearing. Filed with the Secretary as the Official Decision of the Board of Adjustment this 17th Day of August 2022.


William Featherston
Secretary (Acting Chairman), Board of Adjustments

Filed with the City Secretary as the Official Decision of the Board of Adjustment this 18th Day of August 2022.

ATTEST:


Jasmin Torres, City Secretary

**Spring Valley Village
Board of Adjustment
Agenda Item Data Sheet**

MEETING DATE: September 21, 2022

TOPIC: **CONDUCT A PUBLIC HEARING CONCERNING:** A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village’s Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District “A”, to allow an enclosure of an existing porte-cochere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.

BACKGROUND: Blane Vincent (“Applicant”) wishes to expand their existing garage located at 8906 Cardwell Lane (“Property”) by enclosing the existing porte-cochere into the garage.

Subsection 05.02.01.04, Building and Use Restrictions, in Dwelling District ‘A’, of Exhibit “A” to Chapter 12, Zoning, of the Code of Ordinances requires as follows:

“.04 Entrance or Exit. No vehicle door(s) or vehicle entrance or exit of a garage constructed forward of the front wall line of the main dwelling shall face the street address: said door(s) or entrance or exit shall be located on a side of the garage that, in plain view, shall be at a 90-degree angle or greater to the street of address. **No vehicle door(s) or vehicle entrance or exit of a garage shall face the street address unless the door, entrance or exit is set back five (5) feet or more from the front wall line of the main dwelling.** No roof overhang or other extension of the garage roof attached to a garage at the vehicle door(s) or vehicle entrance shall extend more than ten (10) feet, and no extension or support structure for an extension shall be located past the front wall line unless it complies with section 05:02.01.06.”


The proposed construction would violate the requirement found in the above highlighted section that a front-facing garage must be a minimum of five (5) feet from the front wall line of the main dwelling. As proposed, the garage would be set even with the front wall line of the dwelling.

The Applicant has provided as a part of their application what they consider justification as to why the variance should be granted.

RECOMMENDATION: Not applicable during the public hearing.

**Spring Valley Village
Board of Adjustment
Agenda Item Data Sheet**

ATTACHMENTS:	<ul style="list-style-type: none">• Variance Application Packet Submitted by Blane Vincent for 8906 Cardwell Lane• Subsection 05:02.01.04 of the Zoning Ordinance• Notice of Public Hearing and Mailing Labels• Zoning Change Sign Posting and Maintenance Affidavits
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SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 
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DIVIDER PAGE



EST. 1955
SPRING VALLEY
VILLAGE

BOARD OF ADJUSTMENTS APPLICATION

PROPERTY INFORMATION

Property Address: 8906 Cardwell Lane Houston TX 77055

Legal Description:

Single Family Residence - Lot 1 in Vasek Court

Present District Zoning: Dwelling District A

Action Requested (Circle): Variance Special Exception Appeal

Requested Variance/Special Exception/Appeal Description:

I would like the city to consider a variance to reference 05:02.01.04 in the City's ordinance requirement to allow for an encloser of an existing portecochere which is already attached to the garage.

OWNER INFORMATION

Name: Blane Vincent

Phone#: 832-744-4802

Address: 8906 Cardwell Lane Houston TX 77055

Email: blanevincent33@gmail.com

APPLICANT/AGENT INFORMATION

Name: Blane Vincent

Phone#: 832-744-4802

Address: 8906 Cardwell Lane Houston TX 77055

Email: blanevincent33@gmail.com

If applicant is different than property owner a **Notarized Letter of Authorization must be attached to the application

PROPERTY OWNER/AGENT AUTHORIZATION

Property Owner Consent/Agent Authorization: By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal.

Blane Vincent

7/6/2022

Signature of Contractor/Authorized Agent

Printed Name

Application Date

FOR OFFICE USE ONLY

BOA Case Number: _____

Date Submitted: _____

BOA Meeting Date: _____

BOA Decision: Approved Denied

BOARD OF ADJUSTMENTS APPLICATION REQUIREMENTS

Attach These Items With Completed Application:

- Letter of Permit Application Denial
- Survey/Plot Plan showing all existing structures with dimensions and distances from property lines
- Project Information
- Proof of Ownership
- Letter from property owner if different from the applicant
- Architectural scale Drawings
- \$350.00 Fee
- Letter stating facts and reasons for Hardship and/or Appeal; Specific answers to the following statements:
 - Special circumstances exist that are peculiar to the land or structure.
 - These special circumstances are not self-imposed or the result of the actions of the applicant.
 - Literal interpretation and enforcement of the terms and provisions of the ordinance would cause an unnecessary and undue hardship.
 - Granting the variance is a minimum action that will make use of the land or structure which is not contrary to the public interest and which would carry out the spirit of the ordinance and would result in substantial justice.
 - Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.
 - Such variance will not authorize a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
 - The variance will not adversely affect the health, safety or welfare of the public.
- The Board may consider the following in relation to their decision on whether to grant a variance or not, please provide an answer to each of the following:
 - The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section [26.01](#), Tax Code.
 - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur.
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - Compliance would result in the unreasonable encroachment on an adjacent property or easement.
 - The Municipality considers the structure to be a nonconforming structure.



BBG CONSULTING, INC.

PLAN REVIEW COVER SHEET

PROPERTY INFORMATION	
Project Address	8906 Cardwell
Submittal Date	7/5/2022
Property Sq. Footage	
Floodplain	<input type="checkbox"/> X (No Floodplain) <input checked="" type="checkbox"/> X – Shaded (500-year) <input type="checkbox"/> AE (100-year)
Zoning District	Dwelling District A
ROW Width	<input type="checkbox"/> 50 Feet <input type="checkbox"/> 60 Feet <input type="checkbox"/> Other Cul-De-Sac
Review Fee	\$

Plan Review Comments

Plans are disapproved with the following comments:

Garages and Carports: (Ordinance 231)

.01 Required. Each dwelling in Dwelling District "A" shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side. Carports are prohibited.

.02 Detached. A detached garage shall not exceed one story.

.03 Second story. Access to the second story of an attached garage shall be enclosed and through the dwelling to which it is accessory.

.04 Entrance or Exit. No vehicle door(s) or vehicle entrance or exit of a garage constructed forward of the front wall line of the main dwelling shall face the street address: said door(s) or entrance or exit shall be located on a

side of the garage that, in plain view, shall be at a 90-degree angle or greater to the street of address. No vehicle door(s) or vehicle entrance or exit of a garage shall face the street address unless the door, entrance or exit is set back five (5) feet or more from the front wall line of the main dwelling. No roof overhang or other extension of the garage roof attached to a garage at the vehicle door(s) or vehicle entrance shall extend more than ten (10) feet, and no extension or support structure for an extension shall be located past the front wall line unless it complies with section 05:02.01.06.

.05 Other Front Facing Garage Rules. A front facing garage may not be more than fifty (50) percent of the width of the dwelling.

.06 Certain Porte-Cocheres Permitted. A porte-cochere is a permanent roofed structure attached to a dwelling to accommodate the passage of a vehicle into an inner courtyard or driveway, or through a circle driveway in front of the dwelling, open on at least two (2) sides, and shall not to be used for the routine storage of one or more vehicles. A porte-cochere is permitted subject to the following requirements:

1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.
2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.
3. The roof pitch of the porte-cochere shall be proportional to the roof pitch of the main dwelling. A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the main dwelling and garage.
4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.

ECHO VALLEY, SECTION 3-A
VOL. 342, PG. 120, M.R.H.C.T.

S 89° 17' 00" W 79.64'

FRIES ROAD
(60' R.O.W.)

S 00° 34' 00" E 135.98'

FENCE CORNER

10' BUILDING LINE

5' AERIAL EASEMENT

LOT 2

TWO STORY BRICK & FRAME RESIDENCE
8906 CARDWELL LANE

N 00° 43' 00" W 135.98'

35' BUILDING LINE

LOT 1
VASEK COURT

N 89° 17' 00" E 80.00'
(REFERENCE BEARING)

S 87° 22' 18" W 223.92'

CM 1/2" IRF N.W. COR. LOT 4

CARDWELL LANE

(50' R.O.W.)

LEGEND:	
—x—x—	BARBWIRE FENCE
—o—o—	CHAINLINK FENCE
—□—□—	WROUGHT IRON FENCE
—//—//—	WOOD FENCE
—v—v—	VINYL FENCE
—E—E—	ELECTRIC LINE
GM	GAS METER
EM	ELECTRIC METER
IPF	IRON PIPE FOUND
IRS	IRON ROD SET WITH "PREMIER" CAP
IRF	IRON ROD FOUND
CM	CONTROLLING MONUMENT
ASPHALT	[Pattern]
CONCRETE	[Pattern]
GRAVEL	[Pattern]
TILE	[Pattern]
WOOD	[Pattern]
BRICK	[Pattern]
STONE	[Pattern]
(WOOD) RAILROAD TIE	[Pattern]

NOTES:
BEARINGS ARE BASED ON THE RECORDED PLAT.
BUILDING LINES AND EASEMENTS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED.



SCALE: 1" = 20'

LEGAL DESCRIPTION:
BEING LOT 1, OF VASEK COURT, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 352083, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

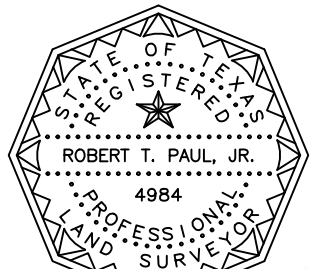
SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

GF. NO.	HTT-22-4510
BORROWER	PURCHASING FUND 2021-1, LLC
TITLE CO.	HOMEWARD TITLE
TECH	PR
FIELD	CS

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48201C0645 L, DATED JUNE 18, 2007.

DATE: 06/20/22 JOB NO.: 22-05722
FIELD: 06/16/22

8906 CARDWELL LANE, HOUSTON, TX 77055
LOT 1, VASEK COURT



Robert T. Paul, Jr.
Registered Professional Land Surveyor



5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-892-0468 (F)
www.premiersurveying.com
premierorders@premiersurveying.com



DATE: _____
ACCEPTED BY: _____

Premier Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200

8906 Cardwell Lane
Houston TX 77055

Variance Request – Project Information

I am asking the City of Spring Valley to consider a variance in the city's ordinance referencing 05.01.02 which would allow me to enclose the existing porte-cochere attached to the garage which would allow for added security for our over sized family vehicles so they can fit within the garage.

With the thefts of catalytic converters from F150 trucks and other larger vehicles, coupled with the fact the property is on the corner of Fries rd. this is a legitimate concern.

Our intention is to match the exterior brick of the house and make the enclosure look as seamless as possible to the original home structure.

The increased useable space within the garage will also increase the value of the house and not significantly change the exterior look of the house since the porte-cochere already exists and the current roof line has been well established.

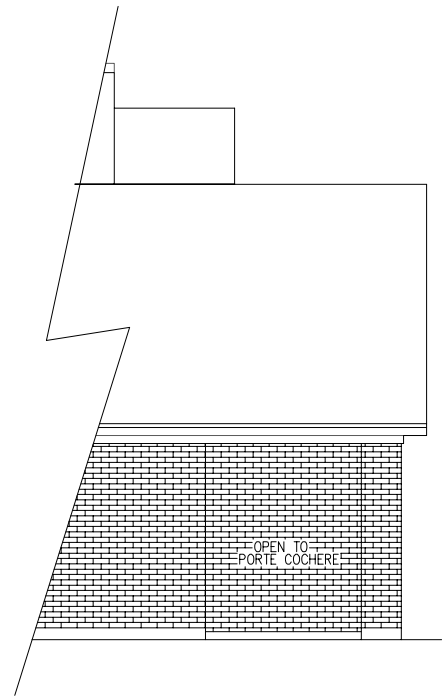
Ideally this will increase the value of the house and add to the safety of our vehicles, while maintaining the architectural design of the house and not distract from the value of the street.

I thank you for your consideration of this request.

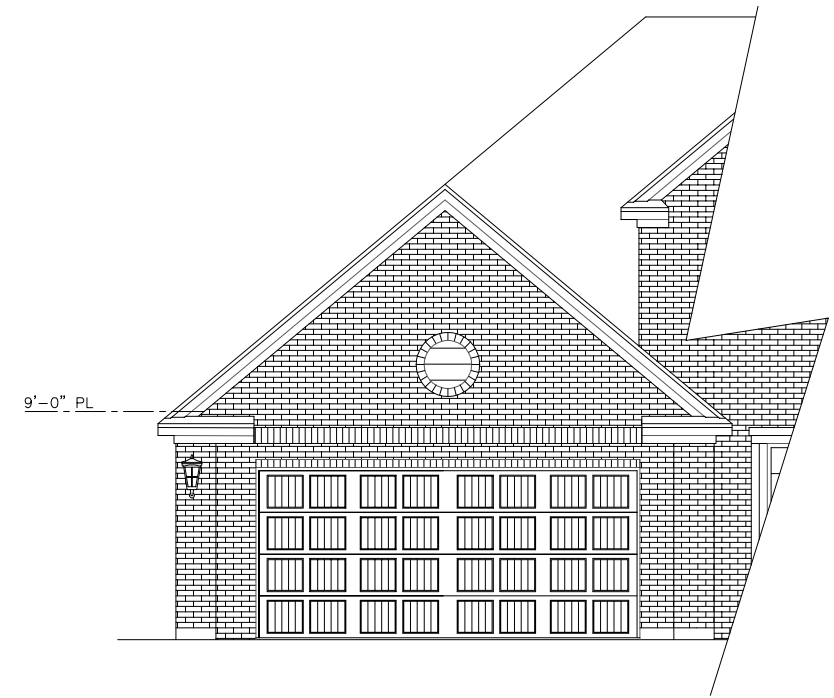
Thank you,

A handwritten signature in blue ink, appearing to read "Blane Vincent", with a large, stylized flourish extending from the end of the name.

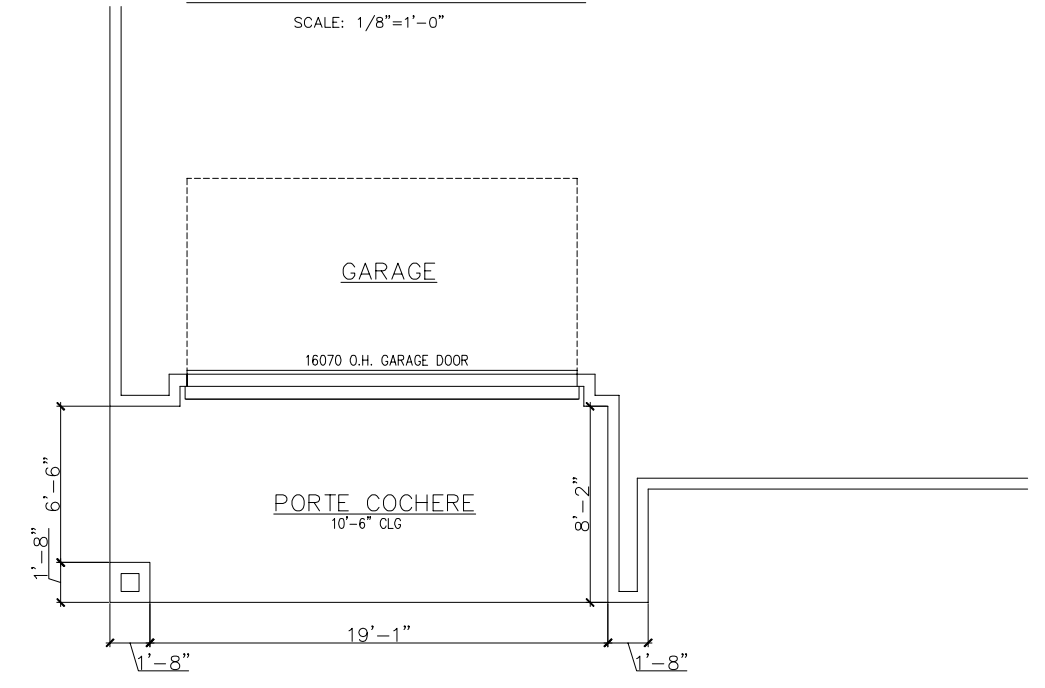
Blane Vincent



LEFT ELEVATION
SCALE: 1/8"=1'-0"



FRONT ELEVATION
SCALE: 1/8"=1'-0"



CURRENT FLOOR PLAN
SCALE: 1/8"=1'-0"

Wise Design Services LLC assumes no liability for any structure built from these plans. Before construction, the purchaser, builder, or contractor must verify all dimensions, verify compliance with all building codes, and incorporate site conditions. Only a qualified designer, architect, or structural engineer should be permitted to alter these plans, with written release of Wise Design Services, LLC.

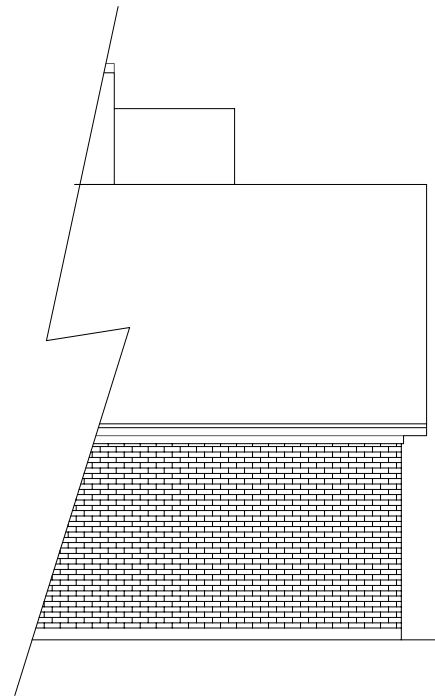
PROJECT TITLE: GARAGE REMODEL	PROJECT ADDRESS: 8906 CARDWELL LANE HOUSTON, TX 77055
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ISSUE DATE 6-22-2022

DRAFTSMAN RST

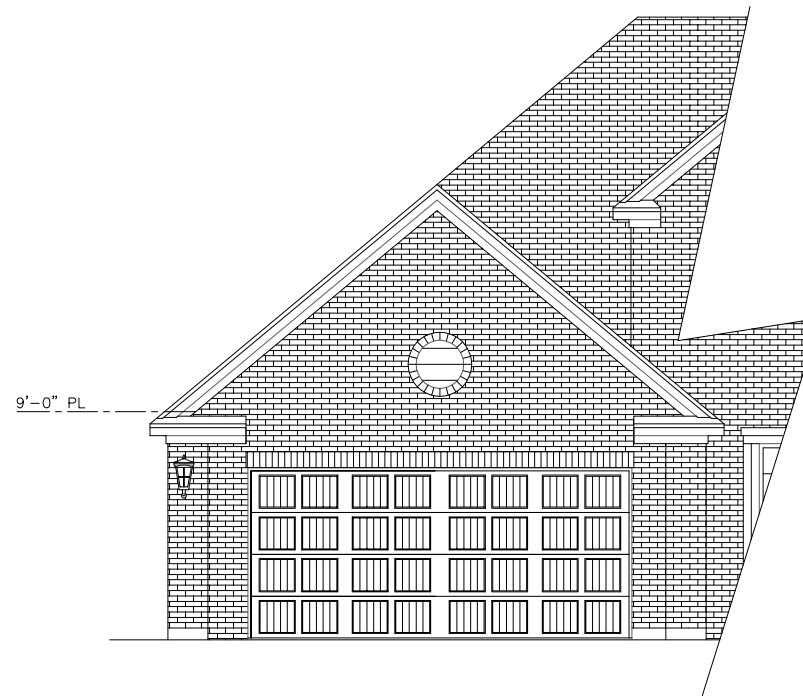
PLAN NAME

PLAN NUMBER -



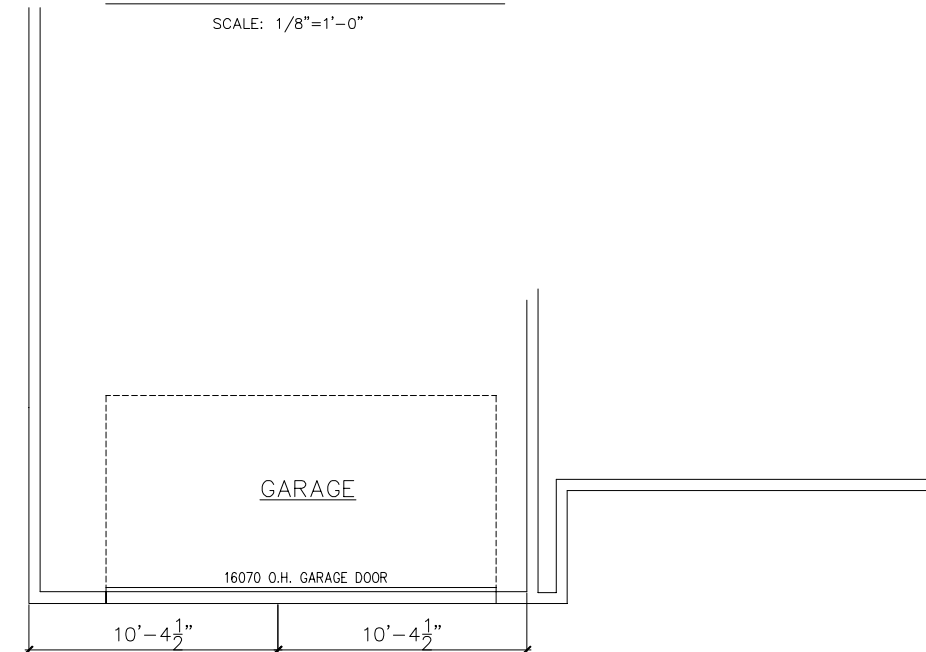
LEFT ELEVATION

SCALE: 1/8"=1'-0"



FRONT ELEVATION

SCALE: 1/8"=1'-0"



PROPOSED FLOOR PLAN

SCALE: 1/8"=1'-0"



**WISE DESIGN
SERVICES**
HOUSTON, TEXAS (281) 924-5994

Wise Design Services, LLC, assumes no liability for any structure built from these plans. Before construction, the purchaser, builder, or contractor must verify all dimensions, verify compliance with all building codes, and incorporate site conditions. Only a qualified designer, architect, or structural engineer should be permitted to alter these plans, with written release of Wise Design Services, LLC.

PROJECT TITLE:
GARAGE REMODEL

PROJECT ADDRESS:
8906 CARDWELL LANE
HOUSTON, TX 77055

ISSUE DATE
6-22-2022

DRAFTSMAN
RST

PLAN NAME

PLAN NUMBER
-

FRAMING
PLAN

SHEET A2

89060 Cardwell Lane

Houston, TX 77055

Variance Appeal Letter

As required in the board of adjustments application please find my responses to the questions listed in the application:

- There are no special circumstances which exist that are peculiar to the land or structure of this project.
- No special circumstances are self-imposed or the result of the actions of the applicant.
- Using the interpretation and enforcement of reference 05:01.02 from the ordinance could put our family vehicles at risk of significant loss of value or theft if stolen or the vandalized due to being stored outside and on the corner of Fries Rd within block of the I-10 feeder road.
- Granting the variance would make use of the existing porte-cochere structure already in place which is not contrary to the public interest as it would be seamlessly constructed to match the existing brick structure and would simply allow for more garage space to safely secure our vehicles.
- Approving the variance will not alter the essential character of the district in which the house is located or the property as we will match the brick and the current roof line will not change. We are only requesting to enclose a side wall and bring the garage door forward.
- The requested variance will not authorize a use other than those uses specifically authorized for the district.
- In no way will the variance not adversely affect the health, safety, or welfare of the public.
- The consideration below doesn't apply to the variance requested as the price of the project is only \$20,000.00 (The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section [26.01](#), Tax Code.)
- The consideration below doesn't apply to the variance requested. (Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur.)
- The consideration below doesn't apply to the variance requested. (Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.)
- This statement doesn't apply to the variance requested. (Compliance would result in the unreasonable encroachment on an adjacent property or easement.)
- This statement doesn't apply to the variance requested. (The Municipality considers the structure to be a nonconforming structure.)

Thank you, Blane Vincent



DIVIDER PAGE

05:02.01

Garages and Carports: (Ordinance 231)

- .01 Required. Each dwelling in Dwelling District "A" shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side. Carports are prohibited.
- .02 Detached. A detached garage shall not exceed one story.
- .03 Second story. Access to the second story of an attached garage shall be enclosed and through the dwelling to which it is accessory.
- .04 Entrance or Exit. No vehicle door(s) or vehicle entrance or exit of a garage constructed forward of the front wall line of the main dwelling shall face the street address: said door(s) or entrance or exit shall be located on a side of the garage that, in plain view, shall be at a 90-degree angle or greater to the street of address. **No vehicle door(s) or vehicle entrance or exit of a garage shall face the street address unless the door, entrance or exit is set back five (5) feet or more from the front wall line of the main dwelling.** No roof overhang or other extension of the garage roof attached to a garage at the vehicle door(s) or vehicle entrance shall extend more than ten (10) feet, and no extension or support structure for an extension shall be located past the front wall line unless it complies with section 05:02.01.06.
- .05 Other Front Facing Garage Rules. A front facing garage may not be more than fifty (50) percent of the width of the dwelling.
- .06 Certain Porte-Cocheres Permitted. A porte-cochere is a permanent roofed structure attached to a dwelling to accommodate the passage of a vehicle into an inner courtyard or driveway, or through a circle driveway in front of the dwelling, open on at least two (2) sides, and shall not to be used for the routine storage of one or more vehicles. A porte-cochere is permitted subject to the following requirements:
 1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.
 2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.
 3. The roof pitch of the porte-cochere shall be proportional to the roof pitch of the main dwelling. A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the main dwelling and garage.
 4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.

DIVIDER PAGE

**PUBLIC NOTICE
CITY OF SPRING VALLEY VILLAGE, TEXAS
NOTICE OF PUBLIC HEARING**

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following:

A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District "A", to allow an enclosure of an existing porte-co-chere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.

The **Board of Adjustment** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Wednesday, September 21, 2022

Time: 6:00 p.m.

Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

For additional information regarding this public hearing, please contact the Director of Community Development Zachary Meadows at (713) 465-8308.

DIVIDER PAGE



EST. 1955

SPRING VALLEY
V I L L A G E

August 31, 2022

Dear Property Owner:

Notice Is Hereby Given To Hear Comments And Testimony Regarding The Following Proposed Variance:

A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District "A", to allow an enclosure of an existing porte-co-chere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.

The **Board of Adjustments** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Wednesday, September 21, 2022

Time: 6:00 p.m.

Location: Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

This notice is being sent to you as current property records indicate that you own property in close proximity to 8906 Cardwell Lane. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact me at (832) 910-8577 or zmeadows@springvalleytx.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Zachary Meadows", with a long horizontal flourish extending to the right.

Zachary Meadows
Director of Community Development

Current Owner / Resident

8914 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8860 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8905 Bace Dr.
Houston, TX 77055

Current Owner / Resident

8873 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

9 Wild Oak Circle
Houston, TX 77055

Current Owner / Resident

10 Wild Oak Circle
Houston, TX 77055

Current Owner / Resident

8911 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8870 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8908 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8876 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

1132 Fries Rd.
Houston, TX 77055

Current Owner / Resident

8915 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8877 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

2 Wild Oak Circle
Houston, TX 77055

Current Owner / Resident

1 Wild Oak Circle
Houston, TX 77055

Current Owner / Resident

8909 Bace Dr.
Houston, TX 77055

Current Owner / Resident

11 Wild Oak Circle
Houston, TX 77055

Current Owner / Resident

8910 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8856 Cavell St.
Houston, TX 77055

Current Owner / Resident

8905 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8906 Cardwell Dr.
Houston, TX 77055

Current Owner / Resident

8901 Bace Dr.
Houston, TX 77055

DIVIDER PAGE



RECEIVED:
9/2/22 10:52 AM BOA - Residential
JW

RESIDENTIAL ZONING CHANGE NOTIFICATION SIGN CRITERIA

A zoning sign is a sign erected on property for which a zoning case has been filed with the City, including, but not limited to, zoning changes, Specific Use Permits, Variances, or Special Exceptions. **The number of signs and the placement of signs shall be determined by the Building Official at the time of submittal.** It is the responsibility of the owner/project representative to contact the Building Department to verify the number and location of signs needed.

Residential property owners/applicants need to contact the City Secretary to schedule pick up and drop off times for the signs.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308.

ADHERE TO THE FOLLOWING INSTRUCTIONS:

PLACEMENT

- One (1) sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty (20) feet from the property line and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to ensure they are readable from both sides

- Signs shall be located so that the lettering is visible and may be clearly read from the street.

PROOF OF POSTING

- The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing before the Board of Adjustments)
- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the City, with the Building Official verifying that the sign(s) was posted as required, and return them to the City Hall.

REMOVAL OF SIGNS

- **The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board**

Preparer's Name: Blane P. Vincent

Preparer's Signature: _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the request for Zoning or Specific Use Permit. Failure to remove zoning signs per the sign ordinance will result in a citation of \$500 per sign/per day until removed.



SPRING VALLEY VILLAGE

(Re)Zoning Case No. VAR-2022-01

Date of Board of Adjustment Meeting: September 21, 2022

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Blane Vincent hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at

8906 Cordwell Lane Houston TX 77055

I further certify that this affidavit was filed with the Building Department of the City on date September 2, 2022 within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action on the application taken by the City of Spring Valley Village Board of Adjustment regarding the zoning change.

Executed this date: 9-2-22

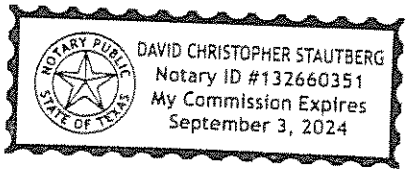
Printed Name of Applicant or Authorized Representative for Zoning Case No. Blane P. Vincent

Signature of Applicant or Authorized Representative for Zoning Case No. [Handwritten Signature]

Sworn and subscribed before me on this date: 9-2-22

Notary Public David Christopher Stautberg

(Seal)



PLEASE NOTE: Failure to maintain the signs prior to the Board of Adjustment public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:

Date/Time submitted: 9/2/22 10:52 AM Verified by: Zach Meadows 9/2/2022



AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. VAR-2022-01

Date of Board of Adjustment Meeting: September 21, 2022

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Blane Vincent hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at

8906 Cordwell Lane Houston Tx 77055

Posting of said signs was accomplished on September 1, 2022 as provided for in Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along Fries Road and Cordwell Lane

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this date: 9-2-22

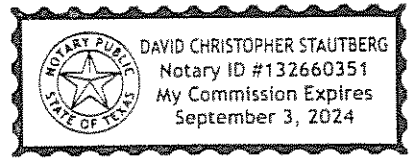
Printed Name of Applicant or Authorized Representative for Zoning Case No. Blane P. Vincent

Signature of Applicant or Authorized Representative for Zoning Case No. [Signature]

Sworn and subscribed before me on this date: 9-2-22

Notary Public David Christopher Stautberg

(Seal)



PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) seven (7) days prior to the Board of Adjustment public hearing shall result in the postponement of consideration by the Board.

STAFF USE ONLY:

Date/Time submitted: 9/2/22 10:52AM Verified by: Zach Meadows 9/2/22

AFFIDAVIT OF SIGN MAINTENANCE

**Spring Valley Village Board of Adjustment
Agenda Item Data Sheet**

MEETING DATE: September 21, 2022

TOPIC: **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A request from Blane Vincent for a variance from Chapter 12 of the City of Spring Valley Village’s Code of Ordinances, Planning and Zoning, Subsection 05:02.01.04, Building and Use Restrictions, in Dwelling District “A”, to allow an enclosure of an existing porte-cochere which is already attached to a garage for the property located at 8906 Cardwell Lane, in the City of Spring Valley Village, Texas.

BACKGROUND: In the previous agenda item, the Board of Adjustment held a public hearing concerning a variance request to the garage setback requirements for the property located at 8906 Cardwell Lane.

Criteria for Evaluation of Variance Request.

Variations should be granted only in limited instances. Section 211.009 of the Texas Local Government Code provides that a Board of Adjustment may “authorize in specific cases a variance from the terms of the zoning ordinance if:

1. The variance is not contrary to the public interest; and
2. Due to special conditions, a literal enforcement of the ordinance would result in an unnecessary hardship; and
3. So that the spirit of the ordinance is observed and substantial, justice is done.
4. The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
5. Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
6. Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
7. Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
8. The municipality considers the structure to be a nonconforming structure.

The “special conditions” and “unnecessary hardship” phrases have been the subject of numerous appellate court decisions.


Hardship Test: Does the enforcement of the ordinance destroy **any reasonable use** of his property? (*Reiter v.*

**Spring Valley Village Board of Adjustment
Agenda Item Data Sheet**

<p><i>City of Keene</i>, 601 S.W.2d 547 (Tex. App. – Waco 1980, writ dismiss'd)). In other words: "Is the environment such that the lot is not reasonably adapted to a conforming use?" (<i>Board of Adjustment v. Stovall</i>, 218 S.W.2d 286 (Tex. Civ. App. – Fort Worth 1949, no writ)).</p>
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RECOMMENDATION: None

ATTACHMENTS: • None

SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 
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