

**MINUTES OF THE BOARD OF ADJUSTMENT MEETING  
CITY OF SPRING VALLEY VILLAGE, TEXAS  
WEDNESDAY, NOVEMBER 16, 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 6:04 p.m.

Members Present:

Acting Chairman Kenneth Schneider

Board Member Cameron Kreager

Board Member Bradley Jones

Board Secretary William Featherston

Alternate Board Member Susan Diehl

Alternate Board Member John Byerly

Also present were:

City Attorney Loren Smith

Director of Community Development Zachary Meadows

Development Services Coordinator Carianne Livengood

**2. APPROVAL OF MEETING MINUTES: September 21, 2022 Meeting**

Board Member Jones made a motion to approve the September 21, 2022 meeting minutes, and Board Member Kreager seconded the motion. Motion carried 5-0.

**3. CONDUCT A PUBLIC HEARING CONCERNING:** A Request from Adam Noyes for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.03.09.03, Side Building Line Setback, of Section 5, Building and Use Restrictions in Dwelling District "A", to allow a new garage and second story to be located at 2.9 Feet from the Side Property Line, Instead of the Required 8 Feet, for the Property Located at 8316 Winningham Lane, in the City of Spring Valley Village, Texas.

No action taken; request withdrawn by applicant due to HOA's withdrawn approval

**4. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request from Adam Noyes for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 05:02.03.09.03, Side Building Line Setback, of Section 5, Building and Use Restrictions in Dwelling District "A", to allow a new garage and second story to be located at 2.9 Feet from the Side Property Line, Instead of the Required 8 Feet, for the Property Located at 8316 Winningham Lane, in the City of Spring Valley Village, Texas.

No action taken; request withdrawn by applicant due to HOA's withdrawn approval

5. **CONDUCT A PUBLIC HEARING CONCERNING:** A Request from Adam Noyes for a variance from Chapter 12 of the City of Spring Valley Village’s Code of Ordinances, Planning and Zoning, Subsection 05:02.03.09.04, Rear Building Line Setback, of Section 5, Building and Use Restrictions in Dwelling District “A”, to allow a new second story to be 23.6 Feet from the Rear Property Line, Instead of the Required 25 Feet, for the Property Located at 8316 Winningham Lane, in the City of Spring Valley Village, Texas.

No action taken; request withdrawn by applicant due to HOA’s withdrawn approval

6. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request from Adam Noyes for a variance from Chapter 12 of the City of Spring Valley Village’s Code of Ordinances, Planning and Zoning, Subsection 05:02.03.09.04, Rear Building Line Setback, of Section 5, Building and Use Restrictions in Dwelling District “A”, to allow a new second story to be 23.6 Feet from the Rear Property Line, Instead of the Required 25 Feet, for the Property Located at 8316 Winningham Lane, in the City of Spring Valley Village, Texas.

No action taken; request withdrawn by applicant due to HOA’s withdrawn approval

7. **CONDUCT A PUBLIC HEARING CONCERNING:** A Request from Christopher Brian Craft for a variance from Chapter 12 of the City of Spring Valley Village’s Code of Ordinances, Planning and Zoning, Subsection 11:01.05, Permitted Locations, of Section 11, Supplemental District Regulations, to allow the construction of an 8 Foot Fence along the Front Property Line, for the Property Located at 1214 Campbell Road, in the City of Spring Valley Village, Texas.

Acting Chairman Schneider opened the Public Hearing at 6:08 p.m.

**A. Presentation of Variance Request by Applicant**

Director of Community Development, Zachary Meadows, provided background for the request. The variance is being requested by the owner of the property in question to allow them to build a fence along the property line on Campbell Rd. The lot at 1214 Campbell is currently vacant and owned by the homeowner at 1213 Tamy, who purchased the property with the intention of extending the backyard of his Tamy home. As the two lots are separate, there are setback regulations on vacant lots that must be followed. The fence for the properties as is would have to be 25 feet back from the property line and no higher than 6 feet tall.

Brian Craft, property owner of 1214 Campbell, spoke regarding his request. He explained that he couldn’t get the properties re-platted into a single property due to constraints surrounding the separate loans he had for each property. He continues by describing his observation that there are 18 homes that have property lines on Campbell and 14 of those have fences on the property line. Three of those homes are front-facing and do not have fences on the property line facing Campbell, but two do have hedges on the property line. He also states that he would be removing an existing driveway from Campbell Road.

Russ Walker, the builder working with Mr. Craft, also spoke regarding Mr. Craft’s request. He reiterated the benefit of the removal of the existing driveway.

**B. Those In Favor**

Barry Chaloupka, of 1218 Campbell, spoke in favor of the request. He stated that he has no issue with the fence request and would actually like to be able to continue the fence along his property if it is approved.

**C. Those Opposed**

None.

**D. Adjourn Public Hearing**

Acting Chairman Schneider closed the public hearing at 6:18 p.m.

- 8. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request from Christopher Brian Craft for a variance from Chapter 12 of the City of Spring Valley Village's Code of Ordinances, Planning and Zoning, Subsection 11:01.05, Permitted Locations, of Section 11, Supplemental District Regulations, to allow the construction of an 8 Foot Fence along the Front Property Line, for the Property Located at 1214 Campbell Road, in the City of Spring Valley Village, Texas.

City Attorney Loren Smith asked for clarification on which alternate member was voting and which was not voting, and Director of Community Development Meadows said that Alternate Board Member Diehl was voting and Alternate Board Member Byerly was not.

Board Member Jones asked for clarification on whether they were deciding on fence height or location and Director of Community Development Meadows said both. Board Member Jones asked what happens to the vacant lot if it is sold in the future; Director of Community Development Meadows explained that normally variances stick with the property but a condition can be placed on the variance which would limit it to while Mr. Craft owns the property. City Attorney Smith confirmed this.

Board Member Kreager mentioned a previous variance that was denied and led to a lawsuit that didn't win in court. He stated that if this variance was approved it would cause a problem with that owner because it is a similar situation. Board Secretary Featherston asked for clarification on the direct problem the regulations cause for Mr. Craft. Mr. Craft mentioned that this would cause him to lose 2500 square feet of yard space, look unusual compared to the other fences/hedges on the property line and make him maintain an area outside of the fence. Acting Chairman Schneider asked about the potential encroachment of 1213 Tamy buildings into the 1214 Campbell lot and Director of Community Development Meadows confirmed that there was no encroachment, making it easier for the property to be sold in the future. Board Member Diehl asked whether the neighbor's view from the driveway would be obstructed due to the fence being on the property line. The owner at 1218 Campbell confirmed that no, it would not obstruct his view.

Board Member Jones made a motion to approve the fence height of 8 feet. Board Secretary Featherston seconded the motion. Motion passed 4-1. A copy of the Decision is attached to these minutes.

Acting Chairman Schneider made a motion to approve the fence location on the front property line along Campbell, with the condition that if the property is ever sold the fence

must be removed. Board Member Kreager seconded the motion.

Board Member Jones states concern that he doesn't want to set a precedent for the fence line or cause issue with previous decisions that were denied. Board Member Diehl asked about the potential to come back once the financing gets better arranged and Mr. Craft said that he would have to pay the full cost of the 1214 Campbell lot, which wasn't feasible.

Following discussion, motion failed 3-2. A copy of the Decision is attached to these minutes.

**5. ADJOURNMENT**

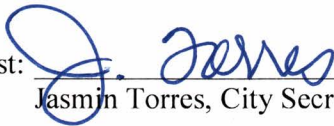
Board Secretary Featherston made a motion to adjourn the meeting at 6:44 p.m., and Alternate Board Member Diehl seconded the motion. Motion carried 5-0.

Signed: \_\_\_\_\_



Chairman, Board of Adjustment

Attest: \_\_\_\_\_



Jasmín Torres, City Secretary

