

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, October 13, 2020

- 1. The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:00 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present at City Hall:

Trey Hoffman, Chair
Anne-Marie McMichael
Charlie Calderwood
Maryellen McGlothlin

Planning & Zoning Members present via Zoom:

Louise Richman

A quorum was present.

City Officials present:

Julie Robinson, City Administrator - via phone/Zoom
Zach Meadows, Director of Community Development
Matt Hitt, Assistant to City Administrator
Loren Smith, City Attorney
David Dominy, City Councilmember

- 2. Approval of meeting minutes for regular meeting September 8, 2020**

Ms. McGlothlin made the motion to approve the minutes. Ms. McMichael seconded the motion. The motion carried 5 to 0.

- 3. (#4 renumbered and moved ahead of former #3) Conduct a public hearing concerning:** a preliminary and final re-plat of Tamy Two of Spring Valley, a plot containing 0.5470 acres of land, situated in Dwelling District 'A', City of Spring Valley Village, Harris County, Texas bearing the address of 1213 Tamy Lane.

- a. Presentation of preliminary and final re-plat by applicant
- b. Those in favor
- c. Those opposed
- d. Adjourn public hearing

Mr. Hoffman took Item #4 out of order to move it before Item #3. Kyle Sears will wait until Item #3 is discussed. #4 has been renumbered to #3.

Mr. Hoffman opened the public hearing at 7:03 p.m.

Mr. Jeffrey Boutte of Windrose Land Services spoke to explain the item. The lot totals 23,826 square feet and the request is to create two lots with the following square footage: Lot 23A – 11, 195 square

feet and Lot 23B – 12,031 square feet. The proposed lots do not meet the subdivision requirement for lot width for radial lots. This is not a typical radial lot and if the variance is approved, the size of these two lots will be in “compliance” with the neighborhood. If the lot stays at the original size, it will be larger than the lots in the neighborhood which range from 10,000 to 16,000 square feet. If the variance is not approved, it will deprive the applicant of property rights.

Kyle Sears, 8841 Cavell Street spoke as a consultant to the applicant and not as an attorney. This is a special lot; it is neither a square nor a rectangle. The problem is that there is a slight arc, it is on a dead end street, a stub street. The proposed driveway will line up with the old driveway and there is a new driveway. There is a big, beautiful tree in the ROW. The lot sits on a drainage easement and will help with issues and concerns that P&Z and the residents had. The house on the lot has been demolished, the pool filled in and the area has been cleaned up. Two houses can go on the lot and fit in better with the neighborhood than having one house on a huge lot. If the variance is not granted, the property owner is deprived of his right to maximize the value of the lot. The subdividing will not affect property values. Issues of drainage will be fixed. Some pruning of the trees will be necessary. Traffic increase will be negligible. The placement of the houses on the two lots will have an open, large feeling.

Mr. Hoffman asked that people wishing to speak would raise their hands. There is a four minute limit and please do not keep repeating what everyone has said prior. Just say, I agree with the prior speakers.

Katherine Gutierrez, 9003 Randy – Grew up in this area and gave a history of area. There were large lots with lots of trees. Has not seen lots being chopped up.

K Gatewood, 9001 Randy – need to pick and choose where to develop. Hate to see lots being divided.

G/C Vann, 22 Village Oaks – opposed to subdividing lot. Use bridge daily, two lots would create congestion with vehicles trying to park, would be too many. Lot has a flood easement which is the largest in Spring Valley Village. When it rained consistently, prior owner’s cars would flood.

G Gregg, 9002 Randy – agrees with prior speakers. Safety is an issue since his kids go to that area to play. There would be increased traffic with subdividing the lot. An ordinance exists and when do you stop changing everything.

Ben Rogers, 9021 Randy – Agrees with prior speakers. This is outside the guidelines, when do you stop and the percentages are not immaterial.

C Crane, 9017 Randy – Opposes subdividing. Knew prior owner and he opposed subdividing the lot.

E Tredennick, 8942 Croes – Opposed to subdividing. Moved to Spring Valley Village in 2017. He went through a re-plat to make his lot bigger. Does not want to encourage cookie cutter lots.

J/B Naponic, 2 Cardwell Court – Opposed to subdividing. The lot is unique. Walks daily and there are so many joggers, walkers in the area. Have they met the subdivision ordinance? This is not about reasonableness but about a profit. It would set a precedent and traffic is a concern.

Lisa Keeter, 9031 Elizabeth – Knew Frank, prior property owner. There is subjectivity in the report such as property rights being deprived. Could build one large beautiful home. The tax loss is small. Needs to be harmonious and fit in. There would be flooding, traffic, drainage is a problem.

Mr. Hoffman closed the public hearing at 7:50 p.m.

4. **(#3 renumbered and moved after former #4) Consideration and possible action concerning:** application from Inker Landing, LLC (Russ Walker) and Windrose Land Services, Inc. for a variance from the City’s subdivision regulations, specifically Section 9.103 (I)(1)(ii)(B) Location of Subdivisions, minimum width, radial lots, of the Code of Ordinances for Lot 23, Block 3 of the Ruvern Village, in the AH Osbourne Survey, Abstract No. 610, Harris County, Texas bearing the address of 1213 Tamy Lane.

Mr. Hoffman asked Mr. Smith what variance is being requested. Mr. Smith went to ordinance Section 9.103 (I)(1)(li)(B) which describes a typical Spring Valley Village lot which is a rectangle. Then it goes on to describe specialty lots: corner lots, cul-de-sac, pie shape, radial lots which are not cul-de-sac lots as those narrow as you go back. There is a 10,000 square foot flood easement on the property which came from the former owner. HCAD measurements of 27,971 square feet were incorrect; 23, 826 square feet is the actual lot measurement.

Mr. Calderwood asked about the flood easement on the property. Mr. Meadows said the easement came from Village Oaks and not out of the lots in question. Mr. Hoffman asked how the former owner documented the unusable land. Mr. Meadows said he could not say what the former owner had as documentation. Ms. McMichael said that what is on the record has to be taken into account. There will be delivery trucks, garbage trucks, etc. as far as traffic goes. Two major limbs on the tree have to come out. She noted that the road has to be constructed. She asked what is plan for tree pruning. Mr. Sears responded that two limbs need to be pruned. He said that HCAD records need to be corrected. Ms. McMichael said that her issues with the lot variance request are: lot configuration, property has flooded, drainage issue, needs flood mitigation and she cannot approve. Mr. Hoffman spoke about the undeveloped ROW and the tree issue. Mr. Sears said that regarding the parking/traffic issue is that there will be a two car garage and one can put four cars on the driveway should there be an event at the house. Mr. Calderwood said his comments echoed the others.

Ms. McMichael made a negative recommendation on the item. Mr. Calderwood seconded the motion. The negative recommendation carried 5 to 0.

5. **Consideration and possible action concerning:** a preliminary and final re-plat of Tamy Two of Spring Valley, a plot containing 0.5470 acres of land, situated in Dwelling District 'A', City of Spring Valley Village, Harris County, Texas bearing the address of 1213 Tamy Lane.

Ms. McMichael made a motion to recommend denial on this item. Mr. Calderwood seconded the motion. The motion to recommend denial carried 5 to 0.

6. **Briefing, discussion and possible direction concerning:** review of the provisions of Section 11:01.05, permitted locations, of Chapter 12, Planning and Zoning, of the Code of Ordinances particularly related to fences and walls in front yards, the definition of accessory structure currently included in the zoning regulations, and possible development of a definition of a primary structure to be included in the zoning regulations.

Mr. Meadows explained this item which has to do with fences, walls in the front yard in front of the primary structure. The City knows the intent but needs to add verbiage regarding "accessory structure" and front yard fences to ensure that the intent is incorporated into the regulations adopted by the City. Mr. Smith said that the house on Krist got approved as the wall was an integral part of the house. Mr. Hoffman noted that the City has an open yard, friendly look and feel versus a bunker mentality. He also mentioned the width of the garage with respect to the ordinance. Mr. Calderwood asked if the front door has to face the street. The answer is "no." Kevin Taylor, a consultant explained some of these house designs. Mr. Smith will review the ordinance with respect to the comments.

7. **Discussion and direction concerning:** the activities of the City Council during the September 22, 2020 meeting regarding Planning & Zoning Commission matters.

Mr. Smith said that the following two P&Z items were approved by City Council: PAD at I-10 and Campbell set a construction commencement date of no later than December 31, 2020 and re-plat of Bade Street Reserve.

8. **Adjournment**

Mr. Calderwood made a motion to adjourn. Ms. McMichael seconded the motion. The motion carried 5 to 0. The meeting was adjourned at 8:44 p.m.

Signed: W.K. Hoffman
W. K. (Trey) Hoffman, Chairman

Attest: Louise Richman
Louise Richman, Secretary