



**Planning & Zoning
Commission Meeting
October 12, 2021
7:00 p.m.**

W.K. (Trey) Hoffman, Chairman
Anne-Marie McMichael, Vice-Chair
Louise Richman, Secretary
Jim Autenreith

Patrick Johnson
John Lisenby
Maryellen McGlothlin
Jerry Kent, Alternate



AGENDA

City of Spring Valley Village
Planning & Zoning Commission Meeting
Council Chambers at City Hall
1025 Campbell Road, Spring Valley Village, Texas
Tuesday, October 12, 2021 at 7:00 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/86351066696>

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: 863 5106 6696 and #.

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

An audio recording of the 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:** Regular Meeting on July 13, 2021
- 3. CONDUCT A PUBLIC HEARING CONCERNING:** A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.
 - A. Presentation of Preliminary and Final Plat by Applicant
 - B. Those In Favor
 - C. Those Opposed
 - D. Adjourn Public Hearing
- 4. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.

5. **CONDUCT A PUBLIC HEARING CONCERNING:** A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.
 - A. Presentation of Preliminary and Final Plat by Applicant
 - B. Those In Favor
 - C. Those Opposed
 - D. Adjourn Public Hearing
6. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.
7. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance Number 2021-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
 - A. Presentation of Proposed Ordinance by City Staff
 - B. Those In Favor
 - C. Those Opposed
 - D. Adjourn Public Hearing
8. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2021-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT

NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

9. DISCUSSION AND DIRECTION CONCERNING: Changes to Open Meetings Requirements Related to Participation by Planning & Zoning Commission Members via Videoconference or Teleconference as of September 1, 2021

10. DISCUSSION AND POSSIBLE DIRECTION CONCERNING: The Activities of the City Council During the September 28, 2021 Meeting Regarding Planning & Zoning Commission Matters.

11. ADJOURNMENT

Note: Per Chairman Hoffman, if a quorum is not made at the Planning & Zoning Commission meeting, the members present will meet as a sub-committee strictly to discuss the agenda items.

Posted this the 6th day of October, 2021 at 11:30 a.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.

Attest:


Roxanne Benitez, TRMC, CPM, CMCC
- City Secretary

In compliance with the Americans with Disabilities Act, the City of Spring Valley Village will provide reasonable accommodations for persons attending public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made no less than 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308 or email secretary@springvalleytx.com for further information.

Minutes

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, July 13, 2021

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
Charlie Calderwood
Maryellen McGlothlin
Jim Autenreith, Alternate
Louise Richman

Planning & Zoning Members present via Zoom:

John Lisenby
Anne-Marie McMichael, arrived at approximately 7:24 p.m.

A quorum was present.

City Officials present:

Julie Robinson, City Administrator via Zoom
Zach Meadows, Director of Community Development
Jasmin Torres, Community Development Coordinator
Loren Smith, City Attorney

2. Approval of meeting minutes for regular meeting March 9, 2021

Ms. McGlothlin made the motion to approve the minutes. Mr. Autenreith seconded the motion. The motion carried 6 to 0.

3. Conduct a public hearing concerning: Ordinance No. 2021-XX: an ordinance of the City of Spring Valley Village, Texas granting a Specific Use Permit for property located at 1010 Bade Street within the corporate limits of the City of Spring Valley Village for use of the property for sports and recreation instruction; providing for severability; providing a penalty in an amount not to exceed \$2,000.00 per day with each day constituting a new violation; and providing a severability clause and an effective date.

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

Mr. Hoffman opened the public hearing at 7:03 p.m. Mr. Autenreith recused himself as he is a broker.

Mr. Meadows spoke about the item. The property is located at 1010 Bade Street. Frost Murphy of Elite MMA spoke giving his history with martial arts. He said that the usage falls under recreational use, specifically martial and noted that arts and he is requesting that this usage be allowed at this particular building. The property / building is under contract. Parking is an issue. The "business" is usually at night and there are 30 to 40 people in a class. Mr. Murphy said he visited with about half of the neighbors regarding parking and the building usage. Mr. Hoffman asked for speakers.

John Joseph, 1010 Bade – former owner of building for 30 years. He worked until 7 p.m. and said that the parking lot emptied about 5 p.m.

Mr. Hoffman closed the public hearing at 7:10 p.m.

- 4. Consideration and possible action concerning:** Ordinance No. 2021-XX: an ordinance of the City of Spring Valley Village, Texas granting a Specific Use Permit for property located at 1010 Bade Street within the corporate limits of the City of Spring Valley Village for use of the property for sports and recreation instruction; providing for severability; providing a penalty in an amount not to exceed \$2,000.00 per day with each day constituting a new violation; and providing a severability clause and an effective date.

Mr. Calderwood: Property is in the Freeway PAD and he is in favor.

Mr. Lisenby – Parking requirements to be included.

Mr. Smith – Yes, parking to be included.

Mr. Calderwood – 72 parking spaces may be too high.

Mr. Meadows – Parking number is based on ordinance.

Mr. Murphy – He was going to talk to everyone regarding parking. Wants to do it by the book. He will close on the property in November and potentially opening in February 2022.

Mr. Smith – Shared parking requirement.

Mr. Hoffman – 60 day timeline to get new parking requirements. Talked about parking items. Number of spaces needs to be a calculated number.

Ms. Robinson – 72 spaces is the worst case at 15k sq ft. Useable space in the building is 9k which is about 50 parking spaces. City Council could approve less than 72 spaces.

Mr. Hoffman – Asked about parking lot lighting.

Ms. McGlothlin – Since there is a sound wall, lighting is not a concern.

Mr. Murphy – Yes, there is exterior lighting.

Mr. Calderwood – What does staff propose on the lighting?

Mr. Meadows – Deal with spaces on a case by case basis. Can work with Mr. Murphy.

Mr. Hoffman – lighting behind AT&T; could be too dark. This is not going through the PAD process, this is a SUP.

Ms. McMichael – Business owner has the liability.

Mr. Hoffman – shared parking agreements, need to have adequate lighting for safety.

Mr. Calderwood made a motion to approve as written with sufficient lighting on first day of operation, parking requirements and operating hours will be 6:30 a.m. to 10 p.m. Ms. McGlothlin seconded the motion. The motion carried 6 to 0 with one abstention.

- 5. Discussion and possible direction concerning:** The activities of the City Council during the June 22, 2021, meeting regarding Planning & Zoning Commission matters.

Mr. Smith reported that there were no Planning and Zoning matters on the agenda.

6. Adjournment

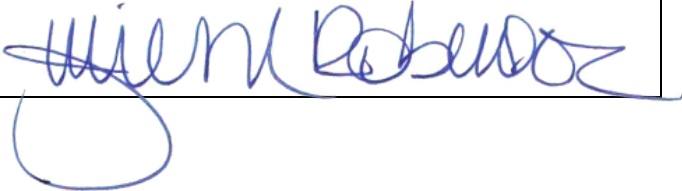
Mr. Calderwood made a motion to adjourn. Ms. McGlothlin seconded the motion. The motion carried 7 to 0. The meeting was adjourned at 7:40 p.m.

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

Attest: _____
Louise Richman, Secretary

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.		
BACKGROUND:	M2L Associates, Inc. ("Applicant") has submitted a replat application on behalf of Darren Martin and Kris Weaver ("Property Owners") regarding the properties located at 8415 and 8421 Burkhart Road ("Property"). Mr. Martin is currently building a new home at 8415 Burkhart Road. As a part of the new construction, Mr. Martin, is building a side-loading garage, which faces Mr. Weaver's property at 8421 Burkhart Road. During construction of the home, Mr. Martin found that the turn radius into the garage was quite difficult and as such approached Mr. Weaver regarding purchasing a small portion of his property to accommodate additional width and allowing for an easier turn into the new garage. Mr. Weaver has agreed to this purchase and has now provided to the City for consideration the Re-Plat of the two properties as presented with this item. The new lots are the following dimensions: • Lot 1 (8421 Burkhart): Approximately 0.294 acres / 12,787 square feet • Lot 2 (8415 Burkhart): Approximately 0.3274 acres / 14,260 square feet		
RECOMMENDATION:	Not Applicable in the Public Hearing		
ATTACHMENTS:	• Preliminary and Final Re-Plat of Martin Estates for the Properties Located at 8415 and 8421 Burkhart Road. • Plat Submittal Application Including Supporting Application Documents • Copy of Published Notice of Public Hearing • Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property • Affidavit of Sign Posting and Maintenance for the Property		
SUBMITTING STAFF MEMBER:		CITY ADMINISTRATOR APPROVAL:	
Zachary Meadows, Director of Community Development			

STATE OF TEXAS
COUNTY OF HARRIS

WE, ON BEHALF OF THE KRIS MARTIN WEAVER AND LLOYD WEAVER, BEING OWNERS OF SAID LOT 1 AND DARREN MARTIN, FARIDA MIDANI, BEING OWNERS OF LOT 2 DESCRIBED IN THE ABOVE AND FOREGOING MAP OF MARTIN ESTATES SUBDIVISION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY, ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAP OR PLAT, AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON AND HERBY BIND US, OUR HEIRS, OUR SUCCESSORS AND ASSIGNMENTS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHERMORE, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENTS FIVE (5) FEET IN WIDTH FROM A PLANE OF TWENTY FEET (20) ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING ALL PUBLIC UTILITY PERIMETER EASEMENTS SHOWN HEREON AND DESIGNATED U.E.

FURTHERMORE, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15'0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID OR ANY PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF SPRING VALLEY, HARRIS COUNTY OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHERMORE, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, THE OWNERS CERTIFY THAT THIS PLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS. IN TESTIMONY WHEREOF, WE, ON BEHALF OF THE ESTATE OF BARBARA A. WEAVER, DECEASED AND ON BEHALF OF THE TRUSTEES OF THE THOMAS M. AND BARBARA A. WEAVER REVOCABLE LIVING TRUST, BEING OWNERS OF SAID PROPERTY, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY US THIS ____ DAY OF _____, 2021.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

NAME: DARREN MARTIN, NAME: FARIDA MIDANIKRIS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KRIS MARTIN WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DAVID LLOYD WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

ON BEHALF OF THE ESTATE OF KRIS MARTIN WEAVER AND LLOYD WEAVER.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DARREN MARTIN, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

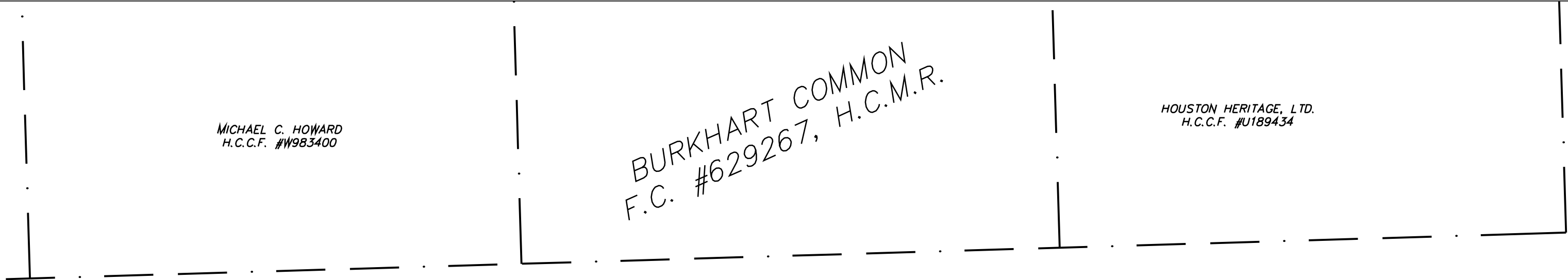
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FARIDA MIDANI, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

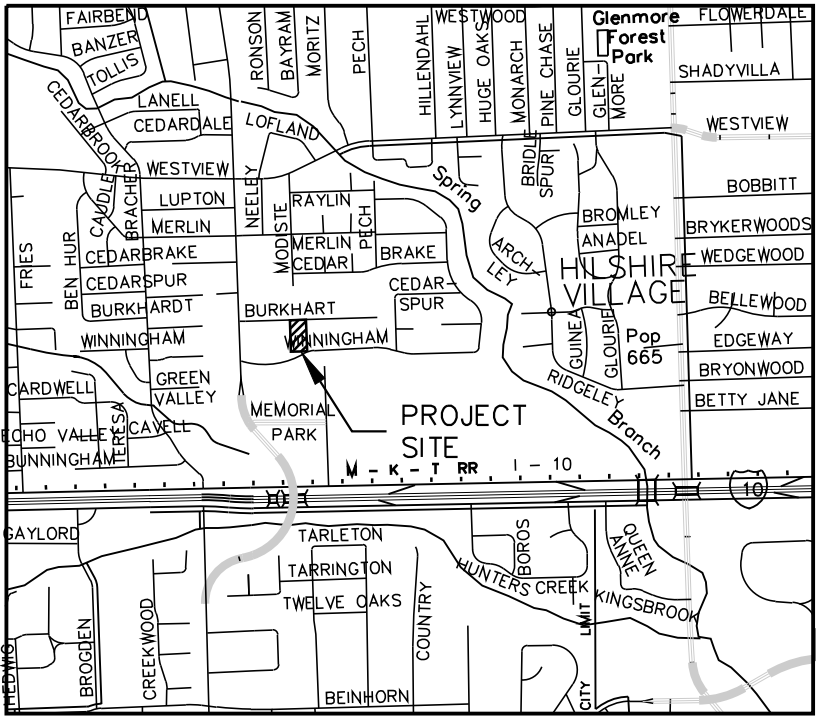
NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____



BURKHART ROAD
(60' R.O.W.)
(Vol. 1163, Pg. 341)

SCALE: 1" = 30'
30' 0' 30'
15' FEET
SCALE IN FEET'



VICINITY MAP N.T.S.

LOT 6

Vol. DUSON WOODS
320, Pg. 55, H.C.M.R.

LOT 7

LOT 1

12,787. SQ. FT.
(0.294 ACRE)

LOT 2

14,260 SQ. FT.
(0.3274 ACRE)

WEAVER RESERVE
f c NO 689831 H.C.M.R.

BRIGHTON WOODS
SUBDIVISION
Vol. 332, Pg. 6, H.C.M.R.

TRACT 21C
DAVID. DIEHL et al
C.F. NO. 2010357732

METES AND BOUNDS DESCRIPTION
13,523 SQUARE FEET BEING ALL OF
LOT 1, BLOCK 1
WEAVER RESERVE
F.C. NO. 689831 H.C.M.R.
AND
13,524 SQUARE FEET BEING ALL OF
TRACT 2
BRIGHTON WOODS SUBDIVISION
VOL. 332, PG. 6, H.C.M.R.
HOUSTON, HARRIS COUNTY, TEXAS

ALL THAT CERTAIN 12,788 SQUARE FOOT TRACT BEING ALL OF LOT 1, BLOCK 1 WEAVER RESERVE ACCORDING TO THE PLAT THEREOF FILED IN FILM CODE NO. 689831 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND 13,524 SQUARE FOOT TRACT BEING ALL OF TRACT 2 BRIGHTON WOODS SUBDIVISION ACCORDING TO THE PLAT THEREOF FILED IN VOL. 332, PG. 6 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A FOUND 5/8" IRON ROD WITH CAP ON THE SOUTH RIGHT-OF-WAY LINE OF BURKHART ROAD (60' WIDE), SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1;

THENCE N 88° 18' 11" E - 96.63', CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE TO A FOUND 1" IRON PIPE FOR ANGLE POINT;

THENCE N 88° 14' 47" E - 96.63', TO A POINT FOR CORNER;

THENCE S 1° 57' 42" E - 140.00', TO A POINT FOR CORNER;

THENCE S 88° 17' 16" W - 193.27', WITH THE NORTH LINE OF LOT 2 OF SAID BLOCK 1 TO A FOUND 5/8" IRON ROD FOR CORNER;

THENCE N 1° 57' 43" W - 139.95', WITH THE EAST LINE OF LOT 6 DUSON WOODS ACCORDING TO THE PLAT THEREOF FILED IN VOL. 320, PG. 55 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS TO THE POINT OF BEGINNING CONTAINING 27,047 SQUARE FEET (0.6209 ACRES) OF LAND MORE OR LESS.

Martin Estates

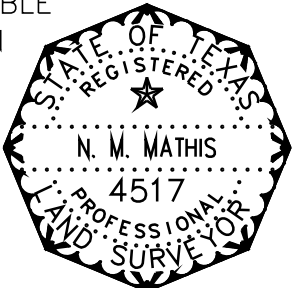
1 BLOCK 2 LOTS

BEING A PARTIAL REPLAT OF LOT 1 BLOCK 1 OF WEAVER RESERVE
F.C. NO FILM CODE NO. 689831 AND TRACT 2, BRIGHTON WOODS
SUBDIVISION, VOL. 332 PG 6 H.C.M.R. SITUATED IN
THE A.H. OSBORNE SURVEY, A-610
HARRIS COUNTY, TEXAS
SEPTEMBER 2019

NOTES:

1. THE SURVEYOR HAS RELIED UPON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY NATIONAL INVESTORS TITLE INSURANCE COMPANY UNDER GF NOS. 19-24008505 WITH AN EFFECTIVE DATE OF MAY 14, 2019 WITH REGARD TO ANY EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SUBJECT PROPERTY. NO ADDITIONAL RESEARCH HAS BEEN PERFORMED BY THE SURVEYOR.
2. ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983. COORDINATES REFLECT GRID VALUES AND MAY BE CONVERTED TO SURFACE VALUES BY APPLYING A SCALE FACTOR OF 0.9998950999.
3. THE SURVEYED TRACT IS SUBJECT TO THE CITY OF SPRING VALLEY ZONING ORDINANCES.
4. THE SURVEYED TRACT IS SUBJECT TO THE RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER ANY EXISTING LEASES.
5. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 48201C0665 M, MAP REVISED JUNE 9, 2004, THE SUBJECT PROPERTY IS LOCATED IN ZONE "X"-UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN).

I, N. M. MATHIS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5423, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT: WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET.



N. M. MATHIS, R.P.L.S. NO. 4517 STATE OF TEXAS

OWNER:	OWNER:	SURVEYOR:	PLANNER
DARREN MARTIN AND FARIDA MIDANI 8415 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	KRIS MARTIN WEAVER AND LLOYD MARTIN 8421 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	PREJEAN & CO., INC. 9324 WESTVIEW HOUSTON, TX 77055 T: (713)467 6277 F: (713)467 7470	M2L ASSOCIATES, INC. 8955 KATY FREEWAY, SUITE 300 HOUSTON, TX 77055 T: (713)722-8897 F: (713)722-8048

DATE: 07-31-2021



SPRING VALLEY
VILLAGE

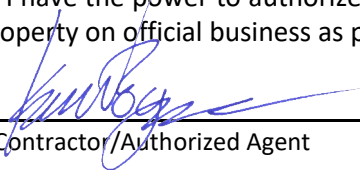
Community Development
City of Spring Valley Village

PLAT APPROVAL APPLICATION

PROPERTY INFORMATION	
Type of Plat: ☒ Preliminary Plat ☒ Final Plat ☒ Residential ☐ Commercial (Check all that apply)	
Property Address: 8415 and 8421 Burkhardt Road	
Legal Description: Lot 1 Block 1 Weaver Reserve Film code 689831 and TR 2 Brighton Woods Subdivision, Vol332 pg 6 H.C.M.R.	
Subdivision/Development Name: MARTIN ESTATES	Zoning District: A
Total Acreage: 0.621	Typical Lot Size: LOT 1 (12,787 S.F.) LOT 2 (14,260 S.F.)
Number & Types of Reserves: 0	Number of Lots: 2
Acreage of Reserve(s): 0	

OWNER INFORMATION	
Name: Martin Darren & Kris Martin Weaver	Phone#: 713-376-6225 and 713-725-0251
Address: 8415 Burkhardt Road & 8421 Burkhardt Road, Houston, TX 77055	
Email: martinregroup@gmail.com	

APPLICANT/AGENT INFORMATION	
Name: M2L Associates, Inc. (Karen W. Rogers)	Phone#: 713-722-8897
Address: 8955 Katy Freeway Suite 300, Houston, Texas 77024	
Email: kwrogers@M2Lassociates.net	
**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. I have the power to authorize and hereby grant permission for City of Spring Valley Village officials to enter the property on official business as part of the application process.		
	Karen W. Rogers	8-2-2021
Signature of Contractor/Authorized Agent	Printed Name	Application Date

FOR OFFICE USE ONLY	
Plat Number: _____	Date Submitted: _____
P&Z Meeting Date: _____	P&Z Recommendation: ☐ Approved ☐ Denied
Council Meeting Date: _____	Council Decision: ☐ Approved ☐ Denied

NOTE: Only complete applications shall be accepted and payment must be received at time of submission.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ON BEHALF OF THE KRIS MARTIN WEAVER AND LLOYD WEAVER, BEING OWNERS OF SAID LOT 1 AND DARREN MARTIN, FARIDA MIDANI, BEING OWNERS OF LOT 2 DESCRIBED IN THE ABOVE AND FOREGOING MAP OF MARTIN ESTATES SUBDIVISION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY, ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAP OR PLAT, AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON AND HERBY BIND US, OUR HEIRS, OUR SUCCESSORS AND ASSIGNMENTS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHERMORE, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENTS FIVE (5) FEET IN WIDTH FROM A PLANE OF TWENTY FEET (20) ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING ALL PUBLIC UTILITY PERIMETER EASEMENTS SHOWN HEREON AND DESIGNATED U.E.

FURTHERMORE, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15'0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID OR ANY PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF SPRING VALLEY, HARRIS COUNTY OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHERMORE, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, THE OWNERS CERTIFY THAT THIS PLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS. IN TESTIMONY WHEREOF, WE, ON BEHALF OF THE ESTATE OF BARBARA A. WEAVER, DECEASED AND ON BEHALF OF THE TRUSTEES OF THE THOMAS M. AND BARBARA A. WEAVER REVOCABLE LIVING TRUST, BEING OWNERS OF SAID PROPERTY, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY US THIS ____ DAY OF _____, 2021.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER
NAME: DARREN MARTIN, NAME: FARIDA MIDANIKRIS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KRIS MARTIN WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021
NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DAVID LLOYD WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021
NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

ON BEHALF OF THE ESTATE OF KRIS MARTIN WEAVER AND LLOYD WEAVER.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DARREN MARTIN, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021
NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

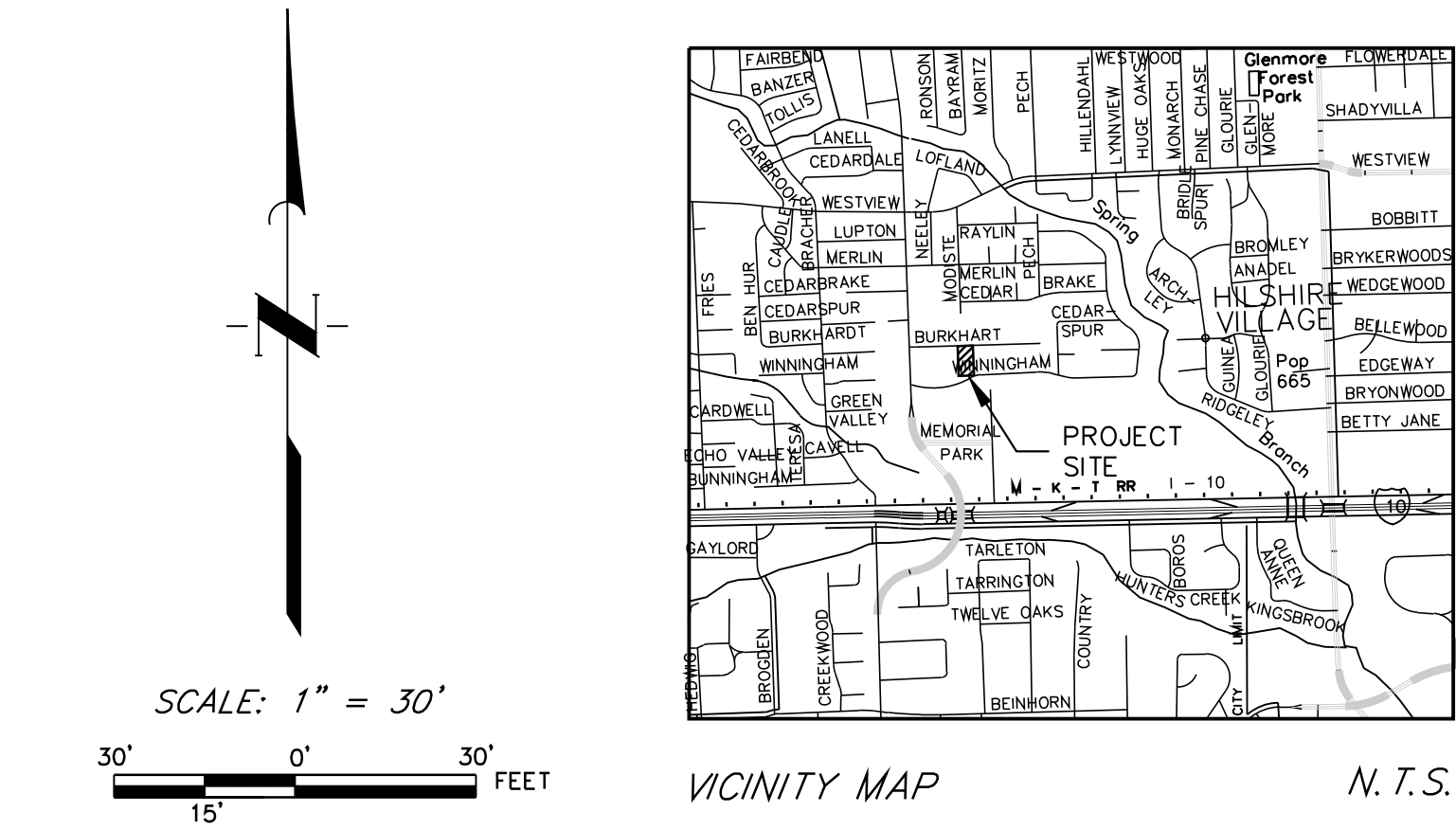
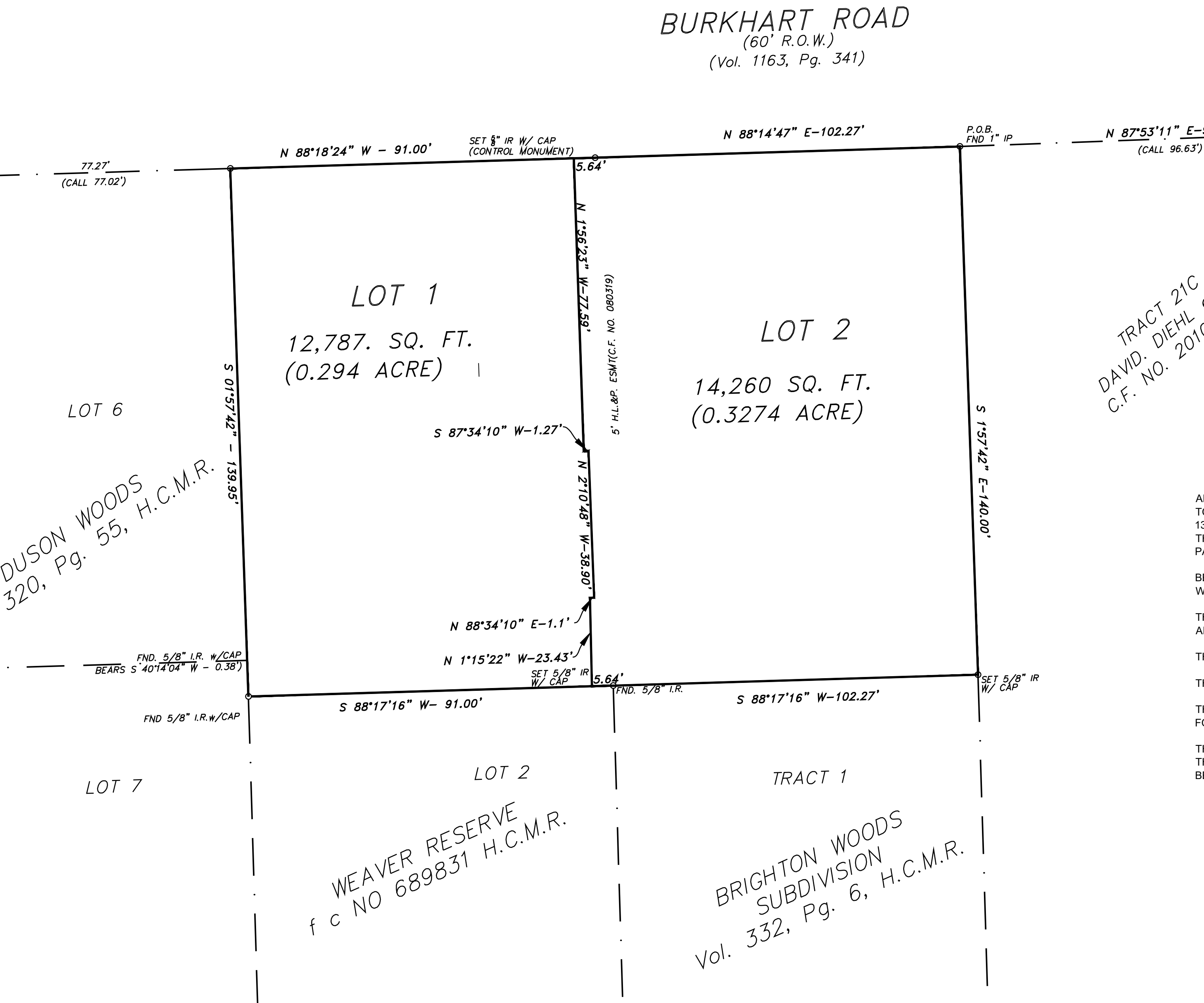
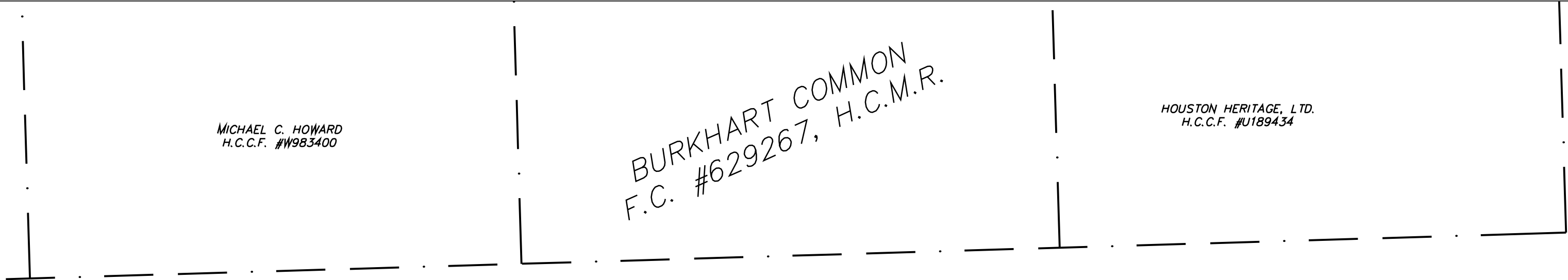
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FARIDA MIDANI, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021
NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____



SCALE: 1" = 30'
30' 0' 30'
15' FEET
SCALE IN FEET'

METES AND BOUNDS DESCRIPTION
13,523 SQUARE FEET BEING ALL OF
LOT 1, BLOCK 1
WEAVER RESERVE
F.C. NO. 689831 H.C.M.R.
AND
13,524 SQUARE FEET BEING ALL OF
TRACT 2
BRIGHTON WOODS SUBDIVISION
VOL. 332, PG. 6, H.C.M.R.
HOUSTON, HARRIS COUNTY, TEXAS

ALL THAT CERTAIN 12,788 SQUARE FOOT TRACT BEING ALL OF LOT 1, BLOCK 1 WEAVER RESERVE ACCORDING TO THE PLAT THEREOF FILED IN FILM CODE NO. 689831 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND 13,524 SQUARE FOOT TRACT BEING ALL OF TRACT 2 BRIGHTON WOODS SUBDIVISION ACCORDING TO THE PLAT THEREOF FILED IN VOL. 332, PG. 6 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A FOUND 5/8" IRON ROD WITH CAP ON THE SOUTH RIGHT-OF-WAY LINE OF BURKHART ROAD (60' WIDE), SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1;

THENCE N 88° 18' 11" E - 96.63', CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE TO A FOUND 1" IRON PIPE FOR ANGLE POINT;

THENCE N 88° 14' 47" E - 96.63', TO A POINT FOR CORNER;

THENCE S 1° 57' 42" E - 140.00', TO A POINT FOR CORNER;

THENCE S 88° 17' 16" W - 193.27', WITH THE NORTH LINE OF LOT 2 OF SAID BLOCK 1 TO A FOUND 5/8" IRON ROD FOR CORNER;

THENCE N 1° 57' 43" W - 139.95', WITH THE EAST LINE OF LOT 6 DUSON WOODS ACCORDING TO THE PLAT THEREOF FILED IN VOL. 320, PG. 55 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS TO THE POINT OF BEGINNING CONTAINING 27,047 SQUARE FEET (0.6209 ACRES) OF LAND MORE OR LESS.

NOTES:
1. THE SURVEYOR HAS RELIED UPON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY NATIONAL INVESTORS TITLE INSURANCE COMPANY UNDER GF NOS. 19-24008505 WITH AN EFFECTIVE DATE OF MAY 14, 2019 WITH REGARD TO ANY EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SUBJECT PROPERTY. NO ADDITIONAL RESEARCH HAS BEEN PERFORMED BY THE SURVEYOR.
2. ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983. COORDINATES REFLECT GRID VALUES AND MAY BE CONVERTED TO SURFACE VALUES BY APPLYING A SCALE FACTOR OF 0.9998950999.
3. THE SURVEYED TRACT IS SUBJECT TO THE CITY OF SPRING VALLEY ZONING ORDINANCES.
4. THE SURVEYED TRACT IS SUBJECT TO THE RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER ANY EXISTING LEASES.
5. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 48201C0665 M, MAP REVISED JUNE 9, 2004, THE SUBJECT PROPERTY IS LOCATED IN ZONE "X"-UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN).

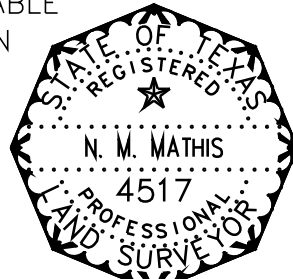
Martin Estates
1 BLOCK 2 LOTS
BEING A PARTIAL REPLAT OF LOT 1 BLOCK 1 OF WEAVER RESERVE
F.C. NO FILM CODE NO. 689831 AND TRACT 2, BRIGHTON WOODS
SUBDIVISION, VOL. 332 PG 6 H.C.M.R. SITUATED IN
THE A.H. OSBORNE SURVEY, A-610
HARRIS COUNTY, TEXAS
SEPTEMBER 2019

OWNER:	OWNER:	SURVEYOR:	PLANNER
DARREN MARTIN AND FARIDA MIDANI 8415 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	KRIS MARTIN WEAVER AND LLOYD MARTIN 8421 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	PREJEAN & CO., INC. 9324 WESTVIEW HOUSTON, TX 77055 T: (713)467 6277 F: (713)467 7470	M2L ASSOCIATES, INC. 8955 KATY FREEWAY, SUITE 300 HOUSTON, TX 77055 T: (713)722-8897 F: (713)722-8048

DATE: 07-31-2021

I, N. M. MATHIS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5423, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT: WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET.

N. M. MATHIS, R.P.L.S. NO. 4517 STATE OF TEXAS



Mr. Zach Meadows
Director of Community
Development
Spring Valley Village
1025 Campbell Road
Houston, TX 77055

Dear Mr. Meadows,

We, Kris Martin Weaver and David Lloyd Weaver by virtue of deed recorded under Harris County Clerks File No RP-2020-189681 are the current owner (s) of the property located at 8421 Burkhart Road, Spring Valley Village, Texas. This letter serves as our authorization for Karen Rogers of M2L Associates, Inc. to submit a subdivision plat of this property which will be titled Martin Estates. The reason for this plat is to adjust the property line between lots 1 and lot 2 as two single family residential lots meeting the City's standards.

If you have any questions or need further information, please contact me or Karen Rogers of M2L Associates, Inc. (713) 722-8897.

Sincerely,



Kris M. Weaver
(Individually and for David Lloyd Weaver)
8421 Burkhart Rd.
Houston, Texas 77055
713.681.3536

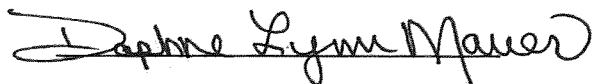
STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KRIS MARTIN WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 2nd DAY OF August, 2021

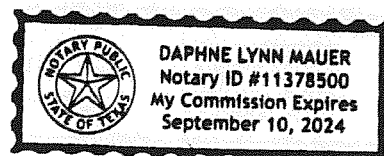
NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: Daphne Lynn Mauer

MY COMMISSION EXPIRES : September 10, 2024



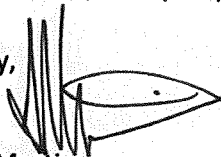
Mr. Zach Meadows
Director of Community
Development
Spring Valley Village
1025 Campbell Road
Houston, TX 77055

Dear Mr. Meadows,

We, Darren Martin and Farida Midani, Husband and Wife by virtue of deed recorded under Harris County Clerks File No RP-2020-59 are the current owner (s) of the property located at 8415 Burkhart Road, Spring Valley Village, Texas. This letter serves as our authorization for Karen Rogers of M2L Associates, Inc. to submit a subdivision plat of this property which will be titled Martin Estates. The reason for this plat is to adjust the property line between Lot 1 and Lot 2 both being single family residential lots meeting the City's standards.

If you have any questions or need further information, please contact me or Karen Rogers of M2L Associates, Inc. (713) 722-8897.

Sincerely,



Darren Martin
(Individually and for Farida Midani)
8415 Burkhart Rd.
Houston, Texas 77055

713.376.6225

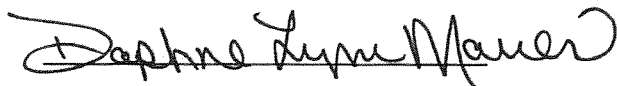
STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DARREN MARTIN ~~KRIS MARTIN WEAVER~~, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 2nd DAY OF August, 2021

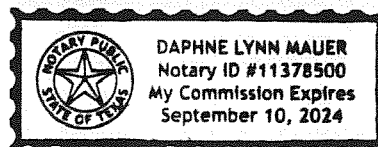
NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

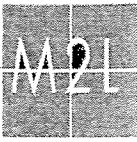


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: Daphne Lynn Mauer

MY COMMISSION EXPIRES : September 10, 2024





M2L ASSOCIATES INC.
8955 Katy Fwy., Suite 300
Houston, Texas 77024
Tel: (713) 722 8897
Fax: (713) 722 8048

Urban Planning
Urban Design
Landscape Architecture

July 22, 2019

Ms. Karen Rogers
Director of Community Development.

Spring Valley Village
1025 Campbell Road
Houston, TX 77055

RE: 8421 and 8415 Burkhart Road - Plat titled Martin Estates

Dear Mr. Hoffman,

M2L Associates, Inc. is submitting the "Martin Estates" plat for consideration and approval. The physical address of the parcel being platted is 8421 and 8415 Burkhart Road, which is East of Bingle Road, south and abutting Burkhart Road, north and abutting Winningham Lane and west of Pech Road in Spring Valley Village.

The owners are Darren Martin, Farida Midani Husband and Wife, Kris Weaver and Lloyd Weaver. The Owners wish to subdivide and adjust the common line between them as shown on the plat for these two Single Family lots. Both lots meet or exceed the City requirements.

If you have any questions or need further information, please contact me or Karen Rogers of M2L Associates, Inc. (713) 722-8897.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen W. Rogers', with a long, sweeping horizontal line extending to the right.

Karen W. Rogers, ASLA, LEED-AP
Principal

METES AND BOUNDS DESCRIPTION
13,523 SQUARE FEET BEING ALL OF
LOT 1, BLOCK 1
WEAVER RESERVE
F.C. NO. 689831 H.C.M.R.
AND
13,524 SQUARE FEET BEING ALL OF
TRACT 2
BRIGHTON WOODS SUBDIVISION
VOL. 332, PG. H.C.M.R.
HOUSTON, HARRIS COUNTY, TEXAS

All that certain 12,788 square foot tract being all of Lot 1, Block 1 Weaver Reserve according to the plat thereof filed in Film Code No. 689831 of the Map Records of Harris County, Texas and 13,524 square foot tract being all of Tract 2 Brighton Woods Subdivision according to the plat thereof filed in Vol. 332, Pg. 6 of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds as follows,

BEGINNING at a found 5/8" iron rod with cap on the south right-of-way line of Burkhart Road (60' wide), said point also being the northwest corner of said Lot 1;

THENCE N 88° 18' 11" E – 96.63', continuing with said south right-of-way line to a found 1" iron pipe for angle point;

THENCE N 88° 14' 47" E – 96.63', to a point for corner;

THENCE S 1° 57' 42" E – 140.00', to a point for corner;

THENCE S 88° 17' 16" W – 193.27', with the north line of Lot 2 of Said Block 1 to a found 5/8" iron rod for corner;

THENCE N 1° 57' 43" W – 139.95', with the east line of Lot 6 Duson Woods according to the plat thereof filed in Vol. 320, Pg. 55 of the Map Records of Harris County, Texas to the POINT OF BEGINNING containing 27,047 square feet (0.6209 acres) of land more or less.

Compiled from survey by:

PREJEAN & COMPANY, INC.

Surveying / Mapping

Job # 41-661-3

Date: 07-28-2021

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

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

A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.

The **Planning and Zoning Commission** 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: Tuesday, October 12, 2021

Time: 7:00 p.m.

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

The **City Council** 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: Tuesday, October 26, 2021

Time: 6:00 p.m.

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

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



September 27, 2021

Dear Property Owner:

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

A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.

The **Planning and Zoning Commission** 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: Tuesday, October 12, 2021

Time: 7:00 p.m.

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

The **City Council** 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: Tuesday, October 26, 2021

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 8415 Burkhart Road or 8421 Burkhart Road. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact For further information, please contact me at (832) 910-8577 or zmeadows@springvalleytx.com.

Sincerely,



Zachary Meadows
Director of Community Development

Britton & Leslie Denby
8440 Winningham Lane
Houston, Texas 77055

Gregory & Wimberly Barra
8501 Burkhart Road
Houston, Texas 77055

George & Virginia Fluke
8432 Burkhart Road
Houston, Texas 77055

Douglas & Diana Knutzen
8497 Burkhart Road
Houston, Texas 77055

Bradley & Leslie Davis
8493 Burkhart Road
Houston, Texas 77055

Patrick & Diane McDaniel
8489 Burkhart Road
Houston, Texas 77055

Douglas & Louise Mercer
8436 Winningham Lane
Houston, Texas 77055

Barbara Weaver
8421 Burkhart Road
Houston, Texas 77055

Paul & Amy Lampi
8434 Winningham Lane
Houston, Texas 77055

Darren Martin & Farida Midani
8415 Burkhart Road
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8415 BURKHART ROAD
HOUSTON, TEXAS 77055

Darren Martin & Farida Midani
11406 Memorial Drive
Houston, Texas 77024

James & Kathleen Brown
8430 Winningham Lane
Houston, Texas 77055

503 Ramblewood LLC
8407 Burkhart Road
Houston, Texas 77055

503 Ramblewood LLC
16605 Southwest Fwy, Suite 285
Sugar Land, Texas 77479

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8407 BURKHART ROAD
HOUSTON, TEXAS 77055

Kunal & Kayla Puri
8422 Winningham Lane
Houston, Texas 77055

Nathaniel & Leslie Tippit
8405 Burkhart Road
Houston, Texas 77055

Charley & Lucienn Davidson
8422 Winningham Lane
Houston, Texas 77055

Anna Wier
Wier Family Living Trust
8404 Burkhart Road
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8404 BURKHART ROAD
HOUSTON, TEXAS 77055

Anna Wier
Wier Family Living Trust
8700 Post Oak Lane, Unit 207
San Antonio, Texas 78217

Gerald Hazelhurst
8410 Burkhart Road
Houston, Texas 77055

Houston Heritage LTD.
8418 Burkhart Road
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8418 BURKHART ROAD
HOUSTON, TEXAS 77055

Houston Heritage LTD.
8410 Burkhart Road
Houston, Texas 77055

Brian Schmulen
8420 Burkhart Road
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8420 BURKHART ROAD
HOUSTON, TEXAS 77055

Brian Schmulen
5 Burkhart Forest Court
Houston, Texas 77055

Michael Howard
8422 Burkhart Road
Houston, Texas 77055

James Coe
8428 Burkhardt Road
Houston, Texas 77055

Philip Warner
8441 Winningham Lane
Houston, Texas 77055

Leonard & Carol Ferguson
8439 Winningham Lane
Houston, Texas 77055

Brett & Dawn Berly
8435 Winningham Lane
Houston, Texas 77055

Maria Yrigoyen
8431 Winningham Lane
Houston, Texas 77055

Kenneth & Maryann Gryder
8429 Winningham Lane
Houston, Texas 77055

Lange Schmidt
8425 Winningham Lane
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8425 WINNINGHAM LANE
HOUSTON, TEXAS 77055

Lange Schmidt
P.O. Box 55863
Houston, Texas 77255-5863

B B Ingram
8421 Winningham Lane
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8421 WINNINGHAM LANE
HOUSTON, TEXAS 77055

B B Ingram
P.O. Box 55241
Houston, Texas 77255-5241

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 fourteen (14) calendar days immediately preceding the date of the public hearing before the Planning & Zoning Commission ("Commission").
- 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.

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 by the City of Spring Valley Village.**

Preparer's Name: Karen W. Rogers

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.

**AFFIDAVIT OF SIGN POSTING**

(Re)Zoning Case No. _____

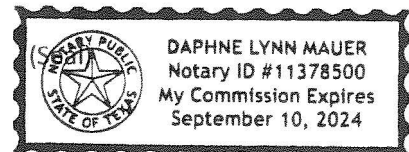
Date of Planning and Zoning Commission Meeting: October 12, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Karen W. Rogers 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 8421 Burkhart Road and 8415 Burkhart Road

8421 Burkhart Road and 8415 Burkhart Road

Posting of said signs was accomplished on September 27, 2021 as provided for in Section 01:04:03 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 8421 Burkhart Road and 8415 Burkhart Road

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 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this date: 09-30-21Printed Name of Applicant or Authorized Representative for Zoning Case No. Karen W. RogersSignature of Applicant or Authorized Representative for Zoning Case No. [Signature]Sworn and subscribed before me on this date: 9-30-21Notary Public [Signature]

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

STAFF USE ONLY:Date/Time submitted: September 30, 2021 12:45pm Verified by: 2. Members

**AFFIDAVIT OF SIGN MAINTENANCE**

(Re)Zoning Case No. _____

Date of Council Meeting: October 26th, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Karen W. Rogers hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at 8421 Burkhart Road and 8415 Burkhart Road

8421 Burkhart Road and 8415 Burkhart Road

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on date 9-30-2021 within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

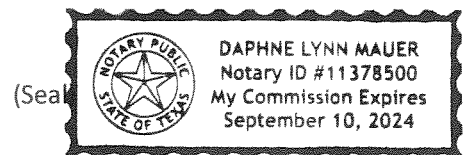
I understand that I am required to remove said signs within seven (7) calendar days of any final action on the application taken by the City of Spring Valley Village regarding the zoning change, and return them to the City Secretary at the City Hall.

Executed this date: 9-30-21Printed Name of Applicant or Authorized Representative for Zoning Case No. Karen W. Rogers

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me on this date: 9-30-21

Notary Public _____



PLEASE NOTE: Failure to maintain the signs prior to City Council 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: September 30, 2021 12:45 pm Verified by: Z. Mendez

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	CONSIDERATION AND POSSIBLE ACTION CONCERNING: A Preliminary and Final Re-Plat of Martin Estates, A Plot Containing 0.621 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Addresses of 8415 Burkhart Road and 8421 Burkhart Road.
---------------	--

BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing concerning a Preliminary and Final Re-plat of Martin Estates for the properties located at 8415 and 8421 Burkhart Road.
--------------------	---

RECOMMENDATION:	City Staff recommends approval based on the determination that it meets the Subdivision Ordinance requirements
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ATTACHMENTS:	• Preliminary and Final Re-Plat of Martin Estates for the Properties Located at 8415 and 8421 Burkhart Road.
---------------------	--

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

STATE OF TEXAS
COUNTY OF HARRIS

WE, ON BEHALF OF THE KRIS MARTIN WEAVER AND LLOYD WEAVER, BEING OWNERS OF SAID LOT 1 AND DARREN MARTIN, FARIDA MIDANI, BEING OWNERS OF LOT 2 DESCRIBED IN THE ABOVE AND FOREGOING MAP OF MARTIN ESTATES SUBDIVISION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY, ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAP OR PLAT, AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON AND HERBY BIND US, OUR HEIRS, OUR SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHERMORE, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENTS FIVE (5) FEET IN WIDTH FROM A PLANE OF TWENTY FEET (20) ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING ALL PUBLIC UTILITY PERIMETER EASEMENTS SHOWN HEREON AND DESIGNATED U.E.

FURTHERMORE, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15'0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID OR ANY PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF SPRING VALLEY, HARRIS COUNTY OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHERMORE, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, THE OWNERS CERTIFY THAT THIS PLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS. IN TESTIMONY WHEREOF, WE, ON BEHALF OF THE ESTATE OF BARBARA A. WEAVER, DECEASED AND ON BEHALF OF THE TRUSTEES OF THE THOMAS M. AND BARBARA A. WEAVER REVOCABLE LIVING TRUST, BEING OWNERS OF SAID PROPERTY, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY US THIS ____ DAY OF _____, 2021.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

NAME: DARREN MARTIN, NAME: FARIDA MIDANIKRIS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KRIS MARTIN WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DAVID LLOYD WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

ON BEHALF OF THE ESTATE OF KRIS MARTIN WEAVER AND LLOYD WEAVER.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DARREN MARTIN, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

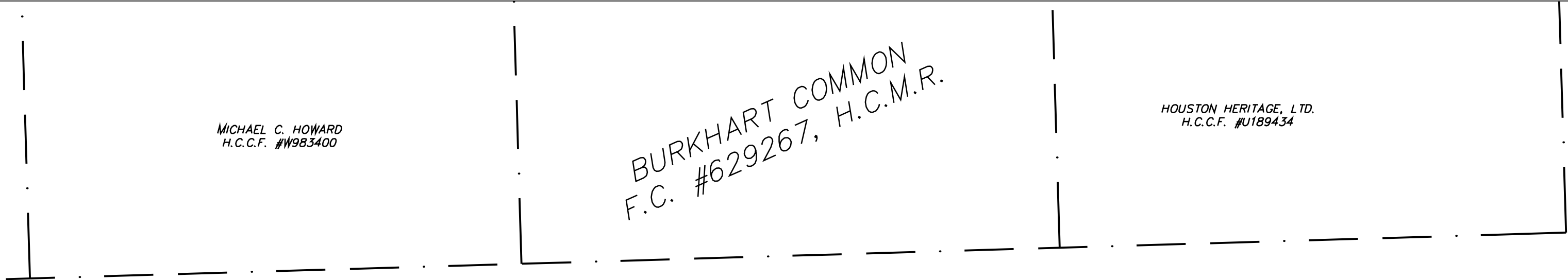
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FARIDA MIDANI, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

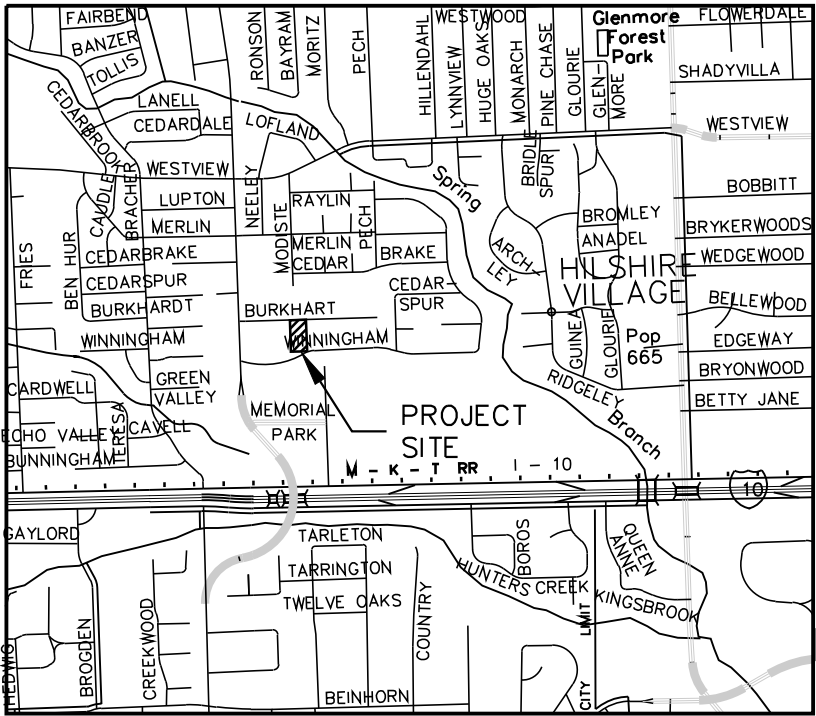
NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____



BURKHART ROAD
(60' R.O.W.)
(Vol. 1163, Pg. 341)

SCALE: 1" = 30'
30' 0' 30'
15' FEET
SCALE IN FEET



VICINITY MAP N.T.S.

FURTHER, THE OWNERS CERTIFY THAT THIS PLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS. IN TESTIMONY WHEREOF, WE, ON BEHALF OF THE ESTATE OF BARBARA A. WEAVER, DECEASED AND ON BEHALF OF THE TRUSTEES OF THE THOMAS M. AND BARBARA A. WEAVER REVOCABLE LIVING TRUST, BEING OWNERS OF SAID PROPERTY, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY US THIS ____ DAY OF _____, 2021.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

NAME: DARREN MARTIN, NAME: FARIDA MIDANIKRIS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KRIS MARTIN WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DAVID LLOYD WEAVER, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

ON BEHALF OF THE ESTATE OF KRIS MARTIN WEAVER AND LLOYD WEAVER.

NAME: KRIS MARTIN WEAVER NAME: DAVID LLOYD WEAVER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DARREN MARTIN, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

STATE OF TEXAS
COUNTY OF HARRIS

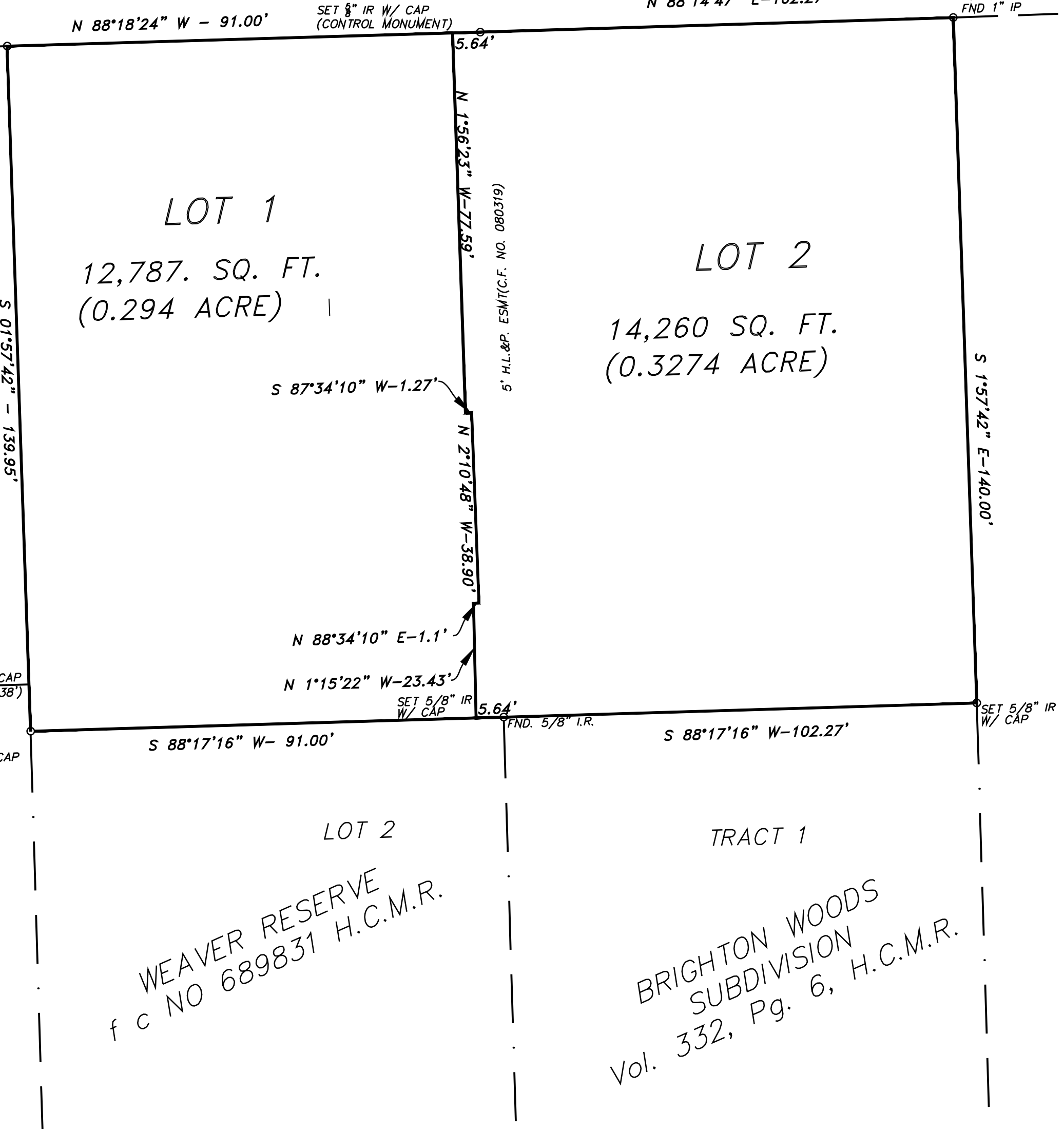
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FARIDA MIDANI, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

Vol. DUSON WOODS
320, Pg. 55, H.C.M.R.



TRACT 21C
DAVID. DIEHL et al
C.F. NO. 2010357732

METES AND BOUNDS DESCRIPTION
13,523 SQUARE FEET BEING ALL OF
LOT 1, BLOCK 1
WEAVER RESERVE
F.C. NO. 689831 H.C.M.R.
AND
13,524 SQUARE FEET BEING ALL OF
TRACT 2
BRIGHTON WOODS SUBDIVISION
VOL. 332, PG. 6, H.C.M.R.
HOUSTON, HARRIS COUNTY, TEXAS

ALL THAT CERTAIN 12,788 SQUARE FOOT TRACT BEING ALL OF LOT 1, BLOCK 1 WEAVER RESERVE ACCORDING TO THE PLAT THEREOF FILED IN FILM CODE NO. 689831 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND 13,524 SQUARE FOOT TRACT BEING ALL OF TRACT 2 BRIGHTON WOODS SUBDIVISION ACCORDING TO THE PLAT THEREOF FILED IN VOL. 332, PG. 6 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A FOUND 5/8" IRON ROD WITH CAP ON THE SOUTH RIGHT-OF-WAY LINE OF BURKHART ROAD (60' WIDE), SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1;

THENCE N 88° 18' 11" E - 96.63', CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE TO A FOUND 1" IRON PIPE FOR ANGLE POINT;

THENCE N 88° 14' 47" E - 96.63', TO A POINT FOR CORNER;

THENCE S 1° 57' 42" E - 140.00', TO A POINT FOR CORNER;

THENCE S 88° 17' 16" W - 193.27', WITH THE NORTH LINE OF LOT 2 OF SAID BLOCK 1 TO A FOUND 5/8" IRON ROD FOR CORNER;

THENCE N 1° 57' 43" W - 139.95', WITH THE EAST LINE OF LOT 6 DUSON WOODS ACCORDING TO THE PLAT THEREOF FILED IN VOL. 320, PG. 55 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS TO THE POINT OF BEGINNING CONTAINING 27,047 SQUARE FEET (0.6209 ACRES) OF LAND MORE OR LESS.

Martin Estates

1 BLOCK 2 LOTS

BEING A PARTIAL REPLAT OF LOT 1 BLOCK 1 OF WEAVER RESERVE
F.C. NO FILM CODE NO. 689831 AND TRACT 2, BRIGHTON WOODS
SUBDIVISION, VOL. 332 PG 6 H.C.M.R. SITUATED IN
THE A.H. OSBORNE SURVEY, A-610
HARRIS COUNTY, TEXAS
SEPTEMBER 2019

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FARIDA MIDANI, KNOWN TO ME TO BE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

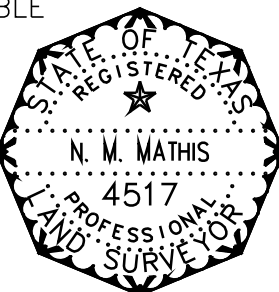
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS____DAY OF _____, 2021

NOTARY PUBLIC FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
PRINT NAME: _____
MY COMMISSION EXPIRES : _____

I, N. M. MATHIS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5423, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT: WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET.

N. M. MATHIS, R.P.L.S. NO. 4517 STATE OF TEXAS



OWNER:	OWNER:	SURVEYOR:	PLANNER
DARREN MARTIN AND FARIDA MIDANI 8415 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	KRIS MARTIN WEAVER AND LLOYD MARTIN 8421 BURKHART ROAD HOUSTON, TX 77055 (713)681-3536	PREJEAN & CO., INC. 9324 WESTVIEW HOUSTON, TX 77055 T: (713)467 6277 F: (713)467 7470	M2L ASSOCIATES, INC. 8955 KATY FREEWAY, SUITE 300 HOUSTON, TX 77055 T: (713)722-8897 F: (713)722-8048

DATE: 07-31-2021

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC: CONDUCT A PUBLIC HEARING CONCERNING:

A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.

BACKGROUND:

RP & Associates ("Applicant") have submitted a replat application on behalf of Terrance and Sharon Smith ("Property Owners") regarding the property located at 1122 Traweek Drive ("Property"). The Property Owner is requesting to replat the Property into one single lot.

Currently the Property is split into two separate lots, the Property Owners own both lots. Long-term the Property Owners want to expand their existing residence but in the current lot configuration would be unable to do so, as any extension would violate zoning setbacks and/or be placed over an existing lot line. As such, the consolidated lot is presented for consideration.

RECOMMENDATION: Not Applicable in the Public Hearing

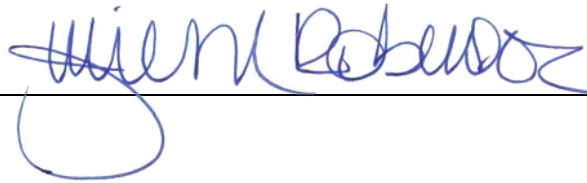
ATTACHMENTS:

- Preliminary and Final Replat of Bonnie Oaks Section2, Partial Re-Plat No. 3 for the Property Located at 1122 Traweek Drive.
- Plat Submittal Application Including Supporting Application Documents
- Copy of Published Notice of Public Hearing
- Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property
- Affidavit of Sign Posting and Maintenance for the Property

SUBMITTING STAFF MEMBER:

Zachary Meadows, Director of
Community Development

CITY ADMINISTRATOR APPROVAL:



LEGEND:

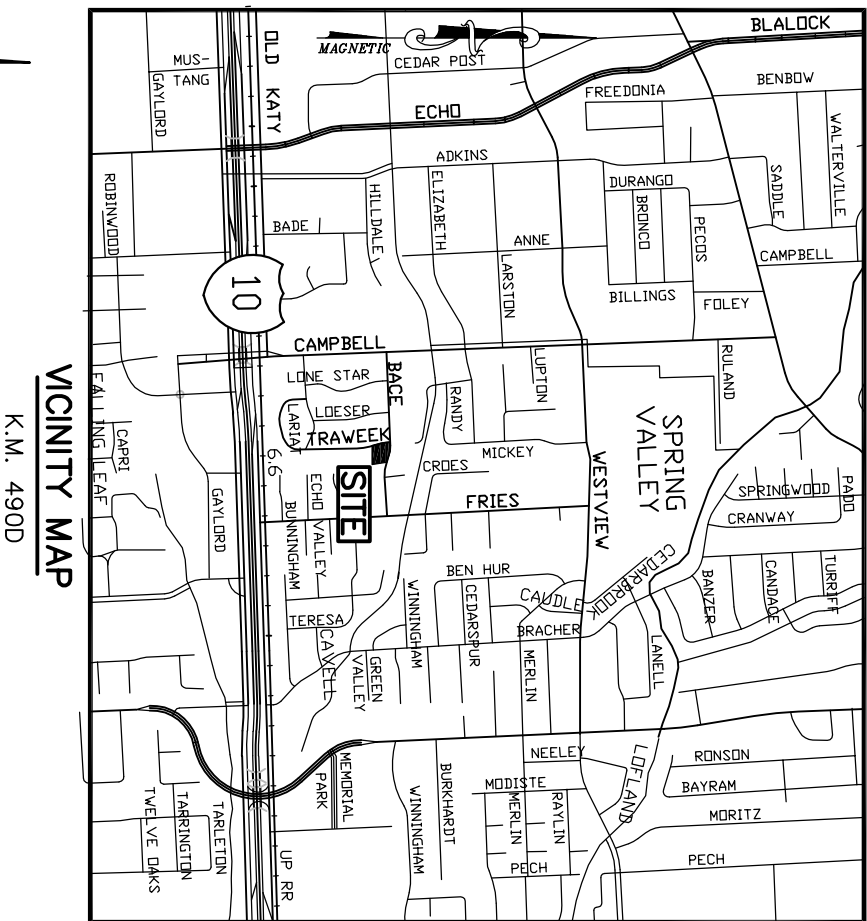
- BUILDING SETBACK LINE
H.C.F. = HARRIS COUNTY DEED RECORDS
H.C.D.R. = HARRIS COUNTY MAP RECORDS
H.C.M.R. = FOUND
R.O.W. = RIGHT-OF-WAY
U.E. = UTILITY EASEMENT
VOL. = VOLUME
P.G. = PAGE
P.O.B. = POINT OF BEGINNING

GENERAL NOTES:

1. Bearings shown herein are referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations. Distances are surface values and may be convert to grid by applying the combined scale factor of 0.9998949238.
2. Owners hereby reserve the right to construct private utilities and site improvements in, under, upon, over and across the 20' U.E. and 10' U.E. & M.E shown hereon.
3. All building lines are dedicated by the Zoning Ordinance.

FLOOD INFORMATION

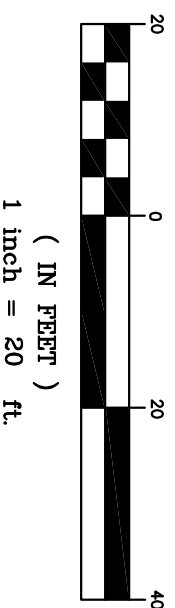
*THIS TRACT DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN, AND IS IN ZONE "X", AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE PANEL NO. 48201C0845L, DATED: 08-18-2007



VICINITY MAP

K.M. 4900

GRAPHIC SCALE



MAGNETIC

STATE OF TEXAS
COUNTY OF HARRIS

WE, Terence Smith and Sharon Smith, hereafter referred to as Owners, of the 0.3485 acre tract described the above and foregoing map of BONNIE OAKS, SECTION 2, PARTIAL REPLAT NO. 3, do hereby make and establish said subdivision and development plat of said property for and on behalf of Terence Smith and Sharon Smith, according to all laws, definitions, restrictions, and notations, on said map or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets or or permanent access easements), alleys, ports, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility on unobstructed aerial easement five (5) further, Owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all borons, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road, alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all borons, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facilities and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners do hereby declare that all porces of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units herein and shall be restricted for some under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby certify that this replat does not attempt to alter, amend or remove, any covenants or restrictions we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

WITNESS our hand in the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
Terence Smith, Owner

By: _____
Sharon Smith, Owner

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day appeared Terence Smith and Sharon Smith, known to me to be persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ day of _____, 2021.

Notary Public in and for _____ County, Texas
My commission expires: _____



David A. Borengrasser, R.P.L.S.
Texas Registration No. 3711

This is to certify that the City Council of the City of Spring Valley Village, Texas, has approved this plat and subdivision of BONNIE OAKS SECTION 2, PARTIAL REPLAT NO. 3 as shown hereon.

In testimony whereof, witness this official signature of the mayor of the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
Marcus Vargas, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roanne Benitez, City Secretary
City of Spring Valley Village, Texas

This is to certify that the Planning and Zoning Commission of the City of Spring Valley Village, Texas, has approved this plat and subdivision of BONNIE OAKS SECTION 2, PARTIAL REPLAT NO. 3 as shown hereon.

In testimony whereof, witness this official signature of the chairman of the Planning and Zoning Commission of the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
W.K. (Troy) Hoffman, Chairman
Planning and Zoning Commission
City of Spring Valley Village, Texas

I, Terenshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2021, at ____ o'clock ____M., and duly recorded on _____, 2021, at ____ o'clock ____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

WITNESS MY HAND AND SEAL OF OFFICE, at Houston, the day and date last above written.

Terenshia Hudspeth
County Clerk
of Harris County, Texas

By: _____
Deputy

METES & BOUNDS DESCRIPTION

Being a 0.3485 acres of land and being the north part of Lots Twenty-Two (22) and Twenty-Three (23), in Block "B" of Bonnie Oaks Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 42, Page 38 of the Map Records of Harris County, Texas and being described as follows:

BEGINNING at the Northwest corner of Lot 22 at a found 3/8" iron rod being at the southeast intersection of Bace Drive (60' right-of-way) and Traweck Drive (60' right-of-way);

THENCE North 88°11'44" East, 16.36', along the south line of Bace Drive, to a found 3/8" iron rod and beginning of a curve to the right;

THENCE continuing along the south line of Bace Drive, said curve having a radius of 270.00' and a central angle of 28°32'04" for a distance of 134.46' to a found 3/8" iron rod and beginning of a curve to the left;

THENCE continuing along the south line of Bace Drive, said curve having a radius of 330.00' and a central angle of 06°38'21" for a distance of 38.24' to a found 3/8" iron rod and being the northeast corner of the herein described tract;

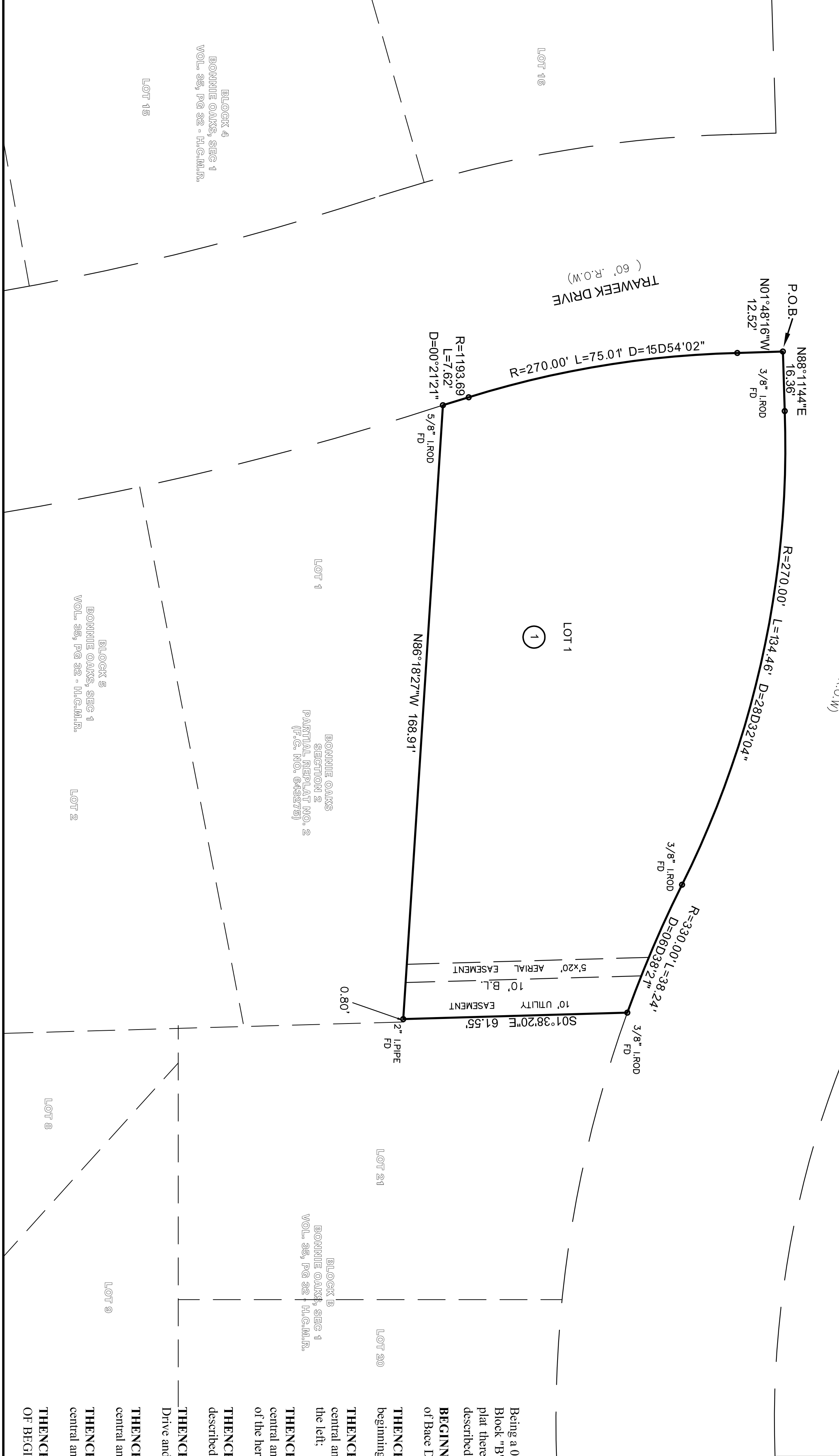
THENCE South 01°38'20" East, 61.55' to a found "I" iron rod being the southeast corner of the herein described tract;

THENCE North 86°18'27" West, 168.91' to a found 3/8" iron rod and being on the east line of Traweck Drive and the beginning of a curve to the right;

THENCE continuing along the east line of Traweck Drive, said curve having a radius of 1193.69' and a central angle of 00°21'21" for a distance of 7.62' to a found "I" iron rod and continuing to a curve;

THENCE continuing along the east line of Traweck Drive, said curve having a radius of 270.00' and a central angle of 13°54'02" for a distance of 75.01' to a found 3/8" iron rod;

THENCE continuing along the east line of Traweck Drive, North 01°48'16" West, 12.51', to the PLACE OF BEGINNING and containing 0.3485 acres more or less.



**BONNIE OAKS SEC 2
PARTIAL REPLAT NO 3**
BEING A 0.3485 ACRES OF LAND BEING A REPLAT OF THE
NORTH PART OF LOTS 22 & 23, BLOCK "B", BONNIE OAKS, SEC
2, AS RECORDED IN VOL. 42, PG. 38 - H.C.M.R.
CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS
REASON FOR REPLAT:
TO COMBINE LOTS 22 & 23, BLOCK "B" INTO ONE
SINGLE-FAMILY RESIDENTIAL LOT

JULY, 2021

OWNERS:
TERENCE & SHARON SMITH
1122 Traweck St
Houston, Texas 77055
PH: (713) 851-1717

SURVEYOR:
PIOTR A. DEBSKI
1008 Dickinson Dr
Katy, Texas 77750
PH: 832-666-060

APPLICANT:
RP & ASSOCIATES
11511 Springdale Dr
Houston, Texas 77066
PH: 713-916-6066



SPRING VALLEY
VILLAGE

Community Development
City of Spring Valley Village

PLAT APPROVAL APPLICATION

PROPERTY INFORMATION		
Type of Plat:	☒ Preliminary Plat ☒ Final Plat ☒ Residential ☐ Commercial (Check all that apply)	
Property Address:	1122 TRAWEEK DR HOUSTON, TX 77055	
Legal Description:	NORTH PART OF LOTS 22 AND 23, BLOCK "B", BONNIE OAKS, SEC. 2, RECORDED VOL. 42, PG 38-HCMR	
Subdivision/Development Name:	BONNIE OAKS, SEC 2	Zoning District: A
Total Acreage:	0.3485	Typical Lot Size: 168' x 75'
Number & Types of Reserves:	N/A	Number of Lots: 1
		Acreage of Reserve(s): N/A

OWNER INFORMATION	
Name:	TERRANCE & SHARON SMITH
Address:	1122 TRAWEEK DR HOUSTON, TX 77055
Email:	smithsharonk@yahoo.com
Phone#:	713-851-7277

APPLICANT/AGENT INFORMATION	
Name:	ROSS PALACIOS - RP & ASSOCIATES
Address:	11511 SPRINGSHIRE DR. HOUSTON, TX 77066
Email:	rosspalacios@yahoo.com
Phone#:	713-416-6894

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. I have the power to authorize and hereby grant permission for City of Spring Valley Village officials to enter the property on official business as part of the application process.		
Signature of Contractor/Authorized Agent	Printed Name	Application Date
	ROSS PALACIOS	9-13-21

FOR OFFICE USE ONLY	
Plat Number: _____	Date Submitted: _____
P&Z Meeting Date: _____	P&Z Recommendation: ☐ Approved ☐ Denied
Council Meeting Date: _____	Council Decision: ☐ Approved ☐ Denied

NOTE: Only complete applications shall be accepted and payment must be received at time of submission.

RP & ASSOCIATES

11511 Springshire Dr. Houston, Texas 77066

Tel: (713) 416-6894

August 13, 2021

*City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055*

REPLAT OF Tracts 22B & 23B, Block B, Bonnie Oaks, Sec 2

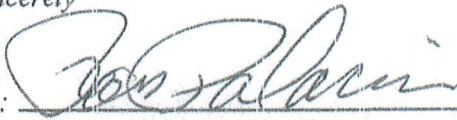
NOTICE OF INTENT

Dear City Council of the City of Spring Valley, Texas:

RP & Associates, as the agent for Terence and Sharon Smith, Owners, intends to seek City Council of the City of Spring Valley, Texas approval under the requirements of Chapter 212 of the Local Government Code for the replat of Tracts 22B & 23B, Block B, Bonnie Oaks, Sec 2, as recorded in Volume 42, Page 38, of the Map Records of Harris County, Texas. The Owners of this property would like to combine both lots into one single-family lot for future extension of dwellings.

Please contact me, Ross Palacios, if you need any additional information.

Sincerely

By: 

RP & Associates, Ross Palacios – Applicant



Integrity Title

CITY PLANNING LETTER

August 9, 2021
Effective Date: August 2, 2021

Job No. 2136479A
Ref: 1122 Traweek Dr.

STATE OF TEXAS:
COUNTY OF HARRIS:

THIS IS TO CERTIFY: That after a careful examination of the records in the offices of the Clerk of this County (excluding U. C. C. Records), as to the property described as follows:

Being the north part of Lots 22 and 23, Block 'B' of Bonnie Oaks Section Two (2), a subdivision in Harris County, Texas, according to the map or plat thereof recorded under Volume 42, Page 38 of the Map Records of Harris County, Texas.

We find the record title to be apparently in:

TERENCE SMITH AND SHARON SMITH

By virtue of that certain Warranty Deed dated June 6, 2013 from Ronald Glenn Roest, individually and as independent Executor of the Estate of Verna E. Vannoy aka Verna Eileen Vannoy, deceased, and Shana L. Weber, Roman W. Rogacki, Patricia Elaine Kalahar and Janet Lynn Hyland as recorded under Harris County Clerk's File Number RP-087020164.

Subject to the following liens:

None found of record.

Subject to the following easements and encumbrances:

None found of record.

Subject to the following restrictions:

None found of record.



Integrity Title

We have made no examination as to special assessments or conflicts.

INTEGRITY TITLE COMPANY LLC

Sonny Livesay/ML Abstractor

LIMITATION OF LIABILITY: THE LIABILITY OF EITHER PARTY WITH RESPECT TO THIS INFORMATION OR ANY ACT IN CONNECTION HERewith WHETHER IN CONTRACT, TORT, OR OTHERWISE, SHALL NOT EXCEED THE PRICE OF THE SERVICES OR PRODUCTS SOLD HEREUNDER OR THE PRICE OF THAT PORTION OF SUCH SERVICES OR PRODUCTS ON WHICH LIABILITY IS ASSERTED. INTEGRITY TITLE COMPANY LLC MAKES NO WARRANTY WHATSOEVER, EXPRESS, IMPLIED OR STATUTORY, AS TO THE QUALITY, FITNESS, SUITABILITY, CONFORMITY, OR MERCHANTABILITY OF THE SERVICES OR PRODUCTS SOLD.

RP & ASSOCIATES

11511 Springshire Dr. Houston, Texas 77066

Tel: (713) 416-6894

August 13, 2021

*City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055*

REPLAT OF Tracts 22B & 23B, Block B, Bonnie Oaks, Sec 2

APPLICATION AUTHORIZATION FORM

Dear City Council of the City of Spring Valley, Texas:

As fee simple owners of the property referenced above, we do hereby authorize Ross Palacios, RP & Associates, as our representative to submit for a replat of our property. This authorization does authorize my representative to make any changes or corrections as necessary



Terence Smith - Owner



Sharon Smith - Owner

METES & BOUNDS DESCRIPTION

Being a 0.3485 acres of land and being the north part of Lots Twenty-Two (22) and Twenty-Three (23), in Block "B" of Bonnie Oaks Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 42, Page 38 of the Map Records of Harris County, Texas and being described as follows:

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THENCE continuing along the east line of Traweek Drive, North 01°48'16" West, 12.51, to the PLACE OF BEGINNING and containing 0.3485 acres more or less.

TAX CERTIFICATE



ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON, SUITE 100
HOUSTON, TEXAS 77002

Issued To:

SMITH TERENCE & SHARON
1122 TRAWEEK ST
HOUSTON, TX 77055-6529
USA

Legal Description

TRS 22B & 23B BLK B
N PT LTS 22 & 23
BONNIE OAKS SEC 2

Parcel Address: 1122 TRAWEEK ST

Legal Acres: .3444

Account Number: 080-305-000-0030

Certificate No: 12182947

Certificate Fee: \$10.00

Print Date: 06/30/2021 11:37:31 AM

Paid Date:

Issue Date: 06/30/2021

Operator ID: CPEREZ

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2020. ALL TAXES ARE PAID IN FULL

Exemptions:

HOMESTEAD

Certified Owner:

SMITH TERENCE & SHARON
1122 TRAWEEK ST
HOUSTON, TX 77055-6529
USA

Certified Tax Unit(s):

40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education

2020 Value:	659,900
2020 Levy:	\$3,189.66
2020 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00



Reference (GF) No. N/A

Issued By:

ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

TAX CERTIFICATE FOR ACCOUNT : 0803050000030

AD NUMBER: 0803050000030

GF NUMBER:

CERTIFICATE NO : 7011233

COLLECTING AGENCY

Spring Branch I.S.D.

PO Box 19037

Houston TX 77224

PAGE 1 OF 1

DATE : 8/13/2021

FEE : \$10.00

PROPERTY DESCRIPTION

TRS 22B & 23B BLK B\N PT LTS 2
2 & 23|BONNIE OAKS SEC 2

1122 TRAWEEK ST

REQUESTED BY

SMITH TERENCE & SHARON

1122 TRAWEEK ST

HOUSTON TX 770556529

PROPERTY OWNER

SMITH TERENCE & SHARON

1122 TRAWEEK ST

HOUSTON TX 770556529

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS, ALL TAXES DUE THE TAX ASSESSOR COLLECTOR OF SPRING BRANCH ISD TAX OFFICE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID UP TO AND INCLUDING THE CURRENT YEAR TAXES WITH ANY ABOVE LISTED EXCEPTIONS.

IF THE SPECIFIED PROPERTY HAS RECEIVED OR IS RECEIVING SPECIAL VALUATION BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE AS PROVIDED BY TAX CODE, CHAPTER 23.

CURRENT VALUES			
LAND MKT VALUE:	656,250	IMPROVEMENT :	3,650
AG LAND VALUE:	0	DEF HOMESTEAD:	0
APPRAISED VALUE:	659,900	LIMITED VALUE:	0
EXEMPTIONS:	General Homestead, Optional Hom		
LAWSUITS:			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2020	SPRING BRANCH ISD TAX OFFICE	0.00	0.00	0.00	0.00	0.00	0.00
2020	SPRING VALLEY VILLAGE	0.00	0.00	0.00	0.00	0.00	0.00
2020 SUB TOTAL							\$0.00

TOTAL CERTIFIED TAX DUE 8/2021 : \$ 0.00

ISSUED TO :

SMITH TERENCE & SHARON

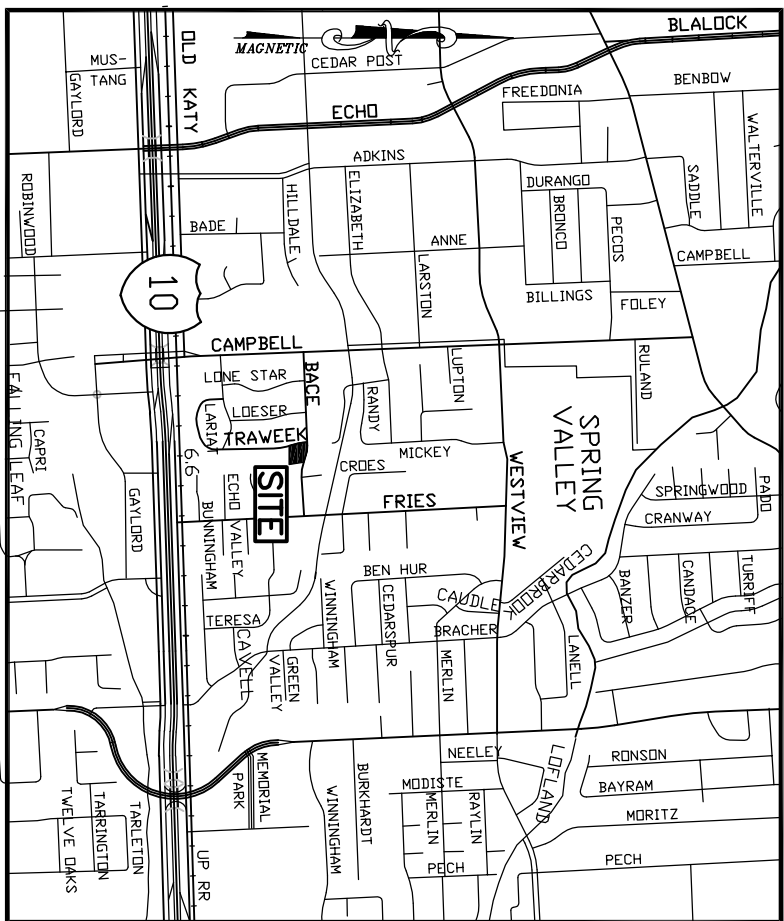
ACCOUNT NUMBER:

0803050000030

CERTIFIED BY :

TDMORAWICK / WT

Spring Branch ISD Tax Office



VICINITY MAP
K.M. 4900

GRAPHIC SCALE



- LEGEND:**
- BUILDING SETBACK LINE
 - H.C.F. = HARRIS COUNTY DEED RECORDS
 - H.C.D.R. = HARRIS COUNTY DEED RECORDS
 - H.C.M.R. = HARRIS COUNTY MAP RECORDS
 - FD. = FOUND
 - R.O.W. = RIGHT-OF-WAY
 - U.E. = UTILITY EASEMENT
 - VOL. = VOLUME
 - PAGE = PAGE
 - P.O.B. = POINT OF BEGINNING

GENERAL NOTES:

- Boundaries shown herein are referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations. Distances are surface values and may be convert to grid by applying the combined scale factor of 0.9998949238.
- Owners hereby reserve the right to construct private utilities and site improvements in, under, upon, over and across the 20' U.E. and 10' U.E. & M.E shown hereon.
- All building lines are dedicated by the Zoning Ordinance.

FLOOD INFORMATION

*THIS TRACT DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN, AND IS IN ZONE "X", AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE PANEL NO. 48201C0845L, DATED: 08-18-2007

STATE OF TEXAS

COUNTY OF HARRIS

WE, Terence Smith and Sharon Smith, hereafter referred to as Owners, of the 0.3485 acre tract described the above and foregoing map of BONNIE OAKS, SECTION 2, PARTIAL REPLAT NO. 3, do hereby make and establish said subdivision and development plat of said property for and on behalf of Terence Smith and Sharon Smith, according to all laws, definitions, restrictions, and notations, on said map or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets or permanent access easements), alleys, ports, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility on unobstructed aerial easement five (5) further, Owners do hereby dedicate to the public a ground upward, located adjacent to oil easement shown herein.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road, alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15' 0") wide on each side of the center line of any and all borrows, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facilities and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners do hereby declare that all porces of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units herein and shall be restricted for some under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby certify that this replat does not attempt to alter, amend or remove, any covenants or restrictions we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

WITNESS our hand in the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
Terence Smith, Owner

By: _____
Sharon Smith, Owner

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day appeared Terence Smith and Sharon Smith, known to me to be persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ day of _____, 2021.

Notary Public in and for _____ County, Texas
My commission expires: _____



David A. Borengrasser, R.P.L.S.
Texas Registration No. 3711

This is to certify that the City Council of the City of Spring Valley Village, Texas, has approved this plat and subdivision of BONNIE OAKS SECTION 2, PARTIAL REPLAT NO. 3 as shown hereon.

In testimony whereof, witness this official signature of the mayor of the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
Marcus Vargas, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roanne Benitez, City Secretary
City of Spring Valley Village, Texas

This is to certify that the Planning and Zoning Commission of the City of Spring Valley Village, Texas, has approved this plat and subdivision of BONNIE OAKS SECTION 2, PARTIAL REPLAT NO. 3 as shown hereon.

In testimony whereof, witness this official signature of the chairman of the Planning and Zoning Commission of the City of Spring Valley Village, Texas, this ____ day of _____, 2021.

By: _____
W.K. (Troy) Hoffman, Chairman
Planning and Zoning Commission
City of Spring Valley Village, Texas

I, Terenshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2021, at ____ o'clock ____M., and duly recorded on _____, 2021, at ____ o'clock ____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

WITNESS MY HAND AND SEAL OF OFFICE, at Houston, the day and date last above written.

Terenshia Hudspeth
County Clerk
of Harris County, Texas

By: _____
Deputy

METES & BOUNDS DESCRIPTION

Being a 0.3485 acres of land and being the north part of Lots Twenty-Two (22) and Twenty-Three (23), in Block "B" of Bonnie Oaks Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 42, Page 38 of the Map Records of Harris County, Texas and being described as follows:

BEGINNING at the Northwest corner of Lot 22 at a found 3/8" iron rod being at the southeast intersection of Bace Drive (60' right-of-way) and Traweck Drive (60' right-of-way);

THENCE North 88°11'44" East, 16.36', along the south line of Bace Drive, to a found 3/8" iron rod and beginning of a curve to the right;

THENCE continuing along the south line of Bace Drive, said curve having a radius of 270.00' and a central angle of 28°32'04" for a distance of 134.46' to a found 3/8" iron rod and beginning of a curve to the left;

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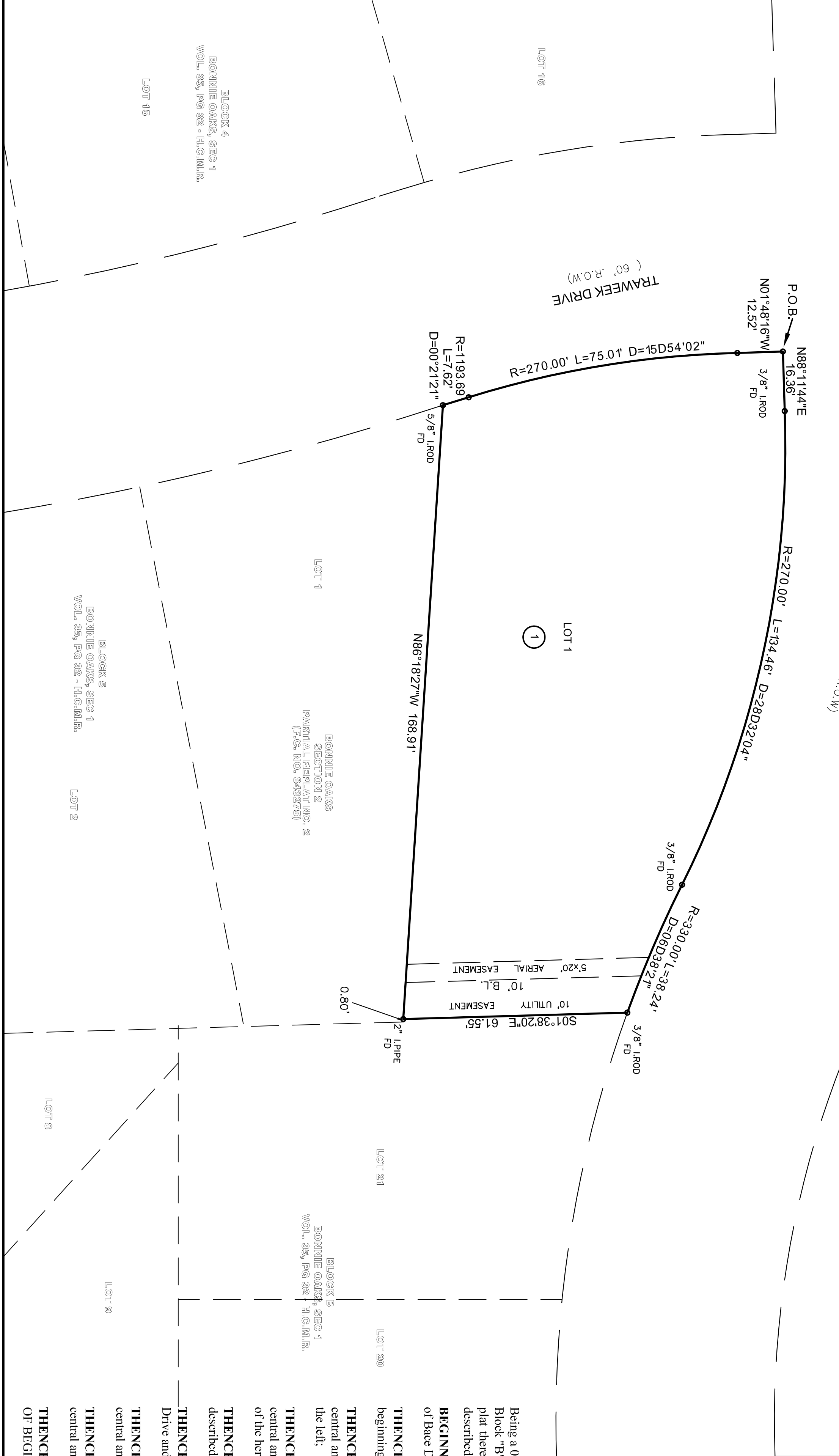
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THENCE continuing along the east line of Traweck Drive, North 01°48'16" West, 12.51', to the PLACE OF BEGINNING and containing 0.3485 acres more or less.



**BONNIE OAKS SEC 2
PARTIAL REPLAT NO 3**

BEING A 0.3485 ACRES OF LAND BEING A REPLAT OF THE NORTH PART OF LOTS 22 & 23, BLOCK "B", BONNIE OAKS, SEC 2, AS RECORDED IN VOL. 42, PG. 38 – H.C.M.R.

CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS
REASON FOR REPLAT:
TO COMBINE LOTS 22 & 23, BLOCK "B" INTO ONE SINGLE-FAMILY RESIDENTIAL LOT

JULY, 2021

OWNERS:
TERENCE & SHARON SMITH
1122 Traweck St
Houston, Texas 77055
PH: (713) 851-1717

SURVEYOR:
PIOTR A. DEBSKI
1008 Dickinson Dr
Katy, Texas 77450
PH: 832-666-060

APPLICANT:
RP & ASSOCIATES
11511 Springdale Dr
Houston, Texas 77066
PH: 713-916-6066

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

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

A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.

The **Planning and Zoning Commission** 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: Tuesday, October 12, 2021
Time: 7:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

The **City Council** 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: Tuesday, October 26, 2021
Time: 6:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

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



EST. 1955
SPRING VALLEY
V I L L A G E

September 27, 2021

Dear Property Owner:

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

A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.

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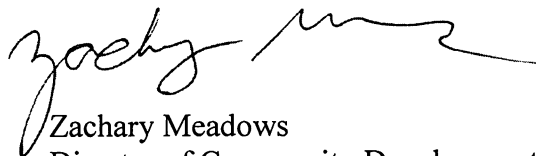
Date: Tuesday, October 26, 2021

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 1122 Traweek Drive. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact For further information, please contact me at (832) 910-8577 or zmeadows@springvalleytx.com.

Sincerely,



Zachary Meadows
Director of Community Development

Eric & Marilyn Cannon
 9014 Bace Drive
 Houston, Texas 77055

Cesar & Courtney Cuevas
 9010 Bace Drive
 Houston, Texas 77055

Charles & Gina Cole
 8934 Bace Drive
 Houston, Texas 77055

Douglas & Robin Black
 8930 Bace Drive
 Houston, Texas 77055

Robert Bradlaw & Susan Morrison
 18 Fries Court
 Houston, Texas 77055

Raymond & Paramée Feist
 22 Fries Court
 Houston, Texas 77055

Current Owner
 8918 Bace Drive
 Houston, Texas 77055

Current Owner
 1122 Loeser Drive
 Houston, Texas 77055

Meghan & Aaron Koranek
 1118 Loeser Drive
 Houston, Texas 77055

Carlos & Joanie De Ayala
 1114 Loeser Drive
 Houston, Texas 77055

Michael Sternesky
 1121 Traweek Street
 Houston, Texas 77055

David & Alanna Gehring
 1117 Traweek Street
 Houston, Texas 77055

Kevin & Shelley Giglio
 1113 Traweek Street
 Houston, Texas 77055

Richard & Bethanie OBrien
 1118 Traweek Street
 Houston, Texas 77055

Kirk & Laura Spilman
 1114 Traweek Street
 Houston, Texas 77055

William & Kristine
 1110 Traweek Street
 Houston, Texas 77055

William & Jennifer Neuhaus
 8925 Bace Drive
 Houston, Texas 77055

Jacqueline & Kevin Charman
 8921 Bace Drive
 Houston, Texas 77055

Current Owner
 8917 Bace Drive
 Houston, Texas 77055

Randy Smith
 8919 Cardwell Lane
 Houston, Texas 77055

Alta & Bridget Reddy
 8921 Cardwell Lane
 Houston, Texas 77055

Mark & Nona Taylor
 8925 Cardwell Lane
 Houston, Texas 77055

Terence & Sharon Smith
 1122 Traweek Street
 Houston, Texas 77055

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 fourteen (14) calendar days immediately preceding the date of the public hearing before the Planning & Zoning Commission ("Commission").
- 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.

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 by the City of Spring Valley Village.

Preparer's Name:

Sharon Smith

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.

**AFFIDAVIT OF SIGN POSTING**

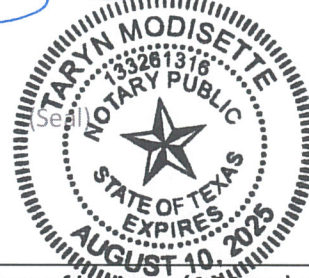
(Re)Zoning Case No. _____

Date of Planning and Zoning Commission Meeting: October 12, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Sharon Smith 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 1122 Tranleek

Posting of said signs was accomplished on 9-29-2021 as provided for in Section 01:04:03 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 Back and Tranleek

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 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this date: 9-29-2021Printed Name of Applicant or Authorized Representative for Zoning Case No. Sharon SmithSignature of Applicant or Authorized Representative for Zoning Case No. [Signature]Sworn and subscribed before me on this date: 9-30-21Notary Public Taryn Modisette

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

STAFF USE ONLY:Date/Time submitted: 9/29/2021 11:55am Verified by: Zach Meadows

**AFFIDAVIT OF SIGN MAINTENANCE**

(Re)Zoning Case No. _____

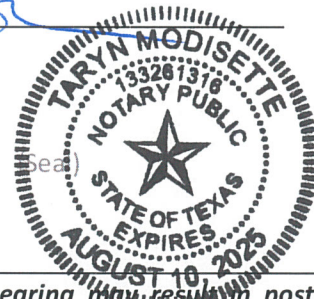
Date of Council Meeting: October 26, 2021

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I Sharon Smith hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at 1122 Travleek

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on date 9-29-2021 within the time provisions of Section 01:04:03 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 regarding the zoning change, and return them to the City Secretary at the City Hall.

Executed this date: 9-29-2021Printed Name of Applicant or Authorized Representative for Zoning Case No. Sharon SmithSignature of Applicant or Authorized Representative for Zoning Case No. [Signature]Sworn and subscribed before me on this date: 9-30-21Notary Public Taryn Modisette

PLEASE NOTE: Failure to maintain the signs prior to City Council 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: 9/29/2021 11:55am Verified by: Zach Meadows

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	CONSIDERATION AND POSSIBLE ACTION CONCERNING: A Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3, A Plot Containing 0.3485 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1122 Traweek Drive.
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BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing concerning a Preliminary and Final Re-plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3 for the property located at 1122 Traweek Drive.
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RECOMMENDATION:	City Staff recommends approval based on the determination that it meets the Subdivision Ordinance requirements
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ATTACHMENTS:	• Preliminary and Final Re-Plat of Bonnie Oaks Section 2, Partial Re-Plat No. 3 for the Property Located at 1122 Traweek Drive.
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SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
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BACKGROUND:	Senate Bill 398, enacted by the Texas Legislature May 31, 2021 and signed into law by the Governor on June 14, 2021, provides: "A municipality may not prohibit or restrict the installation of a solar energy device by a residential or small commercial customer except to the extent: (1) A property owner's association may prohibit the installation under Sections 202.010(d) (1) through (7), Property Code; or (2) The interconnection guidelines and interconnection agreement of a municipally owned utility serving the customer's service area, the rules of the Public Utility Commission of Texas, or the protocols of an independent organization certified under Section 39.151, Utilities Code, limit the installation of solar energy devices due to reliability, power quality, or safety of the distribution system." Based on the first exception above, the City of Spring Valley Village can continue to enforce regulations on solar panels as long as the regulations are consistent with those found in Section 202.010(d) (1) through (7) of the Texas Property Code. The proposed ordinance makes the necessary amendments to the Zoning Ordinance to comply with Senate Bill 398.
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

The changes to the regulations applicable to Roof-Mounted Solar Panels in Section 05.02.19.04 of the Zoning Ordinance are as follows:

- Section 05:02.19.04.01 is amended to read “Solar panels shall be permitted on the roof a building provided that the panels do not extend higher than or beyond the roofline.”

The City’s current regulations prohibit roof-mounted solar panels from being visible from any front or side adjacent street, so this restriction on visibility no longer applies.

- Section 05:02.19.04.03 is amended by removing the reference to Subsection .05.04 since this Section now only refers to Subsection .05.02.
- Section 05:02.19.04.04 is a new subsection that reads “The frame, support panels and all visible piping or wiring shall be in a silver, bronze, or black tone commonly available in the marketplace; and.”
- With the inclusion of the new Subsection in the previous bullet point, the following Subsection has been renumbered accordingly.

The changes to the regulations applicable to Ground-Mounted Solar Panels in Section 05.02.19.05 of the Zoning Ordinance are as follows:

- Section 05:02.19.05.03 is amended to read “Solar Panels shall be located within a fenced yard or patio; and”

The City’s current regulations prohibit ground-mounted solar panels from being located between a property line abutting a street and a structure. With the new regulations, ground-mounted solar panels would only be allowed behind a fence.

- Section 05:02.19.05.04 is amended to read “Solar panels shall not be taller that the fence line;”.

The City’s current regulations already required ground-mounted solar panels to be screened from view of the street or adjacent properties by opaque screening. With the amended requirement in the

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

previous Section, these solar panels must be behind a fenced in yard or patio and cannot be taller than the fence. So, the screening requirement remains in place just in a different manner.

- Sections 05:02.19.05.05 (height restriction) and Section 05:02.19.05.06 (requiring conduit and wiring to be underground) are not included in the Texas Property Code regulations and consequently are deleted in their entirety.

The current provisions of Section 05:02.19 – Solar Panels is attached with this item for reference in comparing the proposed changes for compliance with Senate Bill 398.

RECOMMENDATION: Not applicable

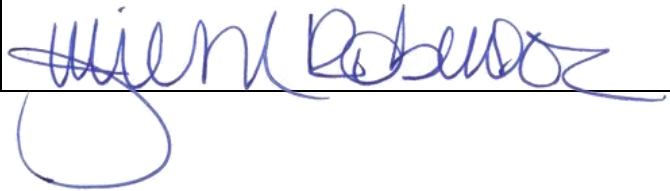
ATTACHMENTS:

- Proposed Ordinance Number 2021-XX
- Senate Bill 398 Bill Text
- Section 202.010 – Regulation of Solar Energy Devices – Texas Property Code Currently Adopted Section 05:02.19 – Solar Panels
- Copy of Public Hearing Notice

SUBMITTING STAFF MEMBER:

Zachary Meadows, Director of
Community Development

CITY ADMINISTRATOR APPROVAL:



ORDINANCE NUMBER 2021-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Spring Valley Village, Texas (the “City”) adopted regulations related to the location and installation of solar panels within the City on November 14, 2017; and

WHEREAS, Senate Bill 398, enacted by the Texas Legislature on May 31, 2021 and signed into law by the Governor on June 14, 2021, restricts municipal regulation of solar panels; and

WHEREAS, the City Council of the City finds that the regulations contained herein are in the best interest of the health, safety and welfare of the public; and

WHEREAS, the Planning & Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council adopt the amendments to the zoning regulations contained herein as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Planning & Zoning Commission that such amendments be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Subsection 02.19, Solar Panels, of Section 5, Building and Use Restrictions in Dwelling District “A” of Exhibit A, Zoning Regulations, of Chapter 12, Planning and Zoning, is hereby amended by deleting the language struck through below

and adding the language underscored below, Subsection 05.02.19, Solar Panels, to read as follows:

“05:02.19 - Solar Panels:

.01 Solar panels are permitted structures subject to the regulations set forth herein.

.02 Definitions. For the purposes of this section, the following words and phrases shall have the meanings ascribed to them below:

.01 Solar Panel shall mean a structure containing one (1) or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system. The term shall not include individually powered outdoor solar lights, such as garden lights, accent lights, security lights, or flood lights.

.03 All solar panels and the installation of solar panels shall comply with all provisions of the city's Code of Ordinances, including building codes and tree regulations, and shall be installed only after issuance of a building permit.

.04 Roof-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall be permitted on the roof of a building provided that the panels do not extend higher than or beyond the roofline ~~are not visible from any front or side adjacent street;~~

.02 Solar panels shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof;

.03 Solar panels shall be permitted on the roof slope of an accessory building or structure, subject to the regulations in subsections .05.02 and ~~.05.04 below; and~~

.04 The frame, support panels and all visible piping or wiring shall be in a silver, bronze, or black tone commonly available in the marketplace; and

.045 Solar panels on flat roofs shall not exceed the maximum height permitted in the applicable zoning district.

.05 Ground-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall not constitute the primary use of the property;

.02 Solar panels shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures;

.03 Solar panels shall ~~not be located between a property line abutting a street and a structure~~ within a fenced yard or patio; and

.04 Solar panels shall ~~be screened from view of the street or adjacent properties by an opaque screening in fence. Such fencing shall comply with the city's fencing regulations~~ not be taller than the fence line;

~~.05 The maximum height of solar panels shall not exceed six (6) feet in height; and~~

~~.06 To the extent possible, all conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.~~

.06 Solar panels incorporated into building materials such as roof shingles or tiles, windows, siding, or other architectural features integral to a building's design and are reasonably indistinguishable from traditional building materials may be installed on any roof or façade of the building. The eligibility of any solar panel under this section shall be within the discretion of the building official.

.07 Exceptions. The city council, upon application, may approve a location for roof-mounted or ground-mounted solar panels not permitted by this section. Prior to granting such approval, the city council shall conduct a public hearing regarding the alternate location. Written notice of the public hearing shall be mailed to property owners of real property, as they appear on the most recent tax roll of the city, situated within two hundred (200) feet of the exterior boundary of the property on which the solar panel is requested at least ten (10) days prior to the date of the hearing. Notice of the public hearing shall also be published in the city's official newspaper at least ten (10) days prior to the date of the hearing.

Section 3. All provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Any person, corporation or entity who or which shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. The repeal of any ordinance or part of ordinances affected by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage.

DULY PASSED, APPROVED AND ORDAINED, on this the ____ day of _____, 2021.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE

AN ACT

relating to certain resources and facilities for distributed generation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 113 to read as follows:

CHAPTER 113. SALES AND LEASING OF DISTRIBUTED RENEWABLE GENERATION RESOURCES

Sec. 113.001. DEFINITIONS. In this chapter:

(1) "Distributed renewable generation" has the meaning assigned by Section 39.916, Utilities Code.

(2) "Small commercial customer" has the meaning assigned by Section 39.202(o), Utilities Code.

Sec. 113.002. APPLICABILITY. (a) This chapter applies to a seller or lessor of distributed renewable generation resources.

(b) This chapter does not apply to:

(1) a transaction involving the sale or transfer of the real property on which a distributed renewable generation resource is located;

(2) a person, including a person acting through the person's officers, employees, brokers, or agents, who markets, sells, solicits, negotiates, or enters into an agreement for the sale or financing of a distributed renewable generation resource as part of a transaction involving the sale or transfer of the real

property on which the distributed renewable generation resource is
or will be affixed; or

(3) a third party that enters into an agreement for the
financing of a distributed renewable generation resource.

Sec. 113.003. LEASE, SALES, AND INSTALLATION DISCLOSURES.

A seller or lessor who enters into a purchase, lease, or power
purchase agreement with a residential or small commercial customer
for the operation of a distributed renewable generation resource
shall provide to the customer in writing:

(1) contact information of the salesperson and
installer of the generation resource;

(2) a description of all equipment to be installed;

(3) the cost of all equipment to be installed;

(4) a detailed accounting of fees associated with the
installation or operation of the generation resource;

(5) representations, if any, made as part of the
agreement regarding the expected operational performance and
financial performance of the generation resource; and

(6) all applicable warranties.

Sec. 113.004. ADDITIONAL DISCLOSURES FOR LEASE AGREEMENTS.

In addition to the disclosures required under Section 113.003, a
lessor shall provide to a leasing residential or small commercial
customer in writing:

(1) the term and rate of the lease, including any
payment escalators or other terms that affect the customer's
payments; and

(2) a statement of whether the lease and any

1 applicable warranty or maintenance agreement is transferable to a
2 subsequent purchaser of the property where the distributed
3 renewable generation resource is installed.

4 Sec. 113.005. DISCLOSURES FOR POWER PURCHASE AGREEMENTS. A
5 residential or small commercial customer who enters into a power
6 purchase agreement is entitled to receive in writing:

7 (1) the disclosures required under Sections
8 113.003(1), (2), (5), and (6);

9 (2) the term and rate of the power purchase agreement,
10 including any payment escalators or other terms that affect the
11 customer's payments; and

12 (3) whether the power purchase agreement and any
13 applicable warranty or maintenance agreement is transferable to a
14 subsequent purchaser of the property where the distributed
15 renewable generation resource is installed.

16 SECTION 2. Chapter 229, Local Government Code, is amended
17 by adding Subchapter C to read as follows:

18 SUBCHAPTER C. REGULATION OF SOLAR ENERGY DEVICES

19 Sec. 229.101. REGULATION OF SOLAR ENERGY DEVICES. (a) In
20 this section:

21 (1) "Municipally owned utility" has the meaning
22 assigned by Section 11.003, Utilities Code.

23 (2) "Small commercial customer" has the meaning
24 assigned by Section 39.202(o), Utilities Code.

25 (3) "Solar energy device" has the meaning assigned by
26 Section 171.107, Tax Code.

27 (b) A municipality may not prohibit or restrict the

installation of a solar energy device by a residential or small commercial customer except to the extent:

(1) a property owner's association may prohibit the installation under Sections 202.010(d)(1) through (7), Property Code; or

(2) the interconnection guidelines and interconnection agreement of a municipally owned utility serving the customer's service area, the rules of the Public Utility Commission of Texas, or the protocols of an independent organization certified under Section 39.151, Utilities Code, limit the installation of solar energy devices due to reliability, power quality, or safety of the distribution system.

SECTION 3. Subchapter B, Chapter 35, Utilities Code, is amended by adding Section 35.037 to read as follows:

Sec. 35.037. INTERCONNECTION AND OPERATION OF CERTAIN DISTRIBUTED GENERATION FACILITIES FOR FOOD SUPPLY CHAIN. (a) In this section:

(1) "Customer" means a retail electric customer:

(A) with a distributed generation facility installed on the retail electric customer's side of the meter; and

(B) that has a primary purpose of or derives a material source of revenue from:

(i) retail grocery sales; or

(ii) food manufacturing or distribution for retail grocery sales.

(2) "Distributed generation facility" means a facility installed on the customer's side of the meter but

1 separately metered from the customer:

2 (A) with a nameplate capacity of at least 250
3 kilowatts and not more than 10 megawatts;

4 (B) that is capable of generating and providing
5 backup or supplementary power to the customer's premises; and

6 (C) that is owned or operated by a person
7 registered as a power generation company in accordance with Section
8 [39.351](#).

9 (b) This section only applies in the ERCOT power region in
10 areas where retail customer choice has not been implemented.

11 (c) A person who owns or operates a distributed generation
12 facility served by a municipally owned utility or electric
13 cooperative in the ERCOT power region may sell electric power
14 generated by the distributed generation facility at wholesale,
15 including the provision of ancillary services, subject to the
16 limitations of this section.

17 (d) A person who owns or operates a distributed generation
18 facility may sell electric power generated by the distributed
19 generation facility at wholesale to a municipally owned utility or
20 electric cooperative certificated for retail service to the area
21 where the distributed generation facility is located or to a
22 related generation and transmission electric cooperative. The
23 municipally owned utility or electric cooperative shall purchase at
24 wholesale the quantity of electric power generated by the
25 distributed generation facility needed to satisfy the full electric
26 requirements of the customer on whose side of the meter the
27 distributed generation facility is installed and operated at a

1 wholesale price agreed to by the customer and shall resell that
2 quantity of power at retail to the customer at the rate applicable
3 to the customer for retail service, which must at minimum include
4 all amounts paid for the wholesale electric power, during:

5 (1) an emergency declared by the independent
6 organization certified under Section 39.151 for the ERCOT power
7 region that creates the potential for interruption of service to
8 the customer;

9 (2) any service interruption at the customer's
10 premises;

11 (3) construction on the customer's premises that
12 creates the potential for interruption of service to the customer;

13 (4) maintenance and testing of the distributed
14 generation facility; and

15 (5) additional times mutually agreed on by the owner
16 or operator of the distributed generation facility and the
17 municipally owned utility or electric cooperative.

18 (e) The customer shall provide written notice as soon as
19 reasonably practicable to the municipally owned utility or electric
20 cooperative of a circumstance described by Subsection (d)(3) or
21 (4).

22 (f) In addition to a sale authorized under Subsection (d),
23 on request by an owner or operator of a distributed generation
24 facility, the municipally owned utility or electric cooperative
25 shall provide wholesale transmission service to the distributed
26 generation facility owner in the same manner as to other power
27 generation companies for the sale of power from the distributed

1 generation facility at wholesale, including for the provision of
2 ancillary services, in the ERCOT market. The distributed generation
3 facility owner shall comply with all applicable commission rules
4 and protocols and with governing documents of the independent
5 organization certified under Section 39.151 for the ERCOT power
6 region. This section does not require a municipally owned utility
7 or electric cooperative to transmit electricity to a retail point
8 of delivery in the certificated service area of the municipally
9 owned utility or electric cooperative.

10 (g) In addition to a sale authorized under Subsection (d) or
11 (f), a municipally owned utility or electric cooperative or related
12 generation and transmission electric cooperative may purchase
13 electric power provided by the owner or operator of the distributed
14 generation facility at wholesale at a mutually agreed on price. The
15 price may be based wholly or partly on the ERCOT market clearing
16 price of energy at the time of day and at the location at which the
17 electric power is made available.

18 (h) A municipally owned utility or electric cooperative
19 shall make available a standard interconnection application and
20 agreement for distributed generation facilities that is
21 substantially similar to the commission's interconnection
22 agreement form and consistent with this section to facilitate the
23 connection of distributed generation facilities. A municipally
24 owned utility or electric cooperative shall allow interconnection
25 of a distributed generation facility and provide to a distributed
26 generation facility on a nondiscriminatory basis wholesale
27 transmission service, including at distribution voltage, in the

1 same manner as for other power generation companies to transmit to
2 the ERCOT power grid the electric power generated by the
3 distributed generation facility. A municipally owned utility or
4 electric cooperative may recover from the owner or operator of the
5 distributed generation facility all reasonable costs necessary for
6 and directly attributable to the interconnection of the facility,
7 including the reasonable costs of necessary system upgrades and
8 improvements directly attributable to the distributed generation
9 facility.

10 (i) Not later than the 30th day after the date a complete
11 application for interconnection of a distributed generation
12 facility is received, the municipally owned utility or electric
13 cooperative shall provide the applicant with a written good faith
14 cost estimate for interconnection-related costs. The municipally
15 owned utility or electric cooperative may not incur any
16 interconnection-related costs without entering into a written
17 agreement for the payment of those costs by the applicant.

18 (j) The process to interconnect a distributed generation
19 facility must be completed not later than the 240th day after the
20 date the municipally owned utility or electric cooperative receives
21 payment of all estimated costs to complete the interconnection,
22 except that:

23 (1) the period may be extended by written agreement
24 between the parties; or

25 (2) the period may be extended after a good faith
26 showing by the municipally owned utility or electric cooperative
27 that the interconnection requires improvements, upgrades, or

construction of new facilities that cannot reasonably be completed within that period, in which case the period may be extended for a time not to exceed the time necessary for the improvements, upgrades, or construction of new facilities to be completed.

(k) A municipally owned utility or electric cooperative shall charge the owner or operator of a distributed generation facility rates on a reasonable and nondiscriminatory basis for providing wholesale transmission service to the distributed generation facility owner in the same manner as for other power generation companies to transmit to the ERCOT power grid the electric power generated by the distributed generation facility in accordance with a tariff filed by the municipally owned utility or electric cooperative with the commission.

(l) The owner or operator of the distributed generation facility shall contract with the municipally owned utility or electric cooperative or the municipally owned utility's or electric cooperative's designee for any scheduling, settlement, communication, telemetry, or other services required to participate in the ERCOT wholesale market, but only to the extent that the utility, cooperative, or designee offers the services on a nondiscriminatory basis and at a commercially reasonable cost. If the municipally owned utility or electric cooperative or the municipally owned utility's or electric cooperative's designee does not offer or declines to offer the services, or fails to do so on a nondiscriminatory basis and at a commercially reasonable cost as determined by quotes from at least three third parties providing the same services, the owner or operator of the distributed

1 generation facility may contract with a third party provider to
2 obtain the services.

3 (m) A distributed generation facility must comply with
4 emissions limitations established by the Texas Commission on
5 Environmental Quality for a standard emissions permit for an
6 electric generation facility unit installed after January 1, 1995.

7 (n) A municipally owned utility or electric cooperative is
8 not required to interconnect a distributed generation facility
9 under this section if, on the date the utility or cooperative
10 receives an application for interconnection of the facility, the
11 municipally owned utility or electric cooperative has
12 interconnected distributed generation facilities with an aggregate
13 capacity that equals the lesser amount of:

14 (1) 5 percent of the municipally owned utility's or
15 electric cooperative's average of the 15-minute summer peak load
16 coincident with the independent system operator's 15-minute summer
17 peak load in each of the months of June, July, August, and
18 September; or

19 (2) 300 megawatts, adjusted annually by the percentage
20 of total system load growth in the ERCOT power region beginning in
21 2022.

22 (o) A municipally owned utility or electric cooperative
23 that, on the date the utility or cooperative receives an
24 application for interconnection of a distributed generation
25 facility, has interconnected distributed generation facilities
26 with an aggregate capacity less than the threshold described by
27 Subsection (n) is required to increase that capacity only up to that

1 threshold.

2 (p) This section is not intended to change registration
3 standards or other qualifications required by the independent
4 organization certified under Section 39.151 for the ERCOT power
5 region related to the participation of distributed generation
6 facilities in the wholesale market. This section is not intended to
7 allow distributed generation facilities to participate in a manner
8 that is not technically feasible or that is otherwise in conflict
9 with wholesale rules and requirements adopted by the independent
10 organization certified under Section 39.151 for the ERCOT power
11 region.

12 SECTION 4. It is the intent of the legislature in enacting
13 Section 35.037, Utilities Code, to allow grocers the ability to
14 deploy back-up generation in the ERCOT power region in areas that
15 have not implemented retail customer choice.

16 SECTION 5. The changes in law made by this Act apply only to
17 an agreement governing the sale or lease of distributed renewable
18 generation, as defined by Section 39.916, Utilities Code, or a
19 power purchase agreement entered into on or after the effective
20 date of this Act. An agreement entered into before the effective
21 date of this Act is governed by the law as it existed immediately
22 before the effective date of this Act, and that law is continued in
23 effect for that purpose.

24 SECTION 6. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 398 passed the Senate on April 9, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 28, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 398 passed the House, with amendment, on May 25, 2021, by the following vote: Yeas 126, Nays 16, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

DIVIDER PAGE

Sec. 202.010. REGULATION OF SOLAR ENERGY DEVICES.

(a) In this section:

(1) “Development period” means a period stated in a declaration during which a declarant reserves:

(A) a right to facilitate the development, construction, and marketing of the subdivision; and

(B) a right to direct the size, shape, and composition of the subdivision.

(1-a) “Residential unit” means a structure or part of a structure intended for use as a single residence and that is:

(A) a single-family house; or

(B) a separate living unit in a duplex, a triplex, or a quadplex.

(2) “Solar energy device” has the meaning assigned by Section [171.107](#), Tax Code.

(b) Except as otherwise provided by Subsection (d), a property owners' association may not include or enforce a provision in a dedicatory instrument that prohibits or restricts a property owner from installing a solar energy device.

(c) A provision that violates Subsection (b) is void.

(d) A property owners' association may include or enforce a provision in a dedicatory instrument that prohibits a solar energy device that:

(1) as adjudicated by a court:

(A) threatens the public health or safety; or

(B) violates a law;

(2) is located on property owned or maintained by the property owners' association;

(3) is located on property owned in common by the members of the property owners' association;

(4) is located in an area on the property owner's property other than:

(A) on the roof of the home or of another structure allowed under a dedicatory instrument; or

(B) in a fenced yard or patio owned and maintained by the property owner;

(5) if mounted on the roof of the home:

(A) extends higher than or beyond the roofline;

(B) is located in an area other than an area designated by the property owners' association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located in an area designated by the property owners' association;

(C) does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; or

(D) has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;

(6) if located in a fenced yard or patio, is taller than the fence line;

(7) as installed, voids material warranties; or

(8) was installed without prior approval by the property owners' association or by a committee created in a dedicatory instrument for such purposes that provides decisions within a reasonable period or within a period specified in the dedicatory instrument.

(e) A property owners' association or the association's architectural review committee may not withhold approval for installation of a solar energy device if the provisions of the dedicatory instruments to the extent authorized by Subsection (d) are met or exceeded, unless the association or committee, as applicable, determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making a determination under this subsection, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

(f) During the development period for a development with fewer than 51 planned residential units, the declarant may prohibit or restrict a property owner from installing a solar energy device.

Added by Acts 2011, 82nd Leg., R.S., Ch. 939 (H.B. [362](#)), Sec. 1, eff. June 17, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 126 (S.B. [1626](#)), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 126 (S.B. [1626](#)), Sec. 2, eff. September 1, 2015.

DIVIDER PAGE

05:02.19 - Solar Panels:

- .01 Solar panels are permitted structures subject to the regulations set forth herein.
- .02 Definitions. For the purposes of this section, the following words and phrases shall have the meanings ascribed to them below:
 - .01 Solar Panel shall mean a structure containing one (1) or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system. The term shall not include individually powered outdoor solar lights, such as garden lights, accent lights, security lights, or flood lights.
- .03 All solar panels and the installation of solar panels shall comply with all provisions of the city's Code of Ordinances, including building codes and tree regulations, and shall be installed only after issuance of a building permit.
- .04 Roof-mounted solar panels shall conform to the following requirements:
 - .01 Solar panels shall be permitted on the roof of a building provided that the panels are not visible from any front or side adjacent street;
 - .02 Solar panels shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof;
 - .03 Solar panels shall be permitted on the roof slope of an accessory building or structure, subject to the regulations in subsections .05.02 and .05.04 below; and
 - .04 Solar panels on flat roofs shall not exceed the maximum height permitted in the applicable zoning district.
- .05 Ground-mounted solar panels shall conform to the following requirements:
 - .01 Solar panels shall not constitute the primary use of the property;
 - .02 Solar panels shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures;
 - .03 Solar panels shall not be located between a property line abutting a street and a structure;
 - .04 Solar panels shall be screened from view of the street or adjacent properties by an opaque screening in fence. Such fencing shall comply with the city's fencing regulations;
 - .05 The maximum height of solar panels shall not exceed six (6) feet in height; and
 - .06 To the extent possible, all conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.
- .06 Solar panels incorporated into building materials such as roof shingles or tiles, windows, siding, or other architectural features integral to a building's design and are reasonably indistinguishable from traditional building materials may be installed on any roof or façade of the building. The eligibility of any solar panel under this section shall be within the discretion of the building official.
- .07 Exceptions. The city council, upon application, may approve a location for roof-mounted or

ground-mounted solar panels not permitted by this section. Prior to granting such approval, the city council shall conduct a public hearing regarding the alternate location. Written notice of the public hearing shall be mailed to property owners of real property, as they appear on the most recent tax roll of the city, situated within two hundred (200) feet of the exterior boundary of the property on which the solar panel is requested at least ten (10) days prior to the date of the hearing. Notice of the public hearing shall also be published in the city's official newspaper at least ten (10) days prior to the date of the hearing.

(Ordinance 17-28 adopted 11-14-17)

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:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

The **Planning and Zoning Commission** 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: Tuesday, October 12, 2021

Time: 7:00 p.m.

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

The **City Council** 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: Tuesday, October 26, 2021

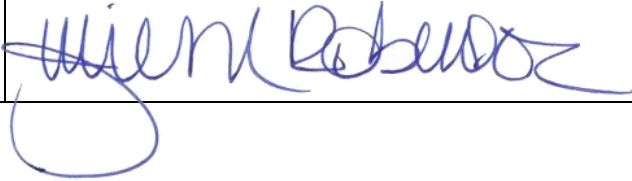
Time: 6:00 p.m.

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

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

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	ORDINANCE NO. 2021-XX AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing concerning amendments to Subsection 02.19, Solar Panels, of Section 5, Building and Use Restrictions in Dwelling District "A", of Exhibit "A", Zoning Regulations, of Chapter 12, Planning And Zoning, of the Code of Ordinances. If approved, this Ordinance would implement the proposed amendments to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.
RECOMMENDATION:	Staff recommends approval of the Ordinance.
ATTACHMENTS:	• Ordinance No. 2021-XX
SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 

ORDINANCE NUMBER 2021-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Spring Valley Village, Texas (the “City”) adopted regulations related to the location and installation of solar panels within the City on November 14, 2017; and

WHEREAS, Senate Bill 398, enacted by the Texas Legislature on May 31, 2021 and signed into law by the Governor on June 14, 2021, restricts municipal regulation of solar panels; and

WHEREAS, the City Council of the City finds that the regulations contained herein are in the best interest of the health, safety and welfare of the public; and

WHEREAS, the Planning & Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council adopt the amendments to the zoning regulations contained herein as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Planning & Zoning Commission that such amendments be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Subsection 02.19, Solar Panels, of Section 5, Building and Use Restrictions in Dwelling District “A” of Exhibit A, Zoning Regulations, of Chapter 12, Planning and Zoning, is hereby amended by deleting the language struck through below

and adding the language underscored below, Subsection 05.02.19, Solar Panels, to read as follows:

“05:02.19 - Solar Panels:

.01 Solar panels are permitted structures subject to the regulations set forth herein.

.02 Definitions. For the purposes of this section, the following words and phrases shall have the meanings ascribed to them below:

.01 Solar Panel shall mean a structure containing one (1) or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system. The term shall not include individually powered outdoor solar lights, such as garden lights, accent lights, security lights, or flood lights.

.03 All solar panels and the installation of solar panels shall comply with all provisions of the city's Code of Ordinances, including building codes and tree regulations, and shall be installed only after issuance of a building permit.

.04 Roof-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall be permitted on the roof of a building provided that the panels do not extend higher than or beyond the roofline ~~are not visible from any front or side adjacent street;~~

.02 Solar panels shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof;

.03 Solar panels shall be permitted on the roof slope of an accessory building or structure, subject to the regulations in subsections .05.02 and ~~.05.04 below; and~~

.04 The frame, support panels and all visible piping or wiring shall be in a silver, bronze, or black tone commonly available in the marketplace; and

.045 Solar panels on flat roofs shall not exceed the maximum height permitted in the applicable zoning district.

.05 Ground-mounted solar panels shall conform to the following requirements:

.01 Solar panels shall not constitute the primary use of the property;

.02 Solar panels shall comply with the maximum square footage and minimum setback requirements for residential accessory buildings and structures;

.03 Solar panels shall ~~not be located between a property line abutting a street and a structure~~ within a fenced yard or patio; and

.04 Solar panels shall ~~be screened from view of the street or adjacent properties by an opaque screening in fence. Such fencing shall comply with the city's fencing regulations~~ not be taller than the fence line;

~~.05 The maximum height of solar panels shall not exceed six (6) feet in height; and~~

~~.06 To the extent possible, all conduit and wiring associated with the system's connection to the primary electrical panel shall be placed underground.~~

.06 Solar panels incorporated into building materials such as roof shingles or tiles, windows, siding, or other architectural features integral to a building's design and are reasonably indistinguishable from traditional building materials may be installed on any roof or façade of the building. The eligibility of any solar panel under this section shall be within the discretion of the building official.

.07 Exceptions. The city council, upon application, may approve a location for roof-mounted or ground-mounted solar panels not permitted by this section. Prior to granting such approval, the city council shall conduct a public hearing regarding the alternate location. Written notice of the public hearing shall be mailed to property owners of real property, as they appear on the most recent tax roll of the city, situated within two hundred (200) feet of the exterior boundary of the property on which the solar panel is requested at least ten (10) days prior to the date of the hearing. Notice of the public hearing shall also be published in the city's official newspaper at least ten (10) days prior to the date of the hearing.

Section 3. All provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Any person, corporation or entity who or which shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. The repeal of any ordinance or part of ordinances affected by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage.

DULY PASSED, APPROVED AND ORDAINED, on this the ____ day of _____, 2021.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: October 12, 2021

TOPIC:	Changes to Open Meetings Requirements Related to Participation by Planning & Zoning Commission Members via Videoconference or Teleconference as of September 1, 2021
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BACKGROUND:	In March of 2020, as Texans worked to mitigate the spread of COVID-19, Governor Abbott's office granted the attorney general's request to suspend certain open-meeting statutes. The temporary suspension allowed, among other things, for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people. On June 30, 2021, the Governor's office approved a request by the attorney general to lift those suspensions. The suspensions will lift at 12:01 a.m. on September 1, 2021. Thus, as of September 1, 2021, all provisions of the Open Meetings Act will be effective, and all Texas governmental bodies subject to the Open Meetings Act must conduct their meetings in full compliance with the Open Meetings Act as written in state law. Section 551.127 of the Texas Government Code allows for the Planning & Zoning Commission Member attendance by video conference under the following conditions: • The video feed of the Commission Member attending remotely must be broadcast live at the location where a quorum is present and that Member's face must visible and audio must be audible to all persons present at the location where the quorum is present. • The Commission Member attending by video conference shall be counted as present for all purposes so long as the video stream is present; that Member shall be counted as absent or any portion of the meeting during which the video or audio stream is disconnected. • A quorum of the governing body must be present at one location. • The notice of the meeting must specify a location at which a quorum will be physically present. It shall also indicate that at least one Commission Member will be attending by videoconference.
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

- At least an audio recording must be made of the meeting and it must be made available to the public.

The requirement to post a notice at the location where the videoconference attendee is physically located only applies to a situation where the remote attendee is the presiding officer, not to all remote attendees.

City Attorney Loren Smith will discuss this agenda item with the Commission.

RECOMMENDATION: Not applicable

ATTACHMENTS: • None

SUBMITTING STAFF MEMBER:

City Attorney Loren Smith

CITY ADMINISTRATOR APPROVAL:

