



**Planning & Zoning
Commission Meeting
December 6, 2022
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 Special Meeting
Council Chambers at City Hall
1025 Campbell Road, Spring Valley Village, Texas
Tuesday, December 6, 2022, 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/89491629503>

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 894 9162 9503 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:** Special Meeting on October 18, 2022
- 3. DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** AMENDING ORDINANCE 2020-31, AMENDING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 0.1441 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF BADE STREET AND INTERSTATE 10, BEING A PORTION OF LOT 1 OF THE WEST PARK SUBDIVISION IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT, REQUIRING CONSTRUCTION ON THE DEVELOPMENT APPROVED BY ORDINANCE 2020-31 TO COMMENCE NO LATER THAN NOVEMBER 17, 2024.
- 4. CONDUCT A PUBLIC HEARING CONCERNING:** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND

ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

- A. Presentation of Zoning Text Amendment
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

- 5. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

6. 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 2nd day of December 2022 at 5:00 p.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.



Attest:



Jasmin Torres, 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 jtorres@springvalleytx.com for further information.

Minutes

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, October 18, 2022

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

Planning & Zoning Members present at City Hall:

Trey Hoffman, Chair
Anne-Marie McMichael
John Lisenby
Maryellen McGlothlin
Jerry Kent, Alternate
Louise Richman

A quorum was present.

City Officials present:

Zach Meadows, Director of Community Development
Jasmin Torres, City Secretary
Bridgette Begle, City Attorney

2. Approval of meeting minutes for regular meeting September 13, 2022

Ms. McMichael made the motion to approve the minutes. Mr. Kent seconded the motion. The motion carried 6 to 0.

3. Conduct a public hearing concerning: An ordinance amending the Code of Ordinances of the City of Spring Valley Village, Texas to amend Subsection 02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A"; of Exhibit A, Zoning Regulations, of Chapter 12, Planning and Zoning, to require that a garage have an opening the width of the number of cars that can be stored therein; and to require a ten foot (10') space between the rearmost eave line of the porte-cochere and any other roofline of the residential structure or garage; providing for the incorporation of the preamble; providing a penalty of an amount not to exceed \$2,000 per day with each day constituting a new violation; providing a severability clause, a savings clause and an effective date.

- a. Presentation of zoning text amendment
- b. Those in favor
- c. Those opposed
- d. Adjourn public hearing

Mr. Hoffman opened the public hearing at 7:02 p.m.

Mr. Meadows introduced and briefly explained the item. The language from the September 13, 2022, meeting has been adjusted to address that certain porte-cocheres appear to resemble carports. The current ordinance language was not clear enough and the City Attorney and Mr. Hoffman felt that more was needed. Mr. Meadows read from the Item Sheet the requirements for an attached or detached garage. A garage shall have a minimum for 400 square feet and shall be constructed so that the garage can store a minimum of two standard-sized four-wheel vehicles side by side. Carports are prohibited. City wants to ensure that two cars could both exit the garage without having to move cars around.

There were no speakers. Mr. Hoffman closed the public hearing at 7:06.

- 4. Consideration and possible action concerning:** An ordinance amending the Code of Ordinances of the City of Spring Valley Village, Texas to amend Subsection 02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A"; of Exhibit A, Zoning Regulations, of Chapter 12, Planning and Zoning, to require that a garage have an opening the width of the number of cars that can be stored therein; and to require a ten foot (10') space between the rearmost eave line of the porte-cochere and any other roofline of the residential structure or garage; providing for the incorporation of the preamble; providing a penalty of an amount not to exceed \$2,000 per day with each day constituting a new violation; providing a severability clause, a savings clause and an effective date.

Discussion ensued regarding this item with the goal of clarifying the items. Mr. Hoffman noted that in the last meeting that the Commission members contemplated changes to the ordinance so that it would be a porte-cochere and not a carport. The situation that brought this to light was an applicant who wanted to connect a detached garage to the house so that he could add a utility room to the garage. The garage opening was wider than one car but under two cars. Mr. Meadows approved this about two months ago. Mr. Hoffman felt that this did not meet the ordinance. He considered that the garage opening must accommodate two cars, being at least 16 feet wide for one garage door or at least 9 feet wide each for two garage doors. The ordinance does not address this. Mr. Lisenby said that residents should park their cars in the garage if possible as this is both a life-saving issue and, also an aesthetic issue. Ms. McGlothlin mentioned that some of the old houses have only a one car garage. Mr. Hoffman talked about the two drawings in the packet: the first one being of the detached garage and the other being with the garage connected to the house and a proposed porte-cochere. Mr. Hoffman mentioned some of the porte-cochere complaints that have been received.

Ms. McMichael made the motion to approve the ordinance with the added various recommendations from the Planning and Zoning Commission members such as garage door widths, the ten foot maximum overhang. The final ordinance will be written by Mr. Smith, City Attorney. Mr. Lisenby seconded the motion. The motion passed 6 to 0.

- 5. Adjournment:** Ms. McGlothlin made a motion to adjourn. Mr. Lisenby seconded the motion. The motion carried 6 to 0. The meeting was adjourned at 7:35 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**

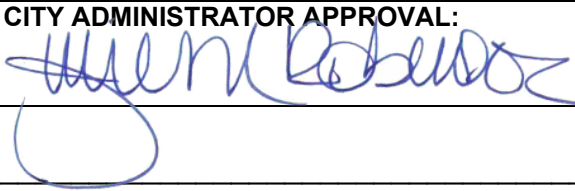
MEETING DATE: December 6, 2022

TOPIC:	DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Amending Ordinance 2020-31, Amending A Planned Area Development ("PAD") Of Approximately 0.1441 Acres Of Land Located At The Northwest Corner Of Bade Street And Interstate 10, Being A Portion Of Lot 1 Of The West Park Subdivision In The Thomas A. Hoskins Survey, Abstract No. 342, Harris County, Texas, Within The Freeway Planned Area Development District, Requiring Construction On The Development Approved By Ordinance 2020-31 To Commence No Later Than November 17, 2024.
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BACKGROUND:	On November 17, 2020, the City Council approved the development of the property at the Northwest corner of Bade Street and Interstate 10 ("Development"), and Ordinance No. 2020-31 approved for the Development included a requirement that construction on the Development must commence within two (2) years of final approval by the City Council. The initial deadline for construction on the Development to commence was November 17, 2022. Vincent Giammalva, Owner, sent an email requesting the PAD be extended, the email dated October 5, 2022 came in after the agenda for the October Planning & Zoning Commission meeting had been set, and the November Planning & Zoning Commission Meeting was never held due to lack of a quorum. After reviewing the request for PAD extension, City Staff noticed that the extension being requested was for an additional two years. Being most deadline extension requests have been allowed but for only one year periods, City staff is asking that the request be discussed before spending time and money in the notification process, if in the end a two year extension is not something the Commission is comfortable granting. If a two-year extension is agreed upon and approved by City Council the new deadline for the development to commence construction activities based on the request would be November 17, 2024.
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RECOMMENDATION:	Not Applicable
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ATTACHMENTS:	• Bade Street Reserve Extension Request email sent via Vincent Giammalva
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SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 
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DIVIDER PAGE

Zachary Meadows

From: vagiammalva@comcast.net
Sent: Wednesday, October 5, 2022 1:42 PM
To: Zachary Meadows
Subject: Bade Street Pad

Follow Up Flag: Follow up
Flag Status: Completed

Zach, as we discussed we would like to extend the date to develop our pad thru November 17, 2024 (2 years). We have had interest from several different types of users, but most prefer to have a drive-thru which is not prohibited.

We have a building designed and have contemplated construction of that building, but as you know construction costs are up almost 25-30% in the last year. In addition the small size of the building does not allow for economies of scale.

We would like to develop the property, but timing has not been on our side. We appreciate SV considering our request and also trust that SV realizes that patience is required here to achieve our development goal.

Vincent A. Giammalva
Giammalva Properties
10000 Memorial Drive ste 4
Houston, Tx 77024
713-789-5858 ofc

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

MEETING DATE: December 6, 2022

TOPIC: **CONDUCT A PUBLIC HEARING CONCERNING:**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

BACKGROUND:

As presented during the September 13, 2022 and October 18, 2022 Planning & Zoning Commission meetings, changes to the Garage and Carport Regulations are being presented to address concerns over certain Porte-Cocheres within the City appearing to resemble more like carports than the intended use of Porte-Cocheres'.

During the September Planning & Zoning Commission meeting a discussion was held on how to address these concerns, as a result of that discussion the language was changed to add the following to Subsection 02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A", of Exhibit A, Zoning Regulations, of Chapter 12, Planning And Zoning:

5. On a porte-cochere located on the side of a residence, the rear eave line of the porte-cochere shall be at least ten (10') feet from the eave line of any adjacent garage or structure as measured perpendicularly from the rear of the porte-cochere.

In October, the Commission discussed overall garage configurations and language that would strengthen the desire of the Commission to have garages designed in such a manner that would require vehicles to enter and exit a garage independent of one another. As such the Commission proposed the following

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

language which has been incorporated in the proposed Ordinance:

.01 Required. Each dwelling in Dwelling District "A" shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side and have a minimum door opening(s) to accommodate access for at least two (2) cars. The minimum width for such openings shall be nine feet (9') for two (2) single car garage doors and sixteen feet (16') for a two-car garage doors. Carports are prohibited.

Additional Changes Following the October Meeting

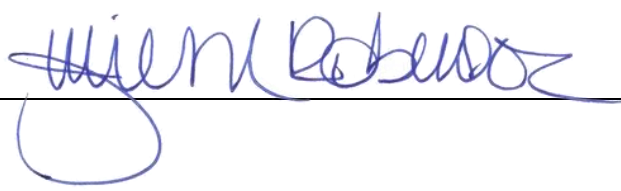
Based on the language being changed significantly, City Attorney Loren Smith and City staff was of the opinion that we should have another Public Hearing on the changes to ensure transparency of all changes being proposed. In addition, a discussion took place after the October 2022 Planning & Zoning Commission meeting in which an additional change should be considered based on a past occurrence.

Homes in Spring Valley are allowed based on subsection 02.01 to have side-loading garages, however there is no minimum distance requirement from the garage opening of a side-loading garage to the facing property line. The Commission may recall a replat that took place on Burkhart (8415 Burkhart) in which a new home purchased additional property from their adjacent neighbor and was replatting the additional area into their lot to accommodate additional space to be able to turn into their side-facing garage. Although some of the additional area was granted through the replat, there was still concern on if that offered enough space for making a turn into the garage. As such to eliminate any issue in the future, City staff is proposing to add the following to Subsection 02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A", of Exhibit A, Zoning Regulations, of Chapter 12, Planning And Zoning:

.06 Side Loading Garage Rules. A side-loading garage must be set back twenty-eight feet (28') from the property line that it faces.

If approved these changes will be presented to City Council at the December 13, 2022 City Council Meeting.

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

RECOMMENDATION: Not applicable	
ATTACHMENTS: • Proposed Ordinance • Copy of Published Notice of Public Hearing	
SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 

DIVIDER PAGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

* * * * *

WHEREAS, the City of Spring Valley Village, Texas (the "City") does not allow carports in its Dwelling District "A"; and

WHEREAS, the City does allow porte-cocheres in certain instances; and

WHEREAS, the City Council desires to amend the regulations related to porte-cocheres as stated in this ordinance.

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 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 and 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 02.01, Garages and Carports, 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 adding the language underscored below, Subsection 05.02.01, Garages and Carports, to read as follows:

"05:02.01

Garages and Carports: (Ordinance 231)

.01 Required. Each dwelling in Dwelling District "A" shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side and have a minimum door opening(s) to accommodate access for at least two (2) cars. The minimum width for such openings shall be nine feet (9') for two (2) single car garage doors and sixteen feet (16') for a two car garage door. Carports are prohibited.

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

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

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

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

.06 Side Loading Garage Rules. A side-loading garage must be set back twenty-eight feet (28') from the property line that it faces.

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

1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.
2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.
3. The roof pitch of the porte-cochere shall be proportional to the roof pitch of the main dwelling. A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the main dwelling and garage.
4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.
5. On a porte-cochere located on the side of a residence, the rear eave line of the porte-cochere shall be at least ten feet (10') from the eave line of any adjacent garage or structure as measured perpendicularly from the rear of the porte-cochere."

Section 3. 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 4. 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.

PASSED, APPROVED AND ORDAINED, this the ____ day of _____, 2022.

Marcus Vajdos
Mayor

ATTEST:

Jasmin Torres
City Secretary

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 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; 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, December 6, 2022

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, December 13, 2022

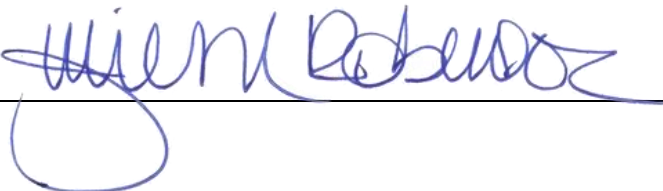
Time: 6:00 p.m.

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: December 6, 2022

TOPIC:	ORDINANCE NO. 2022-XX AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.
BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing concerning amendments to Subsection 02.01, Garages And Carports, Of Section 5, Building And Use Restrictions In Dwelling District "A"; Of Exhibit A, Zoning Regulations, Of Chapter 12, Planning And Zoning. If approved by City Council, this Ordinance would implement the proposed amendments to Subsection 02.01, Garages and Carports, of the City's Code of Ordinances.
RECOMMENDATION:	Staff recommends approval of the Ordinance.
ATTACHMENTS:	• Ordinance No. 2022-XX
SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development	CITY ADMINISTRATOR APPROVAL: 

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.01, GARAGES AND CARPORTS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO REQUIRE THAT A GARAGE HAVE A MINIMUM OPENING TO ACCOMMODATE ACCESS FOR AT LEAST TWO (2) CARS; TO REQUIRE A SIDE LOADING GARAGE TO HAVE A MINIMUM SETBACK OF TWENTY-EIGHT FEET (28') FROM THE LOT LINE THAT IT FACES; AND TO REQUIRE A TEN FOOT (10') SPACE BETWEEN THE REARMOST EAVE LINE OF THE PORTE-COCHERE AND ANY OTHER ROOFLINE OF THE RESIDENTIAL STRUCTURE OR GARAGE; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

* * * * *

WHEREAS, the City of Spring Valley Village, Texas (the "City") does not allow carports in its Dwelling District "A"; and

WHEREAS, the City does allow porte-cocheres in certain instances; and

WHEREAS, the City Council desires to amend the regulations related to porte-cocheres as stated in this ordinance.

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 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 and 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 02.01, Garages and Carports, 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 adding the language underscored below, Subsection 05.02.01, Garages and Carports, to read as follows:

"05:02.01

Garages and Carports: (Ordinance 231)

.01 Required. Each dwelling in Dwelling District "A" shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side and have a minimum door opening(s) to accommodate access for at least two (2) cars. The minimum width for such openings shall be nine feet (9') for two (2) single car garage doors and sixteen feet (16') for a two car garage door. Carports are prohibited.

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

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

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

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

.06 Side Loading Garage Rules. A side-loading garage must be set back twenty-eight feet (28') from the property line that it faces.

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

1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.
2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.
3. The roof pitch of the porte-cochere shall be proportional to the roof pitch of the main dwelling. A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the main dwelling and garage.
4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.
5. On a porte-cochere located on the side of a residence, the rear eave line of the porte-cochere shall be at least ten feet (10') from the eave line of any adjacent garage or structure as measured perpendicularly from the rear of the porte-cochere."

Section 3. 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 4. 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.

PASSED, APPROVED AND ORDAINED, this the ____ day of _____, 2022.

Marcus Vajdos
Mayor

ATTEST:

Jasmin Torres
City Secretary