

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



Patrick Johnson
Jerry Kent
Brad Jones
Jarrad Bourger, Alternate

Notice is Hereby Given of a Regular Meeting of the City Council City of Spring Valley Village, Texas, 1025 Campbell Road, Spring Valley Village, Texas, in the Council Chambers, September 10, 2024, beginning at 7:00 PM. For the Purpose of Considering and Acting upon the Following Items of Business:

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/86434233497>

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: 864 3423 3497 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

2.1 Minutes for Planning and Zoning Commission Meeting on March 12, 2024.

3. NEW BUSINESS

3.1 **INPUT AND DISCUSSION CONCERNING:** Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:


- a. Section 8, Non-Conforming Buildings and Structures, Lots, and Uses
- b. Section 5, Building and Use Restrictions in Dwelling District "A"; to include free standing mechanical equipment; lot size and area requirements (setbacks); landscaping, and rear lot access; and lot coverage.
- c. Section 11, Fences

4. 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 7th day of August 2024 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, this facility is wheelchair accessible and accessible parking spaces are available. To better serve attendees, requests for accommodations or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308, Fax 713-461-7969, or [Email Jasmin Torres](#) for further information.

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, March 12, 2024

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

Planning & Zoning Members present at City Hall:

Anne-Marie McMichael, Vice-Chair
Louise Richman
Jerry Kent
Jarrad Bourger

A quorum was present.

City Officials present:

John McDonald, City Administrator
Carie Anne Livengood, Assistant
Philip J. Boedeker, City Attorney

- 2. Approval of meeting minutes for special meeting on November 15, 2023**

Mr. Kent made the motion to approve the minutes. Mr. Bourger seconded the motion. The motion carried 4 to 0.

- 3. Conduct a public hearing concerning:** A replat of (Tract 1) Lot 8, in Bloc 2 of Spring Valley Addition, Section 2, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 57, page 34 of the map records of Harris County, Texas and (Tract 2) being a portion of Lot 5 in the C.H. Bingle Subdivision in the A.H. Osborne Survey, Abstract No. 610 in Harris County, Texas, according to the map or plat thereof, recorded in Volume 998, page 223 of the Deed Records of Harris County, Texas; more commonly known as 8702 Burkhardt Drive.

- A. Presentation of replat by applicant
- B. Those in favor
- C. Those opposed
- D. Adjourn public hearing

Ms. McMichael opened the public hearing at 7:03 p.m.

The applicant Charles White, 3307 Willow Ridge Dr, Bryan, Texas 77807, presented this item. He did everything to meet the City's requirements. The existing house was torn down. Mr. McDonald gave further details on the item. The Fire Chief and Fire Marshall review plans when submitted. Mr. Anderson spoke about his late mother's property at 1201 Bingle with respect to the utility easement, drainage and access for the second lot. The private drive is part of his mother's driveway. Ms. McMichael noted that the title will be reviewed by the City Attorney. There were several questions with respect to replats: do all replats require a variance and who is responsible for the private drive. Ms. McMichael briefly described the public hearing / replat

process and how it gets approved or not approved and how it goes to City Council next in the process. She said that Mr. White is not asking for access to Bingle Road as it is not needed and is deeding three feet back to the City. She noted that the City Council meeting will be on March 26, 2024, and for prospective speakers to bring whatever they wish to this meeting.

Ms. McMichael closed the public hearing at 7:20 p.m.

4. **Consideration and possible action concerning:** A replat of (Tract 1) Lot 8, in Bloc 2 of Spring Valley Addition, Section 2, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 57, page 34 of the map records of Harris County, Texas and (Tract 2) being a portion of Lot 5 in the C.H. Bingle Subdivision in the A.H. Osborne Survey, Abstract No. 610 in Harris County, Texas, according to the map or plat thereof, recorded in Volume 998, page 223 of the Deed Records of Harris County, Texas; more commonly known as 8702 Burkhart Drive.

Mr. Kent made the motion to approve, and Mr. Bourger seconded the motion. The motion carried 4 to 0.

5. **Briefing and discussion concerning:** On the Code of Ordinances, Chapter 12, Planning and Zoning, Section 8, Non-conforming Building and Structures, Lots, and Uses, and Chapter 12, Planning and Zoning, Section 5, Building and Use Restrictions in Dwelling District "A", to include current interpretations and possible amendments.

Ms. McMichael asked Commission members to read the above noted sections with the goal of getting better control of the language in these sections. This will be discussed during future Planning and Zoning meetings.

6. **Adjournment:** Mr. Kent made a motion to adjourn. Mr. Bourger seconded the motion. The motion carried 4 to 0. The meeting was adjourned at 7:36 p.m.

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

Attest: _____
Louise Richman, Secretary



Spring Valley Village Planning and Zoning Commission Agenda Item Data Sheet

MEETING DATE:	September 10, 2024
SUBMITTING STAFF:	Jasmin Torres, City Secretary
SUBJECT:	<p>INPUT AND DISCUSSION CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:</p> <ul style="list-style-type: none"> a. Section 8, Non-Conforming Buildings and Structures, Lots, and Uses b. Section 5, Building and Use Restrictions in Dwelling District “A”; to include free standing mechanical equipment; lot size and area requirements (setbacks); landscaping, and rear lot access; and lot coverage. c. Section 11, Fences

BACKGROUND:	<p>Staff is seeking input from the Planning and Zoning Commission regarding possible amendments to the Code of Ordinances, Chapter 12, Planning and Zoning Ordinance. Within the past year, staff has seen an increase in issues within the following areas:</p> <ul style="list-style-type: none"> • Section 8 - Section 8,08:01.06 Non-Conforming Buildings and Structures: Builders and residents are not fully understanding how the fifty (50) percent of modification rule is calculated in pre-existing structures. This is typically a problem with remodels of the older homes in the city. <ul style="list-style-type: none"> ○ Additionally, a general discussion on the topic is needed to ensure that the current regulations in place are still fully warranted or should modifications be allowed in certain situations. • Section 5, Building and Use Restrictions in Dwelling District “A”; to include: <ul style="list-style-type: none"> ○ 05:02.13, Free standing mechanical equipment. Many homes seem to have issues meeting the current required distance of 4 feet
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from the property line. Staff is open to reduction in this setback.

- 05:02.03, lot size and area requirements (setbacks) – There seems to be some confusion by builders when interpreting setbacks requirements when applied to nonconforming structures.
- 05:02.03.08, Builders are requesting clarification on artificial turf and is allowable use.

- Section 11, Fences. Concerns have been expressed on access to the back of the property and through lots (street frontage gates on both the front and rear side of the property).

Included in your packets are the specific sections of the code to be discussed and examples that will be used to review current issues we are addressing.

ATTACHMENTS: Section Eight - NON CONFORMING BUILDINGS AND STRUCTURES , 05_02.13 Placement of Free Standing Mechanical Equipment, 05_02.03 Size and Area Requirements , Turf Data, 06_03.09 Fences , Update options to nonconforming ordinance -Spring Valley - 5-3-24, Examples PZ 9102024

FUNDING:

Amount Available	Account No.	Additional Appropriation Required	Project No.	Amount Budgeted	Account Description

RECOMMENDATION: This is a discussion item. No action is required by the Commission at this time.

SECTION EIGHT: NON-CONFORMING BUILDINGS AND STRUCTURES, LOTS, AND USES¹

08:01 NONCONFORMING BUILDINGS AND STRUCTURES/LOTS/USES.

Within the various zoning districts there may exist buildings or structures, lots, uses of land, or characteristics of use that were lawful before this chapter was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendments hereto. It is the intent of this section to permit those nonconformities to continue until they close or are removed. It is further the intent of this section that nonconformities shall not be enlarged, expanded, or extended, or be used as grounds for adding other buildings, structures, or uses prohibited elsewhere within the same district.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.01 Expansion prohibited.

Unless otherwise specifically permitted by this section, a nonconforming use of land, of a building or structure, or of land and a building or structure in combination shall not be extended or enlarged from and after the effective date of this chapter.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.02 Buildings under construction.

Nothing in this section shall be deemed to require a change in plans, construction, or designated use of any building or structure on that has occurred pursuant to applicable vested rights laws.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.03 Nonconforming use of land.

The nonconforming use of land where no building is involved existing on the effective date of this chapter, or on the effective date of any applicable amendment hereto, may be continued for a period of not more than two years thereafter; provided, however, no such nonconforming use of land shall in any way be expanded or extended either on the same or on adjoining property, and that if such nonconforming use of land or any portion thereof is discontinued or changed, any future use of land shall be in conformity with the regulations of the district in which it is situated.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

¹Editor's note(s)—Ord. No. 2008-01, § 1, adopted January 15, repealed and reenacted section eight to read as herein set out. Formerly, section eight pertained to non-conforming uses and structures in dwelling district "A" and commercial district "C". See the Code Comparative Table for a complete derivation.

08:01.04 Nonconforming lots.

The use of a lot that is nonconforming under the terms of this chapter, but which was lawful when created, may be continued; provided, however, no such nonconforming lot shall be reduced in size or area.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.05 Nonconforming use of buildings.

The nonconforming use of a building which use was in lawful existence on the effective date of this chapter or any applicable amendment hereto may be continued, subject to the following conditions and limitations:

- .01 Voluntary cessation or removal. If a nonconforming use of a building is voluntarily ceased or removed, the future use of such building and premises must conform with the provisions of this chapter.
- .02 Discontinuance. If a nonconforming use of a building is discontinued for a continuous period of one year, further use of such building and premises must conform with the provisions of this chapter.
- .03 Change of use. If a nonconforming use of a building is changed to a conforming use, it may not thereafter be changed back to a nonconforming use.
- .04 Obsolescence or destruction of building. If the building in which a nonconforming use was in lawful existence on the effective date of this chapter, or any applicable amendment hereto, becomes obsolete or is totally destroyed by fire or other force or means, such use shall not be extended or continued on the premises and such building shall not be rebuilt except in conformity with the provisions hereof and for a use permitted in the district in which it is located. In the event such building is partially destroyed by fire or other force or means in excess of 50 percent or more of its replacement value at the time of its partial destruction, it shall not be restored, rebuilt, or repaired unless it is made to conform to the regulations of the district in which it is situated and it and the premises upon which it is located are changed to a permitted use in such district.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.06 Nonconforming buildings and structures.

A building or structure lawfully existing on the effective date of this chapter or any applicable amendment hereto, which is made nonconforming by the provisions of this chapter for the reason that it could not be built under the terms hereof because of restrictions set forth herein relating to building area, lot coverage, height, yards, setback requirements, its location on the lot, or other requirements pertaining to buildings and structures, it may be continued as long as it remains otherwise lawful, subject to the following limitations and conditions:

- .01 Enlargement or alteration. Except as provided by 05:02.03.09.03.05, a nonconforming building or structure may not be enlarged or altered in a manner that increases its nonconformity; however, a building or structure may be altered to decrease its nonconformity. Further, a nonconforming single family dwelling in Residential District A may be enlarged or altered in a manner that does not increase its nonconformity provided that the enlargement or alteration and any prior enlargements or alterations, whether permitted or not, shall not exceed 50 percent or more of either the floor area or the size of the dwelling as the dwelling was originally constructed.
- .02 Destruction of building and structures.
 - .01. In the event a nonconforming building or structure or the nonconforming portion thereof is destroyed by any force or means to the extent of more than 50 percent of its replacement cost at the time of such destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.

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- .02. Provided, however, that, except as limited by subsections 08.01.06.02.03 and .04 below, if a dwelling or garage in Residential District A is destroyed by accident, by illegal destruction by persons other than the owner, or by an act of God, then the nonconforming dwelling or garage may be rebuilt in accordance with the setbacks for the original dwelling or garage;
 - .03. Provided, further, that if a new foundation is constructed or required for a dwelling or garage destroyed by accident, by illegal destruction by persons other than the owner, or by an act of God, then the new foundation and the dwelling or garage shall not be reconstructed except in conformity with the provisions of this chapter; and
 - .04. Provided, further, that no nonconforming detached garage may be enlarged or attached to a dwelling if the garage is located less than five feet from the side property line or less than ten feet from the rear property line.
- .03 Moved or relocated. Should any such nonconforming building or structure be relocated or moved any distance whatever for any reason, it shall thereafter be made to conform to the regulations of the district in which it is relocated or to which it is moved.
- .04 Accessory buildings or structures. Except as provided by Subsection 08.01.06.02 above, a nonconforming accessory building or structure shall be removed or made to conform if (i) the main building on the lot upon which such nonconforming building or structure is located is damaged or destroyed to the extent of more than 50 percent of its replacement value at the time of such damage or destruction, and (ii) the value of the nonconforming accessory building or structure does not exceed ten percent of the replacement value of the main building. Provided further, if the cumulative value of all nonconforming accessory buildings and structures exceeds 25 percent of the replacement value of the main building, only those nonconforming buildings having a cumulative replacement value of less than 25 percent of such replacement value shall be made to conform, calculated with the nonconforming accessory building or structure having the lowest replacement value first and that with the highest replacement value last.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.07 Repairs and maintenance/renovation.

On any nonconforming building or structure, work may be done on ordinary maintenance and repair, the repair or replacement of nonbearing walls, fixtures, wiring, plumbing, and similar items, provided the cubic content of such building or structure existing at the time it became nonconforming shall not be increased.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

08:01.08 Determination of replacement value.

For the purposes of determining replacement value of a structure under this chapter, the building official shall determine a replacement cost per square foot of applicable and comparable structures using indices based upon the local construction market. provided, however, that the replacement value may not be less than the value submitted on the permit application. Provided further, in determining the increase in replacement value of a structure being renovated, remodeled or restored, sequential projects shall not be permitted to avoid compliance with the provisions of this chapter. The percent increase in replacement valuation benchmark shall be cumulative of all remodeling or modification work to a structure within any consecutive 12-month period.

(Ordinance 2008-01 adopted 1-15-08; Ordinance 2009-13 adopted 8-25-09; Ordinance 2009-17 adopted 12-15-09)

05:02.13 Placement of Free-Standing Mechanical Equipment:

Free-standing mechanical equipment shall not be placed closer than four (4) feet to the property line. (Ordinance 2011-05 adopted 2-15-11)

05:02.03 Size and Area Requirements:

In construing this Ordinance, all measurements shall be made to the property lines inclusive of any portion of easements within the property lines, so as that the area contained in any easement within the property lines shall be considered a part of the Lot in question for the purposes of determining building lines.

- .01 Minimum Lot Area: All residential Lots shall have a minimum Lot area of ten thousand (10,000) square feet with a minimum of nine thousand (9,000) square feet exclusive of easements.
- .02 Maximum height. No building or structure more than thirty-six feet (36') in height shall be erected in Dwelling District "A". (See also Building or Structure Height to setback ratio (3:5 below).)
- .03 Maximum stories. No building or structure more than two stories shall be erected in Dwelling District "A".
- .04 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .05 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .06 Minimum Floor Area Per Dwelling Unit. Each dwelling unit shall have a minimum ground floor, as that term is defined in this subsection, of fourteen hundred (1,400) square feet in area, exclusive of porches, garage, and laundry rooms. The ground floor of a dwelling unit is the living space area most proximate to the foundation slab or other support foundation, upon which such structure is located. (Ordinance 194)
- .07 Maximum Foundation Height. The foundation slab or other support foundation of a structure shall not exceed a height of four feet (4') above the average surrounding finished grade of the ground upon which such structure is located. (Ordinance 194)
- .08 Maximum Lot Coverage. The maximum coverage of any lot with any constructed surface shall not exceed sixty percent (60%) of the lot area located behind the required front building line, and shall not exceed fifty percent (50%) of the lot area located in front of the required front building line. "Constructed surface" shall include for computation of lot coverage buildings, garages, accessory buildings, patios, sidewalks, driveways, any area surfaced for automobiles, and other constructed surface areas, but shall exclude stepping stones, air conditioner supports, landscape border stones, wooden decks, and similar materials or structures. Provided, further, that the water surface area of a swimming pool shall not be counted as constructed surface in the computation of the maximum coverage of any lot, and that pavers (a.k.a. paver stones, brick pavers, or concrete pavers, however named) shall be counted as constructed surface in the computation of the maximum coverage of any lot. (Ordinance 2004-01 adopted 1-20-04)
- .09 Building line setbacks: (Ordinance 231)
 - .09.01 General: The following restrictions shall apply to all construction of or addition to new or pre-existing buildings, dwellings, garages, and accessory use buildings.
 - .09.02 Front building line setbacks:
 - .09.02.01 Adjoining a local or collector street. For a lot fronting a local or collector street having a right-of-way width of sixty feet (60'), the minimum front building line setback shall be twenty-five feet (25'). For a lot fronting a local or collector street having a right-of-way width of fifty feet (50'), the minimum front building line setback shall be thirty feet (30'). (Ordinance 2007-05 adopted 3-20-07)
 - .09.02.02 Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-eight feet (38') from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04. (Ordinance 2018-27 adopted 10-23-18; Ordinance 2019-12 adopted 5-21-19; Ordinance 2019-14 adopted 6-25-19)

- .09.02.03 Adjoining a Cul-de-sac turnaround. For a lot fronting the turnaround portion of a cul-de-sac, the minimum front building line setback shall be twenty feet (20'). (Ordinance 2007-05 adopted 3-20-07)
- .09.02.04 Setback Adjustment. If a lot fronts a right-of-way of less width than the minimum required in the City's Subdivision Development Ordinance or the City's Street and Thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
- .09.02.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the front building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than twenty-five feet (25').
- .09.03 Side building line setback.
 - 09.03.01 Adjoining another lot. For adjoining side property lines, the side building setback shall be not less than eight feet (8'). Where a side property line adjoins the rear property line of adjacent property, the side yard setback for the second story shall be not less than fifteen feet (15'). (Ordinance 2006-05 adopted 3-28-06)
 - .09.03.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum side building line setback shall be fifteen feet (15').
 - .09.03.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum side building line setback shall be twenty-five feet (25').
 - .09.03.04 Setback adjustment. If a side lot line adjoins a right-of-way of less width than the minimum required by the City's Subdivision Development Ordinance or the City's Street and thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
 - .09.03.05 An exception to the side building line setback for pre-existing dwellings and pre-existing garages. This subsection is applicable to pre-existing dwellings and pre-existing garages only. It is the intent of this subsection to permit a one-story enlargement or a one-story alteration of a pre-existing dwelling or pre-existing garage (whether one story or greater) within the side setback area as described in this subsection. A dwelling or garage that was constructed (pre-existing only) from the side property line of an adjoining lot, street or major-thoroughfare as permitted by the city's regulations then in effect may be enlarged or altered within the side building line setback adjoining another lot, street or major-thoroughfare provided that the one-story enlargement or one-story alteration is no closer to the side lot line than the pre-existing structure and is no closer than five feet from the side property line of the adjoining lot, street, or major thoroughfare. Further, the one-story enlargement or the one-story alteration within the current side setback area of the adjoining lot, street or major-thoroughfare shall not exceed in height the one-story height of the pre-existing structures on the lot based upon their first floor plate height and roof

slope. This exception applies only to side building line setbacks. (Ordinance 96-10; Ordinance 2003-02 adopted 1-20-03; Ordinance 2009-13 adopted 8-25-09)

.09.04. Rear building line setback.

09.04.01 Rear setback. For adjoining rear property lines, the rear building setback shall be not less than ten feet (10') for the first story, and not less than twenty five feet (25') for the second story. Where a rear property line adjoins the side property line of adjacent property, the rear yard setback shall be not less than ten feet (10'). (Ordinance 2006-05 adopted 3-28-06)

.09.04.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum required rear building setback shall be fifteen feet (15').

.09.04.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum required rear building line setback shall be twenty-five feet (25').

.09.04.04 Setback adjustment. If a lot backs up to a right-of-way of less width than the minimum as required in the City's Street and Thoroughfare Plan there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.

.09.04.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the rear building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than ten feet (10').

.10 Driveway Width, Transition, and Separation.

.10.01 Except as provided by subsection 10.04 below, the maximum driveway width at the line of intersection with the street pavement shall not exceed twenty-four feet (24'), plus the corner radii at each intersection and the maximum width of the driveway located within the right-of-way shall not exceed twenty-four feet (24').

.10.02 Residential access ways, or curb cuts, shall meet or exceed the minimum standards set by the City. (See, e.g., Article 3.1200—Regulations for the Cutting of Streets).

.10.03 No curb cut shall be located within twenty-four feet (24') of a street intersection.

.10.04 Lots that are adjacent to Campbell Road or Bingle Road and a minor street shall have vehicular driveways connecting with the minor street only.

.10.05 Where the driveway provides direct access to a garage containing more than two (2) parking spaces and the garage fronts a side-street, then the corresponding curb cut shall not exceed thirty-six feet (36').

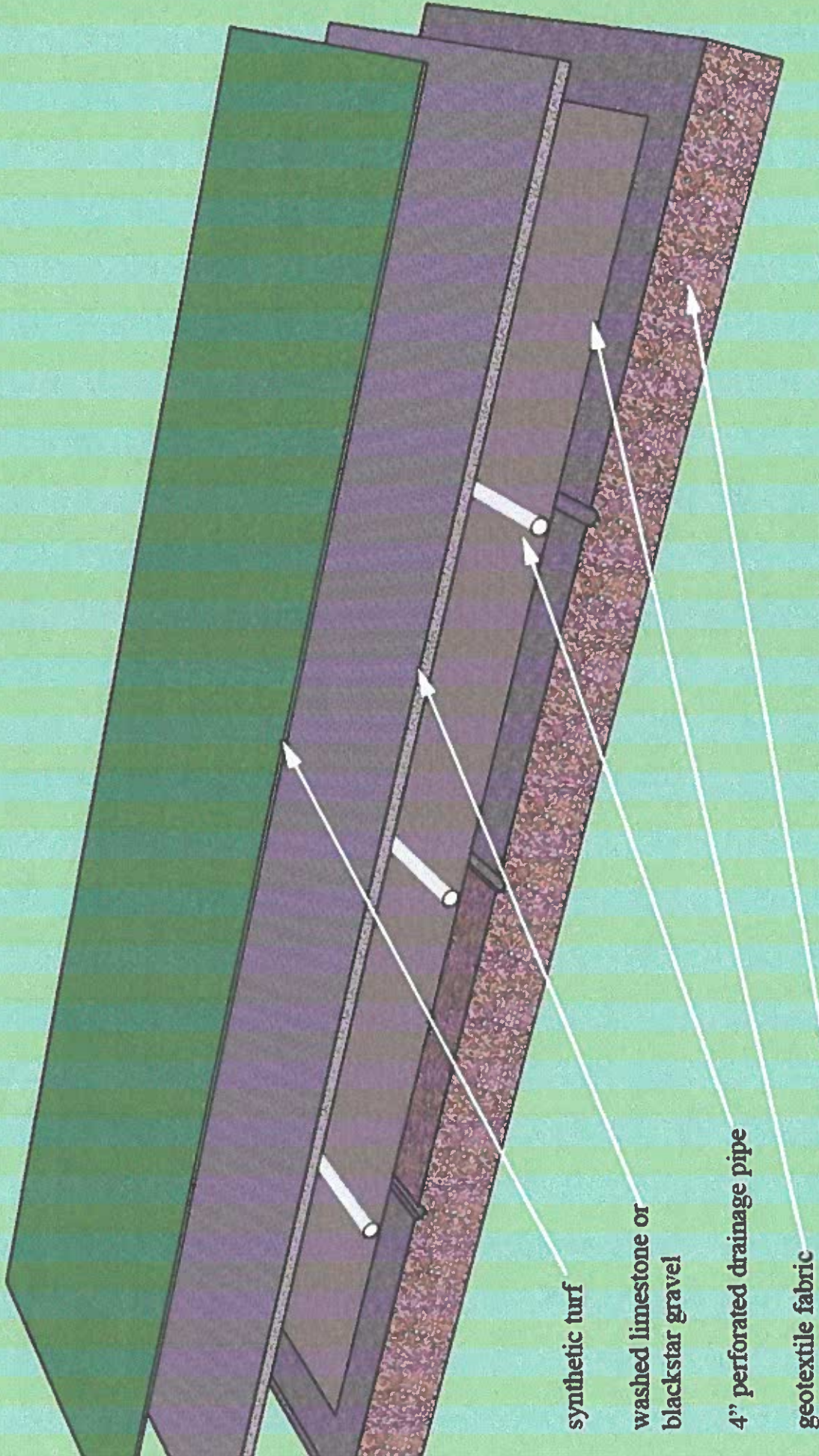
.10.06 Only one (1) curb cut is permitted per residence; provided, however, a second curb cut is permitted when connected to a circular driveway. Except as provided by subsection 10.04, the total width of all curb cuts per residence shall not exceed twenty-four feet (24') plus the corner radii at each intersection.

.10.07 If more than one (1) curb cut (that is street transition) is constructed on the same lot, such curb cuts shall be separated (nearest edge to nearest edge as measured along the street curb) by a minimum distance of at least twenty feet (20'). The driveways corresponding to the two (2) curb cuts must interconnect as a circular driveway, and at least one (1) curb cut must correspond to a driveway to the dwelling unit's garage or alternative enclosed vehicle parking space.

.10.08 A parking pad is permitted only if it is contiguous to the driveway, it is a paved surface, and it is located entirely outside the City right-of-way.

.10.09 It shall be unlawful for any person to cause or permit the placement or construction of a vehicular driveway, or any portion thereof, which violates the provisions of this section.

(Ordinance 2013-03 adopted 2-26-13; Ordinance 2019-12 § 3 adopted 5-21-19)



Green Links Inc.
www.greenlinksinc.com
713-932-9997

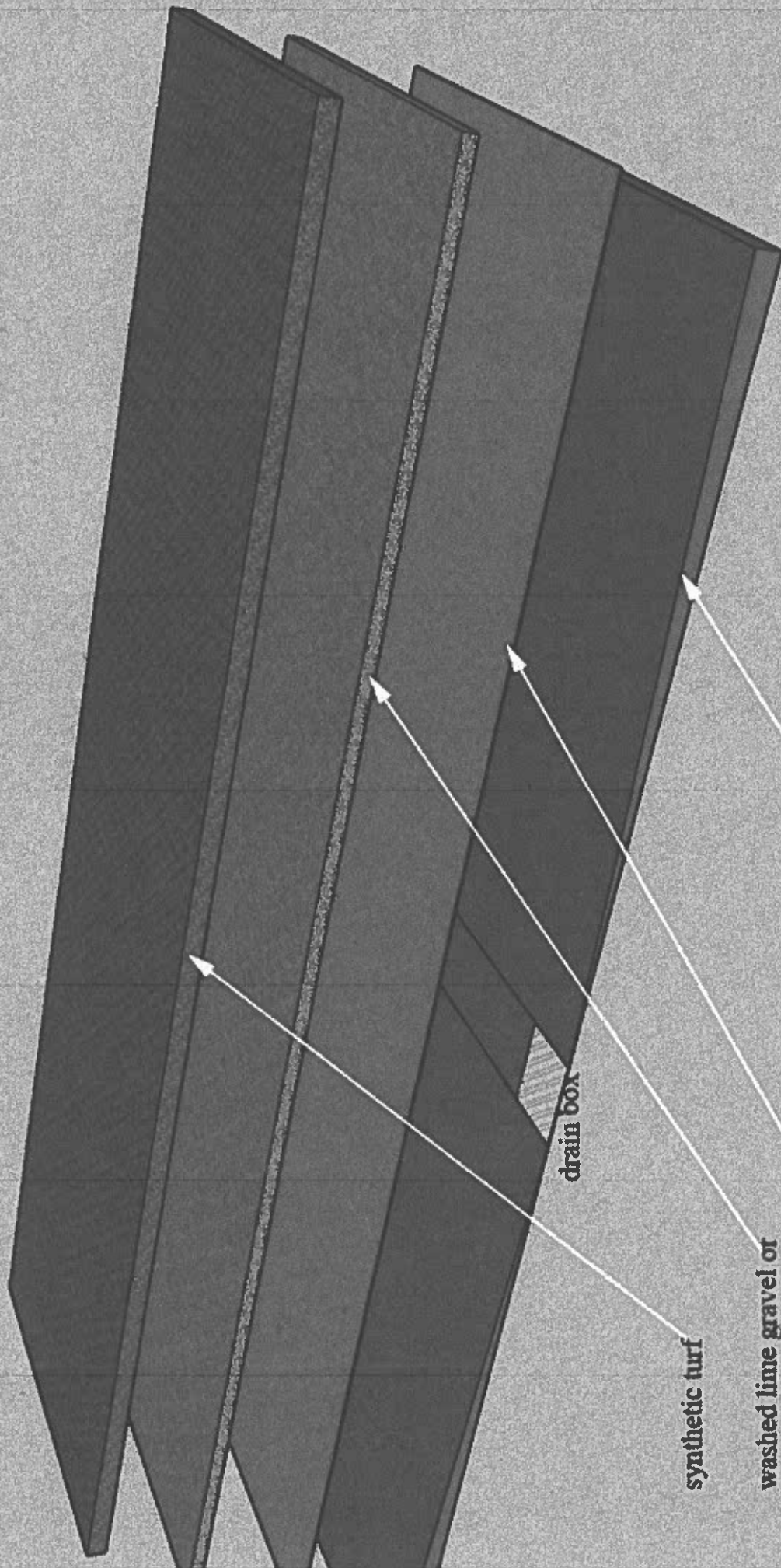
synthetic turf

washed limestone or
blackstar gravel

4" perforated drainage pipe

geotextile fabric

existing soil



drain box

synthetic turf

washed lime gravel or
blackstare gravel

geotextile fabric

existing soil graded to drainage box/system

Green Links Inc.
www: greenlinksinc.com
713-932-9997

June 11, 2009

Mr. Terry Westbrook
Green Links
P.O. Box 19136
Houston, Texas 77224

Re: Permeability Test for Synthetic Turf Base Materials
Gessner Engineering Job No.: 09-0204

Dear Mr. Westbrook:

At your request, Gessner Engineering performed permeability tests on three samples of crushed rock in order to evaluate and document the permeability of the sub base materials for use in the construction of synthetic turf lawns and putting greens. The samples of material were provided by Green Links. The three samples tested were:

- 3/8" diameter decomposed granite rock
- 1/2" crushed limestone
- 1 1/2" crushed limestone

The permeability test ran was ASTM D 2434 Constant head permeability. It is performed by placing the material in a mold that is the same mold used in the ASTM D698 Compaction test. Since there was not enough material to do the compaction curve we recorded the weight of material. The sample was prepared by tamping the crushed rock and vibrating it to simulate the placement of rock in the field.

The coefficient of permeability (k) can be computed from $k=QL/thA$ in which:
t= elapsed time
Q= total quantity of water which flowed through in elapsed time
L= length of soil sample in permeameter
h= total head lost
A= cross-sectional area of permeameter

Each test was performed four times in order to develop an average using the Falling Head Test Method. The results are:

Sample	Results (cm/sec)	(in/hr)
3/8" Decomposed Granite	0.0012	1.7
1/2" Crushed Limestone	0.0031	4.39
1 1/2" Crushed Limestone	0.0086	12.19

In comparison, fat clays would have a permeability of $0.0000001.0 \text{ cm}^2/\text{sec}$.
In this case, the samples tested are essentially free flowing.



**Gessner
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It has been a pleasure to provide you this service. If we may be of further assistance, or if you have any questions please contact us at your convenience.

Sincerely,
GESSNER ENGINEERING, LLP F-7451


Philip N. Buchanan, Ph.D., P.E.



06:03.09 Fences:

A free-standing wood or masonry fence or wall, not less than eight (8) feet in height at all points, shall be erected along the entire property line bordering District "A". Such wall shall be properly maintained by the owners in the Office Building District "B" at all times and built to the following specifications:

- .01 The specifications herein provided cover the minimum requirements for the construction of free-standing walls or fences. A free-standing masonry or wooden wall or fence as governed by this Ordinance is any masonry or wooden structure having no lateral support other than its foundation.
- .02 A free-standing masonry wall or fence shall be of solid masonry brick or structural grade hollow masonry units.
- .03 A free-standing wooden wall or fence shall be constructed with a support structure of rot-proof treated or preserved materials. The wall or fence facing shall, as the minimum, be constructed with rot-resistant materials. No wooden fence or wall having horizontal boards or planks or in a basket weave pattern shall be permitted.
- .04 The quality and type of materials used structurally in the excavation footings and foundations shall conform with those specified in the Building Code which apply to such foundation materials used in residential construction within the City of Spring Valley.
- .05 Any person, persons, firms or corporations causing an excavation to be made on property adjacent to an existing wall or fence shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall or fence.
- .06 Fences or walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the City Secretary to such property owners responsible for the maintenance of the walls or fences constructed upon building tracts within Office Building District "B".
- .07 In the event such free-standing walls or fences are not repaired, rebuilt or replaced within sixty (60) days after receipt of said notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as per this Comprehensive Zoning Ordinance or other legal recourse.
- .08 Plans and specifications for all fences and/or walls as covered by this Section shall be submitted to the Office of the Building Official for the issuance of a building permit as set out in Section One herein.
- .09 A minimum fee is set out in the fee schedule, relating to this Ordinance shall be charged to cover the cost of two (2) inspections of each installation. The first inspection shall be prior to the pouring of the foundation, the second inspection shall be made at some point during or at the completion of the construction project. If failure to conform to minimum specifications causes additional inspections to be required, an additional fee as set out in the fee schedule shall be charged for each additional inspection.

Update and clarification to existing:

08:01.06.01

Enlargement or alteration and substantial improvements. Except as provided by 05:02.03.09.03.05, a nonconforming building or structure may not be enlarged or altered in a manner that increases its nonconformity; however, a building or structure may be altered to decrease its nonconformity. Further, a nonconforming single-family dwelling in Residential District A may be enlarged or altered in a manner that does not increase its nonconformity provided that the enlargement or alteration and any prior enlargements or alterations, whether permitted or not, shall not exceed 50 percent or more of either the floor area or the size of the dwelling as the dwelling was originally constructed. To determine whether a proposed alteration or remodel will be deemed a "substantial improvement" a calculation of the affected alteration or remodel areas shall be provided.

All areas of improvement that would result in a modification to the existing floor plan of the structure, including but not limited to the addition or removal of a wall, shall be specifically included in the calculation.

EXCEPTION: Remodel or alteration areas which are limited to purely cosmetic modifications, such as but not limited to installing cabinets or appliances, painting interior walls, or replacing flooring, are specifically excluded from this calculation. Such areas are not counted when determining whether a project will be considered a substantial improvement.

.09.03.05

An exception to the side building line setback for pre-existing dwellings and pre-existing garages. This subsection is applicable to pre-existing dwellings and pre-existing garages only and applies when an enlargement or alteration has been determined to be a "substantial improvement" as provided by 08:01;06.01. It is the intent of this subsection to permit a one first-story enlargement or a one-story alteration of a pre-existing dwelling or pre-existing garage (whether one story or greater) within the side setback area as described in this subsection. A pre-existing dwelling or garage that was constructed (pre-existing only) from the side property line of an adjoining lot, street or major-thoroughfare as permitted by the city's regulations then in effect may be enlarged or altered within the side building line setback adjoining another lot, street or major-thoroughfare provided that the one first-story enlargement or one-story alteration is no closer to the side lot line than the pre-existing structure and is no closer than five feet from the side property line of the adjoining lot, street, or major thoroughfare. In the case that a pre-existing dwelling or garage is set back greater than five (5) feet, but less than the currently adopted setback regulations, the improvement may continue along the existing setback line. When determined to be a "substantial improvement", prior non-conforming structures that were lawfully constructed before the adoption of Ordinance No. (insert Ord. No. and date), which established minimum side setbacks of five (5) feet, shall require a variance from the Zoning Board of Adjustment. Further, the one first-story enlargement or the one-story alteration within the current side setback area of the adjoining lot, street or major-thoroughfare shall not exceed in height the one first-story height of the pre-existing structures on the lot based upon their first floor plate height and roof slope. This exception applies only to side building line setbacks.

No non-conforming enlargements or alterations permitted:

. 08:01.06.01

Enlargement or alteration. ~~Except as provided by 05:02.03.09.03.05, a~~ nonconforming building or structure may not be enlarged or altered in a manner that increases its nonconformity; however, a building or structure may be altered to decrease its nonconformity. ~~Further, a nonconforming single-family dwelling in Residential District A may be enlarged or altered in a manner that does not increase its nonconformity provided that the enlargement or alteration and any prior enlargements or alterations, whether permitted or not, shall not exceed 50 percent or more of either the floor area or the size of the dwelling as the dwelling was originally constructed.~~

~~.09.03.05~~

~~An exception to the side building line setback for pre-existing dwellings and pre-existing garages. This subsection is applicable to pre-existing dwellings and pre-existing garages only. It is the intent of this subsection to permit a one-story enlargement or a one-story alteration of a pre-existing dwelling or pre-existing garage (whether one story or greater) within the side setback area as described in this subsection. A dwelling or garage that was constructed (pre-existing only) from the side property line of an adjoining lot, street or major thoroughfare as permitted by the city's regulations then in effect may be enlarged or altered within the side building line setback adjoining another lot, street or major thoroughfare provided that the one-story enlargement or one-story alteration is no closer to the side lot line than the pre-existing structure and is no closer than five feet from the side property line of the adjoining lot, street, or major thoroughfare. Further, the one-story enlargement or the one-story alteration within the current side setback area of the adjoining lot, street or major thoroughfare shall not exceed in height the one-story height of the pre-existing structures on the lot based upon their first floor plate height and roof slope. This exception applies only to side building line setbacks. (Ordinance 96-10; Ordinance 2003-02 adopted 1-20-03; Ordinance 2009-13 adopted 8-25-09)~~

Compliance with existing codes:

. 08:01.06.01

Enlargement or alteration and substantial improvements. Except as provided by 05:02.03.09.03.05, a nonconforming building or structure may not be enlarged or altered in a manner that increases its nonconformity; however, a building or structure may be altered to decrease its nonconformity. Further, a nonconforming single-family dwelling in Residential District A may be enlarged or altered in a manner that does not increase its nonconformity provided that the enlargement or alteration and any prior enlargements or alterations, whether permitted or not, shall not exceed 50 percent or more of either the floor area or the size of the dwelling as the dwelling was originally constructed. To determine whether a proposed alteration or remodel will be deemed a “substantial improvement” a calculation of the affected alteration or remodel areas shall be provided.

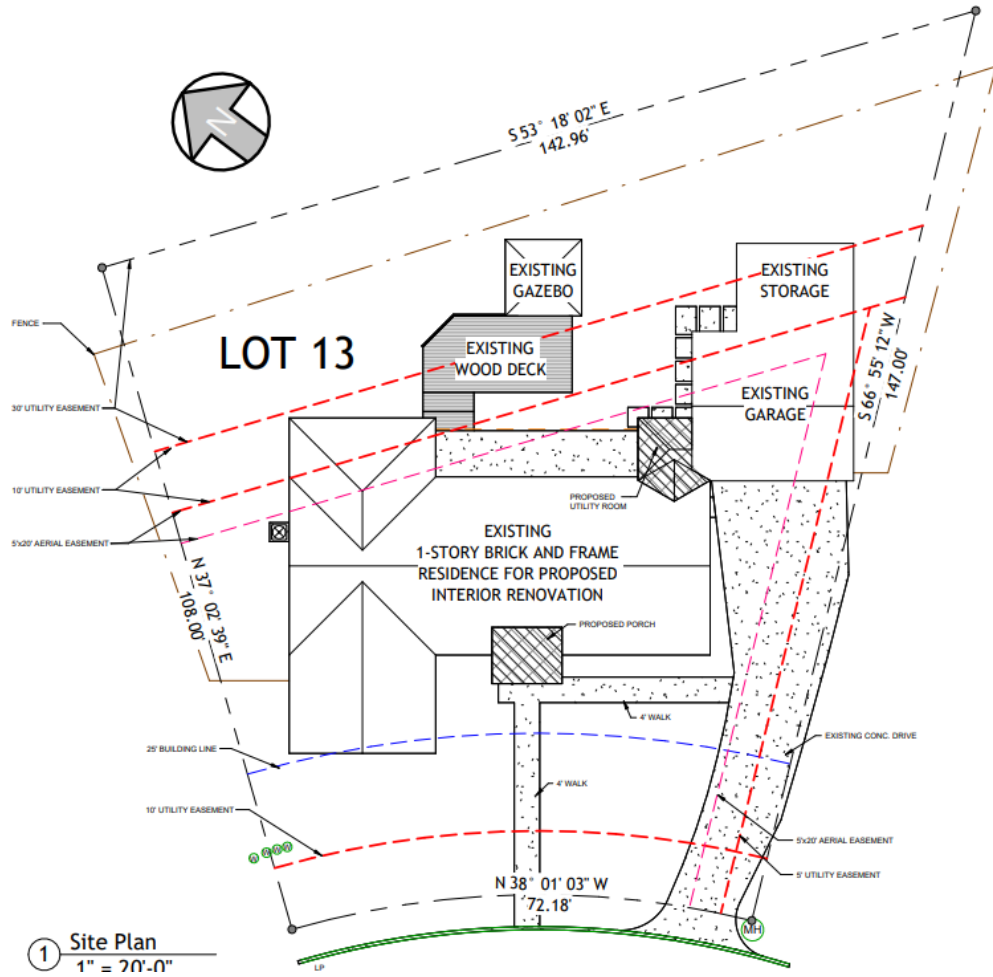
All areas of improvement that would result in a modification to the existing floor plan of the structure, including but not limited to the addition or removal of a wall, shall be specifically included in the calculation.

EXCEPTION: Remodel or alteration areas which are limited to purely cosmetic modifications, such as installing cabinets or appliances, painting interior walls, or replacing flooring, are specifically excluded from this calculation. Such areas are not counted when determining whether a project will be considered a substantial improvement.

.09.03.05

An exception to the side building line setback for pre-existing dwellings and pre-existing garages. This subsection is applicable to pre-existing dwellings and ~~pre-existing~~ garages only and applies when an enlargement or alteration has been determined to be a “substantial improvement” as provided by 08:01:06.01. It is the intent of this subsection to permit a ~~one first-story~~ enlargement or ~~a one-story~~ alteration of a pre-existing dwelling or ~~pre-existing~~ garage (whether one story or greater) within the side setback area as described in this subsection. A ~~pre-existing~~ dwelling or garage that was constructed (~~pre-existing only~~) from the side property line of an adjoining lot, street or major-thoroughfare as permitted by the city's regulations then in effect may be enlarged or altered within the side building line setback adjoining another lot, street or major-thoroughfare provided that the ~~one first-story~~ enlargement or ~~one-story~~ alteration is no closer to the side lot line than the ~~pre-existing structure and is no closer than five feet currently adopted setback regulations~~ from the side property line of the adjoining lot, street, or major thoroughfare. When an enlargement or alteration is determined to be a “substantial improvement”, prior non-conforming structures that were lawfully constructed prior to the adoption of the currently adopted setback regulations, shall require a variance from the Zoning Board of Adjustment. Further, the ~~one first-story~~ enlargement or ~~the one-story~~ alteration within the current side setback area of the adjoining lot, street or major-thoroughfare shall not exceed in height the ~~one first-story~~ height of the pre-existing structures on the lot based upon their first floor plate height and roof slope. This exception applies only to side building line setbacks.

Examples



Examples

