

W.K. (Trey) Hoffman, Chairman
Anne-Marie McMichael, Vice Chair
Jim Autenreith
Patrick Johnson



Brad Jones
Jerry Kent
Jarrad Bourger, Alternate
Nathan Carroll, 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, December 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/81773855184>

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: 817 7385 5184 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 Meeting on November 12, 2024.

3. OLD BUSINESS

3.1 **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 24-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD'S CLUB SWIM TEAM, INC. FOR A PRIVATE RECREATION CLUB BY PERMITTING THE DEMOLITION OF TWO BUILDINGS AND REBUILDING OF THE SAME; 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; AND PROVIDING A SEVERABILITY CLAUSE.

4. NEW BUSINESS

4.1 CONDUCT A PUBLIC HEARING CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:

- a. Section 5:02.13, Placement of Free Standing Mechanical Equipment, Section 5, Building Use Restrictions in Dwelling District "A".
- b. Section 03:G-01 Gate, Section 3, Definitions, and Section 11:01.11 Gates, Section 11, Fences.
- c. Sections 08:01.05, .06, and .08, Section 8, Non-Conforming Buildings and Structures, Lots, and Uses

- 1. Presentation of Proposed Amendments
- 2. Those In Favor
- 3. Those Opposed
- 4. Adjourn Public Hearing

4.2 CONSIDERATION AND POSSIBLE ACTION CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:


- a. Section 5:02.13, Placement of Free Standing Mechanical Equipment, Section 5, Building Use Restrictions in Dwelling District "A".
- b. Section 03:G-01 Gate, Section 3, Definitions, and Section 11:01.11 Gates, Section 11, Fences.
- c. Sections 08:01.05, .06, and .08, Section 8, Non-Conforming Buildings and Structures, Lots, and Uses

4.3 CONSIDERATION AND POSSIBLE ACTION CONCERNING: Election of a Commission Secretary

5. ADJOURNMENT

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 or by email for further information.

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.



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

MEETING DATE:	December 10, 2024
SUBMITTING STAFF:	Jasmin Torres, City Secretary
SUBJECT:	Minutes for Meeting on November 12, 2024.

BACKGROUND:

ATTACHMENTS:	PZ Minutes - 11-12-2024
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FUNDING:					
Amount Available	Account No.	Additional Appropriation Required	Project No.	Amount Budgeted	Account Description

RECOMMENDATION:

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

- 1. The Planning & Zoning Commission meeting was called to order by Chairman Trey Hoffman at 7:08 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present at City Hall:

Trey Hoffman, Chairman
Anne-Marie McMichael, Vice-Chair (via teleconference, left at 9:02 p.m.)
Jerry Kent
Brad Jones
Jarrad Bourger

A quorum was present.

City Officials present:

Jose Gomez, Development Services Manager
John McDonald, City Administrator
Abbey Anderson, Assistant to the City Administrator
Jasmin Torres, City Secretary
Philip J. Boedeker, City Attorney

- 2. Approval of meeting minutes for regular Planning and Zoning meeting on September 10, 2024.**

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

At this time. Chairman Hoffman asked for all items related to agenda items 4 (four) to be moved and considered at this time. Mr. Bourger made the motion to approve agenda item 4 (four) to be moved. Mr. Kent seconded the motion. The motion carried 4 to 0.

4. NEW BUSINESS

4.1 Conduct a Public Hearing concerning: Ordinance No. 24-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD'S CLUB SWMI TEAM, INC. FOR THE PRIVATE RECREATION CLUB BY PERMITTING THE DEMOLITION OF TWO BUILDINGS AND REBUILDING OF THE SAME, 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; AND PROVIDING A SEVERABILITY CLAUSE.

- A. Presentation of Specific Use Permit by Applicant
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

Chairman Hoffman opened the public hearing at 7:11 p.m.

Justin Chapman of 1409 Bracher, Houston, TX 77055, Dad's Club Board of Directors' President gave a brief history of the Dad's Club and how they serve the community. He also explained to

the Commission Members how the hurricane damaged the property and why they were seeking to rebuild.

Mark Goulas of 1125 Ridgley Drive, Hilshire Village, TX, presented the Commission Members with drawings, photos, and a brief overview of construction plans of the Dad's Club renovations.

Chairman Hoffman closed the public hearing at 7:19 p.m.

4.2 CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 24-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD'S CLUB SWMI TEAM, INC. FOR THE PRIVATE RECREATION CLUB BY PERMITTING THE DEMOLITION OF TWO BUILDINGS AND REBUILDING OF THE SAME, 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; AND PROVIDING A SEVERABILITY CLAUSE.

No action. At this time, the Dad's Club requested that this item be tabled.

3. OLD BUSINESS

3.1 Input and discussion concerning: Possible Amendments to the City Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:

- a. Section 8, Non-Conforming Building 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

City Attorney Boedeker led the discussion with a synopsis of the changes that were discussed in the last meeting and what was being presented at this time. After much discussion between the Commission Members, Development Services Manager Jose Gomez, and City Attorney Philip Boedeker, and City Administrator John McDonald, it was recommended that in:

- a. Section 8, Non-Conforming Building and Structures, Lots, and Uses
 - That the removal of the exception provided in 08:01.06.1; this version does not require the adoption of definitions Legal Nonconforming or Illegal Nonconforming.
 - Each section in Section 8 that states replacement value be replaced with Calculated Square Footage.
 - Section 08:01.06 regarding Nonconforming buildings and structures, specifically the section that addresses enlargement or alteration, the language that states that any enlargement or alteration shall not exceed 50 (fifty) percent or more of either the floor area of the size of the dwelling as the dwelling was originally constructed and replaced with shall not be a Substantial Improvement as provided in 03:S-08.
 - Section 08:01.08 Determination of Calculated Square Footage
 - .01 For the purposes of determining Calculated Square Footage of a structure under this chapter, the building official shall calculate areas altered, remodeled, improved or otherwise changed to a structure that increases the square footage plus any areas of the structure that have a

Structural Alternation as defined by 03:S-06. The areas described in Section 08:01.07 shall not be included in this calculation.

- 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.
 - 05:02.03.09.03.05 discussion on removing this exception completely and not allowing any enlargement of any nonconformity. Only conforming enlargements allowed.
 - 05:02.13 Placement of Free-Standing Mechanical Equipment removing than four (4) feet to now reflect: Free-standing mechanical equipment shall not be placed closer to the property line than the greater of two (2) feet, the manufacturer's recommendations for the model of the mechanical equipment, the National Fire Protection Association Codes and Standards, or any relevant codes, as amended, published by the International Code Council and adopted by the City. (Ordinance 2011-05 adopted 2-15-11)
- c. Section 11, Fences
 - Additional definitions be included as listed in Sections 11:01.11 through Sections 11:01.11.02 and listed below:
 - 11:01.11 Gates
 - 11:01.11.01 Height and Materials:

A gate may be no taller than the fence or wall at the same location A gate shall be constructed of the same materials as the fence or wall as the same location.
 - 11:01.11.02 Certain Egress Restricted:
 1. No gate shall be able to overhang or allow for ingress or egress over or onto a public right or way, subject to the following special exception.
 2. Special Exception. A special exception can be granted if the gate allows for City public works access to a utility easement.
 3. Nothing in this section shall be constructed to limit private arrangements for ingress/egress points across private property lines.
- d. Section 3, Definitions
 - i. 03:C-01 Calculated Square Footage added with definition:

In order to calculate the affected size of an alteration, remodel, improvement or other change to a structure, the Calculate Square Footage shall include all areas of improvement that would result in a modification to the existing floor plan of the structure, including but not limited to Structural Alterations as provided by 03:S-06. Any change to areas which are 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.
 - ii. 03:C-01 Carport changed to 03:C02 Carport
 - iii. 03:C-02 Customary Home Occupations changed to 03:C-03 Customary Home Occupations
 - iv. 03:G-01 Gate: (added)

A gate is a barrier, whether hinged or on rails or attached by other means, used to close a means of ingress and/or egress in a wall, fence, or hedge.
 - v. 03:G-01 Gross Building Area changed to 03:G-02 Gross Building Area

- vi. 03:I-01 Nonconforming: (added)
Nonconforming shall mean any structure, building, lot, use of land, or characteristics of use that were never lawful, unpermitted, or existed prior to incorporation of the City of Spring Valley Village, Texas.
- vii. 03:L-01 Legal Nonconforming: (added)
Legal Nonconforming shall mean any structure, building, lot, use of land, or characteristics of use that were lawful at some time during the existence of this Chapter but which would be prohibited, regulated, or restricted under the current or future amendments to this Chapter.
- viii. 03:L-01 Lot changed to 03:L-02 Lot
- ix. 03-S-08 Substantial Improvement: (added)
A substantial improvement is a proposed alteration or remodel that included 50 percent or more of the square footage of the structure as determined by Calculated Square Footage provided by 03:C-01.

4. **Adjournment:** Mr. Jones made a motion to adjourn. Mr. Bourger seconded the motion. The motion carried 4 to 0. The meeting was adjourned at 9:34 p.m.

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

Attest: _____
Jasmin Torres, City Secretary



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

MEETING DATE:	December 10, 2024
SUBMITTING STAFF:	Jose Gomez, Development Services Coordinator
SUBJECT:	<p>CONSIDERATION AND POSSIBLE ACTION</p> <p>CONCERNING: Ordinance No. 24-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD’S CLUB SWIM TEAM, INC. FOR A PRIVATE RECREATION CLUB BY PERMITTING THE DEMOLITION OF TWO BUILDINGS AND REBUILDING OF THE SAME; 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; AND PROVIDING A SEVERABILITY CLAUSE.</p>

BACKGROUND:	<p>Property History: The Dad’s Club Swim Team, located at 1006 Voss Road in Dwelling District "A," which is residential use, was established in 1947 and has continuously operated since then. On July 22, 2008, the City Council approved Ordinance No. 2008-14, which granted a Specific Use Permit (SUP), allowing the organization to continue its operations on the property with several specified conditions. Subsequently, on May 26, 2009, the City Council approved a second SUP through Ordinance No. 2009-06 to permit additional improvements to the property. Then, on June 25, 2013, another SUP was approved via Ordinance No. 2013-13, which amended the 2009 SUP and allowed for further enhancements to the property.</p> <p>Proposed Request: On October 7, 2024, the Dad’s Club Swim Team submitted an application to the City Secretary for a Specific Use Permit Amendment. This application seeks to amend Specific Use Permit #5 to allow for the replacement and relocation of two small prefabricated office buildings that were damaged during the storm on May 16, 2024. The Dad’s Club Swim Team plans to replace these buildings with one 12 x 46 temporary office trailer and change the orientation compared to the original structures.</p> <p>Drainage:</p>
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The proposed Dad's Club Swim Team SUP is not proposing any changes to the existing impervious coverage of the site.

Public Notification:

Staff sent notices of the public hearing to property owners within 250 feet of the subject property under consideration for the SUP. The Notification Map is attached. The applicant also posted a sign with the proposed SUP on the subject property.

Opposition to or Support of Proposed Request:

Staff has not received any public comments in opposition or support of the proposed SUP at this time.

The applicant has revised their plan in response to the Planning and Zoning Commission's concerns about the proposed building size of the two 12x46 temporary office trailers. The initial sizes were noted to be significantly smaller than the new proposal, encouraging the applicant to adjust their proposal to better align with the commission's concerns. The new proposal is one building, 11' 9" by 46'.

Attached are the requested changes, along with building specifications and proposed revisions to the site plan.

ATTACHMENTS:

Dad's Club Update, COSVV letter, 1 12x46 EXTENDED FLOOR PLAN WITH ADD-ON OPTIONS, 12x46 SPECS STAMPED (1), Dad's Club Amendment Notice Labels, PUBLIC NOTICE Dad's Club 2024, Dad's Club Sign Affidavit, Dad's Club Notification Map, bldg A loc, bldg A oc, bldg A, IMG_5366, IMG_5370

FUNDING:

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

Staff finds that the proposed SUP The Dad's Club Swim Team amendments meet the established criteria for approval of a SUP. The proposed amendments are also consistent with SUP approval guidelines Chapter 12 - Planning & Zoning Section 01:05.08.

01 Whether the proposed structure or use conforms to the requirements and intent of this Comprehensive Zoning

Ordinance;

Proposed amendments conform to these criteria.

02 Whether such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the public welfare of the community;

Proposed amendments conform to these criteria.

03 Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

Proposed amendments conform to these criteria.

04 Off-street parking and the economic, noise, glare, or odor effects of the Specific Use on adjoining properties and properties generally in the district;

Proposed amendments are non-applicable.

05 Refuse and service areas;

Proposed amendments are non-applicable.

06 Utilities with reference to location, availability, and compatibility;

Proposed amendments are non-applicable.

07 Fencing, screening, or buffering with reference to type, dimensions, and character,

Proposed amendments are non-applicable.

08 Sign location, size, and proposed exterior lighting with reference to glare and traffic safety and compatibility with properties in the district;

Proposed amendments are non-applicable.

09 Landscaping and required yard and other open space;

Proposed amendments are non-applicable.

10 Setbacks; and

Proposed amendments conform to these criteria.

11 General Compatibility with adjacent properties and other property in the district. (Ordinance 194)

Proposed amendments conform to these criteria.

Staff recommends approval of the request.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD’S CLUB SWIM TEAM, INC. FOR A PRIVATE RECREATION CLUB BY PERMITTING THE DEMOLITION OF TWO BUILDINGS AND REBUILDING OF THE SAME; 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; AND PROVIDING A SEVERABILITY CLAUSE.

* * * * *

WHEREAS, DAD’S CLUB SWIM TEAM, INC. (the “Owner”) is the Owner of a tract of land comprising 5.904 acres, more or less, in Harris County, Texas, and being further identified as 1006 Voss Road (the “Property”), and situated within the corporate limits of the City of Spring Valley Village, Texas (the “City”), said tract being more particularly described in the Exhibits attached hereto and made a part hereof for all purposes; and

WHEREAS, the Property has been continuously used as a private recreation club since 1947; and

WHEREAS, the Owner proposes to improve and continue to operate the Property as a private recreation club; and

WHEREAS, the Property presently has a zoning classification of Residential Dwelling District A, pursuant to the Zoning Ordinance of the City; and

WHEREAS, the City Council of the City of Spring Valley Village has previously issued to the Dad’s Club a specific use permit for the operation of a private recreation club; and

WHEREAS, the Owner of the Property, through its duly authorized representative, has presented an application dated October 7, 2024 (the “Application”) to the City for the amendment of the Specific Use Permit to allow improvements to its existing facility; and

WHEREAS, the Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council grant the specific use permit 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 Zoning Commission that such specific use permit should be granted; and

WHEREAS, the City Council finds that the amendment to the specific use permit should be granted subject to certain conditions and terms contained herein.

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. The Specific Use Permit granted to Dad's Club for use of the Property for the purpose of constructing and operating a private recreation club, the Specific Use, subject to the terms and conditions set forth below, previously granted to the Owner is hereby amended by approving the application setting forth proposed improvements of the existing facility at the Dad's Club located at 1006 Voss Road, subject to the terms and conditions set forth below.

Section 3. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the amending of this Specific Use Permit as herein provided.

Section 4. The authorization granted by this Ordinance to construct the proposed improvements on the Property shall be null and void after the expiration of

eighteen (18) months from the date of adoption hereof unless construction as identified in the Exhibits, attached hereto and made a part hereof, has commenced and the facilities are constructed or substantially complete within a three-year period, or unless an extension of time is approved by City Council.

Section 5. The Specific Use Permit to authorize use of the Private Recreation Clubs, authorized and permitted is hereby amended, subject to the following additional limitations, restrictions, and conditions:

- A. Compliance with Application and Site Plans. The granting of the Amended Specific Use Permit shall be, and is hereby, conditioned upon the Specific Use being located, constructed, and conducted upon the Property and in substantial compliance with the application dated October 7, 2024, including the site plan, which is attached hereto as Exhibit “A” and made a part hereof for all purposes (“Site Plan”). Development of the Property shall comply with the Site Plan.
- B. Specific Use Requirements Previously Granted Unaffected. This Amended Specific Use Permit shall apply only to the site plan amended herein under this Ordinance, and shall not affect standards previously approved and authorized.
- C. Buildings; setbacks; architectural elevations.
 - 1) Existing structures on the Property, not affected by changes herein, must be maintained.
 - 2) Any new construction of future improvements shall require an amendment to this permit and all procedures in place at that time must be followed.

- 3) All new construction and all maintenance of existing structures shall comply with building code and setback requirements of the City, must be constructed in accordance with the site plan provided for in the Exhibits, and are subject to final approval of the building's footprint and setbacks by the Building Official.
- 4) All landscaping and lighting shall be in accordance with a landscape and lighting plan as approved by the City.
- 5) All fencing shall be in compliance with standards set forth in the City Code of Ordinances.

D. Safety Codes. The Owner shall comply with the requirements of Texas Health and Safety Code Sections 341.064 (Swimming Pools and Bathhouses), 343.011 (fencing around swimming pool), and 25 Texas Administrative Code Chapter 265 (Design Standards for Public Swimming Pool Construction).

E. Abandonment. Should the permitted use be abandoned in any manner, or discontinued in use for ninety (90) days or more, or continued other than in strict conformity with the conditions of this permit, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of the public health, safety or welfare, the Specific Use Permit may be terminated by action of the City Council following hearing and recommendation of the City Planning and Zoning Commission.

F. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this Specific Use Permit, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized

herein, shall require a new permit and all procedures in place at the time must be followed.

Section 6. 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. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 7. 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.

ADOPTED this _____ of _____, 2024

Marcus Vajdos, Mayor

ATTEST:

Jasmin Torres, City Secretary

EXHIBIT "A"



Nationally recognized. Community driven.

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

October 7, 2024

Dear City of Spring Valley Village,


As discussed last Spring, the Dad's Club suffered major damage to its campus in the Derecho/tornado that hit Spring Valley Village.

We have repaired most of the damage to fences, shade structures, swimming equipment and replaced office equipment. We will finish our repairs with the replacement of the two small buildings on the west side of our campus: one was crushed entirely by a fallen tree and the other damaged by large limbs and is not repairable.

We are requesting to replace the small office buildings while we continue with campus improvements. The buildings will be in the same location but will be turned from a north/south orientation to an east/west orientation. This will make the buildings less visible from the street and provide easier/safer for pedestrian access.

Please find the attached completed General Plan Submittal Application and all requested supplemental information for your consideration.

Thank you,


Linda Kutac
Executive Director
linda.kutac@dadsclubaquatics.com

Dad's Club Aquatic Center, Inc
1006 Voss Road, Houston, Texas 77055
(713)461-8577
dadsclubaquatics.com

EXHIBIT "A"



SPRING VALLEY
VILLAGE

CITY OF SPRING VALLEY VILLAGE

Plat / General Plan Submittal Application

(Please type or print legibly)

- Fees:**
- Plat or Replat Application - \$500
 - Specific Use Permit Application - \$500
 - Planned Area Development District (PADD) Application - \$7,000
 - Amendment to Planned Area Development District (PADD) Application - \$1,000

Submittal Requirements Checklist:

Fifteen (15) packets, each one shall include all of the items listed below:

- Application
- Letter stating the applicant's reasons for request, the type of request, and other pertinent information
- Letter from property owner (NON PROFIT)
- Proof of ownership
- Metes and bounds of the site and county slide number of plat (if recorded)
- Scale drawings on 24" x 36" paper (1" = 100'), blue line/black line copies of plat, re-plat or amending plat, and a vicinity/key map
- A pdf of the entire packet submitted to secretary@springvalleytx.com

Subdivision / Development Name: Zoned SUP 5- specific use permit for Dad's Club Aquatic Center, Inc by ordinance #2008-14 and amended by #2009-05, 2013-13

Geographical Location: 1006 Voss Road, Houston, TX 77055 (NE Corner of IH-10 and Voss Road. On Southern border of COSVV.

(List specific address, major streets, bayous, creeks, and adjacent subdivisions)

Is the location listed belong to a Homeowner's Association (HOA)? Yes / No (Circle One)

Name of Homeowner's Association: NA

Have you received approval from the Homeowner's Association? Yes / No (Circle One)

Survey/Abstract No.: +/- 5.904 acres tract of land being Tract 18 in the AH Osbourne, Abstract 610, COSVV Harris Co. TX

Reason for Replat or Amending Plat:

Derecho/Tornado Destroyed office. Requesting approval for a like buildings for replacement. Requesting to place them in the same location but at an orientation to be away from full view of Old Voss Road.

- Submittal Type:**
- Preliminary Plat
 - Final Plat
 - Amending Plat
 - Preliminary Replat
 - Final Replat
 - Specific Use Permit
 - Specific Use Permit Amendment

EXHIBIT "A"

Type of Plat: Single Family Residential
 Zero Lot Line Patio Homes
 Planned Area Development District
 Planned Area Development
 Amendment to Planned Area Development

Plat/PADD Data:

Total Acreage: +/- 5.904 ACRES Typical Lot Size: NA
Number Lots: NA Number of Streets: NA
Numbers and Types of Reserves: NONE Total Acres in Reserve: NONE

Zoning District: SUP 5

Applicant: Dad's Club Aquatic Center, Inc

Contact Name: Linda Kutac, Executive Director. & Justin Chapman, President

Address: 1006 Voss Road, Houston, TX 77055

Phone: 713-461-8577 Fax: _____

Email: Linda.kutac@dadsclubaquatics.com & chappycinco@gmail.com

Owner: Dad's Club Aquatic Center, Inc. (Same as applicant)

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Engineer or Planner: BURDITT Consultants LLC--LAND | PLACE STUDIO

Contact Name: Mark F. Goulas, AIA Director of Design

Address: 1505 WHISPERING PINES DR. HOUSTON, TEXAS 77055

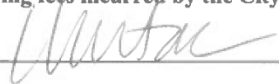
Phone: 713-667-8774 office 713-299-8461 cell

Email: mgoulas@burditt.com

EXHIBIT "A"

Authorization:

My signature below certifies that I am authorized to submit this application and that the information on the application is COMPLETE, TRUE, and CORRECT. Furthermore, I understand that, in accordance with Chapter 9, Article 9.303 of the Spring Valley Village Code of Ordinances, I am responsible for all engineering fees incurred by the City.



Applicant's Signature

10/7/2024

Date

EXHIBIT "A"

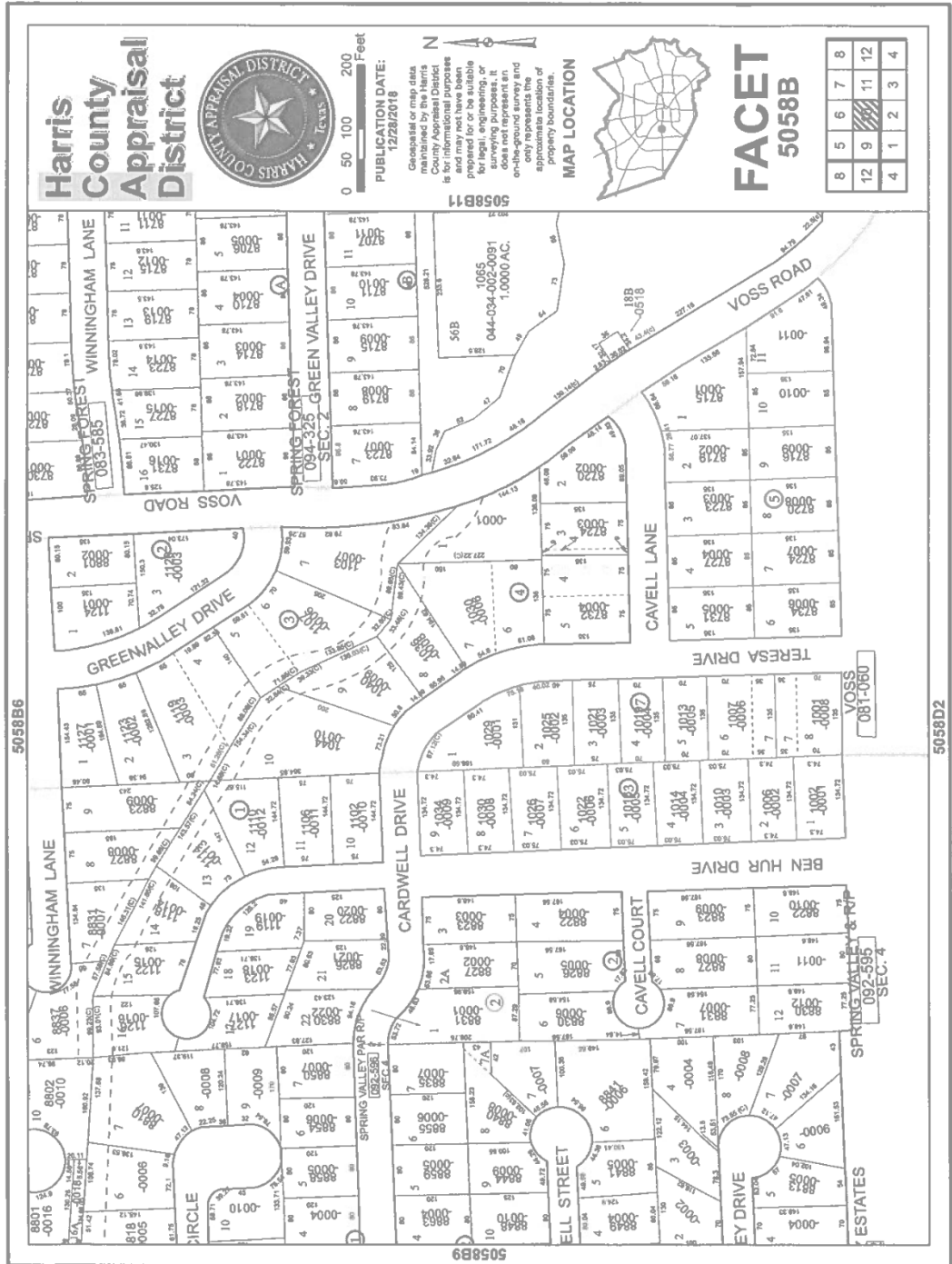


EXHIBIT "A"

HARRIS CENTRAL APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
0440340020450

Tax Year: 2024



Owner and Property Information										
Owner Name & Mailing Address: DAD'S CLUB SWIM TEAM INC 1006 VOSS RD HOUSTON TX 77055-6632						Legal Description: TR 18 ABST 610 A H OSBORNE				
						Property Address: 1006 VOSS RD HOUSTON TX 77055				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map [®]
XV -- Other Exempt (Charitable)	8002 -- Land Neighborhood Section 2	E	0	257,213 SF	0	0	9854.1	4014 -- Katy Freeway	5058B	490D

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	04/19/2024	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2023 Rate	2024 Rate
Total	025	SPRING BRANCH ISD	12,498,610	Not Certified	1.078900	
	040	HARRIS COUNTY	12,498,610	Not Certified	0.350070	
	041	HARRIS CO FLOOD CNTRL	12,498,610	Not Certified	0.031050	
	042	PORT OF HOUSTON AUTHY	12,498,610	Not Certified	0.005740	
	043	HARRIS CO HOSP DIST	12,498,610	Not Certified	0.143430	
	044	HARRIS CO EDUC DEPT	12,498,610	Not Certified	0.004800	
	080	CITY OF SPRING VALLEY	12,498,610	Not Certified	0.395000	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Value as of January 1, 2023			Value as of January 1, 2024		
	Market	Appraised		Market	Appraised
Land	0		Land	0	
Improvement	0		Improvement	0	
Total	0		Total	0	0

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8002 -- Land Neighborhood Section 2	4393	SF	108,900	1.00	1.00	1.00	--	1.00	0	0	0
2	8002 -- Land Neighborhood Section 2	4393	SF	148,313	1.00	1.00	0.55	Shape or Size	0.55	0	0	0

Building
Vacant (No Building Data)
Extra Features

EXHIBIT "A"

Line	Description	Quality	Condition	Units	Year Built
1	YMCA 42,500 SF	Average	Average	2,975.00	0



DAD'S CLUB
AQUATICS

December 3, 2024

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

Dear City of Spring Valley Village,

As discussed during the initial P&Z meeting several weeks ago, the Dad's Club suffered major damage to its campus in the Derecho/tornado that hit Spring Valley Village. We have repaired most of the damage to fences, shade structures, office equipment, and swimming equipment. We will finish our repairs with the replacement of two small buildings: one crushed entirely by a fallen tree and one damaged by large limbs and not repairable.

After the initial P&Z meeting, we met with the city team and discussed several options for the site. It was determined from our meeting a single building of 541 sf to replace the two existing damaged buildings of a combined 542 sf would be a better approach to resubmit to the P&Z members. We are requesting to replace the two small office buildings with one modular building while we continue with campus improvements and ongoing construction plans. The building will be in the same East/west orientation similar to the previous building's location. This will make the buildings less visible from the street and easier/safer for pedestrian access.

Please find the attached updated site plan layout, exterior elevations, modular building specifications, and the completed application for your consideration, complete with all requested information.

Thank you,
Linda Kutac, Executive Director

1006 Voss, Houston Texas, 77055 • (713) 461-8577 • www.dadsclubaquatics.com



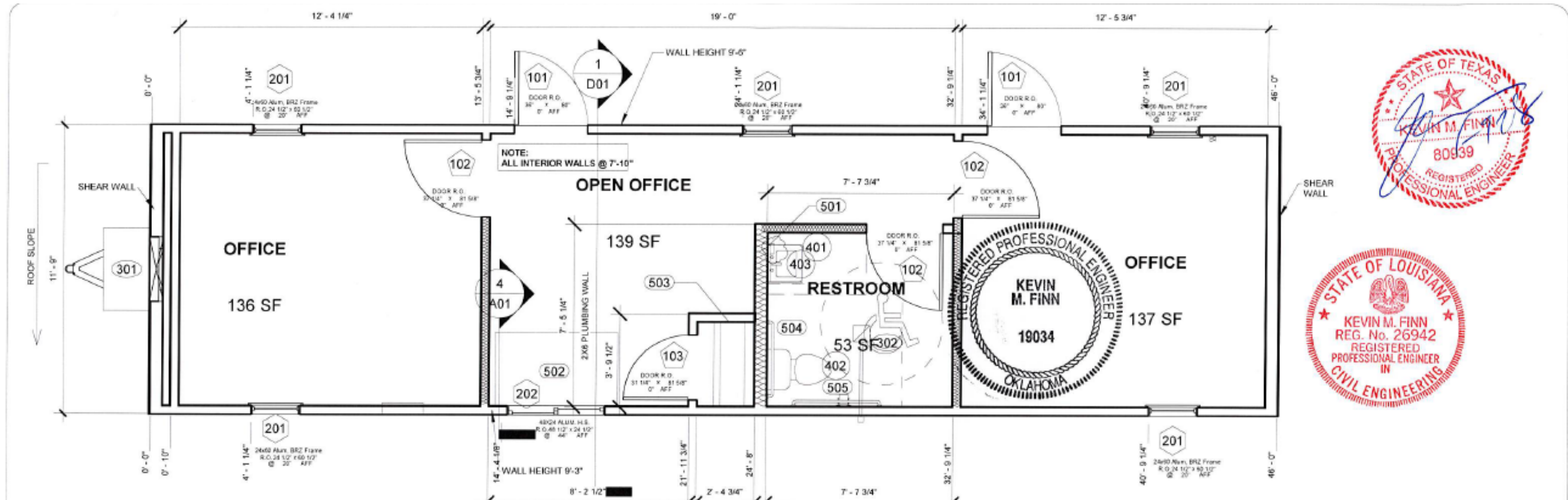
12' x 46'

MOBILE OFFICE



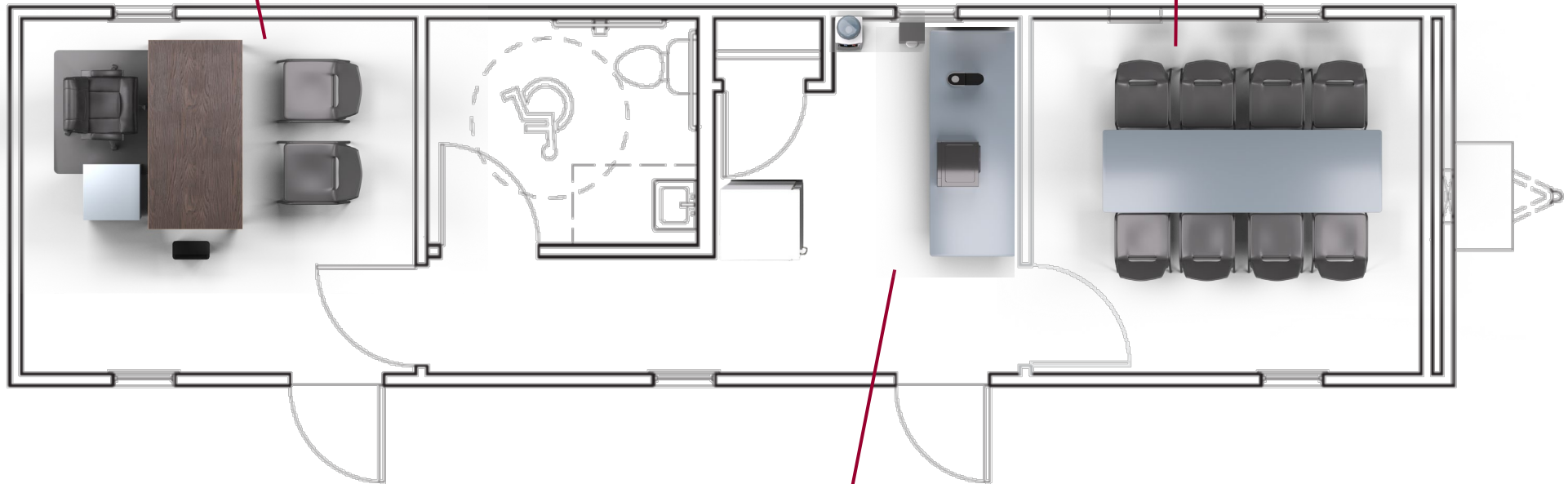
877-966-7839 | www.boxxmodular.com

552 Square Feet
2 Private Offices
1 Restroom (ADA)
Break Room Area
Ribbed Steel Exterior
VCG Wall Finish
VCT Flooring



example photos

MOBILE OFFICE 12' x 46'



BUILDING ADD-ONS

Office



Desk
Swivel Chair
File Cabinet
Guest Chairs
Chair Mat

Large Kitchen



Microwave
Coffee Maker
Water Cooler
Full Size Fridge
Garbage Can
(table not included)

Basic Seating



8' Table
Conference Chairs

OSHA Steps



Aluminum
Non-Slip Treads



SHEET LIST

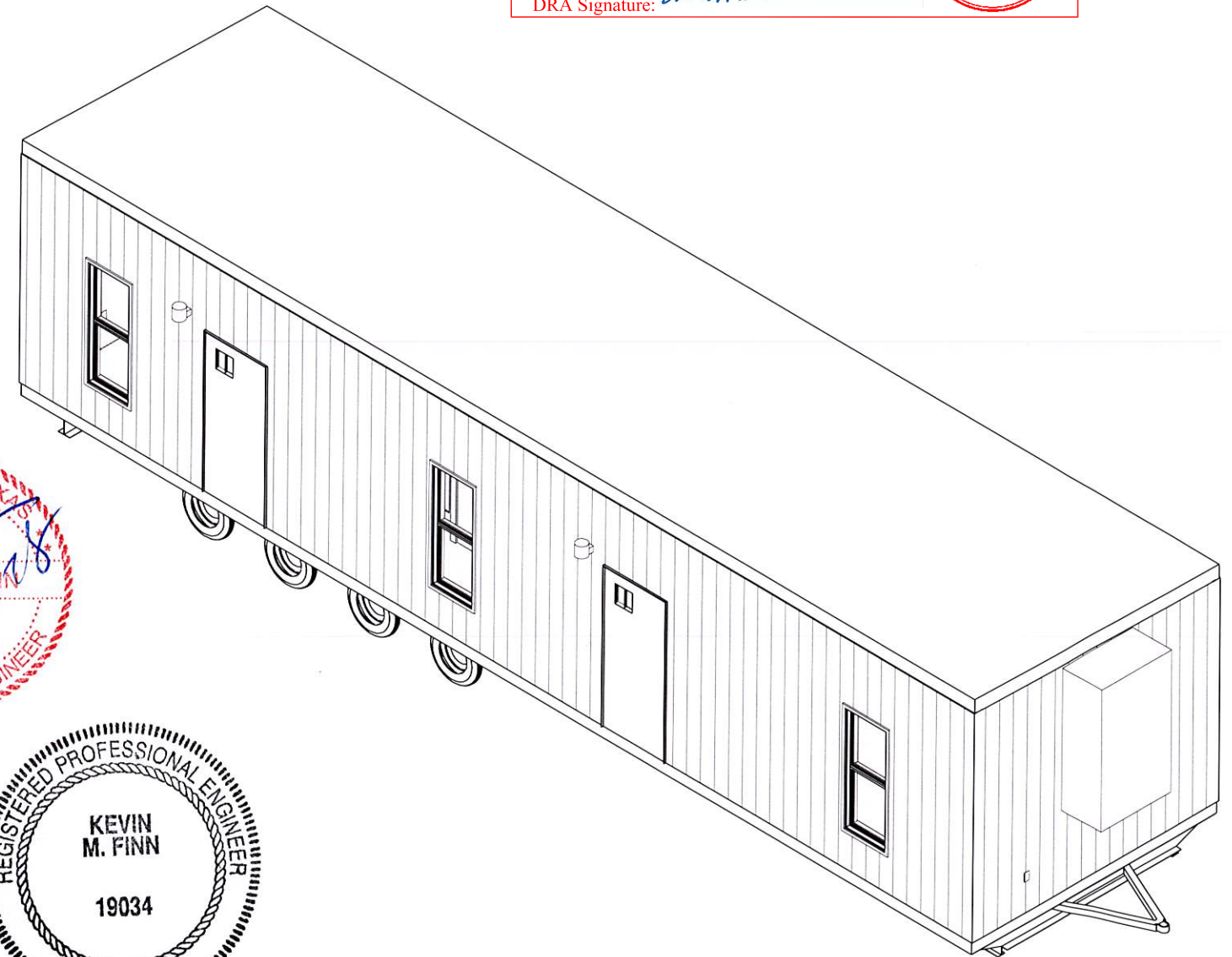
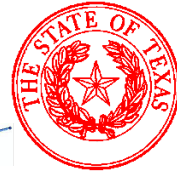
SHEET NO.	SHEET NAME
A00	COVER PAGE
A01	CONSTRUCTION PAGE
D01	CROSS SECTION
E01	ELECTRICAL PLAN
F01	FASTENING SCHEDULE
F02	FOUNDATION PLAN
M01	MECHANICAL PLAN
M02	PLUMBING PLAN

TEXAS INDUSTRIALIZED BUILDING CODE COUNCIL

This document is approved pursuant to the Industrialized Housing and Buildings Act.

DRA No. 7 IBC X IRC _____
Date: **1/9/18**

DRA Signature: *Suzanne M. Uluenes*



BUILDING CODES		BUILDING CODES	
LEGAL JURISDICTION	TEXAS	LEGAL JURISDICTION	OKLAHOMA
BUILDING CODE	2015 IBC	BUILDING CODE	2015 IBC W/ AMENDMENTS
ELECTRICAL CODE	2014 NEC	ELECTRICAL CODE	2014 NEC
PLUMBING CODE	2015 IPC	PLUMBING CODE	2015 IPC
MECHANICAL CODE	2015 IMC	MECHANICAL CODE	2015 IMC
ENERGY CODE	2015 IECC	ENERGY CODE	2015 IECC
ACCESSIBILITY STANDARDS	2012 TAS	ACCESSIBILITY	ICC ANSI A117.1-2003
OCCUPANCY CLASSIFICATION	B	OCCUPANCY CLASSIFICATION	B
OCCUPANT LOAD	6	OCCUPANT LOAD	6
TYPE OF CONSTRUCTION	VB	TYPE OF CONSTRUCTION	VB
LIVE LOADS:		LIVE LOADS:	
OFFICES	50 PSF / 2000 LBS CONCENTRATED LOAD	OFFICES	50 PSF / 2000 LBS CONCENTRATED LOAD
ROOF LIVE LOAD	20 PSF	ROOF LIVE LOAD	20 PSF
WIND LOAD	WIND SPEED -160 MPH VuR / 124Vasd	WIND LOAD	WIND SPEED -160 MPH VuR / 124MPH Vasd
EXPOSURE	B	EXPOSURE	B
RISK FACTOR	II	GROUND SNOW LOAD	10 PSF
GROUND SNOW LOAD	10 PSF	SEISMIC DESIGN	CATEGORY C
SEISMIC DESIGN	CATEGORY D	GAS TYPE	NONE
GAS TYPE	NONE		

- GENERAL NOTES:**
- BUILDING DESIGNED TO BE A MIN OF 10' FROM PROPERTY LINE OR ASSUMED PROPERTY LINE
 - EXTERIOR ACCESSIBILITY FEATURES ON SITE BY OWNER
 - ON PANEL BOX USE #4 BARE COPPER WIRE FROM GROUNDING LUG ON PANEL BOX TO SOLDERLESS GROUNDING BOLD THRU FRAME. EMPTY 1/2" PVC RACE WAY. (SAME LENGTH) AS ENTRANCE) FOR CUSTOMER INSTALLED GROUND WIRE.
 - SERVICE GROUND PER NEC 2014 ARTICLE 250.50 BY OWNER ON SITE
 - VENTILATION OF ATTIC SHALL BE PER SECTION 1203.2 OF THE 2015 IBC, AS REQUIRED
 - THE FOUNDATION VENTILATION AS PER SECTION 1203.3.1 OF THE 2015 IBC, AS REQUIRED
 - MINIMUM CLEAR AISLE WIDTH SHALL NOT BE LESS THAN 36 INCHES AS PER SECTION 1013.4.1 OF THE 2015 IBC
 - SERVICE SINK IS TO BE AVAILABLE IN ANOTHER BUILDING ON THE SITE OR BE ADDED AS REQUIRED BY LOCAL OFFICIALS
 - ACCESSIBLE TOILET ROOMS SHALL BE LOCATED ON SITE WITHIN 500' TRAVEL DISTANCE ON AN ACCESSIBLE ROUTE.
 - WATER HEATER SHALL COMPLY WITH 2015 IECC SEC. 504
 - UNIT CANNOT BE PLACED IN AREAS WHERE GROUND SNOW LOAD EXCEEDS DESIGN CRITERIA INDICATED ABOVE
 - IF CONCENTRATED FLOOR LOAD IS REQUIRED, ADDITIONAL BLOCKING SHALL BE INSTALLED IN ACCORDANCE WITH LOAD REQUIREMENTS OF IBC 2015 SEC. 1607 AS REQUIRED
 - ACCESSIBLE DRINKING FOUNTAIN TO BE PROVIDED ON SITE BY OWNER WITHIN 500 FEET OF ACCESSIBLE ROUTE.
 - ANY REQUIRED FIRE/SMOKE DETECTION AND/OR SUPPRESSION SYSTEM TO BE INSTALLED BY OTHER ON SITE IN ACCORDANCE WITH IBC AND IFC.
 - THE COMPLETED DATA PLATE IS ATTACHED IN THE VICINITY OF THE ELECTRICAL PANEL BOX. STATE LABEL IS AFFIXED TO THE BUILDING ON THE BOTTOM LEFT SIDE OF THE REAR WALL OF THE BUILDING.
 - PLAN MAY BE MIRROR IMAGE.
 - IF BUILDING IS PLACED IN A WIND BORNE REGION, IT IS THE RESPONSIBILITY OF THE OWNER TO PROVIDE AND INSTALL PROTECTION OF OPENINGS, IN ACCORDANCE WITH SECTION 1609.1.2 OF THE 2015 IBC.

BUILDING CODES	
LEGAL JURISDICTION	LOUISIANA
BUILDING CODE	2012 IBC
ELECTRICAL CODE	2011 NEC
PLUMBING CODE	2012 IPC
MECHANICAL CODE	2012 IMC
ENERGY CODE	ASHRAE/IES 90.1-2004 OR COMCHECK EZ
OCCUPANCY CLASSIFICATION	B
OCCUPANT LOAD	6
TYPE OF CONSTRUCTION	VB
LIVE LOADS:	
OFFICES	50 PSF / 2000 LBS CONCENTRATED LOAD
ROOF LIVE LOAD	20 PSF
WIND LOAD	WIND SPEED -160 MPH VuR / 124MPH Vasd
EXPOSURE	B
GROUND SNOW LOAD	10 PSF
SEISMIC DESIGN	CATEGORY C
GAS TYPE	NONE

Kevin M. Finn, P.E., Inc.
815 Waterbury Park Drive
Eikhart, IN 46517
TX Lic. # 80939
TX Firm # F-12601
LA Lic. # PE - 0026942
LA Firm # 5353
OK Lic. # PE-19034
OK Firm # CA 6667 PE



SQ FT = 658
OCCUPANT LOAD = 6

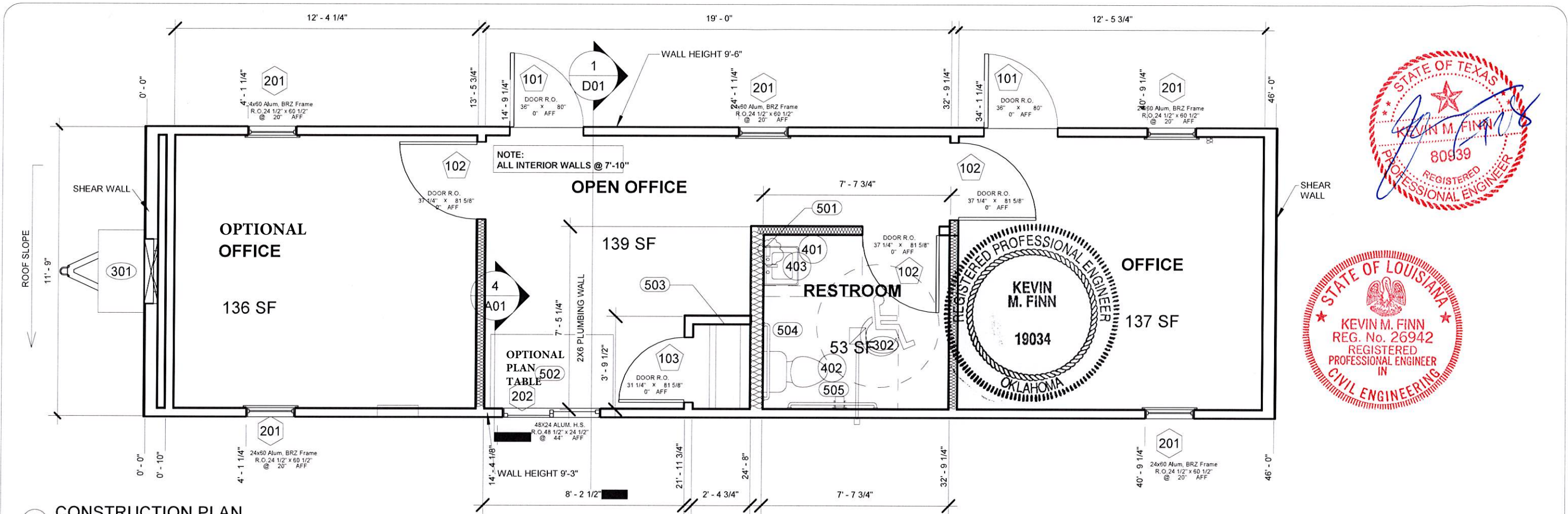
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DATE:	#	DESCRIPTION	BY	DATE
23OCT17	0	ISSUE FOR REVIEW	STR	23OCT17
SCALE: 1/8" = 1'-0"	1	ISSUE FOR PRE PRO	AV	29NOV17
DRAWN BY: STR	2	ISSUE FOR REVIEW	STR	08JAN18
CHECKER:				
Bid #: 714568				

PROJECT TITLE: 11'-9" X 46' MOBILE OFFICE - BOXX	DRAWING TITLE: COVER PAGE	PROJECT NO: 2017-06	SHEET NO: A00
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1101 Foundation Dr., Waco, TX 76712
Tel (254) 741-6701

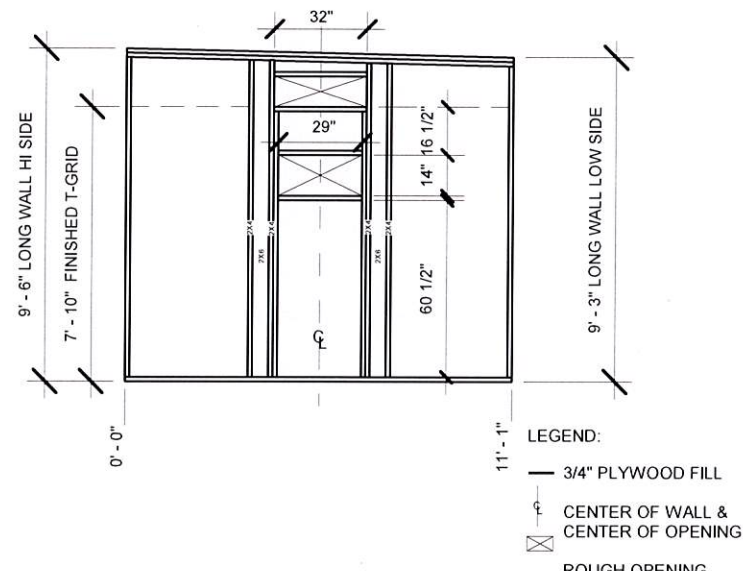




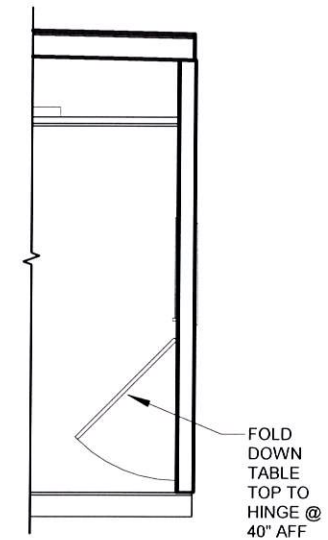
1 CONSTRUCTION PLAN
1/4" = 1'-0"

- NOTES:
1. ALL MEASUREMENTS ARE FROM RAW FRAMING MEMBER TO RAW FRAMING MEMBER, EXCEPT WHEN FINISHED I.D. IS CALLED OUT
 2. ALL EXTERIOR WALLS ARE DRAWN AT 3 1/2" ALL INTERIOR ARE DRAWN AS 3 1/2" UNLESS OTHERWISE NOTED.
 3. ALL DOOR JAMBS ARE 3" AWAY FROM WALL UNLESS OTHERWISE NOTED.
 4. EXTERIOR DOOR AND WINDOW HEADERS TO DBL 2X6
 5. WALL HEIGHT IS 7'-10" EXCEPT WHERE NOTED OTHERWISE

- R-11 INSULATION
NOTES ON SHEAR WALLS:
- SHEAR WALLS TO BE SHEATHED FULL HEIGHT TO EXTERIOR SIDE UP TO BOTTOM OF RAFTERS
 - BLOCKING INSTALLED IF NOT CONTINUOUS
 - EXTERIOR OF SHEAR WALL TO BE COVERED WITH 7/16" LP SMART SIDE PANEL
 - INTERIOR OF SHEAR WALL, IF WITHIN A PLENUM, TO BE COVERED WITH 1/2" PLAIN GYPSUM.
 - INTERIOR OF SHEAR WALL, WITHOUT A PLENUM, TO BE COVERED WITH 1/2" VCG W/ MATCHING BATTENS



3 HVAC FRAMING DETAIL 3 Ton
3/16" = 1'-0"



4 TABLE DETAIL
1/4" = 1'-0"

DOOR EQUIPMENT SCHEDULE					
Mark	Count	Function	Model	Description	Hardware
101	2	Exterior	36x80	Elbir Door w/ 10x10 VP(SAFETY GLAZED)	(2) Keyed Lever (BRITCO master) (2) Heavy Duty Check Chain
102	3	Interior	36x80	6 Panel H.C. Door w/ Vinyl/Wrapped Jamb	(1) Privacy Lever (2) Passage Lever
103	1	Interior	30x80	6 Panel H.C. Door w/ Vinyl/Wrapped Jamb	(1) Passage Lever

WINDOW EQUIPMENT SCHEDULE			
Mark	Count	Model	Description
201	5	24"x60"	Aluminum V.S. Low-E w/Mini Blinds
202	1	48"x24"	Aluminum H.S. Low-E w/ Mini Blinds

FURNITURE EQUIPMENT SCHEDULE			
Mark	Count	Model	Description
501	1	18x24	Frameless Mirror
502	1	36x60	Melamine Tabletop
503	1		Closet Rod with Wire Shelf
504	1		ADA Grab bar 36" on rear and 42" on side
505	1		Single-Roll Toilet Tissue Dispenser

MECHANICAL EQUIPMENT SCHEDULE			
Mark	Count	Model	Description
301	1	3 TON	3 Ton Wall Hung System w/ 10kW Heat
302	1	75cfm	Exhaust fan/Light combo

PLUMBING FIXTURE SCHEDULE			
Mark	Count	Model	Description
401	1		Wall hung lavatory with faucet
402	1		Standard water closet w/ tank, bowl, & elongated seat
403	1	SP35	InstaHot Point of Use Electric Tankless Water Heater

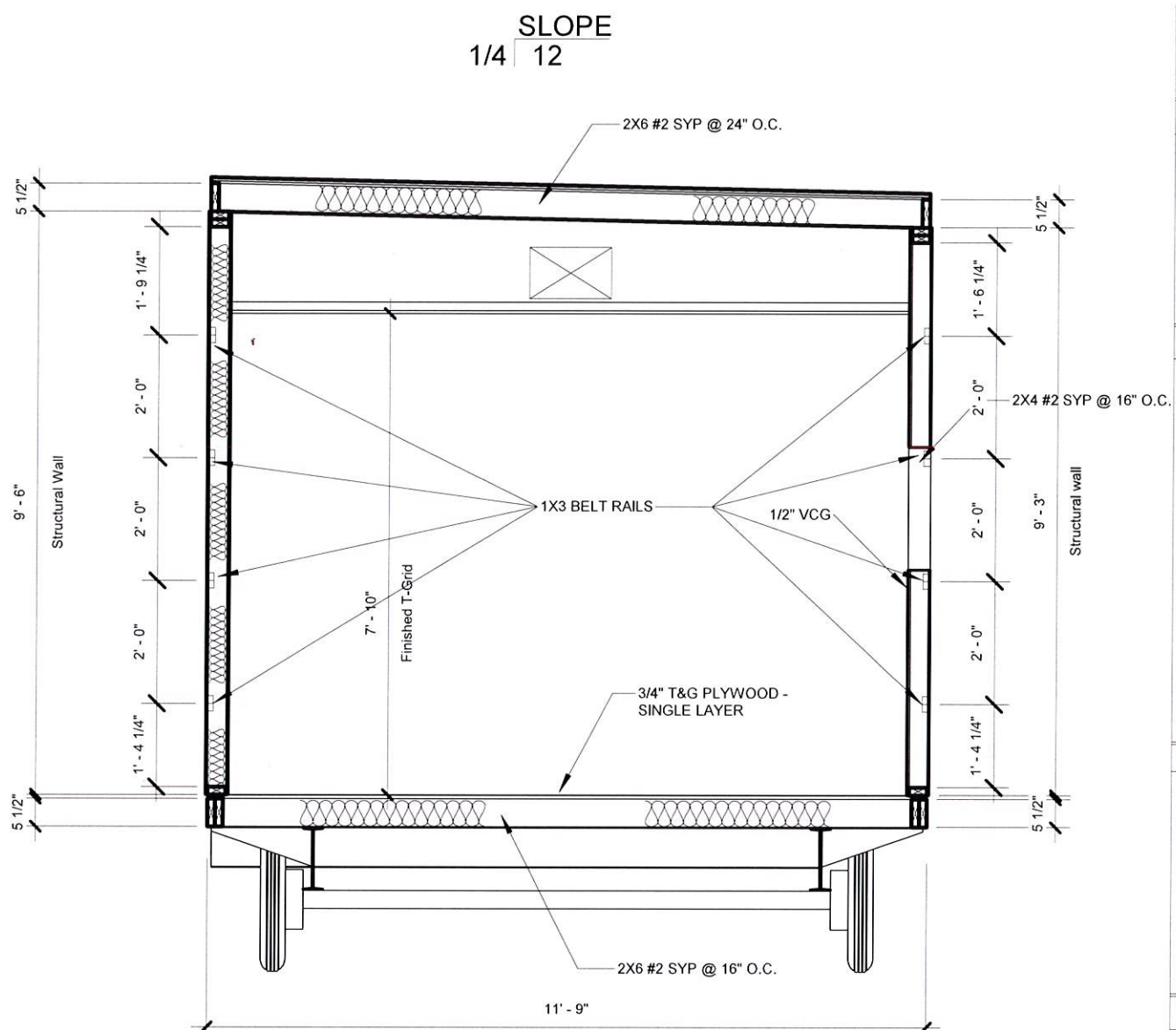
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SCALE:	As indicated	0	ISSUE FOR REVIEW	STR	23OCT17
DRAWN BY:	STR	1	Revision 1	AV	Date 1
CHECKER:		2	ISSUE FOR PRE PRO	STR	29NOV17
Bid #:	714568		ISSUE FOR REVIEW		08JAN18

PROJECT TITLE:	11'-9" X 46' MOBILE OFFICE - BOXX	
DRAWING TITLE:	CONSTRUCTION PAGE	PROJECT NO: 2017-06
		SHEET NO: A01

britco
BUILDING INNOVATION



1 CROSS SECTION
3/8" = 1'-0"

FRAME
 • 12' X 50' (46' BOX) 12" - I-BEAM, 2BR - 1DR AXLES, REMOVABLE HITCH, 14 PLY TIRES

FLOOR CONSTRUCTION
 • .040 MOBILE FLEX
 • 2x6 #2 SYP @ 16" O.C. DOUBLE RIM JOIST
 • R-22 UNFACED INSULATION
 • 3/4" T&G PLYWOOD DECKING
 • 12"X12"X1/8" ARMSTRONG TILE THROUGHOUT

EXTERIOR WALL
 • 26 GA. R PANEL HIGH RIB SIDING
 • 7/16" OSB TO SHEARWALLS ONLY
 • 2 x 4 #2 SYP @ 16 O.C. TO LONG WALLS, 2X6 #2 SYP @ 16" O.C. TO SHEAR WALLS
 • R-13 UNFACED INSULATION TO LONGWALLS, R-19 UNFACED INS. TO SHEAR WALLS
 • DOUBLE TOP PLATE
 • SINGLE BOTTOM PLATE
 • 1/2" VCG WITH MATCHING BATTENS
 • 4" VINYL COVE BASE TO R.R. ONLY VINYL/WRAPPED WOOD BASE THROUGHOUT
 • FRP BEHIND AND BESIDE WET AREA
 • BUILDING WRAP
 • 1X3 BELT RAILS TO EXTERIOR SIDE OF LONGWALL



INTERIOR WALLS
 • 2 x 4 #2 SYP @ 16 O.C.
 • DOUBLE TOP PLATE
 • SINGLE BOTTOM PLATE
 • 1/2" VCG WITH MATCHING BATTENS
 • 4" VINYL COVE BASE TO R.R. ONLY VINYL/WRAPPED WOOD BASE THROUGHOUT
 • FRP @ 48" BEHIND AND BESIDE WET AREA

ROOF CONSTRUCTION
 • 2x6 #2 SYP @ 24" O.C.
 • R-38 UNFACED INSULATION WITH NETTING
 • 045 WHITE EPDM SINGLE PLY EPDM FULLY ADHESIVE AND INSTALLED PER ESR 1463 WITH ALUMINUM DRIP RAIL TO PERIMETER SR:0.64 3YR / TE:0.87 3YR
 • 7/16" F/R DECK ROOF SHEATING INSTALLED PER ESR 1776
 • 2x4 T-GRID SUSPENDED CEILING (GRIDSTONE TILES TO R.R.)
 • HURRICANE STRAPPING PER CODE

Texas Industrialized Building Code Council
 IBC IRC
 Approval Date: 1/9/18
APPROVED
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	2	ISSUE FOR REVIEW	STR	08JAN18
Bid #:	714568			

PROJECT TITLE: 11'-9" X 46' MOBILE OFFICE - BOXX	PROJECT NO: 2017-06	SHEET NO: D01
DRAWING TITLE: CROSS SECTION		



LP-01

100A, 120/240V, 1 DIA, 3w, 60Hz panelboard c/w 2p 100A Main Interior Flush Mount Panel 2"EMT stub down incoming power

ELECTRICAL SYMBOLS		
SYMBOL	DESCRIPTION	QTY.
	20A/125V CLASS 'A' GFCI RECEPTACLE	2
	20A/125V CLASS 'A' WEATHERPROOF GFCI RECEPTACLE	1
	20A/125V DUPLEX RECEPTACLE	11
	15A/125V SINGLE POLE SWITCH	0
	2x4 TROFFER LIGHT 3 BULB T-8	5
	PROGRAMMABLE HEAT/COOL THERMOSTAT	1
	BLANK JUNCTION BOX	4
	75 CFM FAN LIGHT COMBO W/ 60W BULB THROUGH ROOF	1
	60 WATT JELLY JAR PORCH LIGHT W/ MOTION SENSOR AND PHOTOCELL	2
	INTERIOR MOUNT RECESSED POWER PANEL	1
	VACANCY SENSOR SWITCH w/MANUAL ON	4

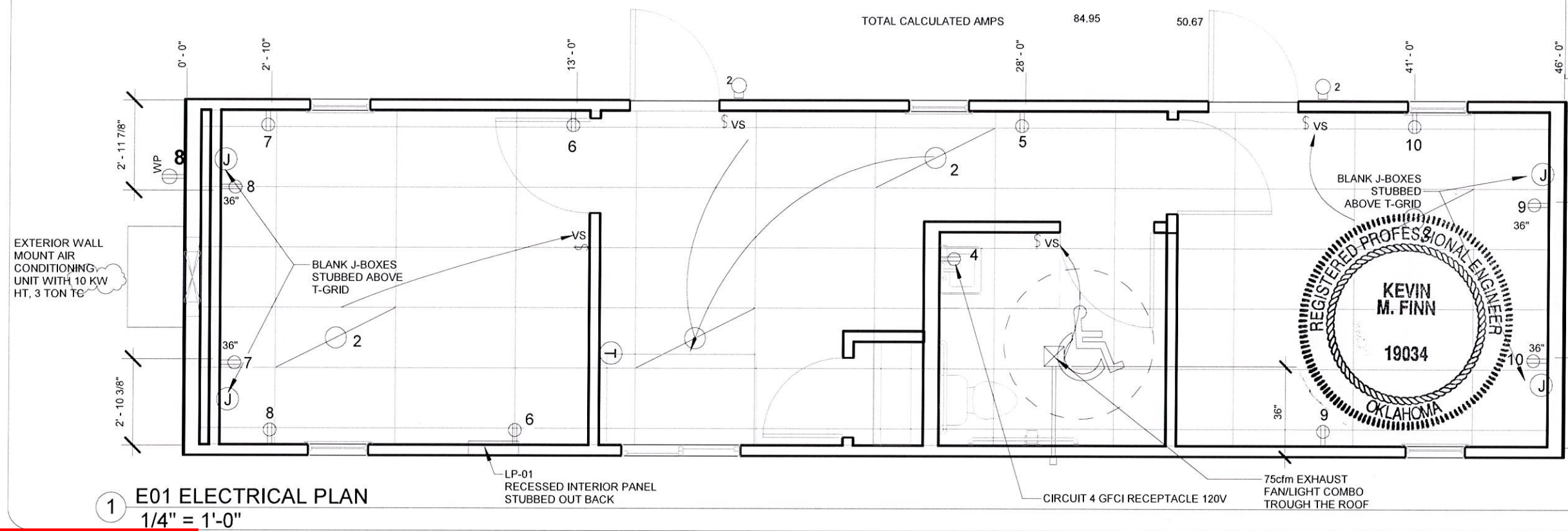
STANDARD OUTLET MOUNTING HEIGHTS			
HEIGHT IN INCHES TO BOTTOM OF BOX UNLESS OTHERWISE NOTED			
ELECTRICAL BOX TYPE	MTG HT (AFF)	ELECTRICAL BOX TYPE	MTG HT (AFF)
WALL RECEPTACLE	16	PHONE	44
LIGHT SWITCH	44	TELE/DATA OUTLET	16
MICROWAVE RECEPT.	75	WATER HEATER	16
TV RECEPT. (TOP OF BOX)	60	EXTERIOR LIGHT	78
ANTENNA BOX	88	EXTERIOR RECEPT.	16
COMMON KITCHEN RECEPT.	44	WASHER	36
LOWER BUNK LIGHT TWIN/FULL	40	DRYER	36
UPPER BUNK LIGHT TWIN/FULL	83	THERMOSTAT - CENTERLINE	60
BUNK LIGHT DIMMER	38	OFFICE UPPER RECEPT.	38
STOVE	16	OFFICE LOWER RECEPT.	16
BEDROOM VALENCE LIGHT	60	VANITY GFI	38
DISHWASHER	XX	OFFICE DUPLEX	XX

Circuit	Load Name	<Rating>/<Number of Poles>/	<Rating>/<Number of Poles>/	Load Name	Circuit
1	HVAC	60 A/2/	20 A/1/	Lighting	2
3	--	--	20A/1	2.5 EMAX W.H.	4
5	Receptacle 1	20 A/1/	20 A/1/	Receptacle 2	6
7	Office 1 Recept 1	20 A/1/	20 A/1/	Office 1 Recept 2	8
9	Office 2 Recept 1	20 A/1/	20 A/1/	Office 2 Recept 2	10
11			20 A/1/	WP/GFCI	12
13					14

CKT	LOAD NAME	QTY	AMPS	PHASE A	PHASE B
1,3	HVAC	1	41.67	41.67	41.67
2	LIGHTING	8	9.28	9.28	
4	WATER HEATER	1	11	12.0	
5	RECEPTACLE 1	2	3	3.0	
6	RECEPTACLE 2	2	3	3.0	
8	OFFICE 1 RECEPT 1	2	3		3.0
8	OFFICE 1 RECEPT 2	2	3		3.0
9	OFFICE 2 RECEPT 1	2	3	3.0	
10	OFFICE 2 RECEPT 2	2	3	3.0	
12	WP/GFCI	1	1.5		1.5

- NOTES:
1. WIRING METHOD TO BE MC CABLE, COPPER, HOME RUN TO BE EMT CONDUIT W/ COPPER WIRE, MINIMUM # 12AWG
 2. BLANK SPACES IN PANEL MAY BE OMITTED TO MAKE US OF SMALLER PANELS. BREAKER SIZE AND QUANTITY SHALL REMAIN THE SAME.
 3. ALL ELECTRICAL CONNECTIONS TO BE MOUNTED 14" AFF UNLESS OTHERWISE SPECIFIED. ALL HEIGHTS ARE MEASURED TO THE BOTTOM OF BOX.
 4. TELE/DATA OUTLETS ARE TO HAVE A 3/4" FLEXIBLE CONDUIT STUBBED UP INTO THE CEILING SPACE UNLESS NOTED.
 5. ALL CONDUIT TO CONTAIN AN INSULATED GROUND CONDUCTOR SIZED AS REQUIRED BY 2014 N.E.C., MINIMUM # 14 AWG.
 6. ELECTRICAL INSTALLATION SHALL BE IN COMPLIANCE WITH 2014 N.E.C.
 7. ALL WIRING IN RETURN AIR PLENUMS SHALL MEET RATING REQUIREMENTS OF 2014 N.E.C.
 8. MOUNTING HEIGHTS FOR ALL WALL MOUNTED DEVICES SHALL BE FROM FLOOR TO BOTTOM OF DEVICE BOX

LOAD CALCULATION TOTAL COMPLEX	
LP-1 LIGHTING LOAD = 541-SQFT X 3.5 VA	1 892 VA
HEATING LOAD 1 @ 10kw =	10 000 VA
WATER HEATER =	1 440 VA
COMPLEX TOTAL LOAD =	13 332 VA
MINIMUM SERVICE SIZE	55.5A



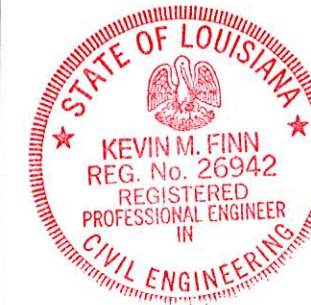
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PROJECT TITLE:	11'-9" X 46' MOBILE OFFICE - BOXX	
DRAWING TITLE:	PROJECT NO:	SHEET NO:
ELECTRICAL PLAN	2017-06	E01



DESCRIPTION	SPACING	FASTENER
MOBILE FLEX TO JOIST FLOOR, WALL, & ROOF	3" O.C. PERIMETER	16 GA. 1-1/4" X 1
JOIST TO PLATE 2X4	3 PER JOIST	3" X .131 FRAMING NAIL
JOIST TO PLATE 2X6	3 PER JOIST	3" X .131 FRAMING NAIL
JOIST TO PLATE 2X8	4 PER JOIST	3" X .131 FRAMING NAIL
JOIST TO PLATE 2X10	4 PER JOIST	3" X .131 FRAMING NAIL
JOIST TO PLATE 2X12	5 PER JOIST	3" X .131 FRAMING NAIL
DOUBLE RIM JOIST	4" O.C. STAGGERED	3" X .131 FRAMING NAIL
DOUBLE TOP PLATE	4" O.C. STAGGERED	3" X .131 FRAMING NAIL
3/8" OSB/PLYWOOD TO JOIST	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
7/16" OSB/PLYWOOD TO JOIST	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
7/16" OSB/PLYWOOD TO STUD (SHEAR WALLS)	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
1/2" OSB/PLYWOOD TO JOIST	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
5/8" T&G PLYWOOD TO JOIST	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
	16" O.C. ON EDGE 16" O.C. FIELD	#8 X 1-3/4" WOODSCREW
3/4" 5/8" T&G PLYWOOD TO JOIST	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
	16" O.C. ON EDGE 16" O.C. FIELD	#8 X 1-3/4" WOODSCREW
1/2" CDX TO JOIST	6" O.C. ON EDGE 12" O.C. FIELD	7/16" X 1-1/2" STAPLE
SMARTPANEL TO STUD	6" O.C. ON EDGE 12" O.C. FIELD	WIRE COIL NAIL 2-1/4" X .092
MESA SIDING TO STUD	BOTTOM, MIDDLE, TOP EVERY LOW PANEL	1-1/2" WOODGRIP SCREW
LOW RIB SIDING TO STUD	BOTTOM, MIDDLE, TOP EVERY LOW PANEL	1-1/2" WOODGRIP SCREW
7/16" FR DECKING TO JOIST	CONTINUOUS	HENKEL MB/44 ADHESIVE
	4" O.C. ON EDGE 8" O.C. FIELD	15 GA. 2-1/2" X 7/16" STAPLE
	16" O.C. ON EDGE 16" O.C. FIELD	#8 X 1-3/4" WOODSCREW
1/2" VCG	8" O.C. ON EDGE	7/16" X 1-1/2" STAPLE
	SOLID BEAD DOWN FIELD STUD	FOAM ADHESIVE
5/8" VCG	8" O.C. ON EDGE	7/16" X 1-1/2" STAPLE
	SOLID BEAD DOWN FIELD STUD	FOAM ADHESIVE
1/2" PLAIN GYPSUM	12" O.C. ON EDGE 12" O.C. FIELD	#6 X 1-5/8" DRYWALL SCREW
5/8" PLAIN GYPSUM	12" O.C. ON EDGE 12" O.C. FIELD	#6 X 1-5/8" DRYWALL SCREW
WALL TO FLOOR	48" O.C.	5/16" X 5" LAG W/ WASHER
	2 PER FRAMING CELL	3" X .131 FRAMING NAIL
WALL TO FLOOR (SHEAR WALLS)	48" O.C.	(2) - 5/16" X 5" LAG W/ WASHER
	2 PER FRAMING CELL	3" X .131 FRAMING NAIL
WALL TO WALL	24" O.C.	5/16" X 3" LAG W/ WASHER
	12" O.C.	3" X .131 FRAMING NAIL
WALL TO ROOF	48" O.C.	5/16" X 5" LAG W/ WASHER
	2 PER FRAMING CELL	3" X .131 FRAMING NAIL
WALL TO ROOF (SHEAR WALLS)	48" O.C.	(2) - 5/16" X 5" LAG W/ WASHER
	2 PER FRAMING CELL	3" X .131 FRAMING NAIL
HURRICANE STRAP TO WALL PLATE CHORD TO SPLICE	SEE F02	1.496" FAB38V5
2X4	CENTERED AT SPLICE	3X5 MITEK TRUSS PLATE
2X6	CENTERED AT SPLICE	3X5 MITEK TRUSS PLATE
2X8	CENTERED AT SPLICE	5X6 MITEK TRUSS PLATE
2X10	CENTERED AT SPLICE	5X6 MITEK TRUSS PLATE
2X12	CENTERED AT SPLICE	5X6 MITEK TRUSS PLATE
OUTRIGGER TO JOIST	EVERY OUTRIGGER	1-3/8" X 3" LAG BOLT W/ WASHER
FLOOR SILL TO FRAME	1 PER CORNER OF BUILDING	1-3/8" X 10" CARRIAGE BOLT
JOIST TO FRAME	EVERY 48" LENGTH OF BUILDING	1-3/8" X 10" UBOLT
HEADER DESCRIPTION	MATERIAL	
0-4' ROUGH OPENING	2 - 2X4 #2 SYP SANDWICH W/ 1/2" PLYWOOD	
	2 - 2X4 #2 SYP JACK STUD	
	2 - 2X4 #2 SYP KING STUDS	
4'-6" ROUGH OPENING	2 - 2X6 #2 SYP SANDWICH W/ 1/2" PLYWOOD	
	2 - 2X4 #2 SYP JACK STUD	
	2 - 2X4 #2 SYP KING STUDS	



Texas Industrialized
Building Code Council

IBC IRC

Approval Date:
1/9/18

APPROVED
PFS CORPORATION

IHDRA- 7

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1101 Foundation Dr., Waco, TX 76712
Tel: (254) 741-6701

DATE:	23OCT17	#	DESCRIPTION	BY	DATE
SCALE:	1/16" = 1'-0"	0	ISSUE FOR REVIEW	STR	23OCT17
DRAWN BY:	STR	1	ISSUE FOR PRE PRO	AV	29NOV17
CHECKER:		2	ISSUE FOR REVIEW	STR	08JAN18
Bid #:	714568				

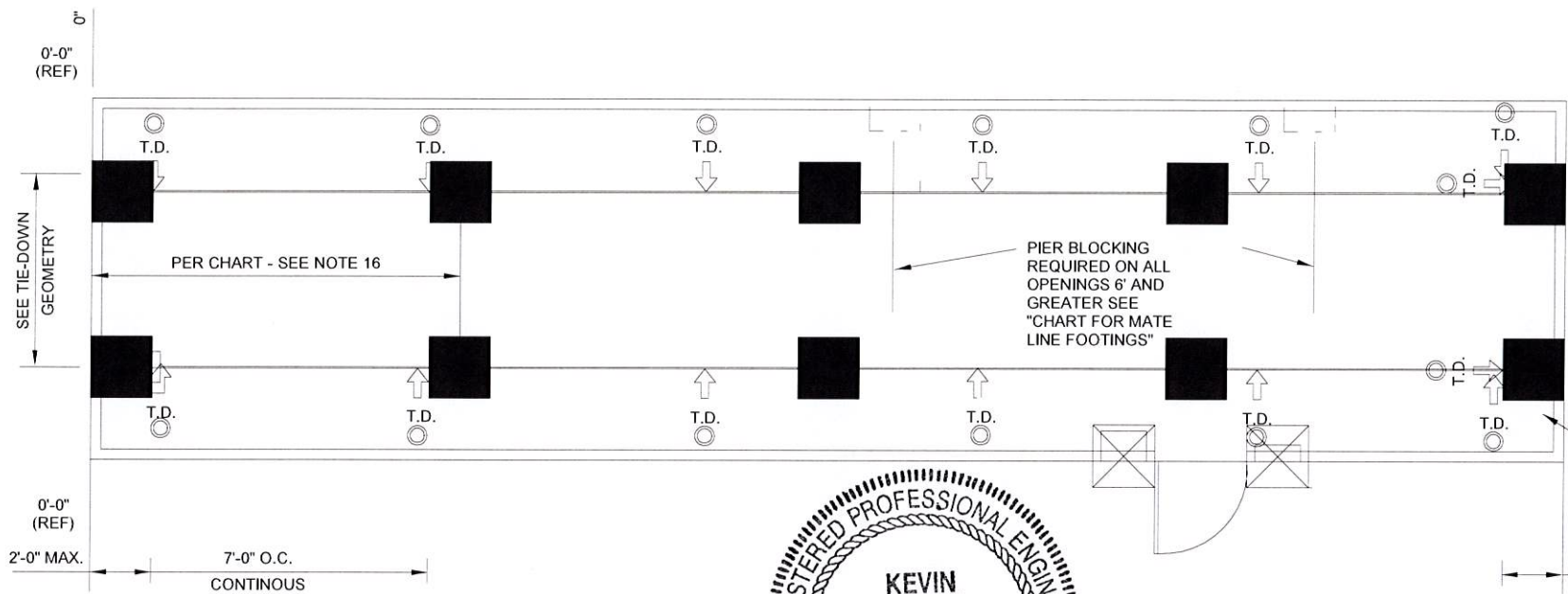
PROJECT TITLE:
11'-9" X 46' MOBILE OFFICE - BOXX

DRAWING TITLE:
FASTENING SCHEDULE

PROJECT NO:
2017-06

SHEET NO:
F01

britco
BUILDING INNOVATION



UNIT WIDTH
THIS CHART BASED ON I-BEAM CAPACITY ONLY

I-BEAM SIZE	UNIT WIDTH		
	8'	10' - 12'	12' - 14'
8"	8'-0" O.C.	8'-0" O.C.	8'-0" O.C.
10"	10'-0" O.C.	10'-0" O.C.	10'-0" O.C.
12"	12'-0" O.C.	12'-0" O.C.	12'-0" O.C.

BLOCKING DISTANCE

FOOTING SIZE - SQ. FOOTING ASSUMED - EACH LEG IS CALCULATED

UNIT WIDTH - 11'-9"

PIER SPACING (FT)	1000 PSF	2000 PSF	3000 PSF
5	1.787 FT	1.564 FT	1.032 FT
6	1.942 FT	1.373 FT	1.121 FT
7	2.086 FT	1.475 FT	1.204 FT
8	2.220 FT	1.570 FT	1.282 FT
9	2.347 FT	1.660 FT	1.355 FT
10	2.467 FT	1.745 FT	1.424 FT
11	2.582 FT	1.826 FT	1.491 FT
12	2.692 FT	1.903 FT	1.554 FT

FOOTING SIZE - SQ. FOOTING ASSUMED - EACH LEG IS CALCULATED

UNIT WIDTH - 13'-9"

PIER SPACING (FT)	1000 PSF	2000 PSF	3000 PSF
5	1.909 FT	1.350 FT	1.102 FT
6	2.077 FT	1.468 FT	1.199 FT
7	2.232 FT	1.578 FT	1.289 FT
8	2.377 FT	1.681 FT	1.372 FT
9	2.514 FT	1.777 FT	1.451 FT
10	2.643 FT	1.869 FT	1.526 FT
11	2.767 FT	1.957 FT	1.598 FT
12	2.885 FT	2.040 FT	1.666 FT

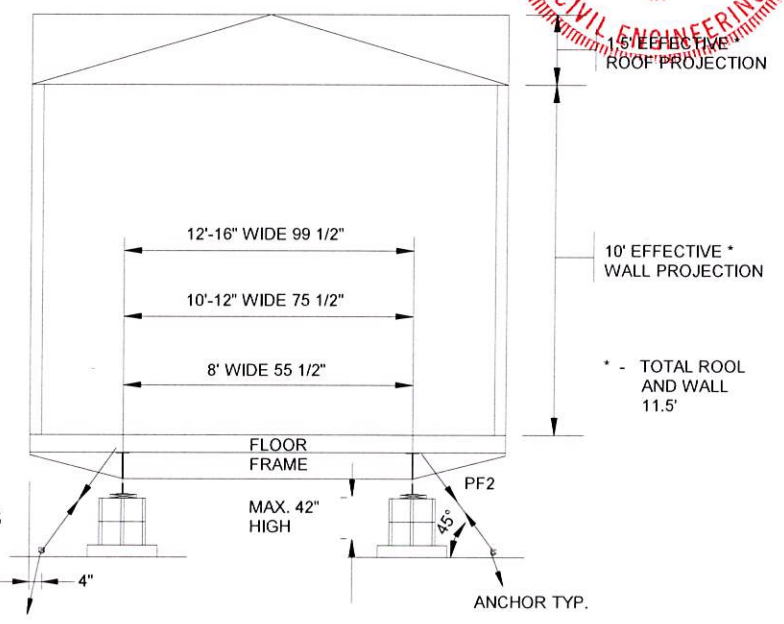
FOOTING SIZE - SQ. FOOTING ASSUMED - EACH LEG IS CALCULATED

UNIT WIDTH - 15'-9"

PIER SPACING (FT)	1000 PSF	2000 PSF	3000 PSF
5	2.023 FT	1.431 FT	1.168 FT
6	2.203 FT	1.558 FT	1.272 FT
7	2.369 FT	1.675 FT	1.368 FT
8	2.524 FT	1.785 FT	1.457 FT
9	2.670 FT	1.888 FT	1.541 FT
10	2.808 FT	1.986 FT	1.621 FT
11	2.940 FT	2.079 FT	1.698 FT
12	3.067 FT	2.169 FT	1.771 FT

- NOTES:
1. RECOMMENDED SUPPORT SPACING SHOWN
 2. THIS FOUNDATION DESIGN IS BASED ON SOIL BEARING CAPACITY PER CHART
 3. SOIL CAPACITY BASED ON A PLASTICITY INDEX OF 20. NO CONSIDERATION HAS BEEN GIVEN TO GROUNDWATER OR OTHER CONDITIONS THAT MAY AFFECT FOUNDATION STABILITY OR DIFFERENTIAL MOVEMENT. IT IS RECOMMENDED THAT A REGISTERED PROFESSIONAL ENGINEER BE CONSULTED FOR THE SPECIFIC SITE CONDITIONS
 4. CORROSION PROTECTION WILL BE IN ACCORDANCE WITH CODE
 5. THIS IS A TEMPORARY FOUNDATION ONLY
 6. N/A
 7. PAD REINFORCING CALCULATIONS TO BE BY REGISTERED ENGINEER
 8. BLOCKING TO BE PLACED AS PER CHART
 9. TIEDOWN STRAP & DBL. STRAP ANCHOR TO BE WITHIN 2'-0" FROM END OF UNIT
 10. TIEDOWN STRAP & DBL. STRAP ANCHOR SPACING TO BE NO MORE THAN 12'-0" APART
 11. TIEDOWN STRAP & DBL. STRAP ANCHOR SPACING TO BE ON EXTERIOR SIDE ONLY IF BUILDING IS A MULTIPLE UNIT COMPLEX UNLESS OTHERWISE NOTED.
 12. N/A
 13. DOUBLE TIEDOWN STRAPPING IS REQUIRED ONLY FOR 12' O.C. STRAP SPACING FOR LOCATIONS IN 130 MPH. EXP. B ZONE. OTHERWISE SINGLE STRAP IS ADEQUATE.
 14. PIER DEAD LOAD ASSUMED TO BE 300 LBS
 15. [Symbol] - RECOMMENDED BLOCKING FOR EXTERIOR DOOR - MIN FTG - 16" X 16" - PER FLOOR PLAN AND ALL OPENINGS GREATER THAN 4'
 16. FOOTING SIZE TO BE DETERMINED BASED ON UNIT WIDTH, SOIL BEARING CAPACITY, AND PIER SPACING. PIER SPACING NOT TO EXCEED I-BEAM SIZE CHART.

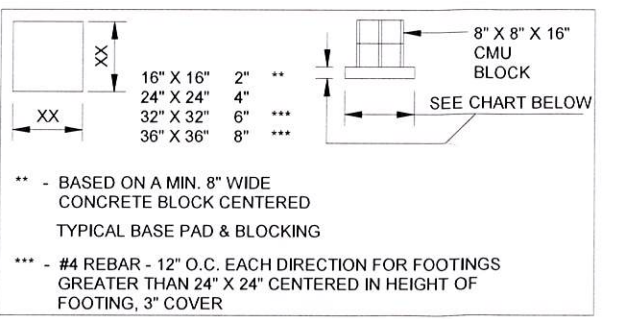
- - INDICATES I-BEAM MAXIMUM BLOCKING DISTANCE AS PER CHART
- ↑ - DENOTES TIEDOWN STRAP LOCATION ON UNIT
- - DENOTES STRAP ANCHOR RATED 3150 LBS FOR COMBINED ANGLES OF STRAPS



45 DEGREE FRAME TIE

WIND SPEED	UNIFORM LOAD TO FLOOR RIM JOIST	REQUIRED SPACING (FT. - O.C.)
100. EXP. B	184 PLF	12'
130. EXP. B	311 PLF	7'

GROUND ANCHOR TO BE RATED FOR VERTICAL (IF REQUIRED) AND DIAGONAL STRAPS AND INSTALLED PER MANUFACTURER'S INSTRUCTIONS.



** - BASED ON A MIN. 8" WIDE CONCRETE BLOCK CENTERED TYPICAL BASE PAD & BLOCKING

*** - #4 REBAR - 12" O.C. EACH DIRECTION FOR FOOTINGS GREATER THAN 24" X 24" CENTERED IN HEIGHT OF FOOTING, 3" COVER

Texas Industrialized Building Council

Approval Date: 1/9/18

APPROVED

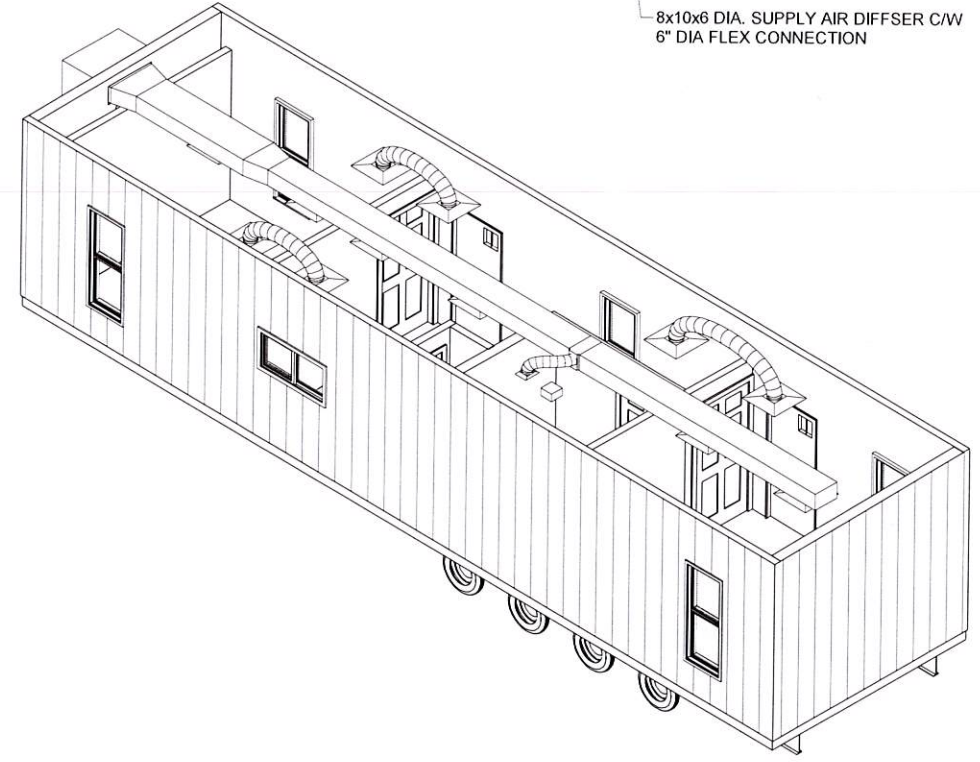
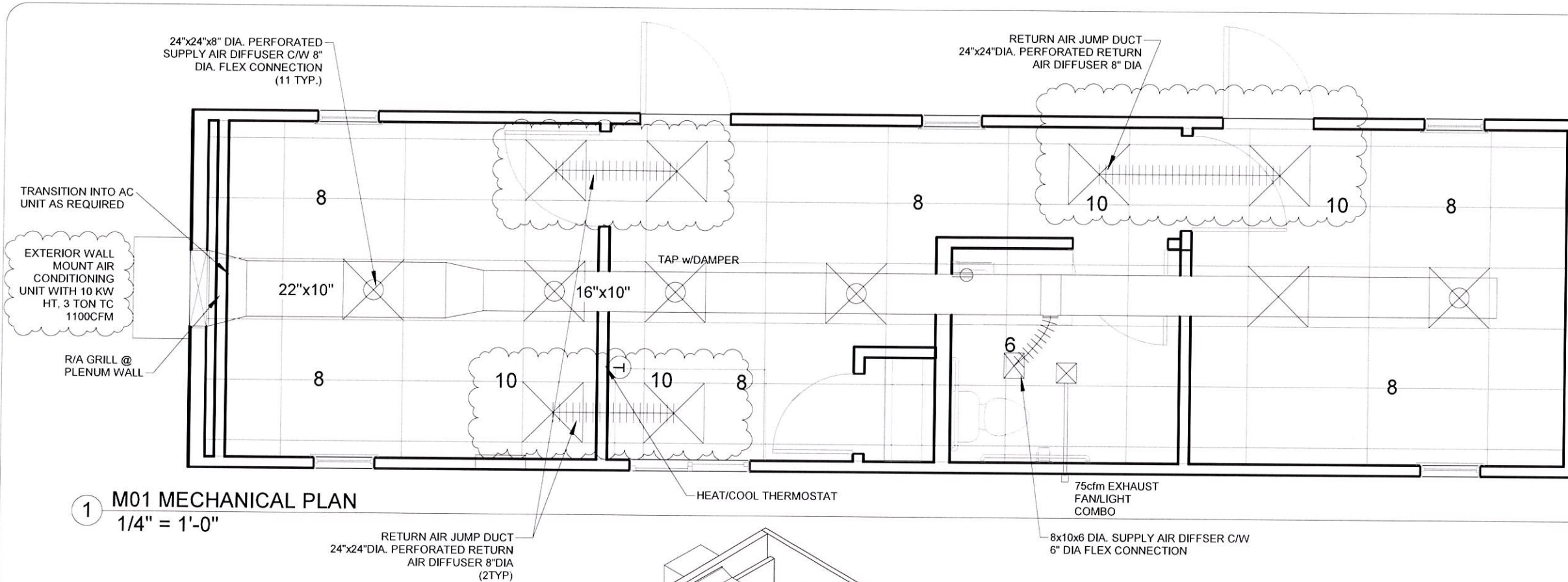
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DATE:	23OCT17	#	DESCRIPTION	BY	DATE
SCALE:	3/16" = 1'-0"	0	ISSUE FOR REVIEW	STR	23OCT17
DRAWN BY:	STR	1	ISSUE FOR PRE PRO	AV	29NOV17
CHECKER:		2	ISSUE FOR REVIEW	STR	08JAN18
Bid #:	714568				

PROJECT TITLE: 11'-9" X 46' MOBILE OFFICE - BOXX	PROJECT NO: 2017-06	SHEET NO: F02
DRAWING TITLE: FOUNDATION PLAN		


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BUILDING INNOVATION



OUTDOOR AIRFLOW RATE
 PER 403.3.1.1 OF 2015 IMC
 $Vbz = Rp(Pz) + RaAz$
 $Vbz = 5(6) + .06(658)$
 $Vb = 69.48$

Texas Industrialized Building Code Council
 IBC IRC
 Approval Date: 1/9/18
APPROVED
 PFS CORPORATION
 IHDR- 7



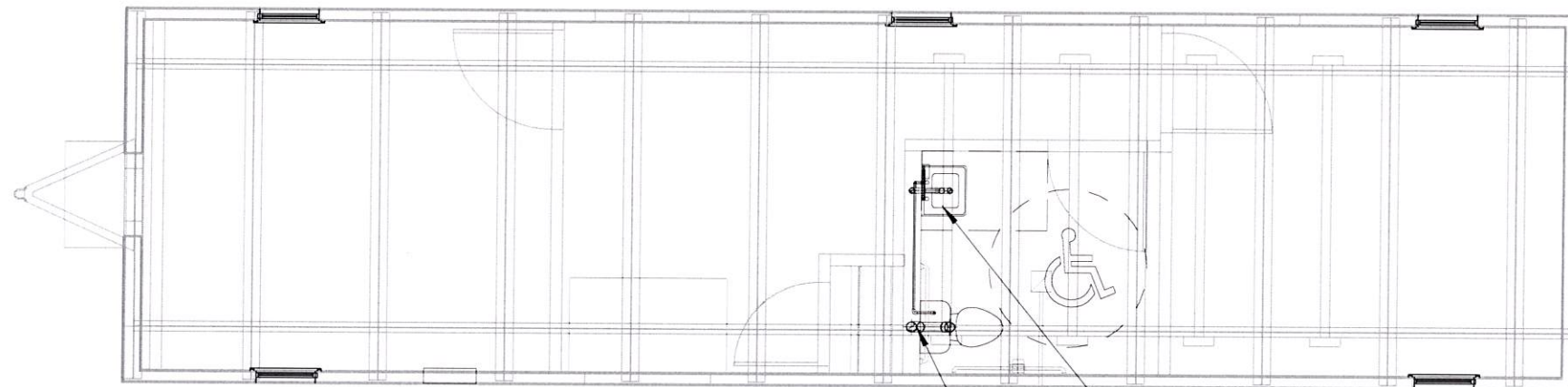

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DATE:	23OCT17	#	DESCRIPTION	BY	DATE
SCALE:	1/4" = 1'-0"	0	ISSUE FOR REVIEW	STR	23OCT17
DRAWN BY:	STR	1	Revision 1		Date 1
CHECKER:		1	ISSUE FOR PRE PRO	AV	29NOV17
Bid #:	714568	2	ISSUE FOR REVIEW	STR	08JAN18

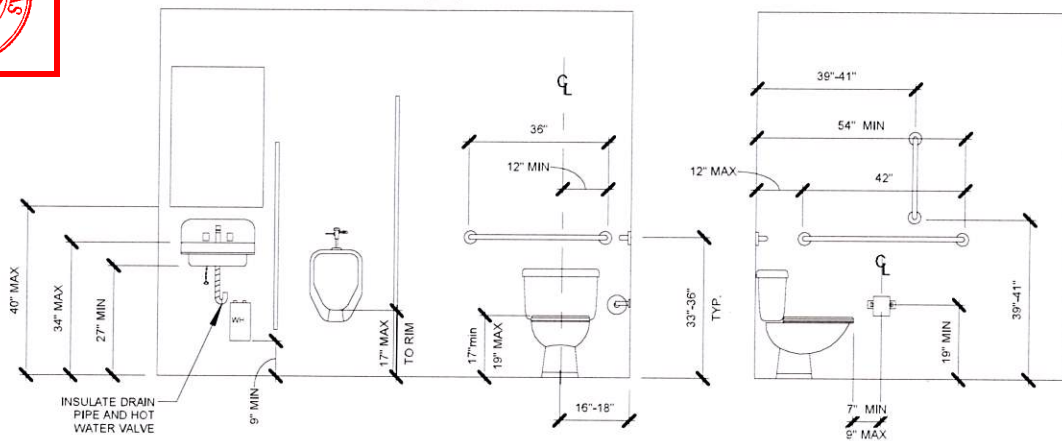
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DRAWING TITLE:	MECHANICAL PLAN	
PROJECT NO:	2017-06	SHEET NO: M01



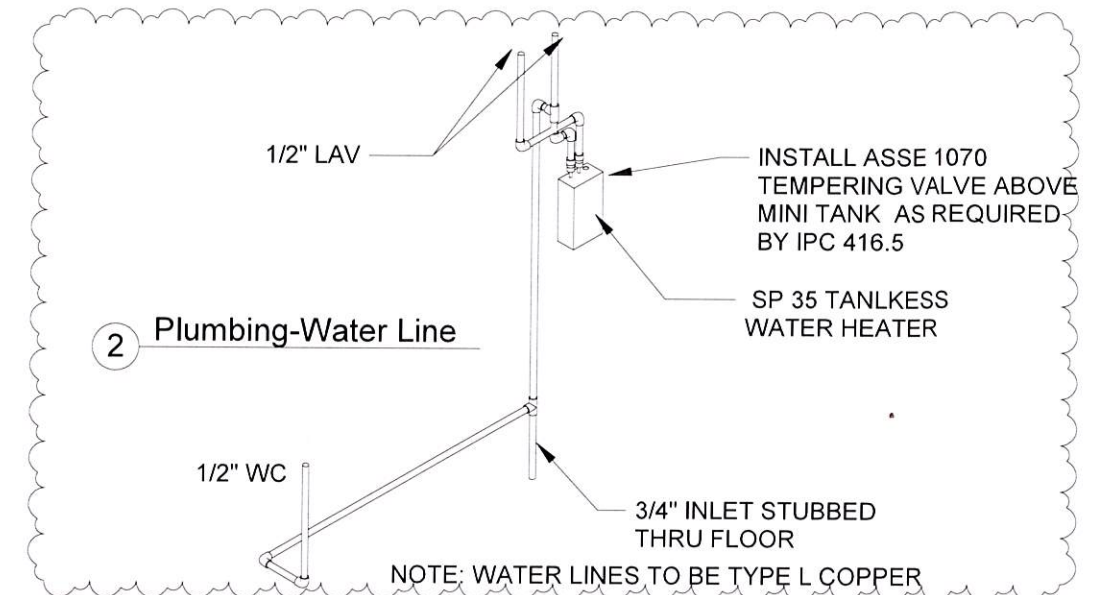


1 PLUMBING PLAN
3/16" = 1'-0"

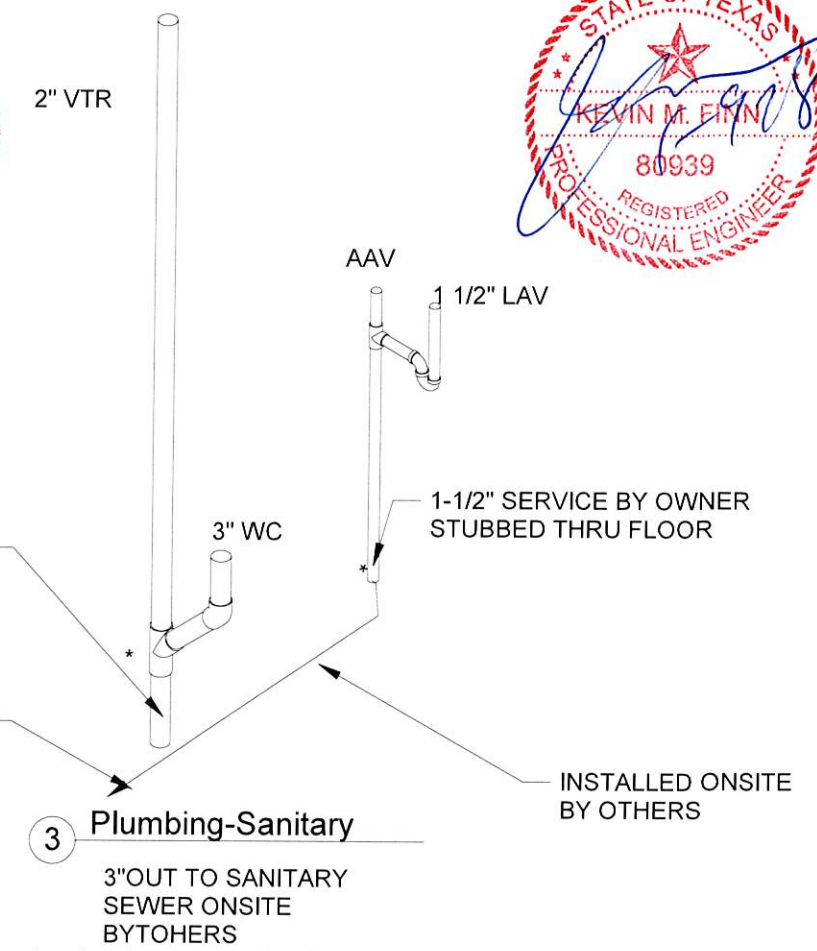
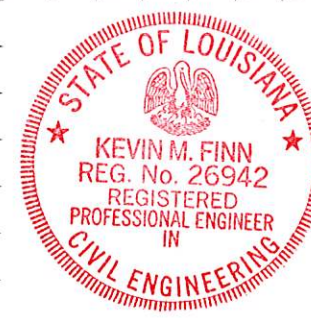
GRAB BAR DETAIL



4 GRAB BAR DETAIL
1/4" = 1'-0"



2 Plumbing-Water Line



3 Plumbing-Sanitary

Texas Industrialized Building Code Council
 IBC IRC
 Approval Date: 1/9/18
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1101 Foundation Dr., Waco, TX 76712
 Tel (254) 741-6701

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DRAWN BY:	STR	1	Revision 1	AV	Date 1
CHECKER:		2	ISSUE FOR REVIEW	STR	08JAN18
Bid #:	714568				

PROJECT TITLE:	11'-9" X 46' MOBILE OFFICE - BOXX	
DRAWING TITLE:	PROJECT NO:	SHEET NO:
PLUMBING PLAN	2017-06	M02



Current Owner / Resident
8723 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8807 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8720 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8731 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8727 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8723 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8719 Cavell Ln
Houston, TX 77055

Current Owner / Resident
8715 Cavell Ln
Houston, TX 77055

Current Owner / Resident
1055 Bingle Rd
Houston, TX 77055

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

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following Proposed Ordinance:

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF THE SPECIFIC USE PERMIT TO DAD'S CLUB SWIM TEAM, INC. FOR A PRIVATE RECREATION CLUB BY PERMITTING THE REPAIR AND MOVEMENT OF SMALL OFFICE BUILDINGS; 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; AND PROVIDING A SEVERABILITY CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

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, November 12, 2024

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, November 19, 2024

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 Development Services Manager, Jose Gomez, at (713) 514-7914.



COMMERCIAL 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.

Property owners/applicants may use any sign company to meet zoning change sign criteria. To order zoning signs, the applicant should contact a sign company concerning sign creation and installation in the Building Official designated location(s).

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308.

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- The sign shall be constructed in accordance with the City's design standards for zoning signs.
- Signs shall be a minimum of four (4) feet by four (4) feet.
- Must be two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
- Lettering shall be on both sides of the sign.
- Metal or wood posts shall be used.
- Must include the City of Spring Valley Village official logo with a minimum size of one (1) foot.
- Capital letters on that sign shall be no smaller than three (3) inches tall using the Bold Arial font style.
- The signs shall comply with the layout and dimensions on the attached Zoning Sign Design Diagram.

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 entire review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission, 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 on the application by the City of Spring Valley Village.**

Preparer's Name: LUNDA KUTAC Preparer's Signature:

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the requested zoning case. 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: NOV. 12, 2024

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 LINDA KUTAC 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

1006 VOSS RD, HOUSTON, TX

Said sign(s) meet the specifications of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Posting of said signs was accomplished on ~~NOV. 12, 2024~~ 10-31-2024 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 VOSS 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: 10-31-24

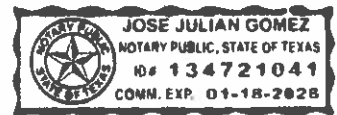
Printed Name of Applicant or Authorized Representative for Zoning Case No. LINDA KUTAC

Signature of Applicant or Authorized Representative for Zoning Case No. [Handwritten Signature]

Sworn and subscribed before me on this date: 10-31-24

Notary Public [Handwritten Signature] Jose J Gomez

(Seal)



PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: 10/31/24 10:30 AM Verified by: [Handwritten Signature]



AFFIDAVIT OF ZONING CHANGE NOTIFICATION SIGN MAINTENANCE

(Re)Zoning Case No. _____

Date of City Council Meeting: NOV 12, 2024

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 LINDA KUTAC hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at

1006 VOSS ROAD, HOUSTON, TX

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 10-31-24 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.

Executed this date: 10-31-24

Printed Name of Applicant or Authorized Representative for Zoning Case No. LINDA KUTAC

Signature of Applicant or Authorized Representative for Zoning Case No. [Signature]

Sworn and subscribed before me on this date: 10/31/2024

Notary Public [Signature] Jose J Gomez

(Seal)



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: 10/31/24 10:30 AM Verified by: [Signature]



EST. 1955

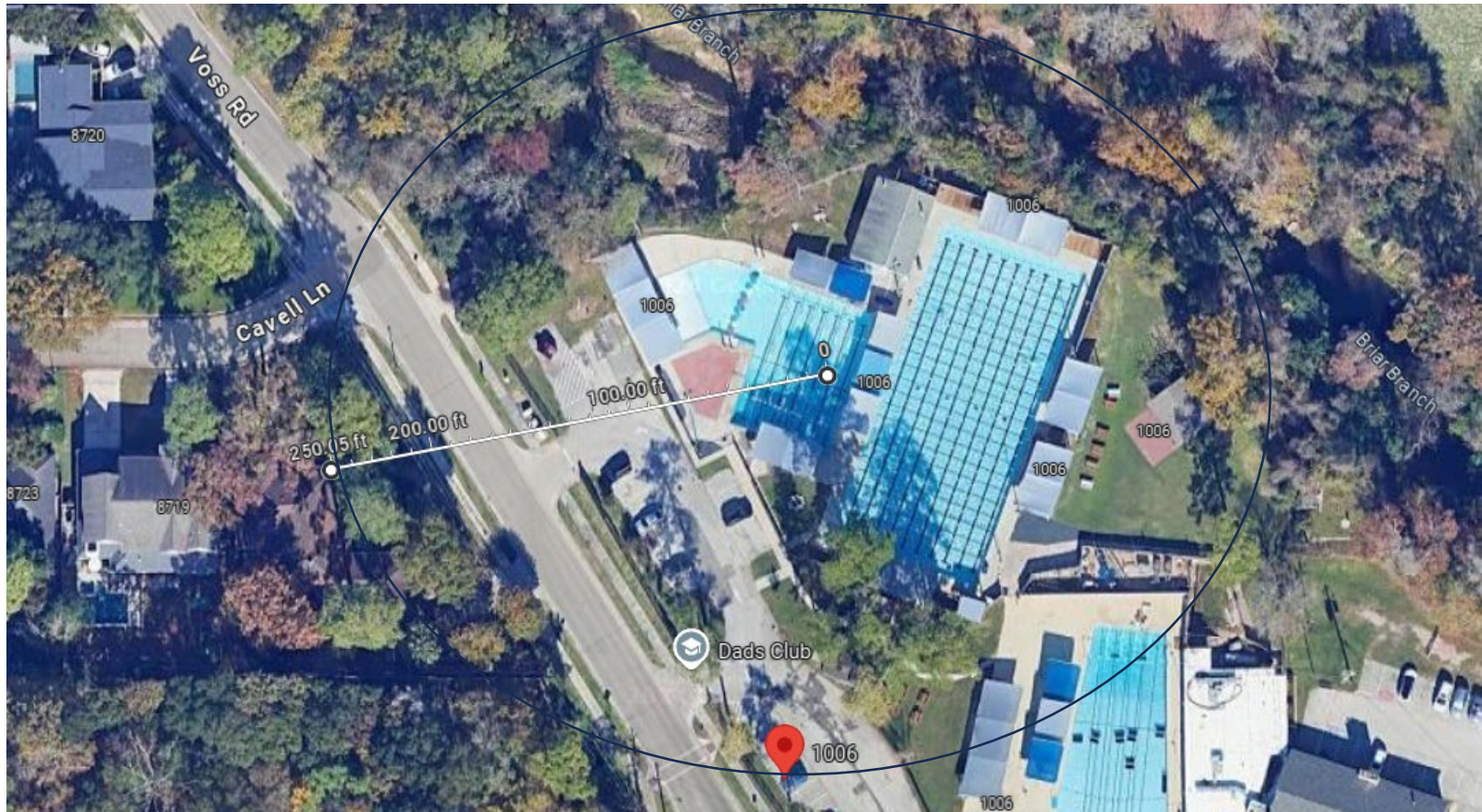
SPRING VALLEY
V I L L A G E

CITY OF SPRING VALLEY VILLAGE

ZONING SIGNAGE
CRITERIA
SUBMITTAL PACKET

(Planning & Zoning Commission)

SPRING VALLEY VILLAGE 1025 CAMPBELL ROAD HOUSTON, TEXAS 77055







DOLPHIN SHOP

DAD'S CLUB
AQUATICS

Goggles ● Caps ● Snorkels
Kickboards ● T - Shirts









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

MEETING DATE: December 10, 2024

SUBMITTING STAFF: Jasmin Torres, City Secretary

SUBJECT: **CONDUCT A PUBLIC HEARING CONCERNING:** Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:

- a. Section 5:02.13, Placement of Free Standing Mechanical Equipment, Section 5, Building Use Restrictions in Dwelling District "A".
- b. Section 03:G-01 Gate, Section 3, Definitions, and Section 11:01.11 Gates, Section 11, Fences.
- c. Sections 08:01.05, .06, and .08, Section 8, Non-Conforming Buildings and Structures, Lots, and Uses

1. Presentation of Proposed Amendments
2. Those In Favor
3. Those Opposed
4. Adjourn Public Hearing

BACKGROUND:

ATTACHMENTS: None

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

RECOMMENDATION:



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

MEETING DATE:	December 10, 2024
SUBMITTING STAFF:	Jose Gomez, Development Services Coordinator
SUBJECT:	<p>CONSIDERATION AND POSSIBLE ACTION CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:</p> <ol style="list-style-type: none"> a. Section 5:02.13, Placement of Free Standing Mechanical Equipment, Section 5, Building Use Restrictions in Dwelling District "A". b. Section 03:G-01 Gate, Section 3, Definitions, and Section 11:01.11 Gates, Section 11, Fences. c. Sections 08:01.05, .06, and .08, Section 8, Non-Conforming Buildings and Structures, Lots, and Uses

BACKGROUND:	<p>Staff is presenting amendments to the Code of Ordinances, Chapter 12, Planning and Zoning Ordinance, based on the discussion and consensus from the last two meetings.</p> <p>Within the past year, staff has seen an increase in issues within the following areas:</p> <p>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.</p> <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 <p style="text-align: right;">Section 5, Building and Use Restrictions in Dwelling District</p>
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“A”; to include

- 05:02.13, Free-standing mechanical equipment. Many homes seem to have issues meeting the current required distance of 4 feet from the property line. Staff is open to a 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.

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).

The staff has reviewed the current city ordinances based on the discussion from the two recent Planning and Zoning meetings. Addressing the Commission's concerns, staff has revised the ordinances and appointed the City Attorney to propose potential amendments to provide a clear understanding.

ATTACHMENTS: 0.Changes for PZ - 11.18.24, ORD -- CH 12 Zoning - Gates - 12.4.24, ORD -- CH 12 Zoning - Mechanical Equipment - 12.4.24, ORD -- CH 12 Zoning - Nonconforming - 12.4.24, 1.SECTION_THREE___DEFINITIONS_edits (9.20.24), 2.11_01___FENCES_, 3.05_02.13___Placement_of_Free_Standing_Mechanical_Equipment_, 4.SECTION_FIVE___BUILDING_AND_USE_RESTRICTIONS_IN_DWELLING_D (9.20.24), 5.SECTION_EIGHT___NON_CONFORMING_BUILDINGS_AND_STRUCTURES (9.20.24)

FUNDING:

Amount Available	Account No.	Additional Appropriation Required	Project No.	Amount Budgeted	Account Description
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RECOMMENDATION: Staff recommends approval at the commission's discretion

Language of the Changes

For the Gate Ordinance

Definition to be added:

03:G-01 Gate: A gate is a barrier, whether hinged or on rails or attached by other means, used to close a means of ingress and/or egress in a wall, fence, or hedge.

Section to be added:

11:01.11. Gates:

11:01.11.01 Height:

A gate may be no taller than the fence or wall at the same location.

11:01.11.02 Certain Egress Restricted:

- (1) No gate shall be able to overhang or allow for ingress or egress over or onto a public right of way, subject to the following special exception.
- (2) Special Exception. A special exception may be granted if the gate allows for the City Public Works Department's access to a utility easement.
- (3) Nothing in this section shall be construed to limit private arrangements for ingress and egress points across private property lines.

For the Free-Standing Mechanical Equipment

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 than the greater of two (2) feet, the manufacturer's recommendations for the model of the mechanical equipment, the National Fire Protection Association Codes and Standards, or any relevant codes, as amended, published by the International Code Council and adopted by the City.

For Non-Conforming Buildings and Structures, Lots, and Uses

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 Calculated Square Footage 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.

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 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 Calculated Square Footage 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 ~~Calculated Square Footage replacement cost~~ at the time of such destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.
 - .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.
- .01. 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~~ Calculated Square Footage at the time of such damage or destruction, and (ii) the ~~value~~ size of the nonconforming accessory building or structure does not exceed ten percent of the ~~replacement value~~ Calculated Square Footage of the main building. Provided further, if the cumulative value of all nonconforming accessory buildings and structures exceeds 25 percent of the ~~replacement value~~ Calculated Square Footage of the main building, only those nonconforming buildings having a cumulative ~~replacement value~~ Calculated Square Footage of less than 25 percent of such ~~replacement value~~ Calculated Square Footage shall be made to conform, calculated with the nonconforming accessory building or structure having the lowest ~~replacement value~~ Calculated Square Footage first and that with the highest ~~replacement value~~ Calculated Square Footage last.
 - .02. No nonconforming accessory building or structure, specifically to include garage, may be enlarged or attached to a dwelling if the accessory building or structure is located less than five feet from the side property line or less than ten feet from the rear property line.

08:01.08 Determination of ~~replacement value~~ Calculated Square Footage.

- .01. For the purposes of determining ~~replacement value~~ Calculated Square Footage 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 calculate the areas altered, remodeled, improved or otherwise changed to a structure that increases the square footage plus any areas of the structure that have a Structural Alteration as defined by 03:S-06. The areas described in Section 08:01.07 shall not be included in this calculation.

.02. Provided further, in determining the increase in ~~replacement value~~ Calculated Square Footage 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 value~~ Calculated Square Footage benchmark shall be cumulative of all remodeling or modification work to a structure ~~within any consecutive 12-month period~~ for the life of the structure.

CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF SECTION 3, DEFINITIONS, TO CHAPTER 12, PLANNING AND ZONING, OF THE CITY’S CODE OF ORDINANCES BY ADDING A DEFINITION OF GATE; RENUMBERING OTHER PROVISIONS IN SECTION 3, DEFINITIONS, TO CHAPTER 12, PLANNING AND ZONING; ADDING SECTION 11:01.11. GATES TO PROVIDE FOR HEIGHT AND EGRESS PROVISIONS TO SECTION 11 FENCES, OF CHAPTER 12, PLANNING AND ZONING; 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.

WHEREAS, the City Council of the City of Spring Valley Village, Texas finds it to be in the best interest of the health, safety and welfare of the citizens to amend the zoning regulations of the City in the manner provided for herein; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments to the City’s Zoning Ordinance; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City’s Zoning Ordinance as provided herein;

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 to this Ordinance are hereby found to be true and correct.

Section 2. The City’s Zoning Ordinance is hereby amended by adding Section 03:G-01 Gate in Section 3, Definitions, of Chapter 12, Planning and Zoning as underlined below, and renumbering the remaining sections:

“03:G-01 Gate: A gate is a barrier, whether hinged or on rails or attached by any other means, used to close a means of ingress and/or egress in a wall, fence, or hedge.”

Section 3. The City’s Zoning Ordinance is hereby amended by adding Section 11:01.11 Gates to Section 11:01, Fences, in Section Eleven, of Chapter 12, Planning and Zoning, the language underlined below:

“11:01.11 Gates:

11:01.11.1 Height:

A gate may be no taller than the fence or wall at the same location.

11:01:11.02 Certain Egress Restricted:

- (1) No gate shall be able to overhang or allow for ingress and/or egress over or onto public right of way, subject to the following special exception.
- (2) Special Exception. A Special Exception may be granted if the gate allows for the City Public Works Department to access a utility easement.
- (3) Nothing in this section shall be construed to limit private arrangements for ingress and/or egress points across private property lines.”

Section 4. In the event any section, paragraph, subdivision, 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 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 and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Any person who 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. Each day of violation shall constitute a separate offense.

PASSED, APPROVED, AND ORDAINED this the _____ day of _____, 20__.

FOR THE CITY

MARCUS VAJDOS, MAYOR

ATTEST:

JASMIN TORRES, CITY SECRETARY

CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT A, OF CHAPTER 12, PLANNING AND ZONING, OF THE CITY'S CODE OF ORDINANCES BY AMENDING SECTION 5:02.13 PLACEMENT OF FREE-STANDING MECHANICAL EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

WHEREAS, the City Council of the City of Spring Valley Village, Texas finds it to be in the best interest of the health, safety and welfare of the citizens to amend the zoning regulations of the City in the manner provided for herein; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments to the City's Zoning Ordinance; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein;

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 to this Ordinance are hereby found to be true and correct.

Section 2. The City's Zoning Ordinance is hereby amended by adding to and striking from Section 05:02.13 Placement of Free-Standing Mechanical Equipment in Section 5, Building and Use Restrictions in Dwelling District A, of Chapter 12, Planning and Zoning as underlined and strikethrough below:

"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 than the greater of two (2) feet, the manufacturer's recommendations for the model of the mechanical equipment, the National Fire Protection Association Codes and Standards, or any relevant codes, as amended, published by the International Code Council and adopted by the City."

Section 3. In the event any section, paragraph, subdivision, 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 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 and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 4. Any person who 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. Each day of violation shall constitute a separate offense.

PASSED, APPROVED, AND ORDAINED this the _____ day of _____, 20__.

FOR THE CITY

MARCUS VAJDOS, MAYOR

ATTEST:

JASMIN TORRES, CITY SECRETARY

CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS PROVIDING FOR THE AMENDMENT OF SECTION 8, NON-CONFORMING BUILDINGS AND STRUCTURES, LOTS, AND USES, OF CHAPTER 12, PLANNING AND ZONING, OF THE CITY'S CODE OF ORDINANCES BY CHANGING THE MEANS TO CALCULATE THE AFFECTED AREAS OF CHANGE TO A STRUCTURE FROM REPLACEMENT VALUE TO CALCULATED SQUARE FOOTAGE; AMENDING SECTION 08:01.06, NONCONFORMING BUILDINGS AND STRUCTURES, BY REMOVING THE EXCEPTION TO EXPANSION OF A NONCONFORMITY; AMENDING SECTION 08:01.08, DETERMINATION OF REPLACEMENT VALUE, BY RENAMING THE SECTION, ADDING THE DEFINITION OF CALCULATED SQUARE FOOTAGE, AND AMENDING THE 12-MONTH BENCHMARK PERIOD FOR CUMULATIVE WORK TO A STRUCTURE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

WHEREAS, the City Council of the City of Spring Valley Village, Texas finds it to be in the best interest of the health, safety and welfare of the citizens to amend the zoning regulations of the City in the manner provided for herein; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments to the City's Zoning Ordinance; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein;

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 to this Ordinance are hereby found to be true and correct.

Section 2. The City's Zoning Ordinance is hereby amended to change the means of calculating the affected area by adding to and striking from Section 08:01.05 Nonconforming use of Buildings in Section 8, Non-Conforming Buildings and Structures, Lots, and Uses, of Chapter 12, Planning and Zoning as underlined and strikethrough below:

“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 Calculated Square Footage 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. ”

Section 3. The City’s Zoning Ordinance is hereby amended to update the means to calculate the affected areas and to remove the exception to the expansion of nonconformity by adding to and striking from Section 08:01.06 Nonconforming use of Buildings in Section 8, Non-Conforming Buildings and Structures, Lots, and Uses, of Chapter 12, Planning and Zoning as underlined and strikethrough below:

“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 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 Calculated Square Footage 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~~ Calculated Square Footage at the time of such destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.
- .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.

.01. 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~~ Calculated Square Footage at the time of such damage or destruction, and (ii) the ~~value~~ size of the nonconforming accessory building or structure does not exceed ten percent of the ~~replacement value~~ Calculated Square Footage of the main building. Provided further, if the cumulative value of all nonconforming accessory buildings and structures exceeds 25 percent of the ~~replacement value~~ Calculated Square Footage of the main building, only those nonconforming buildings having a cumulative ~~replacement value~~ Calculated Square Footage of less than 25 percent of such ~~replacement value~~ Calculated Square Footage shall be made to conform, calculated with the nonconforming accessory building or structure having the lowest ~~replacement value~~ Calculated Square Footage first and that with the highest ~~replacement value~~ Calculated Square Footage last.

.02. No nonconforming accessory building or structure, specifically to include garage, may be enlarged or attached to a dwelling if the accessory building or structure is located less than five feet from the side property line or less than ten feet from the rear property line."

Section 4. The City’s Zoning Ordinance is hereby amended to update the means to calculate the affected areas by renaming Section 08:01.08 and adding to and striking from the same in Section 8, Non-Conforming Buildings and Structures, Lots, and Uses, of Chapter 12, Planning and Zoning as underlined and strikethrough below:

“08:01.08 Determination of ~~replacement value~~ Calculated Square Footage.

.01. For the purposes of determining ~~replacement value~~ Calculated Square Footage 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~~ calculate the areas altered, remodeled, improved or otherwise changed to a structure that increases the square footage plus any areas of the structure that have a Structural Alteration as defined by 03:S-06. The areas described in Section 08:01.07 shall not be included in this calculation.

.02. Provided further, in determining the increase in ~~replacement value~~ Calculated Square Footage 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 value~~ Calculated Square Footage benchmark shall be cumulative of all remodeling or modification work to a structure ~~within any consecutive 12-month period for the life of the structure.~~”

Section 5. In the event any section, paragraph, subdivision, 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 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 and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who 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. Each day of violation shall constitute a separate offense.

PASSED, APPROVED, AND ORDAINED this the _____ day of _____, 20__.

FOR THE CITY

MARCUS VAJDOS, MAYOR

ATTEST:

JASMIN TORRES, CITY SECRETARY

SECTION THREE: DEFINITIONS

In construing this Ordinance the following definitions of words and phrases shall control:

03:A-01 Commercial or Office District Accessory Building:

A building used for a purpose subordinate to or customarily incidental to the use of the principal building or structure on the same premises. (Ordinance 159)

03:A-02 Accessory Use:

A use which serves and is subordinate and incidental to a principal building or a principal use.

03:A-03 Residential Accessory Building: A detached subordinate building, not including a carport or garage, that does not contain any kitchen facilities, which building is not used for business, commercial, or industrial purposes, which building is not rented, the use of which building is clearly an Accessory Use, as defined above, to that of the main or principal residential building and to the use of the Lot for residential purposes, provided that such Accessory Building is located on the same Lot or tract as the principal or main residential building, and provided further that no portion of the structure comprising the Accessory Building may be connected to any portion of the structure comprising any part of the main or principal residential building. (Ordinance 159)

03:A-04 Attic:

That non-habitable portion of a dwelling or building which is included between the upper surface of the topmost floor and the ceiling or roof above. (Ordinance 231)

03:B-01 Building:

Any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind. (Ordinance 159)

03:B-02 Building line or building setback line:

The words "building line" or "building setback line" mean a line parallel to a property line at a required setback distance which signifies that between such "building line" and parallel property line no portion of any building shall be constructed. (Ordinance 231)

03:C-01 Calculated Square Footage:

In order to calculate the affected size of an alteration, remodel, improvement or other change to a structure, the Calculated Square Footage shall include all areas of improvement that would result in a modification to the existing floor plan of the structure, including but not limited to Structural Alterations as provided by 03:S-06. Any change to areas which are 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.

Commented [PB1]: Added definition

03:C-021 Carport:

A covered structure open on two (2) or more sides, whether attached to a dwelling or freestanding, used or allowing for the routine storage of one (1) or more vehicles. A structure that complies with all requirements for a porte-cochere shall not be considered a carport under this ordinance. (Ordinance 231; Ordinance 2019-05 adopted 2-26-19)

03:C-032 Customary Home Occupations:

To qualify as a Customary Home Occupation, an activity must meet the following prerequisites:

- .01 Not involve the conduct of business which would generate frequent traffic parking at the residence; and
- .02 Be customarily carried on in a single family dwelling as an incidental use, but not the principal use thereof, by an occupant of the premises;
 - .02.01 Without the help at the residence of any assistant or employees; and
 - .02.02 Without structural alterations in the building or any of its rooms; and
 - .02.03 Without the installation or assistance of any machinery or equipment other than that customary to normal household operations; and
 - .02.04 Without the use of any sign, display or advertisement of the occupation or the telephone number of the same, or of the occupant; and
- .03 Not cause the generation of any traffic parking in the streets more often than ten (10) minutes once per hour for ten (10) consecutive hours; and
- .04 Not involve the storage or display of any property other than household goods used on the premises; and
- .05 Not be the following (which list is not intended to be exhaustive):
 - .05.01 A beauty school;
 - .05.02 parlor or shop;
 - .05.03 A doctor's or dentist's office for the treatment of patients;
 - .05.04 A barbershop;
 - .05.05 A carpenter's shop;
 - .05.06 An electrician's shop;
 - .05.07 A shoe shop;
 - .05.08 A plumber's shop;
 - .05.09 A radio shop;
 - .05.10 A tinner's shop;
 - .05.11 An auto repairing or auto repainting shop;
 - .05.12 A furniture repairing shop;
 - .05.13 A sign painting shop; or
 - .05.14 A real estate office; and
- .06 Not be detrimental or injurious to adjoining property; and

-
- .07 Not involve the conduct of a school for more than two students per hour; and
 - .08 Not be an office to which any customers or clients come more often than once per day in accordance with the hereinabove traffic regulations 1. and 3.; and
 - .09 Not include the keeping, stabling, pasturing, boarding or caring for any;
 - .09.01 Horse;
 - .09.02 Cattle;
 - .09.03 Dog;
 - .09.04 Cat; or
 - .09.05 Other animal belonging to persons other than the occupants of the main building.

03:D-01 Dwelling:

A dwelling is any building which is used, intended, or designed for living purposes, and contains complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation for one family. (Ordinance 231)

03:F-01 Floor Space (floor area):

The gross floor area of any building, structure, structural alteration or addition, including the gross area of every porch, utility room and detached garage or other Accessory Building.

03:F-02 Front Yard:

A yard extending across the full width of a lot between the front lot line and primary structure. (Ordinance 194; Ordinance 2016-12 adopted 10-25-16)

03:F-03 Family:

One or more persons occupying a one-family dwelling and living there as a single housekeeping unit, as distinguished from a group of persons occupying a boarding house, lodging house, a club, fraternity or sorority house, a motel or hotel, apartment, duplex, or a multi-family dwelling. (Ordinance 231)

03:F-04 Front Wall Line:

The front wall line shall be a line located at the most forward exterior wall or glass of the gross building area of the main dwelling, parallel to the front building line. (Ordinance 2019-05 adopted 2-26-19)

03:G-01 Gate:

A gate is a hinged barrier used to close a means of ingress / egress in a wall, fence, or hedge.

03:G-02~~1~~ Gross Building Area:

All enclosed space measured to the exterior or outside face of the glass or wall.

03:G-02 Reserved

(Ordinance 231; Ordinance 2019-05 adopted 2-26-19)

03:-03 Garage, attached: A garage which has at least 10 feet of continuous, uninterrupted wall in common with the dwelling to which it is accessory, excluding extended hallways or breezeways from consideration as a means of attachment. (Ordinance 231)

03:G-04 Garage, detached:

A garage which is not an attached garage; provided, further, a detached garage shall not mean or include a carport. (Ordinance 231)

03:H-01 Height of Building or Structure:

The height of a building or structure is the vertical distance above a reference datum (established below) measured to the highest point of: the coping of a flat roof; the deck line of a mansard roof; the highest ridge of a gabled, pitched, or hipped roof; or the highest point of the structure. The reference datum shall be selected by any of the following:

- .01 The elevation of the highest adjoining public sidewalk;
- .02 The elevation of the "natural ground" surface within a 5-foot horizontal distance of the exterior wall of the building or structure;
- .03 The elevation of the highest adjoining curb of a public street abutting the front yard;
- .04 The elevation of the highest edge of pavement of a public street abutting the front yard; or
- .05 The elevation one foot above the 100 year base flood elevation. (Ordinance 231; Ordinance 2011-05 adopted 2-15-11)

03:H-02 Habitable or Habitable room:

Habitable room shall mean any room meeting the requirements of the City Building Code for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms, and similar spaces. (Ordinance 231)

03:I-01 Nonconforming:

Nonconforming shall mean any structure, building, lot, use of land, or characteristics of use that were never lawful, unpermitted, or existed prior to incorporation of the City of Spring Valley Village, Texas.

03:L-01 Legal Nonconforming:

Legal Nonconforming shall mean any structure, building, lot, use of land, or characteristics of use that were lawful at some time during the existence of this Chapter but which would be prohibited, regulated, or restricted under the current or future amendments to this Chapter.

03:L-02~~1~~ Lot:

A plot, tract or parcel of land which has been subdivided from a larger tract of land, intended to be used as the building site of one main or principal building and its Accessory Buildings, including areas for the minimum required setbacks established by this Ordinance.

03:M-01 Measurements for Size and Area Requirements:

- .01 Measurements for determining building lines are to be made from the outermost portion of any building or structure to the property line, exclusive of eaves and balconies that extend up to twenty-four inches (24") from the outermost edge of foundation of any building or structure into any required building setback. The property line shall include any easement or portion of an easement within the property lines, so that the area contained in such easement shall be considered part of the lot. (Ordinance 194; Ordinance 2006-05 adopted 3-28-06)
- .02 Measurements for determining the required square footage area of any attached or detached structure are to be made from and are to follow the outermost exterior surface of the walls or exterior surface of such structure, exclusive of eaves, door facings, steps, uncovered slab, or other protrusions which do not enclose or otherwise define the useable area of the structure. (Ordinance 194)

03:N-01 New Construction:

Any structure for which a building permit issued subsequent to the Effective Date of this Ordinance.

03:P-01 Pre-Existing Construction:

Any structure for which a building permit issued prior to the Effective Date of this Ordinance.

03:P-02 Park or Parking:

The standing or halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, as that term is defined in Vernon's Annotated Texas Civil Statutes, Article 6701d, as amended. (Ordinance 159)

03:P-03 Pool:

Any constructed or prefabricated swimming pool, spa, hot tub, or spa pool. (Ordinance 231)

03:P-04 Paved Surface:

Any surface paved or covered with asphalt or concrete to establish a permanent paved area for the use of vehicles. (Ordinance 169)

03:S-01 Street or Thoroughfare:

For the purpose of this Comprehensive Zoning Ordinance the words "street" or "major thoroughfare" shall be defined and classified by the City "Street And Thoroughfare Ordinance," as it may be amended. (Ordinance 231)

03:S-02 Setback or set-back:

The required distance between the outermost edge of foundation of any building or structure, exclusive of eaves and balconies that extend up to twenty four inches (24") from the outermost building structure, and the property line. This definition shall apply to the word or words "set-back" used either as a noun or a verb. (Ordinance 231; Ordinance 2006-05 adopted 3-28-06)

03:S-03 Special Exception:

A conditional or special use permit when the terms of this Comprehensive Zoning Ordinance are otherwise met.

03:S-04 Stand or Standing:

The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging merchandise or passengers' as that term is defined in Vernon's Annotated Texas Civil Statutes, Article 6701d, as amended. (Ordinance 159)

03:S-05 Story, Residential:

A residential story is that Portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that habitable portion of a building included between the upper surface of the topmost floor and ceiling or roof above. (Ordinance 231)

03:S-06 Structural Alteration:

Any change in the supporting members of a building, such as bearing walls, columns, beams or girders; any addition of walls or roofs.

03:S-07 Structure:

Structure is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (Ordinance 231)

03:S-08 Substantial Improvement:

A substantial improvement is a proposed alteration or remodel that includes 50 percent or more of the square footage of the structure as determined by Calculated Square Footage provided by 03:C-01.

Commented [PB2]: Added definition

03:T-01 Temporary Sale:

An offering of goods, wares and merchandise for sale to the general public by a resident of the City as an intermittent activity and such sale not being the usual and customary source of that resident's livelihood.

03:U-01 Unsurfaced Area:

Shall include, but is not limited to, those areas of a Lot, tract, or parcel of real property covered with grass and/or other vegetation, whether natural, planted, or landscaped, dirt surfaces, and unpaved surfaces. (Ordinance 159)

03:V-01 Variance:

A use that is permitted only by sufferance, that is, granted only because special conditions and strict enforcement of this Comprehensive Zoning Ordinance would cause unnecessary hardship beyond the spirit of the Ordinance.

03:V-02 Vehicle:

Shall mean every device in, upon, or by which any person or property is or may be transported or drawn, as that term is defined in Vernon's Annotated Texas Civil Statutes, Article 6701d, as amended. (Ordinance 159)

03:W-01 Words:

In this Ordinance used in the present tense include the future; words in the singular include the plural, words in the plural include the singular; and the word "shall" is mandatory and not discretionary.

11:01 FENCES:

11:01.01 FENCE OR WALL DEFINED:

The term "fence or wall," as used herein, shall be construed to mean any enclosing barrier exceeding twenty-four inches (24") in height, unless otherwise specified in planned area development districts, constructed of ornamental metal, masonry, wood, but excluding those fences as set forth below in paragraph 11:04, PROHIBITED FENCES. The term "fence or wall" shall additionally mean any trees, hedges or other plant material exceeding forty-two inches (42") in height when planted in a continuous manner near the perimeter of the property to form an actual or visual barrier, except when the property line is adjacent to Campbell Road, Westview Drive, or Bingle Road.

(Ordinance 2006-29 adopted 11-14-06; Ordinance 2017-10 adopted 3-28-17)

11:01.02 HEIGHT-RESIDENTIAL:

Allowable fences or walls in Dwelling District "A" shall not exceed eight feet (8') in height.

(Ordinance 2006-29 adopted 11-14-06)

11:01.03 HEIGHT-COMMERCIAL:

In Office Building District "B" and Commercial District "C," the minimum fence height shall be eight feet (8'). Further requirements for these fences are set forth in Section Six for Office Building District "B" and in Section Seven for Commercial District "C."

(Ordinance 2006-29 adopted 11-14-06)

11:01.04 PROHIBITED FENCES:

Barbed wire, electrical, wire mesh, and chain link fences are prohibited in all districts of the city. EXCEPTION: See paragraphs 11:07, 11:08 and 11:09 below.

(Ordinance 2006-29 adopted 11-14-06)

11:01.05 PERMITTED LOCATIONS:

The overall intent of this section is to allow property owners to fence or wall their properties from and including the front building line to and around the back yard. Fences may be constructed along rear and side property lines and terminate with front lot fences into the side of primary structure. Side lot fences may extend up to a point as close to the front property setback line as the front foundation line of either the associated or neighboring primary structure. For sake of clarification, minor extensions of a primary structure, such as porches, steps or other appendages, are not included in establishing the front foundation line. Front lot fences of a property may not extend beyond its front building foundation line or extend across the front of the primary structure. Additionally, if a lot has no structure, then a front lot fence with a maximum height of six feet (6') may be constructed parallel to a line as close to the front property setback line as the front foundation of the neighboring primary structure on either side. No fence, even if allowed by exception, shall be located in the sight triangle as defined by Section 12:02 of Code of Ordinances.

Exceptions. The following exceptions to the permitted locations of fences shall apply:

-
- (1) A front lot fence may be located in front of a portion of the primary structure so long as the portion of the primary structure in question is located a distance equal to fifty-percent (50%) or more of the overall depth of the structure measured from the front foundation line and the length of the fence located in front of the primary structure is no more than twenty-five percent (25%) of the length of the front of the primary structure.

(2) A fence shall be permitted along or behind the front building line, regardless of where the primary structure is located on the lot if:

- a. The fence is used for the purpose of enclosing a driveway; and
- b. The portion of the fence that faces the front building line is twenty-four feet (24') or less in length.

(Ordinance 2006-29 adopted 11-14-06; Ordinance 2016-11 adopted 9-20-16)

11:01.06 AESTHETICS:

- (1) Any fence constructed, which is considered to be "one-sided" (i.e. a wood picket fence), shall have the "preferred" side of the fence face any immediately adjacent public roadways.
- (2) All fences shall be kept in good repair (missing or broken boards are not permitted) and maintained (fences are not permitted to lean from a vertical position) so they comply with the requirements of this ordinance.

(Ordinance 2006-29 adopted 11-14-06)

11:01.07 CONSTRUCTION FENCES:

Temporary fences allowed during construction and for tree protection shall include chain link and plastic mesh.

(Ordinance 2006-29 adopted 11-14-06)

11:01.08 SECONDARY FENCES:

Interior site fences which are screened by perimeter walls or fencing may be constructed out of wire mesh or chain link. Secondary fences are limited to a maximum height of six feet (6').

(Ordinance 2006-29 adopted 11-14-06)

11:01.09 SPORTS COURT FENCES:

Fencing for sport or tennis courts located in Dwelling District "A" shall be constructed out of vinyl clad chain link. Sports court fences are limited to a maximum height of ten feet (10').

(Ordinance 2006-29 adopted 11-14-06)

11:01.10 OTHER PROVISIONS:

11:01.10.01 Enforcement:

All of the above provisions are enforceable through those criminal and civil procedures set forth in Section Two.

11:01.10.02 Non-conformity:

Those lawful uses of land or structures existing at the time of the Effective Date of this Section which are rendered non-conforming by this Section's passage may be continued as a non-conforming use under the provision of Section Eight.

11:01.10.03 Definitions:

Reference to Section Three should be made for the definition of certain terms used in the above provisions and the definition as set out in Section Three shall be controlling.

(Ordinance 2006-29 adopted 11-14-06)

11:01.11. Gates:

11:01.11.01 Height and Materials:

A gate may be no taller than the fence or wall at the same location. A gate shall be constructed of the same materials as the fence or wall at the same location.

11:01.11.02 Certain Egress Restricted:

- (1) No gate shall be able to overhang or allow for ingress or egress over or onto a public right of way, subject to the following special exception.
- (2) Special Exception. A special exception can be granted if the gate allows for City public works access to a utility easement.
- (3) Nothing in this section shall be construed to limit private arrangements for ingress / egress points across private property lines.

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 than the greater of two (2) feet, the manufacturer's recommendations for the model of the mechanical equipment, the National Fire Protection Association Codes and Standards, or any relevant codes, as amended, published by the International Code Council and adopted by the City. (Ordinance 2011-05 adopted 2-15-11)

**SECTION FIVE: BUILDING AND USE RESTRICTIONS IN
DWELLING DISTRICT "A"**

The erection of buildings and structures in Dwelling District "A", and the use thereof, shall be subject to the following regulations:

05:01 USE REGULATIONS:

In Dwelling District "A", no building or premises shall be used, and no building shall be erected or structurally altered which is arranged or designed to be used, for any other than one or more of the following uses:

05:01.01

One Family Dwelling:

One Family Dwelling, whether occupied or leased or rented, provided that:

- a. The lease or rental of a single-family dwelling for any term of less than thirty (30) consecutive days is prohibited, except as provided below; and
- b. The above prohibition shall not apply to a leaseback agreement between a seller and a purchaser or to the extension of an existing lease.

(Ordinance 23-15 adopted 12-12-23)

05:01.02

Garages or other structures for storing or parking motor vehicles or other personal equipment;

05:01.03

Public parks, playgrounds, recreational facilities, fire and police services owned by the City of Spring Valley or by a public entity acting at the request of the City of Spring Valley; (Ordinance 159)

05:01.04

Accessory Buildings and uses customarily incident to the above uses and located on the same Lot therewith and not involving the conduct of a business other than those defined in Section Three, as a Customary Home Occupation. An outdoor swimming pool shall be permitted only in the back or side yards as an Accessory Use or structure.

05:01.05

A billboard, signboard or advertising sign is not an Accessory Use. Signs in residential "A" are governed by the provisions of Section Ten of this Ordinance.

05:01.06

Uses pre-existing in Dwelling District "A" that are not permitted in this Ordinance shall be considered as non-conforming uses, and shall be governed by Section Eight of this Ordinance.

05:02 LIMITATIONS AND RESTRICTIONS:

The following limitations and restrictions shall apply to all of the above permitted uses:

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 (9) feet for two (2) single car garage doors and sixteen (16) feet 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 (28) feet from the property line that it faces, except on corner lots where the garage faces a street.
- .07 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 (10) feet from the eave line of any adjacent garage or structure as measured perpendicularly from the rear of the porte-cochere.

(Ordinance 2013-12 adopted 5-21-13; Ordinance 2014-10 adopted 5-27-14; Ordinance 2019-05 adopted 2-26-19; Ordinance 22-21 adopted 12-13-22)

05:02.02 Attics:

(Ordinance 231)

- .01 Electrical. An attic shall have no more than one (1) electrical outlet.
- .02 Access. Any walk through access door or opening from a dwelling to an attic shall be of one-hour fire rated construction and shall have both a self-closing device and a self-latching device.

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

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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').

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.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 Legal Nonconforming dwellings and pre-existing garages. This subsection is applicable to pre-existing Legal Nonconforming dwellings and pre-existing garages only. It is the intent of this subsection to permit a one-story first-story enlargement or a one-story alteration of a pre-existing Legal Nonconforming 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 that was Legal Nonconforming 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 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-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)

Commented [PB1]: Discussion on removing this exception completely and non allowing any enlargement of a nonconformity. Only conforming enlargements allowed.

.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.

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- .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)

05:02.04 Windows-second story and attic restrictions:

- .01 Reserved.

Editor's note(s)—Ordinance No. 2003-09, adopted April 22, 2003, repealed subsection .01, which pertained to second story windows and derived from Ordinance No. 231.

- .02 Attic windows. All attic windows shall be translucent, excluding skylights. (Ordinance 231; Ordinance 2003-09 adopted 4-22-03)
- .03 Reserved. (Ordinance 231; Ordinance 2006-05 adopted 3-28-06)

05:02.05 Slab Elevation Requirements.

The slab elevation for all newly constructed one or two-story dwellings or additions to dwellings shall be a minimum of twelve (12) inches above: (1) the 100 yr. flood plain (2) the nearest sanitary sewer manhole within two-hundred feet (200'), or (3) the crown of the street fronting the property upon which the new dwelling or addition is to be built, whichever is the highest elevation. All additions to an existing slab shall also comply with this requirement. The "crown of the street" provision shall not apply to lots fronting on streets without curb and gutters, and in lieu of that provision such slab minimum height is twelve (12) inches above the natural ground surface. All other provisions are applicable as stated above. (Ordinance 231)

05:02.06 Garage Apartments prohibited:

No garage apartment shall be erected in District "A".

05:02.07 Pool Requirements:

No pool shall be installed or maintained unless all provisions of this Section FIVE.B.7 are met: (Ordinance 231)

- .01 Location. A pool shall be installed in the rear or side yard of the premises.
- .02 Setbacks Required: A pool shall be set back a minimum of ten feet (10') from the rear lot line and eight feet (8') from the side lot line.
- .03 Decking: Uncovered decking no more than two feet (2') above natural grade may be constructed around a pool. Uncovered decking no more than eight (8) inches above natural grade or the ground floor finished floor of the dwelling, whichever is higher, may extend into the area between a side or rear property line and a required setback line.
- .04 Reserved.

(Ordinance 2008-10 adopted 5-27-08)

- .05 Reserved.

(Ordinance 231; Ordinance 2008-10 adopted 5-27-08)

05:02.08 Keeping Animals:

No structure of any kind used for the purpose of housing animals or fowls may be located or maintained in the front yard or within twenty-five (25') feet of the rear or any side property line of the Lot of land upon which a building or structure is located. No more than four (4) adult domestic animals or fowls may be kept on any one Lot.

05:02.09 Parking Lots prohibited:

Parking Lots are expressly prohibited in Dwelling District "A", except on property owned by the City of Spring Valley, churches and non-profit organizations, which must provide enough off-street parking to accommodate events staged at these sites.

05:02.10 Storage of Motor Vehicles, Trailers and Other Contrivances:

- .01 Storage Requirements: No boat, houseboat, canoe, raft, surfboard, or other contrivance designed for use on water, including trailers therefor, and no vehicle which is or which customarily is equipped with living or sleeping facilities, whether self-propelled or designed to be used as a trailer or for use otherwise in conjunction with any vehicle, whether occupied or not, or any type trailer shall be kept on a public street or in a driveway in public view for more than four (4) occurrences during any thirty (30) day period, except where such vehicle, trailer or contrivance is for use incidental to construction on the site. Each day shall constitute an occurrence. Permanent and semi-permanent storage of such items and vehicles must be screened from public view from any public street by storing the vehicle, trailer or contrivance deeper on the Lot than the front building line and screening such storage location by any of the following methods:
 - .01.01 If the vehicle or items is equal to or less than eight (8) feet in height, by a fence or hedge equal in height to the vehicle or items; or
 - .01.02 an eight (8) foot fence; or
 - .01.03 a six (6) foot fence.

The requirements of this provision shall apply to all such vehicles, trailers or contrivances acquired by new purchase, trade in, exchange, inheritance or gift subsequent to the expiration of thirty (30) days from the effective date of this Ordinance.

It shall be unlawful for a person who is not a resident of the City to locate a vehicle which is or which customarily is equipped with living or sleeping facilities, whether self-propelled or designed to be used as a trailer or for use otherwise in conjunction with any vehicle, whether occupied or not, on a public street or in a driveway in public view unless such person is visiting a person who is a resident of the City. In such case, the resident shall obtain a visitor permit for such vehicle from the City Administrator or designee. Visitor parking permits may be issued, without fee, to a resident of the City who provides proof of residency and a completed City issued form. Proof of residency shall consist of either a valid Driver's License or State ID showing a home address within the City, a current mortgage or lease, or a utility bill issued a maximum of three (3) months prior. Such permit shall be valid for a period not to exceed five (5) calendar days. No more than three (3) visitor permits shall be issued to any one resident during any calendar year.

- .02 Grandfather Clause: Residents as of the date of this Ordinance who own such vehicles, trailers or contrivances, or acquire such vehicles, trailers or contrivances, by whatever means prior to the expiration of thirty (30) days from the effective date of this Ordinance, provided they comply with the registration provisions of paragraph ".03" below, are only required to store such vehicles, trailer or contrivances, whether permanent or semi-permanent storage, deeper on a Lot than the front building line of the Lot if physically possible and shall screen such vehicle, trailer or contrivance from public view by those means as set forth in paragraph ".01" above. If such storage is impossible due to the physical limitations or configurations of the Lot or natural obstructions preventing the placement of such vehicle, trailer or contrivance deeper on the on the Lot than the front building line, permanent or semi-permanent storage of such vehicle, trailer or contrivance is permitted in the following locations set forth in the order of preference:

- .02.01 Side yard;
- .02.02 Driveway; or
- .02.03 Front yard.

Any storage location in the side or front yard shall not be required to be screened from public view but such location shall be kept free of weeds and other growth and the grass regularly maintained.

- .03 Registration Requirements to Qualify Under Grandfather Clause: The above requirements in paragraph ".02" shall apply only to those vehicles, trailers or contrivances which meet the date of acquirement provisions as set out in paragraph ".02" and are registered with the City for such purpose. Registration shall be made in person or by mail with the City Secretary and shall include name, address, reasonable proof as to date of acquisition and, where applicable, proof of state motor vehicle registration and title. Failure to register will subject the resident to those storage requirements set out in paragraph ".01" above.
- .04 Storage in Garages Not Prohibited: Nothing herein shall prohibit storage of such vehicles, trailers, or contrivances described in either paragraphs ".01" or ".02" in garages when such vehicles, trailers, or contrivances can be stored completely within the garage.
- .05 Non-transferability: The exceptions granted in paragraph ".02" above shall not be transferable between owners or vehicles, trailers or contrivances.

(Ordinance 2014-02 adopted 2-25-14)

05:02.11 Stage of Motors or Engines:

No motor or engines designed to propel the crafts or contrivances as listed in Section 05:02.10.01 above shall be kept in Public view for a Period longer than forty-eight (48) hours during any seven-(7-) day period.

05:02.12 Trucks—Parking Limitations:

No truck in excess of one-(1-) ton capacity and no motor vehicle designed to transport more than fifteen (15) persons shall be parked within Dwelling District "A" except for reasonable periods for loading and unloading.

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)

05:02.14 Other Provisions:

- .01 Enforcement: All of the above provisions are enforceable through those criminal and civil procedures set forth in Section Two.
- .02 Non-Conformity: Those lawful uses of land or structures existing at the time of the Effective Date of this Ordinance which are rendered non-conforming by this Ordinance's passage may be continued as a non-conforming use under the provision of Section Eight.
- .03 Definitions: Reference to Section Three should be made for definition of certain terms used in the above provisions and the definition as set out in Section Three shall be controlling.

05:02.15 Curbed Streets:

It shall be unlawful to park or leave standing any vehicle on the unsurfaced area within the distance between the edge of the curb of a street abutting any property and the outermost surface of any structure located on said property. (Ordinance 159)

05:02.16 Uncurbed Streets:

It shall be unlawful to park or leave standing any vehicle on the unsurfaced area within the distance between the edge of the paved surface of an uncurbed street abutting any property and the outermost surface of any structure located on said property, unless such vehicle is parked or left standing on or along an uncurbed street with two (2) wheels on the same lateral side of the vehicle resting on the paved surface of the street and two (2) wheels on the same lateral side of the vehicle resting on the unsurfaced area of a lot, tract, or parcel of real property; provided, however, that such vehicle placement in no way impedes the orderly flow of traffic on said street. (Ordinance 159)

05:02.17 Circular, Dish, and Amateur Radio Antennas:

Circular, dish, and amateur radio antennas are permitted structures. (Ordinance 194)

- .01 A circular, dish, or amateur radio antenna shall not be located in a front yard, in an easement, or within twenty feet (20') of any property line. (Ordinance 194)
- .02 A circular, dish, or amateur radio antenna, or the support structure, shall be anchored to a concrete foundation shall not be located or placed on the roof of any building. (Ordinance 194)
- .03 A circular, dish, or amateur radio antenna, or the support structure, shall not extend or protrude in excess of two feet (2') beyond the roof line height of the dwelling or exceed a total height of twenty feet (20'), whichever is less. The roof line of a dwelling shall mean the line along the peak of the roof of the first story of a dwelling, excluding protrusions. (Ordinance 194)

05:02.18 Regulation of Portable Storage Containers:

- .01 Definitions. Portable storage container is any box-like container transported by truck or trailer to a desired location for drop off with a storage capacity of more than two hundred sixteen (216) cubic feet that would normally be stored at an offsite location. A commonly accepted name for these storage containers is PODS, an acronym for portable on-demand storage.
- .02 Regulation of portable storage containers; permit required.
 - .01 The maximum allowable size for a portable storage container in a residential district is one hundred sixty (160) square feet with an overall length not to exceed twenty (20) feet.
 - .02 Not more than one (1) portable storage container shall be allowed in the front yard of any lot on which a single-family dwelling has been constructed.
 - .03 Any portable storage container must be placed on a concrete or asphalt surface of the dwelling, but no closer than ten (10) feet from the front property line. Any portable storage container must also comply with the side and rear lot set back line requirements.
 - .04 A portable storage container may be utilized onsite for a period not to exceed thirty (30) days in any 360-day period.
 - .05 A valid permit from the city is required.
- .03 Placement on city streets prohibited; placard required. Portable storage containers shall not be allowed to be placed or unloaded on any city street or right-of-way under any circumstances.
- .04 Exceptions; permits.
 - .01 Extension of time. The building official may grant a permit for the placement of a portable storage container in a residential district for more than thirty (30) days, provided the property owner has demonstrated that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include, but are not limited to, natural disasters, fire or acts of God.
 - .02 Validity. Permits under this section shall be valid for the period specified on the permit from the date of issuance to the specific name and approved location only.
 - .03 Fee requirements. All initial applications for permits and requests for renewal/extension of permits shall be accompanied by the appropriate fee set by ordinance of city council.

(Ordinance 2009-08 adopted 7-28-09)

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.

(Supp. No. 57)

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- .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;
 - .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 subsection .05.02;
 - .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
 - .05 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 be located within a fenced yard or patio; and
 - .04 Solar panels shall not be taller than the fence line.
 - .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; Ordinance 2021-22, adopted 12-14-21)

05:03 RESERVED

Editor's note(s)—Ordinance 2020-10, adopted March 24, 2020, repealed § 05:03 which pertained to building materials and architectural standards and derived from Ordinance 2015-14 adopted October 27, 2015.

NOTE: Version 1 – removal of exception provided in 08:01.06.01; this version does not require the adoption of definitions Legal Nonconforming or Illegal Nonconforming.

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.

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.

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

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 Calculated Square Footage 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~~ 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 be a Substantial Improvement as provided in 03:5-08... 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.

(Supp. No. 57)

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- .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 Calculated Square Footage ~~replacement cost~~ at the time of such destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.
- .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.
- .01. 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~~ Calculated Square Footage 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.
- .02. No nonconforming accessory building or structure, specifically to include garage, may be enlarged or attached to a dwelling if the accessory building or structure is located less than five feet from the side property line or less than ten feet from the rear property line.

Commented [PB1]: Need to discuss if there is an alternative. Cannot use it based on value.

Commented [PB2]: Need to discuss if there is an alternative approaching use square footage rather than value.

(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~~Calculated Square Footage.

~~In addition to Calculated Square Footage as provided in S:C-01, 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~~square footage 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~~square footage 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)