

**MINUTES OF THE MEETING OF THE JERSEY VILLAGE
BOARD OF ADJUSTMENT**

November 29, 2011 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on November 29, 2011, at 12:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview, Jersey Village, Texas.

A. The meeting was called to order at 12:00 p.m. and the roll of appointed officers was taken. Board Members present were:

Andrew Henderson, Chairman;
Robert Cunningham, Board Member;
Thomas Simchak, Board Member;
Henry Hermis, Board Member;
Gerald Laws, Board Member;
Debra Sappington, Alternate Board Member
Ken Nguyen, Alternate Board Member

Council Member Joyce Berube was present.

City Staff attending the meeting were as follows:

Courtney Rutherford, Assistant City Secretary;
Mike Castro, City Manager;
Danny Segundo, Public Works Director;
Christian Somers-Kuenzel, Building Official; and
Deborah Capaccioli-Paul, Engineering Technician

B. Election of Chair and Vice Chair

Chairman Henderson opened nominations for the office of Chairman for a one year term beginning October 1, 2011 and ending September 30, 2012. Board Member Hermis nominated Board Member Andrew Henderson. With no other nominations being made, the vote follows:

Ayes: Board Members Cunningham, Laws, Hermis, and Simchak
Chairman Henderson

Nays: None

The motion carried.

Chairman Henderson opened nominations for the office of Vice Chairman for a one year term beginning October 1, 2011 and ending September 30, 2012. Board Member Cunningham nominated Board Member Henry Hermis. With no other nominations being made, the vote follows:

Ayes: Board Members Cunningham, Laws, Hermis, and Simchak
Chairman Henderson

Nays: None

The motion carried.

C. Consider approval of the minutes for the meeting held on February 9, 2010.

Board Member Simchak moved to approve the minutes as presented for the meeting held on February 10, 2010. Board Member Cunningham seconded the motion. The vote follows:

Ayes: Board Members Cunningham, Laws, Hermis, and Simchak
Chairman Henderson

Nays: None

The motion carried.

Chairman Henderson called item D on the agenda as follows:

D. Conduct a public hearing on Logan Diep’s application for variance to the Jersey Village Code of Ordinances at Chapter 14, Sections 14-225(h)(1), 14-225(k)(2) and 14-333, to permit applicant to convert an existing central courtyard into a family room with a slab elevation lower than 18-inches above the 100-year base flood elevation at the property located at 8505 Hawaii Lane, Lot 4, Block 54, Jersey Village Subdivision, Houston, Texas 77040.

Chairman Henderson opened the public hearing at 12:05 p.m. on Logan Diep’s application for variance to the Jersey Village Code of Ordinances at Chapter 14, Sections 14-225(h)(1), 14-225(k)(2) and 14-333, to permit applicant to convert an existing central courtyard into a family room with a slab elevation lower than 18-inches above the 100-year base flood elevation at the property located at 8505 Hawaii Lane, Lot 4, Block 54, Jersey Village Subdivision, Houston, Texas 77040.

Board Secretary Courtney Rutherford stated for the record that all notification requirements for the City had been met.

Logan Diep also presented the Applicant’s Certification of Public Hearing Posting Requirements.

Christian Somers-Kuenzel, the City Building Official, explained that the owner of this property submitted a variance request to convert an existing central courtyard into an enclosed family room. Mr. Somers-Kuenzel explained that this is considered an addition, but due to the location it will not change the flow of water. Mr. Somers-Kuenzel stated that he contacted National Flood Insurance and they told him that they did not have a problem and did not see a raise in insurance. He also stated that he contacted a few other cities and they stated that they would not allow the finished floor of the addition to be built at or below base flood elevation, but he still recommends that the board grant the variance because this is a unique situation. He stated that the area the owner desires to enclose already has a cement slab and closing it in will just make is a “habitable” space, therefore requiring coverage by insurance. The enclosed area will be about

20'X20' with two doors and the floor will need to be raised about 12 inches to put it at base flood elevation. He explained that the City of Jersey Village's requirement for finished floors to be 18" above based flood elevation is already over and above FEMA requirements. Again he stated that this is a very unique situation.

Mr. Logan Diep spoke on behalf of the property owner and stated that the property owner was not aware that the home was in the flood zone and has already had an engineer study completed.

With no other party or individual signing up or requesting to speak at this public hearing, Chairman Henderson closed the public hearing at 12:20 p.m.

E. Discussion with possible action on Logan Diep's application for variance to the Jersey Village Code of Ordinances at Chapter 14, Sections 14-225(h)(1), 14-225(k)(2) and 14-333, to permit applicant to convert an existing central courtyard into a family room with a slab elevation lower than 18-inches above the 100-year base flood elevation at the property located at 8505 Hawaii Lane, Lot 4, Block 54, Jersey Village Subdivision, Houston, Texas 77040.

Discussion was had between the Board, staff, and Ms. Diep regarding the addition and the finished floor elevation.

The board discussed that this a very unique situation and bringing the finished floor up to base flood elevation would not impact water flow or have impact on the existing area. There was also discussion about how the roof addition would drain and protect against flooding the existing structure.

After continued discussion on the matter Board Member Simchak moved to approve the variance as requested allowing the applicant to convert the existing central courtyard into a family room and build the finished floor at base flood elevation at the property located at 8505 Hawaii Lane, Lot 4, Block 54, Jersey Village Subdivision, Houston, Texas 77040. Board Member Hermis seconded the motion. The vote follows:

Ayes: Board Members Cunningham, Laws, Hermis, and Simchak
Chairman Henderson

Nays: None

The motion carried.

F. Set date, time and place for next meeting

Courtney Rutherford, the Board Secretary, explained that this item was added to the agenda because there had been discussion with the Building Official that another application for variance was forthcoming. The Building Office explained that there will be no application at this time; therefore, a future meeting will not be required. There was no action on this item.

G. Adjournment

Minutes of the Meeting BOA – November 29, 2011

With no additional business, Board Member Cunningham moved to adjourn the meeting. Board Member Simchak seconded the motion. The vote follows:

Ayes: Board Members Cunningham, Laws, Hermis, and Simchak
Chairman Henderson

Nays: None

The meeting was adjourned at 12:29 p.m.

Courtney Rutherford, Assistant City Secretary