



## NOTICE OF A MEETING

(In compliance with Sec. 551.041, Et. Seq., Tex. Gov't. Code)

Notice is hereby given of a Board of Adjustment Meeting to be held on September 9, 2020, at 1:00 p.m. via videoconferencing. All agenda items are subject to action. The Board of Adjustment reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Pursuant to Section 418.016 of the Texas Government Code, on March 16, 2020, the Governor of the State of Texas granted the Office of the Attorney General's request for the temporary suspension of certain provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people, as a precautionary measure to contain the spread of novel coronavirus COVID-19.

Accordingly, the public will not be allowed to be physically present at this Board of Adjustment Meeting but the meeting will be available to members of the public and allow for two-way communications for those desiring to participate via telephone. To attend the meeting via telephone, please use the following toll-free number:

**346-248-7799 along with Webinar ID: 913 2407 8054.**

Any person interested in speaking during the public comment item on the agenda must submit his/her request via email to the City Secretary at [lcoody@jerseyvillagetx.com](mailto:lcoody@jerseyvillagetx.com). The request must include the speaker's name, address, topic of the comment and the phone number that will be used for teleconferencing. The request must be received no later than 9:00 a.m. on September 9, 2020.

### **The following will be observed by the public participating in the meeting:**

- Callers will be called upon to speak.
- Once called upon for public comment, speakers should state their name and address before speaking.
- Callers will mute their phone unless called upon to speak (*to eliminate background noise*).
- Callers should use handsets rather than speakerphone whenever possible.

The agenda packet is accessible to the public at the following link:

[https://www.jerseyvillagetx.com/page/boa.ags\\_mins](https://www.jerseyvillagetx.com/page/boa.ags_mins)

For more information or questions concerning the teleconference, please contact the City Secretary at 713-466-2102.

**A quorum of the City of Jersey Village City Council may be in attendance at this meeting; however, no official action will be taken by the City Council.**

ITEM(S) to be discussed and acted upon by the Board at this meeting are listed on the attached agenda.

## AGENDA

- A. Open Meeting.** Call the meeting to order and the roll of appointed officers will be taken. *Board Chairman*
- B.** Designate alternate members to serve in place of any absent Board Members. *Board Chairman*
- C.** Consider approval of the minutes for the meeting held on June 8, 2020. *Lorri Coody, City Secretary*
- D.** Conduct a public hearing on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040. *Board Chairman*
- (1)** Discuss and take appropriate action on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040. *Board Chairman*
- E.** Conduct a public hearing on Elizabeth Earnest's request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040. *Board Chairman*
- (1)** Discuss and take appropriate action on Elizabeth Earnest's request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040. *Board Chairman*
- F. Adjourn**

CERTIFICATION

I, the undersigned authority, do hereby certify in accordance with the Texas Open Meeting Act, the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at City Hall, 16327 Lakeview, Jersey Village, TX 77040, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: September 1, 2020 at 9:00 a.m. and remained so posted until said meeting was convened.



\_\_\_\_\_  
Lorri Coody, City Secretary

In compliance with the Americans with Disabilities Act, the City of Jersey Village will provide for reasonable accommodations for persons attending City Council meetings. Request for accommodations must be made to the City Secretary by calling 713 466-2102 forty-eight (48) hours prior to the meetings. Agendas are posted on the Internet Website at [www.jerseyvillagetx.com](http://www.jerseyvillagetx.com).

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

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

June 8, 2020 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on June 8, 2020 at 12:00 p.m. in the Civic Center Auditorium at 16327 Lakeview Drive, Jersey Village, Texas 77040.

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

Thomas G. Simchak, Chairman	M. Reza Khalili, Board Member
Joe Pennington, Board Member	Nester Mena, Alternate Place 1
Ken Nguyen, Board Member	Judy Tidwell, Alternate Place 2

Council Liaison, Gary Wubbenhorst was present.

Board Member, Henry Hermis was not present at this meeting.

City Staff in attendance: Scott Bounds, City Attorney; Lorri Coody, City Secretary; Christian Somers, Building Official and Harry Ward, Public Works Director.

**B. Designate alternate members to serve in place of any absent Board Members.**

Chairman Simchak designated Nester Mena, Alternate Place 1 to serve in the place of Board Member Henry Hermis.

**C. Consider approval of the minutes for the meeting held on February 12, 2020.**

Board Member Khalili moved to approve the minutes for the meeting held on February 12, 2020. Board Member Mena seconded the motion. The vote follows:

Ayes: Board Members Pennington, Nguyen, Khalili and Mena  
Chairman Simchak

Nays: None

The motion carried.

**D. Conduct a public hearing on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

Chairman Simchak opened the public hearing at 12:03 p.m. in order to receive written and oral comments from any interested person(s) concerning Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

The Board found that all notification requirements for both the City and the applicant have been met for this public hearing.

Chairman Simchak called upon the applicant to present his case and supporting evidence concerning the variance request.

Applicant, Robert Sanders, on behalf of BHA Real Estate Holdings, LLC, stated that the property located at 16634 NW FWY, known as Joe Meyers Dealership, abuts the Jersey Village City Hall, Police Department, and Fire Department Property. The zoning for the City property was changed from commercial to residential back in 2019. The zoning change placed a heavy financial burden on the dealership, as it now requires an obscuring wall at a cost of \$250,000. Currently, there is considerable landscaping separating the two properties. This landscaping buffer is to be enhanced during the renovations of the dealership. Mr. Sanders presented the Board with Pictures that show what it currently looks like. He feels it is pleasing and would meet typical visual separation between two (2) commercial properties. He stated that the main reason for the variance request is financial. The required wall would need to be 1050 linear feet and the cost would be a hardship at \$250,000. He stated that a soundwall in a commercial application is not warranted.

He told the Board that he researched the zoning change by reviewing the City Council Meeting archives. During the zoning change discussions, City Council discussed the TxDOT requirements for continuation of the soundwall, which currently will stop at the Joe Meyers Dealership property line and not continue along the property line that is the subject of this variance request.

The Board asked the applicant about the statement in the application that states there is not enough room for the wall. Mr. Sanders replied by stating that the area where the wall would need to be placed is very limited and tight and would encroach upon the overall available space in that the wall must be eight (8) inches thick. Nonetheless, he again stated that the main reason for the variance request is the cost involved in constructing the wall.

With no further comments from the Applicant, Board Chairman Simchak called Christian Somers, the City's Building Official, to present any information that he deemed necessary, appropriate, or relative to the application.

Mr. Somers stated that this request is for a variance to the required 6' masonry-screening wall between the non-residential Joe Myers Ford redevelopment projects and the adjacent residential zoning district.

He gave some background information about the 2019 zoning change, stating that the intent of the change was to align our zoning districts. The City property was currently zoned District G and is now zoned residential.

As to the status of the development permit, Mr. Somers stated that the Code of Ordinances will not allow release of a construction / building permit until a Certificate of Compliance has issued for all zoning and floodplain requirements – such as providing the required 6' masonry wall. Nonetheless, a Phase I permit was issued for the Ford dealership project for an 8-week span on Friday, March 20, 2020, then extended last month (since today we are nearing the 11-week mark) and convening a meeting with the SARS CoV2 pandemic seemed unlikely in the

near-term. Work had yet to commence given COVID 19 and the economic uncertainty, but it was recently learned from Mr. Aaron Davis with BHA that work will ensue on the addition and remodeling components in early June of 2020.

The Board discussed the zoning change. It was noted that when the change in zoning occurred, that is when the requirement for the obscuring wall came into play. After the zoning change was made, the City posted notice of the change in the Houston Chronicle. The Board wanted to know why this is a problem now since the change occurred in 2019. Building Official Somers explained that the redevelopment of the property has prompted the need for the obscuring wall that must be eight (8) inches wide and six (6) feet high.

Building Official Somers suggested that in considering the variance request, the Board could require an enhanced landscape buffer, which would accommodate the obstacles on both sides of the property, as well as those listed in the application.

The Board discussed the TxDOT soundwall and why TxDOT is not continuing the soundwall along the stretch of property the subject of this variance. City Attorney Bounds stated he suspects that the soundwall by TxDOT is only for residential property. Applicant Sanders told the Board that according to his research, City Council made the zoning change back in 2019 in hopes that TxDOT would continue the wall between the City property and the dealership property.

The Board engaged in discussion about the obscuring wall and the reasons for the obscuring wall. There were many questions to which Building Official Somers responded. Additionally, the TxDOT soundwall was discussed.

With no further discussion or questions, the Board Chairman called if there was anyone else desiring to speak in favor or opposed to the granting of the application. The following individuals were called to speak:

**Greg Holden, 16429 Jersey Hollow, Jersey Village, Texas:** Mr. Holden stated that he is a City Council Member. He stated that the zoning change was done at the request of the City. The Planning and Zoning Commission reviewed the request in April of 2019 and it was approved by City Council in June of 2019. The change was made in hopes that TxDOT would extend the soundwall; however, TxDOT will not extend the soundwall along the property that is the subject of this variance. Without the TxDOT soundwall being built, Council Member Holden stated that he feels the requirement for the dealership to build an obscuring wall is punitive.

The Board asked Council Member Holden if there were any grandfathering provisions included in the zoning change. Council Member Holden stated that there were no grandfather provisions.

**Gloria McKay, 16313 Lakeview Drive, Jersey Village, Texas:** Ms. McKay stated that her neighbors Mary Joe Dupre and Lucille Mitchel had sent the Board their written comments opposing the granting of the variance request. She wanted to make sure the Board had received them. Chairman Simchak stated that they had received these written comments.

Ms. McKay stated that a number of her neighbors are present in the audience and she asked them to raise their hand if they opposed the granting of this request. All raised their hands

indicating that they opposed the granting of the variance request. Ms. McKay went on to state that she has lived in her home for over 40 years. She told the Board that her home was built when the City Hall property and the dealership property were just open fields.

She stated that she has been working with the dealership for some 24 years in order to keep the residential properties separated from the commercial property. She gave the Board copies of two flyers that she used back in 1996 to show the need for the separation. Her written comments outlined that she was able to get the landscape buffer that currently exists between the two properties. Her objective was to deter noise and maintain a good visual separation between the two properties.

She went on to say that she believes that the obscuring wall is necessary to protect property owners.

**George Moore, 16303 Lakeview Drive, Jersey Village, Texas** – Mr. Moore has lived in his home since 1977. He believes that we all need to look at the big picture, to protect the integrity of our community. We need to remain consistent in our policymaking. We need to look at what the future use of the City Hall Property might bring. It is very possible, given the plans to build a new City Hall on the South side of US HWY 290, that the existing building could be demolished and the property could be used for a City Park. If so, and there is no substantial barrier between the two properties, this could be a problem. Accordingly, he requested that the Board deny the request.

**Kay Vaccaro, 16301 Lakeview Drive, Jersey Village, Texas** – Ms. Vaccaro had the following comments about the variance request.

1. **The Zoning Change:** While the zoning change may have made it more difficult for the dealership to redevelop, it now exists and it is a requirement they should have to meet.
2. **Financial Burden:** She made mention that there is a discrepancy in the cost numbers being presented by the dealership; however, it makes no matter since all property owners must meet the City's codes when remodeling and so should the dealership.
3. **TxDOT Soundwall:** Given that TxDOT will not continue the soundwall, the dealership should extend a wall along their portion of the property line in accordance with the Code requirements.
4. **No Room:** The dealership needs to revise their remodel plans if there is not enough room.
5. **Just Visual:** No it is not just a visual issue. It is a safety issue as well.

Ms. Vaccaro closed stating that she opposes the granting of this variance.

With no further public comments, the Board Chairman called upon the applicant to make any rebuttal statements.

Mr. Sanders stated that BHA Real Estate Holdings, LLC has only owned the property since 2015. Many of the issues stated by the property owners are being taken care of by the TxDOT soundwall. The two existing commercial properties are being separated by a fence with plans to repair the existing fence where there is no opportunity to make entry into the dealership property. There is also landscaping that will be enhanced during the redevelopment process.

In terms of building the obscuring wall, there are circulation issues as well as room issues. The land in the area where the obscuring wall will be placed is very tight and circulation will be

impacted. The body shop has been relocated to another location so the issue of noise has been diminished. In response to the discrepancy in the remodel costs, initially the dealership had planned for a remodel project at a cost of \$6.5 million, but because of the economic times, the remodel project has been scaled back to \$3.5 million. As part of the planned project, all sight lighting will be replaced with LED lighting with zero light pollution across property lines. In making their remodel of the dealership, they are trying to be a good neighbor and citizen. In closing, he asked the Board to grant the variance request.

The Board discussed the request. Some wondered if the dealership got a property tax abatement and, if so, is the abatement still in effect. City Attorney Bounds stated that property tax abatements must have a (7) years end date.

The logistical challenge was discussed. Applicant Sanders explained that on the other side of the landscape the existing building is almost on the property line with a fire lane. If required to build the obscuring wall, the wall will encroach the fire lane.

With no other comments, Chairman Simchak closed the public hearing on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 at 1:09 p.m.

**(1) Discuss and take appropriate action on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

The Board had questions about the landscaping option mentioned by Building Official Somers. Mr. Somers explained that for new construction where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required with two times the landscaping requirements in lieu of a second masonry wall. He suggested that while no residential wall exists, the Board could use this landscaping requirement as an alternative option to requiring an obscuring wall. With this suggestion, the Board confirmed that it could consider alternative options.

The zoning change was discussed. Mr. Somers explained that the change was from residential lots to residential zoning districts as follows:

“For development of nonresidential lots directly abutting and adjacent to residential **lots zoning districts**, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential **lots zoning districts**. . . ”

The Board further discussed the required wall and where it should be placed. It was decided that the redevelopment project triggered the need for the wall and that the wall would need to be 1050 linear feet in length.

The size of the dealership property was discussed as it compares to the size of lots of individual property owners. Some Board Members felt that requiring the wall is the right decision.

The Board had questions about TxDOT’s policy on building a soundwall. City Attorney Bounds stated that a residential lot with no structure was still consider residential property. He also explained the obscuring wall requirement.

The reasons for the zoning change were discussed again by the Board.

With no further discussion on the matter, Board Member Pennington moved to deny Robert Sanders’ request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 in that the applicant failed to prove the requirements the Board must consider in granting a variance. Board Member Mena seconded the motion. The vote follows:

Ayes: Board Members Pennington, Khalili, and Mena  
Chairman Simchak

Nays: Board Member Nguyen

The motion carried.

*The Board’s Original Order No. 2020-06 is attached to and made a part of these minutes.*

**E. Adjourn**

With no other business before the Board, Chairman Simchak adjourned the meeting at 1:21 p.m.

\_\_\_\_\_  
Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-06**

**WHEREAS**, on April 20, 2020, Robert Sanders filed a request for variance, on behalf of owner BHA Real Estate Holdings, LLC, to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received evidence from the Public and from the Applicants on June 8, 2020; and

**WHEREAS**, after closing the hearing, the Board found:

- the request for variance is contrary to the public’s interest;
- there were no special conditions that would justify a variance;
- the enforcement of Chapter 14, Article IV, Section 14-88(a)(19) would not result in an unnecessary hardship for BHA Real Estate Holdings, LLC;
- the granting of the variance would not be in the spirit of the ordinance; and
- the granting of the variance would not result in substantial justice being done.

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the evidence before the Board, with a concurring vote of at least four (4) members, the Board voted to DENY the request of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(a)(19), requiring an obscuring wall for development of nonresidential lots directly abutting and adjacent to residential zoning districts for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 8th day of June 2020.

s/Thomas G. Simchak, Chairman

**ATTEST:**

s/Lorri Coody, City Secretary



**BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020**

**BOARD OF ADJUSTMENT  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** September 9, 2020

**AGENDA ITEM: D**

**AGENDA SUBJECT:** Conduct a public hearing on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

**Department/Prepared By:** Lorri Coody, City Secretary

**EXHIBITS:** [EX A](#) – Application for Variance – 15710 Australia  
[EX B](#) – Section 14-88(b)  
[EX C](#) – City's Certification of Public Hearing Posting Requirements  
[EX D](#) – Applicant's Certification of Public Hearing Posting Requirements  
[PH Script](#)

**BACKGROUND INFORMATION:**

Joe Brothers filed a request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

Before the Board can consider the application for this variance, it must conduct a public hearing in order to receive written and oral comments from any interested person(s) Joe Brothers' request.

This item is to conduct the public hearing.

**RECOMMENDED ACTION:**

Conduct a public hearing on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

# CITY OF JERSEY VILLAGE

16501 Jersey Drive  
Jersey Village, TX 77040-1999  
Inspection Request 713-466-2138

# CITY COPY

**\*\*EACH INDIVIDUAL TRADE MUST CALL THEIR OWN INSPECTION\*\***

## VARIANCE

PERMIT #:	0000008451	DATE ISSUED:	8/17/2020
JOB ADDRESS:	15710 AUSTRALIA ST	LOT #:	14
PARCEL ID:	PARC1998-188	BLK #:	15
SUBDIVISION:		ZONING:	FLOODPLAIN
ISSUED TO:	JOE BROTHERS	CONTRACTOR:	JOE BROTHERS
ADDRESS:	15710 AUSTRALIA ST	ADDRESS:	15710 AUSTRALIA ST
CITY, STATE ZIP:	JERSEY VILLAGE TX 77040-2110	CITY, STATE ZIP:	JERSEY VILLAGE TX 77040-2110
PHONE:		PHONE:	
STRUCTURE USE:		VALUATION:	\$ 0.00
FLOOR AREAS:		IMPERVIOUS SURFACES:	
LIVING SPACE:		HOUSE:	
BASEMENT/STORAGE:		GARAGE:	
GARAGE:		DRIVEWAYS:	
DECKS:		PORCH/WALK:	
PORCHES:		OTHER:	
OTHER:		TOTAL:	
TOTAL AREA:	0.00	SITE AREA:	
STRUCTURE AREA:		PERCENTAGE OF SITE:	

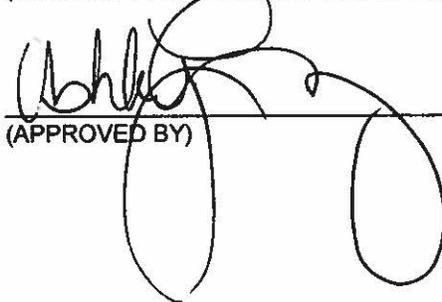
FEE CODE	DESCRIPTION	AMOUNT
Z-999	OTHER FEE	\$ 300.00
<b>TOTAL RECEIPTS</b>		\$ 300.00
<b>BALANCE</b>		\$ 0.00
		\$ 300.00

### CONDITIONS:

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

  
\_\_\_\_\_  
(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

8/17/2020  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
(APPROVED BY)

8/17/2020  
\_\_\_\_\_  
DATE

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

**CITY OF JERSEY VILLAGE**  
Application for Request for Variance

**\$300.00 non-refundable fee due upon submission of the request**

PROPERTY INFORMATION

Address: 15710 Australia

Legal Description: Lot 14 Block: 15 Subdivision: Jersey Village Country Club Estate

APPLICANT INFORMATION

(If different than owner, application must be accompanied by an Appointment of Agent Affidavit)

Applicant: Joe Brothers Phone: 713-899-2062

Address: 15710 Australia

City: Jersey Village State: TX Zip: 77040-2110

OWNER INFORMATION

Joe Brothers 713-899-2062  
Property Owner Telephone Number

15710 Australia Jersey Village. TX. 77040-2110  
Street Address City State Zip Code

Describe variance sought: To build a patio cover on back of house on an odd shaped lot. To allow building of patio cover 12' on back of house to be square to house and be aesthetically designed. The building line would be minimum of 16' from back fence gradual getting further away from house.

Being sensitive to all of the resident of Jersey Village, do not see any problems or distaste this cover would cause any citizens or nearby neighbors, it would only enhance the property and neighborhood. Since March I have been working diligently with engineers, architects & the city of Jersey Village to obtain a permit only to just now find out the 25' building line code. My home is in much need of a new roof and rotting back doors.

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

Please, I ask this review committee working in the honest opinion of all to see the variance as a positive enhancement to the property, and being fair as to the guide lines set out for review.

Describe existing standard: 25' building line from back of lot

In accordance with Section 14-9 of the City of Jersey Village Code of Ordinances, to obtain a variance the application must meet the following criteria:

- (1) What special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures or buildings in the same district?

Development of lot not Square to back of house as most other lots in Jersey Village.

- (2) Why does the literal interpretation of the provisions of this Code result in unnecessary hardship? Unnecessary hardship is due to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical condition unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or owner's own action.

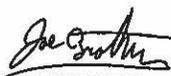
If patio cover was built to code. The cover would only be 3' at corner of house angling out to 12' full width of patio cover. Cover would be not practical or useful and ugly. A kind of odd triangle shape to the house.

- (3) Are the special conditions and circumstances the result of the actions of the applicant? (i.e. can the size of the structure be changed to meet the requirements of the Code.)

NO, Not the way the development was done with the angle of the lot.

- (4) Does granting the variances as requested confer on the applicant any special privilege that is denied by the Code to other lands, structures, or buildings in the same district?

No it does not

  
Signature of Applicant

\_\_\_\_\_  
Date

**REQUESTS MUST BE SUBMITTED NO LATER THEN 4:30 P.M. SIXTEEN (16) DAYS PRIOR TO THE OFFICIAL MEETING DATE.**

<b>OFFICE USE ONLY</b>	
Received by: _____	Date: _____
Fee paid (amount): \$ _____	

<b>OFFICE USE ONLY</b>	
Received by: _____	Date: _____
Fee paid (amount): \$ _____	

-----  
DATE : 8/17/2020 2:22 PM  
OPER : PB  
TERM : 1  
REC# : R00770837  
-----

153.0000 BUILDING PERMITS 300.00  
000008451 300.00CR  
BROTHERS, JOE  
15710 AUSTRALIA ST  
Z-MISC 300.00CR

Paid By: BROTHERS, JOE  
2-CK 300.00 REF: 1440

-----  
APPLIED 300.00  
TENDERED 300.00

-----  
CHANGE 0.00  
-----

**Sec. 14-88. - Regulations that apply to all districts.**

*(b) Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

**CITY OF JERSEY VILLAGE - CERTIFICATION OF PUBLIC HEARING  
POSTING REQUIREMENTS - BOARD OF ADJUSTMENT  
PUBLIC HEARING - September 9, 2020 at 1:00 P.M.**

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

I, Lorri Coody, the duly appointed and acting City Secretary of the City of Jersey Village, Harris County, Texas, do hereby certify and attest that as part of my duties, I post official notices for the City of Jersey Village.

As such, on August 25, 2020, and in accordance with the Jersey Village Code of Ordinances Part II, Ch. 14, Art. X, Section 14-10 (b)(2)(a) written notices were mailed to adjacent property owners at least eleven (11) days prior to date of the Public Hearing. The property owners were mailed a written notice to the address listed in the following table:

Name	Address	City	State	Zip Code
Ing Chang	15609 Australia St	Jersey Village	TX	77040-2107
Steve Crum	15610 Australia St	Jersey Village	TX	77040-2108
Phyllis Elaine Leland	15701 Australia St	Jersey Village	TX	77040-2109
Rhiannon Huddleston & David Story	15702 Australia St	Jersey Village	TX	77040-2110
Current Owner	15705 Australia St	Jersey Village	TX	77040-2109
Wendy Tise	15706 Australia St	Jersey Village	TX	77040-2110
Sherre L Crawford	15709 Australia St	Jersey Village	TX	77040-2109
Glenna Mae Lucas	15713 Australia St	Jersey Village	TX	77040-2109
Ed Bluestone	18410 Water Scene Trl	Cypress	TX	77429-1410
Robbie Morrow	15613 Congo Ln	Jersey Village	TX	77040-2113
David Albers & Margarita Antunez-Albers	15701 Congo Ln	Jersey Village	TX	77040-2115
Vernon Baker Iii & Tammy Baker	15705 Congo Ln	Jersey Village	TX	77040-2115
Fay Hudson	165 Cypress Dr	Richwood	TX	77531-2851
Anna Carroll	15709 Congo Ln	Jersey Village	TX	77040-2115
Cortney Brown & John Brown Iv	15710 Congo Ln	Jersey Village	TX	77040-2116
Nicolas & Eloisa Arteaga	16118 Seattle St	Jersey Village	TX	77040-1928
Winifred Tickner	15714 Congo Ln	Jersey Village	TX	77040-2116
Kathleen Dunn	15718 Congo Ln	Jersey Village	TX	77040-2116
Evelyn Boriskie	15801 Congo Ln	Jersey Village	TX	77040-2117

Witness my hand and seal of the City this 25th day of August 2020.



\_\_\_\_\_  
Lorri Coody, City Secretary

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

CITY OF JERSEY VILLAGE

APPLICANT CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS

BOARD OF ADJUSTMENT – September 9, 2020 - 1:00 P.M.

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

I, Joe Brothers, applicant and/or property owner, do hereby certify that:

On 8/28/2020, 2020, at least ten days prior to the date of the hearing (August 30, 2020), placed on the property at **15710 Australia, Jersey Village, Texas** which is the subject of this hearing, signs indicating the type of relief sought or the proposed change in status of the property as well as the date, time and place of the hearing. The signs were placed at not more than 300-foot intervals across the property line fronting on the existing streets and were clearly visible from the streets. Each sign was located no more than ten feet from the property line and was no smaller than 18 inches by 24 inches,

All in accordance with Section 14-10(b)(2)(b) of the Jersey Village Code of Ordinances.

Signed this the 28 day of August, 2020.

Joe Brothers

Joe Brothers - Hearing Applicant

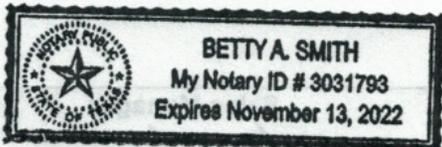
THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, this day personally appeared JOE BROTHAGNS a person known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

GIVEN UNDER my hand and seal of office this 28 day of AUGUST, 2020.

Betty A. Smith  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

Script for BOA Public Hearings on September 9, 2020

**Confirm that all meeting posting requirements have been met - then say:**

I now call to order this public hearing. Everyone desiring to speak shall give his name and address and will be given 5 minutes to present information during the meeting.

The purpose of today's hearing is to receive written and oral comments from any interested person(s) concerning Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

*Step 1: Call the applicant to present his case and all evidence supporting his plea*

*Step 2: Call the zoning official to present any information that he deems necessary or appropriate relative to the application*

*Step 3: Call on those opposed to the granting of the application to present their evidence and arguments*

*Step 4: Call the applicant for the right of rebuttal*

*Step 5: Order the hearing closed*

**(After everyone has spoken . . . or if no one desires to speak, finish the meeting with the following)**

There being no one (else) desiring to speak, I now close this public hearing concerning Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

**BOARD OF ADJUSTMENT  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** September 9, 2020

**AGENDA ITEM:** D1

**AGENDA SUBJECT:** Discuss and take appropriate action on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

**Department/Prepared By:** Lorri Coody, City Secretary

**EXHIBITS:** Application and Other Documents Included in PH Item

**BACKGROUND INFORMATION:**

Joe Brothers filed a request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

The Board has previously conducted the Public Hearing in connection with this request. This item is to act upon the request.

The Board, in making its decision on this request for variance, must consider:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article IV, Section 14-88(b) would result in an unnecessary hardship; and
- that in granting the variance, the spirit of this chapter would be upheld and observed.

**RECOMMENDED ACTION:**

Discuss and take appropriate action on Joe Brothers' request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 25 foot rear setback by up to nine (9) feet for the property located at 15710 Australia, Jersey Village, Texas 77040.

**BOARD OF ADJUSTMENT  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** September 9, 2020

**AGENDA ITEM:** E

**AGENDA SUBJECT:** Conduct a public hearing on Elizabeth Earnest’s request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

**Department/Prepared By:** Lorri Coody, City Secretary

**EXHIBITS:** [EX A](#) – Application for Variance – 16210 Singapore  
[EX B](#) – Section 14-88(b)  
[EX C](#) – City’s Certification of Public Hearing Posting Requirements  
[EX D](#) – Applicant’s Certification of Public Hearing Posting Requirements  
[EX E](#) – Adjacent Property Owner’s Written Responses  
[PH Script](#)

**BACKGROUND INFORMATION:**

Elizabeth Earnest filed a request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

Before the Board can consider the application for this variance, it must conduct a public hearing in order to receive written and oral comments from any interested person(s) Joe Brothers’ request.

This item is to conduct the public hearing.

**RECOMMENDED ACTION:**

Conduct a public hearing on Elizabeth Earnest’s request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

# CITY OF JERSEY VILLAGE

16501 Jersey Drive  
Jersey Village, TX 77040-1999  
Inspection Request 713-466-2138

# CITY COPY

**\*\*EACH INDIVIDUAL TRADE MUST CALL THEIR OWN INSPECTION\*\***

## VARIANCE

PERMIT #: 0000008467		DATE ISSUED: 8/21/2020	
JOB ADDRESS: 16210 SINGAPORE	LOT #:		
PARCEL ID:	BLK #:		
SUBDIVISION:	ZONING:		
ISSUED TO: STEPHEN EARNEST	CONTRACTOR: STEPHEN EARNEST		
ADDRESS: 16210 SINGAPORE LN	ADDRESS: 16210 SINGAPORE LN		
CITY, STATE ZIP: JERSEY VILLAGE TX 77040-2042	CITY, STATE ZIP: JERSEY VILLAGE TX 77040-2042		
PHONE:	PHONE:		
STRUCTURE USE:	VALUATION: \$ 0.00		
FLOOR AREAS:	IMPERVIOUS SURFACES:		
LIVING SPACE:	HOUSE:		
BASEMENT/STORAGE:	GARAGE:		
GARAGE:	DRIVEWAYS:		
DECKS:	PORCH/WALK:		
PORCHES:	OTHER:		
OTHER:	TOTAL:		
TOTAL AREA: 0.00	SITE AREA:	PERCENTAGE OF SITE:	
STRUCTURE AREA:			

FEE CODE	DESCRIPTION	AMOUNT
Z-999	OTHER FEE	\$ 300.00
<b>TOTAL</b>		<b>\$ 300.00</b>
<b>RECEIPTS</b>		<b>\$ 0.00</b>
<b>BALANCE</b>		<b>\$ 300.00</b>

**CONDITIONS:**

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

  
\_\_\_\_\_  
(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

8/21/2020  
DATE

  
\_\_\_\_\_  
(APPROVED BY)

8/21/2020  
DATE

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

-----  
DATE : 8/21/2020 4:37 PM  
OPER : PB  
TERM : 1  
REC# : R00771463  
-----

153.0000 BUILDING PERMITS 300.00  
0000008467 300.00CR  
EARNEST, STEPHEN  
16210 SINGAPORE  
Z-MISC 300.00CR

Paid By: EARNEST, STEPHEN  
4-CC 300.00AUTH:02157P  
-----

APPLIED 300.00  
TENDERED 300.00  
-----

CHANGE 0.00  
-----

Cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the user.

X \_\_\_\_\_

XXXXXXXXXXXX3865  
Entry Mode: MANUAL  
CVM:

**CITY OF JERSEY VILLAGE**  
Application for Request for Variance

**\$300.00 non-refundable fee due upon submission of the request**

PROPERTY INFORMATION

Address: 16210 Singapore Ln.

Legal Description: Lot 13\_\_ Block: 12 Subdivision: Jersey Village

APPLICANT INFORMATION

(If different than owner, application must be accompanied by an Appointment of Agent Affidavit)

Applicant: Elizabeth Earnest \_\_\_\_\_ Phone: 713-202-8677

Address: 16210 Singapore Ln. \_\_\_\_\_

City: Houston State: TX \_\_\_\_\_ Zip: 77040

OWNER INFORMATION

Elizabeth Earnest	713-202-8677
Property Owner	Telephone Number

16210 Singapore	Houston	TX	77040
Street Address	City	State	Zip Code

Describe variance sought: We would like to add 57 sqft to the back-right corner of our house to increase our Master Bath which would create a 3<sup>rd</sup> bathroom as well. \_\_\_\_\_

Describe existing standard: Primary single family residential structure must be at least 7.5' from interior lot line as per sec. 14-88(b) – Building set backs. Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line): Side – 7.5'

**BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020**

In accordance with Section 14-9 of the City of Jersey Village Code of Ordinances, to obtain a variance the application must meet the following criteria:

(1) What special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures or buildings in the same district?

The house was built 6' from the property line on the east side which encroaches the 7.5' building line requirement.

(2) Why does the literal interpretation of the provisions of this Code result in unnecessary hardship? Unnecessary hardship is due to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical condition unique to the specific piece of property in question. "Unnecessary hardship" shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or owner's own action.

The house was built 6' from the property line on the east side which encroaches the 7.5' building line requirement.

(3) Are the special conditions and circumstances the result of the actions of the applicant? (i.e. can the size of the structure be changed to meet the requirements of the Code.)

No

(4) Does granting the variances as requested confer on the applicant any special privilege that is denied by the Code to other lands, structures, or buildings in the same district?

No

*Elizabeth Earnest* \_\_\_\_\_ 8-23-20 \_\_\_\_\_  
Signature of Applicant Date

**REQUESTS MUST BE SUBMITTED NO LATER THEN 4:30 P.M. SIXTEEN (16) DAYS PRIOR TO THE OFFICIAL MEETING DATE.**

<b>OFFICE USE ONLY</b>	
Received by: _____	Date: _____
Fee paid (amount): \$ _____	

**Sec. 14-88. - Regulations that apply to all districts.**

*(b) Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

**CITY OF JERSEY VILLAGE  
 CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS  
 BOARD OF ADJUSTMENT - September 9, 2020 at 1:00 P.M.**

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning Elizabeth Earnest’s request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

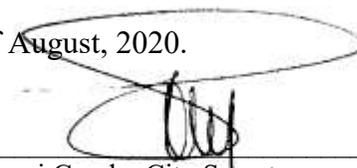
I, Lorri Coody, the duly appointed and acting City Secretary of the City of Jersey Village, Harris County, Texas, do hereby certify and attest that as part of my duties, I post official notices for the City of Jersey Village.

As such, on August 26, 2020, and in accordance with the Jersey Village Code of Ordinances Part II, Ch. 14, Art. X, Section 14-10 (b)(2)(a) written notices were mailed to adjacent property owners at least eleven (11) days prior to date of the Public Hearing. The property owners were mailed a written notice to the address listed in the following table:

Name	Address	City	State	Zip Code
John G Ganim	13507 Bedford Chase	Cypress	TX	77429-6960
William & Melanie Berger	16126 Singapore Ln	Jersey Village	TX	77040-2040
Sylvia Copeland	16201 Singapore Ln	Jersey Village	TX	77040-2041
Carl & Nelba Richardson	16202 Singapore Ln	Jersey Village	TX	77040-2042
Hal & Brigitte Howell	16205 Singapore Ln	Jersey Village	TX	77040-2041
Moises Sandoval	16206 Singapore Ln	Jersey Village	TX	77040-2042
Kevin & Jennifer Lyon	16209 Singapore Ln	Jersey Village	TX	77040-2041
Elizabeth & Stephen Earnest	16210 Singapore Ln	Jersey Village	TX	77040-2042
Valerie Huggard	16213 Singpore Ln	Jersey Village	TX	77040-2041
Elizabeth Ortiz	16214 Singpore Ln	Jersey Village	TX	77040-2042
Nancy Smith	16217 Singapore Ln	Jersey Village	TX	77040-2041
Gene & Evalynn Christiansen	16218 Singapore Ln	Jersey Village	TX	77040-2042
Kamal Khan & Abeer Abotaleb	16221 Singapore Ln	Jersey Village	TX	77040-2041
Richard Chamblee	16222 Singapore Ln	Jersey Village	TX	77040-2042
Larry Golden	16201 Congo Ln	Jersey Village	TX	77040-2011
Kevin Okelley	16205 Congo Ln	Jersey Village	TX	77040-2011
Rc Hooper	16209 Congo Ln	Jersey Village	TX	77040-2011
George & Dorothy Crowl	16213 Congo Ln	Jersey Village	TX	77040-2011
Justin Pfeffer	1374 Misty Hollow Ln	Bedias	TX	77831-4092
Current Owner	16221 Congo Ln	Jersey Village	TX	77040-2011

Witness my hand and seal of the City this 26th day of August, 2020.



  
 \_\_\_\_\_  
 Lorri Coody, City Secretary

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

**CITY OF JERSEY VILLAGE**  
**APPLICANT CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS**  
**BOARD OF ADJUSTMENT – September 9, 2020 - 1:00 P.M.**

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning Elizabeth Earnest's request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

I, Elizabeth Earnest, applicant and/or property owner, do hereby certify that:

On August 28<sup>th</sup>, 2020, at least ten days prior to the date of the hearing (August 30, 2020), placed on the property at **16210 Singapore, Jersey Village, Texas** which is the subject of this hearing, signs indicating the type of relief sought or the proposed change in status of the property as well as the date, time and place of the hearing. The signs were placed at not more than 300-foot intervals across the property line fronting on the existing streets and were clearly visible from the streets. Each sign was located no more than ten feet from the property line and was no smaller than 18 inches by 24 inches,

All in accordance with Section 14-10(b)(2)(b) of the Jersey Village Code of Ordinances.

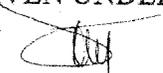
Signed this the 28<sup>th</sup> day of August, 2020.

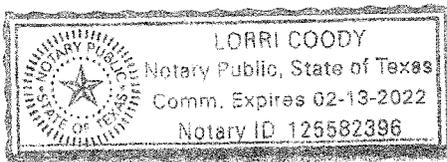
  
Elizabeth Earnest - Hearing Applicant

THE STATE OF TEXAS    §  
COUNTY OF HARRIS    §

BEFORE ME, the undersigned authority, this day personally appeared Elizabeth Earnest, a person known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

GIVEN UNDER my hand and seal of office this 28th day of August, 2020.

  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

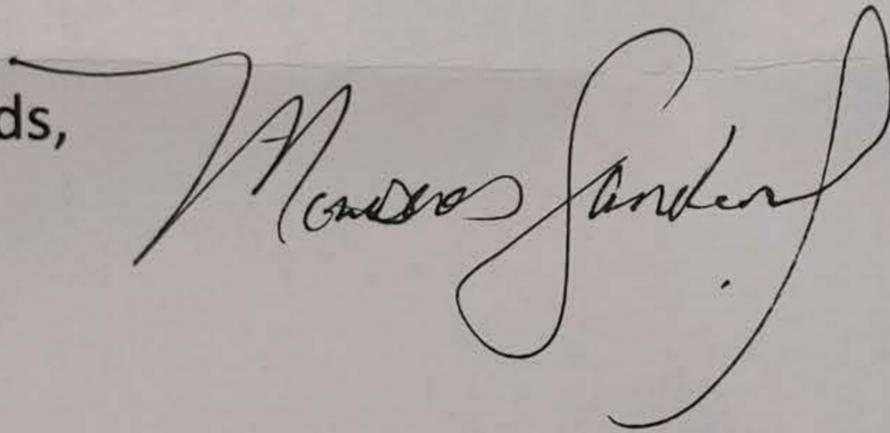


BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON SEPTEMBER 9, 2020

Good afternoon,

I live at 16206 Singapore Lane, the East side neighbor to 16210 Singapore Lane. I understand they are looking to do an addition on the back east corner of their house which they explained to me is on the 6' encroachment. I am in favor of this addition and see no issue with the expansion of their bathroom regarding the proximity of the property line to my house.

Regards,

A handwritten signature in black ink, appearing to read "Mrs. Sandra". The signature is written in a cursive style with a large, looping flourish at the end.

Script for BOA Public Hearings on September 9, 2020

**Confirm that all meeting posting requirements have been met - then say:**

I now call to order this public hearing. Everyone desiring to speak shall give his name and address and will be given 5 minutes to present information during the meeting.

The purpose of today's hearing is to receive written and oral comments from any interested person(s) concerning Elizabeth Earnest's request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

*Step 1: Call the applicant to present his case and all evidence supporting his plea*

*Step 2: Call the zoning official to present any information that he deems necessary or appropriate relative to the application*

*Step 3: Call on those opposed to the granting of the application to present their evidence and arguments*

*Step 4: Call the applicant for the right of rebuttal*

*Step 5: Order the hearing closed*

**(After everyone has spoken . . . or if no one desires to speak, finish the meeting with the following)**

There being no one (else) desiring to speak, I now close this public hearing concerning Elizabeth Earnest's request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

**BOARD OF ADJUSTMENT  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** September 9, 2020

**AGENDA ITEM:** E1

**AGENDA SUBJECT:** Discuss and take appropriate action on Elizabeth Earnest’s request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

**Department/Prepared By:** Lorri Coody, City Secretary

**EXHIBITS:** Application and Other Documents Included in PH Item

**BACKGROUND INFORMATION:**

Elizabeth Earnest filed a request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.

The Board has previously conducted the Public Hearing in connection with this request. This item is to act upon the request.

The Board, in making its decision on this request for variance, must consider:

- if the request for variance is contrary to the public’s interest;
- if, due to special conditions, enforcement of Chapter 14, Article IV, Section 14-88(b) would result in an unnecessary hardship; and
- that in granting the variance, the spirit of this chapter would be upheld and observed.

**RECOMMENDED ACTION:**

Discuss and take appropriate action on Elizabeth Earnest’s request for variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Section 14-88(b), to encroach the 7 and 1/2 foot side setback by 1 and 1/2 feet for the property located at 16210 Singapore, Jersey Village, Texas 77040.