



NOTICE OF A MEETING

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

NOTICE is hereby given that the City of Jersey Village Board of Adjustment will hold a meeting on June 20, 2022, at 12:00 p.m. in the Civic Center Auditorium at 16327 Lakeview Drive, Jersey Village, Texas 77040. The City of Jersey Village 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.

A quorum of the City of Jersey Village City Council may be in attendance at this meeting.

ITEM(S) to be discussed/acted upon by the Board is/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. **CITIZENS' COMMENTS** - Any person who desires to address the Board of Adjustment regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Board Members are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board of Adjustment. *Board Chairman*
- D. Consider approval of the minutes for the meeting held on April 12, 2022. *Lorri Coody, City Secretary*
- E. Conduct a Public Hearing on Saarim Damani's appeal of the Building Official's ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani's proposed "Smoke & Puff" shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F. *Board Chairman*
 - (1) Discuss and take appropriate action on Saarim Damani's appeal of the Building Official's ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani's proposed "Smoke & Puff" shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F. *Evan Duvall, Building Official Representative*
- F. Conduct a Public Hearing on the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040. *Board Chairman*
 - (1) Discuss and take appropriate action on the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground

floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040. *Evan Duvall, Building Official Representative*

G. 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: June 8, 2022 at 5:00 p.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.

"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."

C. CITIZENS' COMMENTS - Any person who desires to address the Board of Adjustment regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Board Members are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board of Adjustment.

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

April 12, 2022 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on April 12, 2022, at 12:00 p.m. in the Civic Center at 16327 Lakeview Drive, Jersey Village, Texas 77040.

A. The meeting was called to order by Chairman Tom G. Simchak at 12:01 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, Board Member
Ken Nguyen, Board Member	Judy Tidwell, Alternate Place 1
Nelson L. Feeny, Alternate Place 2	

Council Liaison, Gary Wubbenhorst was present at this meeting.

City Staff in attendance: Justin Pruitt, City Attorney; Austin Bless, City Manager; Lorri Coody, City Secretary; and Evan Duvall, Building Official Representative.

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

Item not needed.

C. CITIZENS' COMMENTS - Any person who desires to address the Board of Adjustment regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Board Members are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Board of Adjustment.

There were not Citizens' Comments.

D. Consider approval of the minutes for the meeting held on January 10, 2022.

Board Member Khalili moved to approve the minutes for the meeting held on January 10, 2022. Board Member Mena seconded the motion. The vote follows:

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

Nays: None

The motion carried.

E. Conduct a Public Hearing on the request of Oscar G. Ortiz, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040.

Chairman Simchak opened the public hearing at 12:05 p.m. in order to receive written and oral comments from any interested person(s) concerning the request of Oscar G. Ortiz, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1,

Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040.

The Board found that the 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 Oscar G. Ortiz presented the request. He explained that he wants to add a patio space onto the front of his home that will encroach the front set back by some 3 feet 7 inches.

City Attorney Pruitt was called upon the explained the variance process, particularly the items that the Board must consider when granting a variance.

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

Mr. Duvall told the Board about Mr. Ortiz's plans for a front porch. He explained that the patio will encroach the front setback because of the position of the posts on the patio cover.

The Board discussed the requested variance. There were questions about the length of the patio. The applicant explained that it will run the length of the home. It is about 38 feet and 10 inches long. There were questions by the Board if there were ever any other homes making this request. Building Official Representative Duvall explained that prior requests do not have any bearing upon this request as each request must be considered on its specific merits.

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.

There were no public comments and the applicant had nothing further to add.

With no other comments, Chairman Simchak closed the public hearing on the request of Oscar G. Ortiz, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040 at 12:11 p.m. and called the next item on the agenda, item E1.

(1) Discuss and take appropriate action on the request of Oscar G. Ortiz, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040.

The Board discussed the requested variance. City Attorney Pruitt explained what the Board must consider in order to grant the variance, stating that the Board 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.

There was discussion about potential uses of the patio slab in the future. For example, will the slab be wheelchair accessible.

The City Attorney explained that any use or purpose of the proposed request must be stated in the application. Additionally, he said that the Board could set conditions when and if the variance is granted.

The roof line was discussed as well as the reason why the City established setback requirements. City Building Official Representative Duvall explained that the setback is to create a cohesive neighborhood with all homes being setback from the street at the same distance. Some wondered if this 3-foot set back will cause an issue. Mr. Duvall stated that he did not think it would be an issue and it would be hard to notice.

City Attorney Pruitt again explained what the Board must find in granting the variance and that these items will be listed in the Order of the Board.

Some members wondered if they could consider other properties on the street. City Attorney Pruitt stated that it is permissible in terms of the character of the neighborhood.

The definition of the word “caprice” was discussed.

The applicant has owned the home since April 2018.

With no further discussion on the matter, Board Member Mena moved to approve the request of Oscar G. Ortiz, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040. Board Member Khalili seconded the motion. The vote follows:

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

The motion failed for lack of a concurring vote of four members of the Board.

The Board’s Original Order No. 2022-02 is attached as Exhibit A and made a part of these minutes.

F. Conduct a Public Hearing on the request of Jim Girouard, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040.

Chairman Simchak opened the public hearing at 12:21 p.m. in order to receive written and oral comments from any interested person(s) concerning the request of Jim Girouard, owner, for a

variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040.

The Board found that notification requirements for both the City and the Applicant have been met for this public hearing. The Board also took note of written comments submitted by property owners within the 200 foot radius of Mr. Girouard's property.

Chairman Simchak called upon those desiring to speak for or against the request of the applicant as follows:

Jim Pulliam, 15713 Tenbury Street, Jersey Village, Texas: Mr. Pulliam stated that he believes the request will be an asset to the community. He stated he has something similar and uses it for many projects that support the community.

Ruby Wilkerson, 15713 Honolulu Street, Jersey Village, Texas: Ms. Wilkerson stated that she lives behind the applicant. She feels that the building will be an eye sore and affect property values. She stated that her home has never flooded, but she is concerned that the foundation for this building will cause serious water displacement. She is concerned about flooding. She feels the City has invested many dollars to protect against flooding. She is also concerned about the storage of equipment and noise pollution. She does not support this variance.

Mr. Simchak mentioned that there were several written comments. City Secretary Coody read the names of those property owners as follows:

- Dr. James and Merlys Wilkerson
- Gina Demny
- Mrs. Wansik
- Phil Campbell
- Tivadar Horvath
- Vewiser J. Turner, Jr.

All six did not support Mr. Girouard's request.

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

Applicant Jim Girouard presented the request. He had handouts that were given to the Board to review. He stated that he is a heart patient and is very intentional about promoting good health. He has owned the property since September 2019. He loves living in the Village. The purpose of the hearing is a request for variance. He stated that his Contractor submitted the application which has a contradiction. It refers to a utility structure as opposed to a hobby structure. Nonetheless the structure measurements remain as stated. He explained how the new structure will be placed upon the property. The existing roof (14 feet 8 inches) of his home will be higher than the proposed structure. He explained the handouts.

He stated that BBG Consulting has reviewed the application. The review states it is a hobby structure. Nonetheless, the application has contradictory information confusing utility structure with a hobby structure.

He also presented photos of structures on De Lozier and Singapore that show homes with similar structures.

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

Mr. Duvall told the Board that the size of the structure whether utility or hobby is over the size requirements in the code in terms of height and square footage. He stated that there are other options for the applicant to move forward such as attaching the structure to the garage.

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.

Vewiser J. Turner, Jr., 15709 Honolulu Street, Jersey Village, Texas: Mr. Turner told the Board that his home was built in 2006 but has owned the lot for much longer. He loves Jersey Village. He is concerned about the aesthetics of this request. He owns a nice home and the neighborhood aesthetic appeal for this request is a concern. It is a barn and not a typical utility structure. He is concerned about the economic issues and water runoff. He believes that there will be a water impact if this structure is permitted. He recommended that if additional space is needed, it should be an addition to the existing home. His home is catty cornered to the affected property.

With no other comments from the public or the applicant, Chairman Simchak closed the public hearing on the request of Jim Girouard, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040 at 12:40 p.m. and called the next item on the agenda, item F1.

(1) Discuss and take appropriate action on the request of Jim Girouard, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040.

The Board discussed the requested variance. Some members wanted to know if the building needs to be on a slab. The Building Official explained that it would require a slab if the structure is to be air conditioned. It was mentioned that should a slab be needed, it

would make the building even higher than what is being requested. The applicant stated that the structure will not be air conditioned.

Mr. Duvall stated that drainage is reviewed during the planning process. If the variance is approved those planning reviews will take place later and the applicant will need to meet any drainage requirements.

There were questions about how close the building will be to the side lot line. Mr. Duvall stated it will be 7 ½ feet from the side lot line.

The shape of the building was discussed. It is a rectangular building with a composition roof. The outside veneer was discussed. Mr. Duvall stated that the law changed sometime back and the City can no longer enforce facade requirements.

There was discussion about the location of the property. It is in the flood zone. The foundation was discussed. The structure will be on 16-inch concrete beams and supported by 2x8 wood beams. The structure will not be higher than 13 feet 8 inches which is 1 foot lower than the existing garage. Runoff was discussed. The applicant stated that there are French drains in the back yard, but some stated that A type drains from the front to the back would be needed.

Mr. Duvall stated that drainage criteria is part of the planning process and that will take place once the variance is approved. There were questions about the existing garage. It is detached from the home. It is approximately 600 square feet. Some felt that it was possible to add some 400 feet to the garage as opposed to building this large utility structure. There were also questions about attaching the garage structure to the home with a breezeway. But a breezeway does not qualify for an attached structure. This option was discussed. If it was attached, the applicant would be permitted to build a 1,000 square foot garage, but it would be hard to argue it is a garage without access since it will be located in the back yard.

With no further discussion on the matter, Chairman Simchak called for a motion to approve the variance request. Hearing no motions, he then called for a motion to deny the request.

Board Member Pennington moved to deny the request of Jim Girouard, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040. Board Member Mena seconded the request. The vote follows:

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

Nays: None

The motion passed.

The Board's Original Order No. 2022-03 is attached as Exhibit B and made a part of these minutes.

G. Adjourn

With no other business before the Board, Chairman Simchak adjourned the meeting at 12:57 p.m.



Lorri Coody, City Secretary

DRAFT

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022



**CITY OF JERSEY VILLAGE
BOARD OF ADJUSTMENT
ORDER NO. 2022-02**

WHEREAS, on January 7, 2022, Oscar G. Ortiz, owner, filed a request for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040.

WHEREAS, the Board conducted a Public Hearing and received information from the Public and from the Applicants on April 12, 2022; and

WHEREAS, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public’s interest;
- if, due to special conditions, enforcement of Chapter 14, Article IV, Division 1, Section 14-88(b) will result in an unnecessary hardship for Oscar G. Ortiz; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

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

SECTION 1. In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to _____ GRANT ___X___ DENY Oscar G. Ortiz, owner, a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 1, Section 14-88(b), to allow the applicant to encroach the 25-foot front setback by 3 feet 7 inches for the property located at 15710 Seattle Street, Jersey Village, Texas 77040.

PASSED, APPROVED, AND ORDERED this 12th day of April 2022.

S/Thomas G. Simchak, Chairman

ATTEST:

S/Lorri Coody, City Secretary



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022



**CITY OF JERSEY VILLAGE
BOARD OF ADJUSTMENT
ORDER NO. 2022-03**

WHEREAS, on March 9, 2022, Jim Girouard, owner, filed a request for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040.

WHEREAS, the Board conducted a Public Hearing and received information from the Public and from the Applicants on April 12, 2022; and

WHEREAS, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public’s interest;
- if, due to special conditions, enforcement of Chapter 14, Article IV, Division 2, Section 14-101(b)(1) and (b)(2) will result in an unnecessary hardship for Jim Girouard; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

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

SECTION 1. In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to _____ GRANT X DENY Jim Girouard, owner, a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(1), to allow the applicant to exceed the 8 foot utility structure height requirement by 5 feet 7 11/16 inches; and for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Division 2, Section 14-101(b)(2), to allow the applicant to exceed the 100 square foot utility structure area requirement by 620 square feet for the property located at 15714 Tenbury Street, Jersey Village, Texas 77040.

PASSED, APPROVED, AND ORDERED this 12th day of April 2022.

S/Thomas G. Simchak, Chairman

ATTEST:

S/Lorri Coody, City Secretary



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

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

AGENDA DATE: June 20, 2022

AGENDA ITEM: E

AGENDA SUBJECT: Conduct a Public Hearing on Saarim Damani’s appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

Department/Prepared By: Lorri Coody, City Secretary

EXHIBITS: [Appeal](#)
[Building Official’s Ruling](#)
[City’s Certification](#) of Public Hearing Posting Requirements
[Applicant’s Certification](#) - Posting Requirements
[PH Script](#)

BACKGROUND INFORMATION:

Saarim Damani has filed an appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

Before the Board can consider the appeal, it must conduct a public hearing in order to receive written and oral comments from any interested person(s) concerning Saarim Damani’s appeal.

This item is to conduct the public hearing.

RECOMMENDED ACTION:

Conduct a Public Hearing on Saarim Damani’s appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

CITY OF JERSEY VILLAGE
Application for Appeal to the Board of Adjustment

PROPERTY INFORMATION

Address: 7412 Senate Ave Jersey Village TX
Legal Description: Lot _____ Block: _____ Subdivision: _____

APPLICANT INFORMATION

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

Applicant: Saarim Damani Phone: 469 569 8590
Address: 4818 Lucky Fawn Lane
City: Richmond State: TX Zip: 77406

OWNER INFORMATION

Jedies 346 450 6600
Property Owner Telephone Number
7412 Senate Ave JV TX
Street Address City State Zip Code

State the specific ordinance requirements or the administrative ruling that forms the basis for your appeal:

Zoning District F (Sec 14-105)

Summarize the nature of your appeal:

(Attach additional sheets and diagrams if necessary)

A fee of \$300 is due upon submitting of the appeal application.

[Signature] 05/05/22
Signature of Applicant Date

OFFICE USE ONLY	
Received by: <u>Danielle Cordova</u>	Date: <u>5/6/22</u>
Fee paid (amount): \$ <u>300.00</u>	

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

The new smoking shop "Smoke & Puff" at 7412 Senate Ave, Jersey Village, TX, the only commodities we deal in are "glass products and disposal." We shall not sell tobacco products at the store. Such items are already available at the grocery store near our property.

The grocery store sells tobacco, alcohol and all the smoke shop related products such as glasswares, disposables and many more.

We haven't sought a tobacco license because we don't intend to sell it.

I genuinely hope you will consider my request so that we can commence the business

As per my research, there are two smoke shops in the neighborhood. The first is known as "Jersey Village 290 West Blvd." and is located at "1142 West Road Jersey Village, TX, 77065." It is 0.5 miles and 2 minutes drive away from my smoke shop. The other one is called "290 Smoke Shop." This one is across the street, and the address is "17504 NW Fwy Jersey Village, TX, 77065." This one is 4 minutes away from my location. Both the abovementioned locations fall into the same zone and are subject to Jersey Village city restrictions.

I've already signed a 5-year lease. I'll be unable to leave or break it. We are not offering tobacco products or doing anything that might violate your principles. I would highly appreciate it if you could accept this site the same way you have approved the other locations.

T MEETING PACKET FOR THE MEETING TO BE

DATE : 5/6/2022 1:36 PM
OPER : PB
TERM : 1
REC# : R00811304

192.0000 MISC. REVENUE 300.00
APPEAL TO THE BOA SAARIM DAMANI 7412
SEN

Paid By: APPEAL TO THE BOA SAARIM DAMANI
1-CA 300.00

APPLIED 300.00
TENDERED 300.00

CHANGE 0.00

April 21st, 2022

**JI JM INVESTMENTS LLC
PO BOX 550648
HOUSTON TX 77255-0648**

Legal Description: TR 22B HILLCREST GARDENS
Property Address: 7410 Senate Avenue

Re: Violation of City Ordinances – Smoke Shop – Non-Permitted Use within District F
7412 Senate Avenue – Location of Smoke Shop

JI JM INVESTMENTS LLC,

This letter is to notify you that during a recent inspection of a property that you own, the City of Jersey Village recorded a violation of City Ordinance. The proposed business of a Smoke Shop is not a permitted use within the Zoning District F (See Sec. 14-105 below). This proposed business has performed work without first obtaining the necessary permits that are required by the City of Jersey Village. Your premises is not located in a Zoning District where a Smoke Shop can be permitted, nor can the city approve an application for a Smoke Shop to be allowed at this location. The City of Jersey Village can assess a fine of up to \$2,000.00 per day if this matter is not resolved within fifteen (15) days from receipt of this letter.

Sec. 14-86. – Permit required.

A person commits an offense if that person uses land for a purpose not permitted in the district in which it is located. Permits shall be obtained from the development officer (see section 14-6(a)). For the purpose of carrying out the provisions of this article, the development officer shall be the building official (see Standard Building Code).

Sec. 14-87. – Penalty for violation of article.

- (a) Any person who shall violate any provision of this article, the same being the city's comprehensive zoning ordinance, or who shall fail to comply with any of the provisions thereof, or who shall build or alter any building in violation of any statement or plan submitted and approved hereunder, or who shall occupy or use any land or building without a certificate of occupancy or in a manner not authorized by a certificate of occupancy applicable to such land or building shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than \$1.00, nor more than \$2,000.00, and each day such violation shall exist shall be a separate offense.
- (b) The owner of any building or premises or part thereof, where anything in violation of this article shall be placed or shall exist, and any architect, builder, contractor, agent or person in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and, upon conviction thereof, shall be fined as provided in this section.

This letter is to serve as notice that, within fifteen (15) days of its date, the grounds at this property must meet standards set forth by the City Ordinances by immediately stopping work at the premises. No further notice will be sent to you regarding this Ordinance Violation. Failure to abate the Violation will result in a complaint being filed against you in Municipal Court, and/or a citation being issued to you.

Sec. 14-105. Regulations for district F (first business district).

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except for one or more of the following uses:
- (1) Townhouses and patio homes.
 - (2) Banks.
 - (3) Barber and beauty shops.
 - (4) Professional offices and business offices.
 - (5) Educational institutions.
 - (6) Hospitals, clinics and nursing care centers.
 - (7) Churches and other places of worship.
 - (8) Hotels and motels.
 - (9) Public parks and playgrounds, public recreational facilities and community buildings.
 - (10) Municipal and governmental buildings, police stations and fire stations.
 - (11) Parking lots.
 - (12) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.
 - (13) Restaurants, cafes and cafeterias.
 - (14) Stores and shops for retail sales and personal service shops.
 - (15) Theaters.
 - (16) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.
 - (17) Garages, public.
 - (18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
 - (19) Golf courses, country clubs, miniature golf courses, and driving ranges.
 - (20) Electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.

- (21) The following uses are permitted in district F with a specific use permit:
 - a. Telephone switching facilities;
 - b. Child day-care operations (licensed child-care centers and school-age program centers);
 - c. Car wash facilities.
 - d. Retail establishment selling or offering for sale any alcoholic beverage.
 - e. Massage establishment.
- (22) Model homes as permitted in district A.
- (23) Grocery store.
- (24) Health club.

Sincerely,

Code Enforcement Officer
City of Jersey Village

Attachments.

- 1. Zoning Map.

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
064027000021

Tax Year: 2022



Owner and Property Information										
Owner Name & Mailing Address: JI JM INVESTMENTS LLC PO BOX 550648 HOUSTON TX 77255-0648				Legal Description: TR 22B HILLCREST GARDENS Property Address: 7410 SENATE AVE JERSEY VILLAGE TX 77040						
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map ^{1/2}
F1 -- Real, Commercial	8003 -- Land Neighborhood Section 3	E	0	10,341 SF	3,400	0	9153.02	5013 -- Northwest	4962C	409R

Value Status Information

Value Status	Notice Date	Shared CAD
Noticed	04/01/2022	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2021 Rate	2022 Rate
None	004	CYPRESS-FAIRBANKS ISD		Not Certified	1.339200	
	040	HARRIS COUNTY		Not Certified	0.376930	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.033490	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.008720	
	043	HARRIS CO HOSP DIST		Not Certified	0.162210	
	044	HARRIS CO EDUC DEPT		Not Certified	0.004990	
	045	LONE STAR COLLEGE SYS		Not Certified	0.107800	
	070	JERSEY VILLAGE		Not Certified	0.742500	

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.](#)

Valuations

Value as of January 1, 2021			Value as of January 1, 2022		
	Market	Appraised		Market	Appraised
Land	82,728		Land	82,728	
Improvement	157,272		Improvement	289,366	
Total	240,000	240,000	Total	372,094	372,094

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	8003 -- Land Neighborhood Section 3	4374	SF	10,341	1.00	1.00	1.00	--	1.00	8.00	8.00	82,728.00

Building

Building	Year Built	Remodeled	Type	Style	Quality	Impr Sq Ft	Building Details
1	1977	2021	Retail Multi-	Neighborhood Shopping	Average	3,400	Displayed

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

		Occupancy		Ctr		
--	--	-----------	--	-----	--	--

Building Details (1)

Building Data		Building Areas	
Element	Detail	Description	Area
Cooling Type	Central / Forced	BASE AREA PRI	3,400
Economic Obsolescence	Normal	CNPY ROOF W/ SLAB -C	765
Functional Utility	Avg/Normal		
Heating Type	Hot Air		
Partition Type	Normal		
Physical Condition	Avg/Normal		
Plumbing Type	Adequate		
Sprinkler Type	None		
Exterior Wall	Concr Block		
Market Index Adjustment	100% No Mkt Index Adjustment		
Element	Units		
Wall Height	12		
Interior Finish Percent	100		

Extra Features

Line	Description	Quality	Condition	Units	Year Bult
1	Paving - Asphalt	Average	Average	5,100.00	1977
2	CANOPY ROOF AND SLAB	Average	Average	765.00	1977

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

LAND USE MAP OF THE CITY OF JERSEY VILLAGE, TEXAS



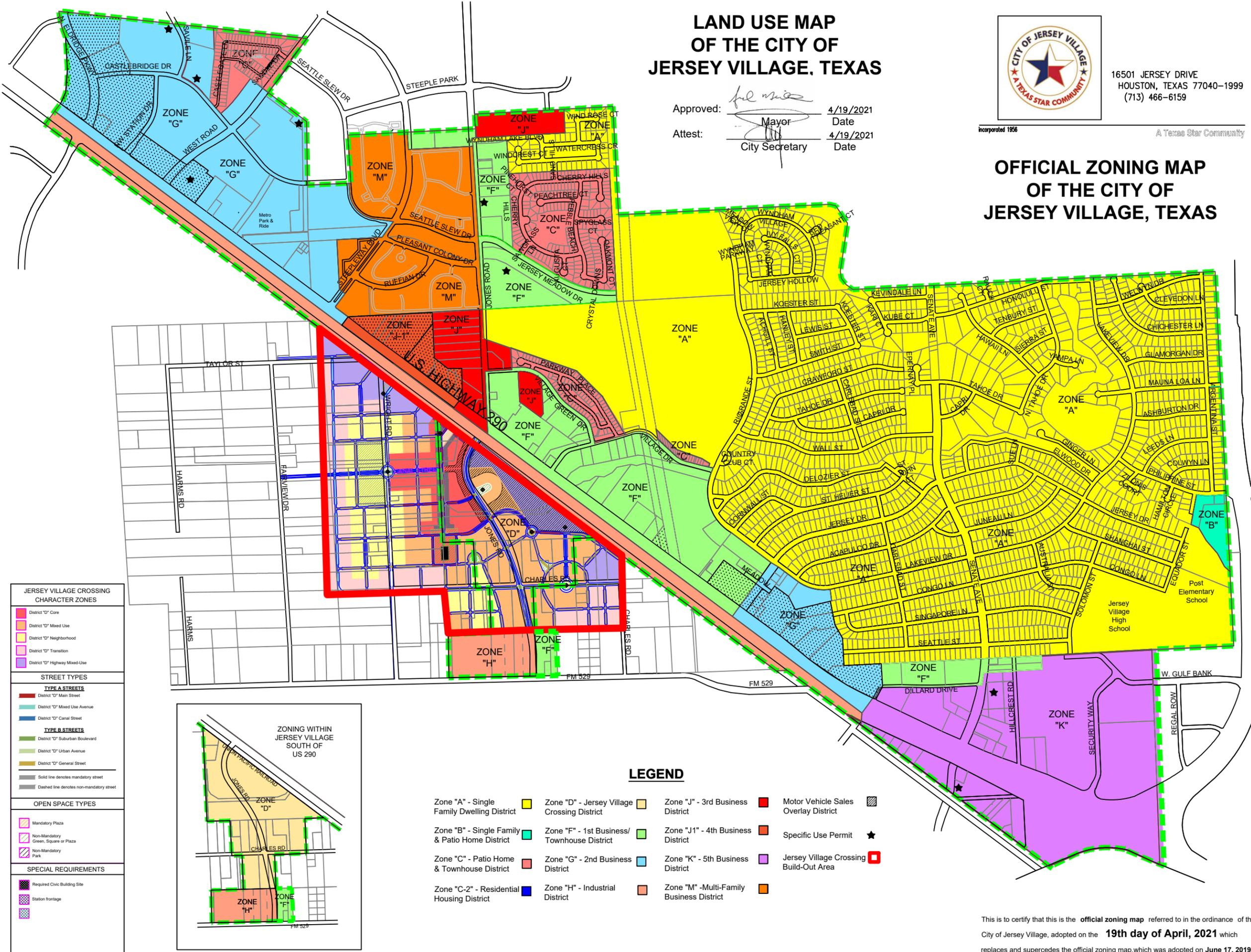
16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1956

A Texas Star Community

Approved: *[Signature]* 4/19/2021
Date
Attest: *[Signature]* Mayor
City Secretary 4/19/2021
Date

OFFICIAL ZONING MAP OF THE CITY OF JERSEY VILLAGE, TEXAS



JERSEY VILLAGE CROSSING CHARACTER ZONES

- District "D" Core
- District "D" Mixed Use
- District "D" Neighborhood
- District "D" Transition
- District "D" Highway Mixed-Use

STREET TYPES

TYPE A STREETS

- District "D" Main Street
- District "D" Mixed Use Avenue
- District "D" Canal Street

TYPE B STREETS

- District "D" Suburban Boulevard
- District "D" Urban Avenue
- District "D" General Street

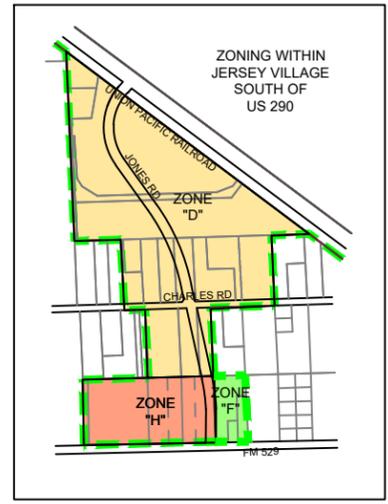
Solid line denotes mandatory street
Dashed line denotes non-mandatory street

OPEN SPACE TYPES

- Mandatory Plaza
- Non-Mandatory Green, Square or Plaza
- Non-Mandatory Park

SPECIAL REQUIREMENTS

- Required Civic Building Site
- Station frontage



LEGEND

- Zone "A" - Single Family Dwelling District
- Zone "B" - Single Family & Patio Home District
- Zone "C" - Patio Home & Townhouse District
- Zone "C-2" - Residential Housing District
- Zone "D" - Jersey Village Crossing District
- Zone "F" - 1st Business/Townhouse District
- Zone "G" - 2nd Business District
- Zone "H" - Industrial District
- Zone "J" - 3rd Business District
- Zone "J1" - 4th Business District
- Zone "K" - 5th Business District
- Zone "M" - Multi-Family Business District
- Motor Vehicle Sales Overlay District
- Specific Use Permit
- Jersey Village Crossing Build-Out Area

This is to certify that this is the official zoning map referred to in the ordinance of the City of Jersey Village, adopted on the 19th day of April, 2021 which replaces and supercedes the official zoning map, which was adopted on June 17, 2019.

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

**CITY OF JERSEY VILLAGE
 CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS
 BOARD OF ADJUSTMENT - PUBLIC HEARING
 June 20, 2022 at 12:00 P.M.**

Reason for Public Hearing:

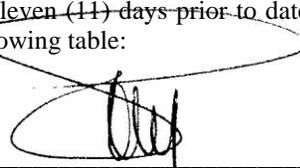
To receive written and oral comments from any interested person(s) concerning Saarim Damani’s appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

Owner	Street Address	City, State, ZIP
T E Eustace	16005 Seattle Street	Jersey Village, Texas 77040
Evangelos & Zoi Halastaras	16001 Seattle Street	Jersey Village, Texas 77040
Johnathon Levi Vaverka	15913 Seattle Street	Jersey Village, Texas 77040
April Espinoza	15909 Seattle Street	Jersey Village, Texas 77040
Ayad Al-Salman	15905 Seattle Street	Jersey Village, Texas 77040
David & Whitney Ambrus	15901 Seattle Street	Jersey Village, Texas 77040
J M Rush	15813 Seattle Street	Jersey Village, Texas 77040
LK Sage Group LLC	7324 Senate Avenue	Jersey Village, Texas 77040
HI LO Venture LTD ET AL	7314 Senate Avenue	Jersey Village, Texas 77040
David Ressler	6611 Petropark Drive	Houston, Texas 77041-4924
Wallace & Marie Dillard	16000 Dillard Drive	Houston, 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 May 25, 2022, 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:

Witness my hand and seal of the City this 25th day of May, 2022.



 Lorri Coody, City Secretary



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

CITY OF JERSEY VILLAGE
APPLICANT CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS
BOARD OF ADJUSTMENT – June 20, 2022 - 12:00 P.M.

Reason for Public Hearing:

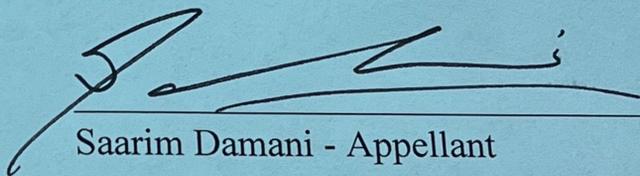
To receive written and oral comments from any interested person(s) concerning Saarim Damani's appeal of the Building Official's ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani's proposed "Smoke & Puff" shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

I, Saarim Damani, applicant and/or property owner, do hereby certify that:

On 8^m June, 2022, at least ten days prior to the date of the hearing, placed on the property at **7412 Senate Avenue, 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.

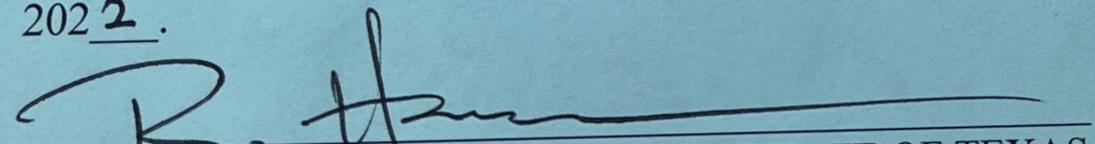
Signed this the 6^m day of June, 2022.

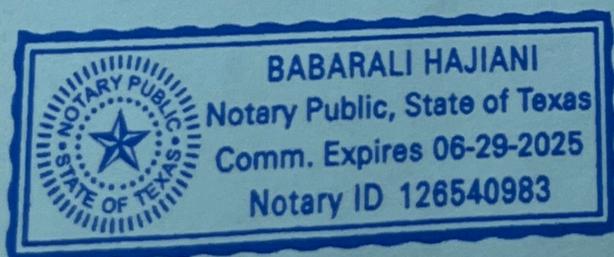

Saarim Damani - Appellant

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, this day personally appeared Saarim Damani, 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 6^m day of June, 2022.


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Script for BOA Public Hearings on June 20 2022

Read Item E on the Agenda and 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 Saarim Damani's appeal of the Building Official's ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani's proposed "Smoke & Puff" shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

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 Saarim Damani's appeal of the Building Official's ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani's proposed "Smoke & Puff" shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

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

AGENDA DATE: June 20, 2022

AGENDA ITEM: E1

AGENDA SUBJECT: Discuss and take appropriate action on Saarim Damani’s appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

Department/Prepared By: Lorri Coody, City Secretary

EXHIBITS: Appeal and Other Documents Included in PH Item
Section 14-105 – Regulations for District F
Ordinance 2022-14

BACKGROUND INFORMATION:

On April 21, 2022, the City’s Building Official informed Saarim Damani, in writing, that during a recent inspection of the property located at 7412 Senate Avenue in the City of Jersey Village a violation of City’s Ordinance was recorded. Mr. Damani was advised that the proposed business of a Smoke Shop is not a permitted use within Zoning District F. Further, the proposed business performed work without first obtaining the necessary permits that are required by the City of Jersey Village. Additionally, the premises is not located in a Zoning District where a Smoke Shop can be permitted, nor can the city approve an application for a Smoke Shop to be allowed at this location.

In response to the Building Official’s ruling, on May 6, Saarim Damani timely filed an appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

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

To assist the Board in making its decision, included in the meeting packet are copies of Section 14-105 of the Code of Ordinances as well as a copy of Ordinance 2022-14 which locates “head/smoke shops” in District H.

RECOMMENDED ACTION:

Discuss and take appropriate action on Saarim Damani’s appeal of the Building Official’s ruling that a smoke shop is a non-permitted use within District F; and therefore, Saarim Damani’s proposed “Smoke & Puff” shop cannot be located at 7412 Senate Ave, Jersey Village, Texas within Zoning District F.

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

ORDINANCE NO. 2022-14

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY ADDING DEFINITIONS FOR CERTAIN USES; AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, ARTICLE IV “ZONING DISTRICTS”, SECTION 14-107 “REGULATIONS FOR DISTRICT H (INDUSTRIAL DISTRICT)”, SUBSECTION (a)(1) “PERMITTED USES” BY REMOVING CERTAIN USES FROM ZONING DISTRICT H; AMENDING ARTICLE IV “ZONING DISTRICTS”, SECTION 14-107 “REGULATIONS FOR DISTRICT H (INDUSTRIAL DISTRICT)”, SUBSECTION (d) “SPECIFIC USE” BY ADDING SPECIFIC USES IN ZONE H; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the “Council”) of the City of Jersey Village, Texas (the “City”), determines it in the best interest of the health, safety, and welfare of the citizens of the City’s to amend the City’s Code of Ordinances related to Zoning Regulations (the “Code”); and

WHEREAS, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add definitions for certain uses in Chapter 14 of the Code and to allow for certain uses in Zoning District H by specific use permit in section 14-107(d) of the Code; and

WHEREAS, the Commission and the Council have conducted, in the time and manner required by law, a joint public hearing on such amendments; and

WHEREAS, the Council now deems that such requested amendment to the Code is in accordance with the City’s Comprehensive Plan and is appropriate to grant; and, **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE:

SECTION 1. THAT the facts and matter set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. THAT Section 14-5 “Definitions” of Article IV “Zoning Districts” of Chapter 14 “Building and Development” of the Code of Ordinances, City of Jersey Village, Texas is hereby amended to read as follows (with added language being shown as underlined in bold and deleted language being shown as struck through, and with such amended language to be included in the appropriate alphabetical order within the existing portion of Section 14-5):

“Bail bond service means an establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

Cell phone and computer repair business means a business that provides small-scale electronic repair services for items of the general public, including, but not limited to: cellphone repair; computer repair; and, other related minor repairs.

Concrete products manufacturer means a plant for the manufacture or mixing of concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.

Credit access business (payday loan/auto title) means an establishment providing loans to individuals in exchange for personal checks as collateral.

Food processing and packaging, with the exception of slaughtering means the preparation, processing, or canning and packaging of food products.

Head/smoke shop means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that only sells conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

Hookah bar/lounge means an establishment used primarily for the sale of shisha for consumption on the premises or for sale or rental of accessories used for smoking shisha on the premises.

Jewelry and watch manufacturing means manufacturing or assembling of jewelry or watches.

Junk or salvage yard means any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including, but not limited to, materials such as scrap metals, paper, rags, tires, and bottles.

Mini storage lot means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two (2) or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

Precious metal dealer (gold exchange) means a person licensed to engage in the business of purchasing and selling crafted precious metal.

Produce Market means a specified land area managed by a single operator who leases space/stalls for the outdoor sales of: fresh fruit and produce foods products; meat and fish items; plants and flowers; or, bakery goods, dairy products, delicatessen, and grocery items.

Retail establishment selling or offering for sale any alcoholic beverage means a store which sells or offers to sell alcoholic beverages for off-premises consumption.

Retail shops and retail trade means a shop or establishment for the sale of goods or merchandise from a fixed location, such as a department store, boutique, or kiosk, in small or individual lots for direct consumption by the purchaser. “Retail shops or retail trade” specifically excludes: a pawnshop ~~pawnshop~~, pawnshops, head/smoke shops, and hooka bars/lounges.

Tattoo Shop means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This use does not include permanent make-up associated with an accessory use in an established salon.

Truck terminal means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

Wholesale or warehousing business means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

SECTION 3. THAT Subsection 14-107(a)(1) “Permitted Uses” of Section 14-107 “Regulations for District H (Industrial District)” of Article IV “Zoning Districts” of Chapter 14 “Building and Development” of the Code of Ordinances, City of Jersey Village, Texas is hereby amended to read as follows (with added language being shown underlined in bold and deleted language being shown as struck through):

“(1) Permitted uses:

- a. Apparel manufacturing.
- b. Automobile and truck repair and rebuilding shop.
- c. Bakery.
- d. Building contractor and related activities.
- e. Building materials, sales and storage.
- f. Cabinet making.
- g. Carwash.
- h. Cold storage plant.
- ~~i. Concrete products manufacture.~~
- ~~j. i. Dry cleaning and laundry plant.~~
- ~~k. j. Electrical equipment assembly.~~
- ~~l. k. Farm implement machinery sales and storage.~~
- ~~m. Food processing and packaging, with the exception of slaughtering.~~
- ~~n. l. Furniture manufacturing.~~
- ~~o. m. Grocery store.~~

- ~~p.~~ **n.** Heating, plumbing and air conditioning, sales and repair.
- ~~q.~~ **o.** Instrument and meter manufacturing.
- ~~r.~~ ~~Jewelry and watch manufacturing.~~
- ~~s.~~ **p.** Mixing plants for concrete or paving materials.
- ~~t.~~ **q.** Optical goods manufacturing.
- ~~u.~~ **r.** Printing and publishing.
- ~~v.~~ ~~Produce market.~~
- ~~w.~~ **s.** Professional offices.
- ~~x.~~ **t.** Railroad and related facilities.
- ~~y.~~ **u.** Retail sales.
- ~~z.~~ **v.** Restaurant.
- ~~aa.~~ **w.** Service station.
- ~~bb.~~ **x.** Sheet metal processing.
- ~~cc.~~ **y.** Signs: Advertising, business, occupancy, and temporary.
- ~~dd.~~ **z.** Telecommunications towers.
- ~~ee.~~ **aa.** Temporary building which is incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.
- ~~ff.~~ ~~Truck terminal.~~
- ~~gg.~~ ~~Wholesale or warehousing.~~
- ~~hh.~~ **bb.** Woodworking shop.”

SECTION 4. THAT Subsection 14-107(d) “Specific Use” of Section 14-107 “Regulations for District H (Industrial District)” of Article IV “Zoning Districts” of Chapter 14 “Building and Development” of the Code of Ordinances, City of Jersey Village, Texas is hereby amended to read as follows (with added language being shown underlined in bold and deleted language being shown as struck through):

“(d) Specific use. The following uses are permitted in district H with a specific use permit:

- (1) Bail bond service;**
- (2) Cell phone and computer repair business;**
- (3) Concrete products manufacture;**
- (4) Credit access business;**
- (5) Food processing and packaging, with the exception of slaughtering;**
- (6) Head/smoke shops;**

- (7) Hookah bars/lounge;**
- (8) Jewelry and watch manufacturing;**
- (9) Junk or salvage yard;**
- (10) Mini storage lots;**
- (11) Precious metal dealer;**
- (12) Produce Market;**
- (13) Retail establishment selling or offering for sale any alcoholic beverage;**
- (14) Tattoo Shop;**
- (15) Truck terminal; and,**
- (16) Wholesale or warehousing.”**

SECTION 5. THAT 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 than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, 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, or whether there be one or more parts.

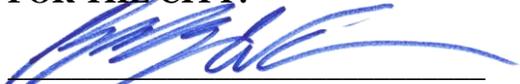
SECTION 6. THAT all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

SECTION 7. THAT any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

SECTION 8. THAT this Ordinance shall be in full force and effect from and after its passage.

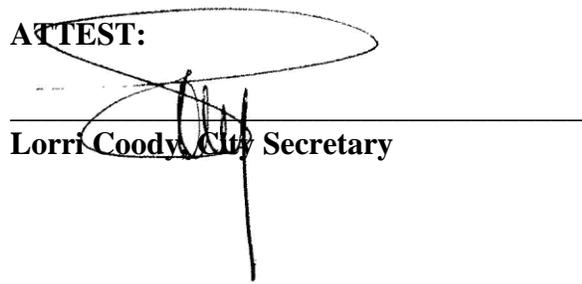
PASSED, APPROVED, AND ADOPTED this 18th day of April 2022.

FOR THE CITY:



BOBBY WARREN, MAYOR

ATTEST:



Lorri Coody, City Secretary



Sec. 14-105. - Regulations for district F (first business district).

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except for one or more of the following uses:
- (1) Townhouses and patio homes.
 - (2) Banks.
 - (3) Barber and beauty shops.
 - (4) Professional offices and business offices.
 - (5) Educational institutions.
 - (6) Hospitals, clinics and nursing care centers.
 - (7) Churches and other places of worship.
 - (8) Hotels and motels.
 - (9) Public parks and playgrounds, public recreational facilities and community buildings.
 - (10) Municipal and governmental buildings, police stations and fire stations.
 - (11) Parking lots.
 - (12) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.
 - (13) Restaurants, cafes and cafeterias.
 - (14) Stores and shops for retail sales and personal service shops.
 - (15) Theaters.
 - (16) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.
 - (17) Garages, public.
 - (18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
 - (19) Golf courses, country clubs, miniature golf courses, and driving ranges.
 - (20) Electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.
 - (21) The following uses are permitted in district F with a specific use permit:
 - a. Telephone switching facilities;
 - b. Child day-care operations (licensed child-care centers and school-age program centers);

- c. Car wash facilities.
 - d. Retail establishment selling or offering for sale any alcoholic beverage.
 - e. Massage establishment.
- (22) Model homes as permitted in district A.
- (23) Grocery store.
- (24) Health club.
- (b) *Height and area regulations.* The heights of buildings, the minimum area of buildings, the minimum lot size and the minimum dimensions of yards upon any lot or parcel of land in district F shall be as follows:
- (1) *Height.* Buildings shall not exceed 56 feet in height except gasoline filling stations shall not exceed one story in height. For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.
 - (2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area. For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.
 - (3) *Location on lot.* For townhouse and patio home lots, the setbacks established in subsection 14-103(b) shall apply. Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story. For nonresidential buildings the setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or ten feet to a side lot line or street line or ten feet to a rear lot line.
 - (4) *Lot size.* The minimum lot size as established in Table 14-2 shall apply.
 - (5) *Open area.*
 - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
 - b. Building fronts. An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.
- (c) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(Ord. No. 95-04, § 1(303.5), 2-20-95; Ord. No. 97-04, §§ 10—13, 4-21-97; Ord. No. 98-15, § 3, 6-15-98; Ord. No. 99-05, §§ 7, 8, 2-15-99; Ord. No. 99-31, § 10, 11-15-99; Ord. No. 00-41, § 1, 1-18-00; Ord. No. 01-15, § 1, 5-21-01; Ord. No. 02-09, § 2, 4-15-02; Ord. No. 03-04, § 3, 1-20-03; Ord. No. 2006-11, § 1, 2-20-06; Ord. No. 2013-10, § 2, 3-18-13; Ord. No. 2013-45, § 2, 12-16-13; Ord. No. 2014-34, § 1, 10-20-14; Ord. No. 2017-27, § 2, 7-17-17; Ord. No. 2017-29, § 2, 7-17-17; Ord. No. 2017-62, § 2, 12-18-17; Ord. No. 2019-31, § 2, 7-15-19; Ord. No. 2021-32, § 2, 7-19-21)

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

AGENDA DATE: June 20, 2022

AGENDA ITEM: F

AGENDA SUBJECT: Conduct a Public Hearing on the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

Department/Prepared By: Lorri Coody, City Secretary

EXHIBITS: [Application](#)
[Building Official's Ruling](#)
[City's Certification](#) of Public Hearing Posting Requirements
[Applicant's Certification](#) - Posting Requirements
[Dennis and Beverly Petersen Comments](#)
[PH Script](#)

BACKGROUND INFORMATION:

Jeff and Michelle Moore, owners of the property located at 16517 Cornwall, Jersey Village, Texas have filed a request for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition.

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) concerning Oscar Ortiz' request.

This item is to conduct the public hearing.

RECOMMENDED ACTION:

Conduct a Public Hearing on the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

CITY OF JERSEY VILLAGE
Application for Request for Variance

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

PROPERTY INFORMATION

Address: 16517 Cornwall Jersey Village Tx , 77040-2045

Legal Description: Lot 2 Block: 34-A Subdivision: Country Club Estates

APPLICANT INFORMATION

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

Applicant: Jeff & Michelle Moore Phone: 713-516-4993

Address: 16517 Cornwall

City: Jersey Village State: Texas Zip: 77040 - 2045

OWNER INFORMATION

<u>Jeff Moore</u>	<u>713-516-4993</u>		
Property Owner	Telephone Number		
<hr/>			
<u>16517 Cornwall</u>	<u>Jersey Village</u>	<u>Texas</u>	<u>77040-2045</u>
Street Address	City	State	Zip Code

Describe variance sought:

1.) Adding 700 to 800 square feet of living space to existing garage by adding a 2nd floor (bedrooms batrooms, kitchen etc.)

2.) Requesting a waiver for a stove/oven in a small kitchenette

Describe existing standard:

Detached private garages shall not exceed four-car capacity or 1,000 square feet of ground floor area (Sec.14-101)

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

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?

Layout of the lot and existing structures leaves no space to put an additional building in back.

- (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.

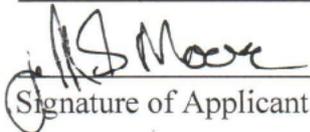
Because there is no additional space to build behind garage which is 542 sq.ft., we are constricted by the current code that mandates 1000 sq feet of ground floor area. Not enough space to house two seniors comfortably and safely.

- (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


Signature of Applicant

5/12/2022
Date

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

OFFICE USE ONLY	
Received by: _____	Date: _____
Fee paid (amount): \$ _____	

Jeff and Michelle Moore
16517 Cornwall Jersey village 77040-2045
713 516 4993 cell
7138499257 home
[REDACTED]

Michelle's contact info: [REDACTED]
713 870 6643 cell

Garage Apartment

Hello,

My wife and I are wanting to build on our garage for a nice "apartment" for our elderly parents. (as per our phone conversation 4/14/22.) You were extremely helpful giving us information and outlining our obstacles per the current Jersey Village building codes.

We were looking to build a "self-contained handicap accessible, living space with bedroom(s), 1 small bathroom, small living room w/ kitchenette. My preliminary calculations come up with 700 to 800 square feet to suit our needs. The current Jersey Village building code cap is, I believe 500 Square feet. With our current layout of the house and garage "footprint" on the survey (*attached-see below*), it seems that to make the best use of our land/layout would be to put a second story on our detached garage.

I have done my best to adhere to Jersey Village building codes: ie: drainage, easements etc, as well as the architectural ascetics. However, I want this meet, exceed and comply with the building codes, after all, they are written for our safety.

There are existing homes already in Jersey Village with the exact arrangements I am considering building. They have been here as long as I have lived in Jersey Village some 27 + years.

I'm sure they are "grandfathered" in. The building code as it exists is very restrictive and we cannot be the only family to need space for aging parents.

As discussed previously, we would like to see about obtain a variance to raise the current 500 square foot building code.

We have not engaged an architect/engineer at this time because of the limits discussed and we feel it is premature to proceed, however time is of the essence in this case. Would like to proceed with this ASAP. My father-in-law is 90 and currently mobile and blessed with very good health.

Please feel free to reach out to me to discuss any questions / concerns.

Attachment 1 - current survey

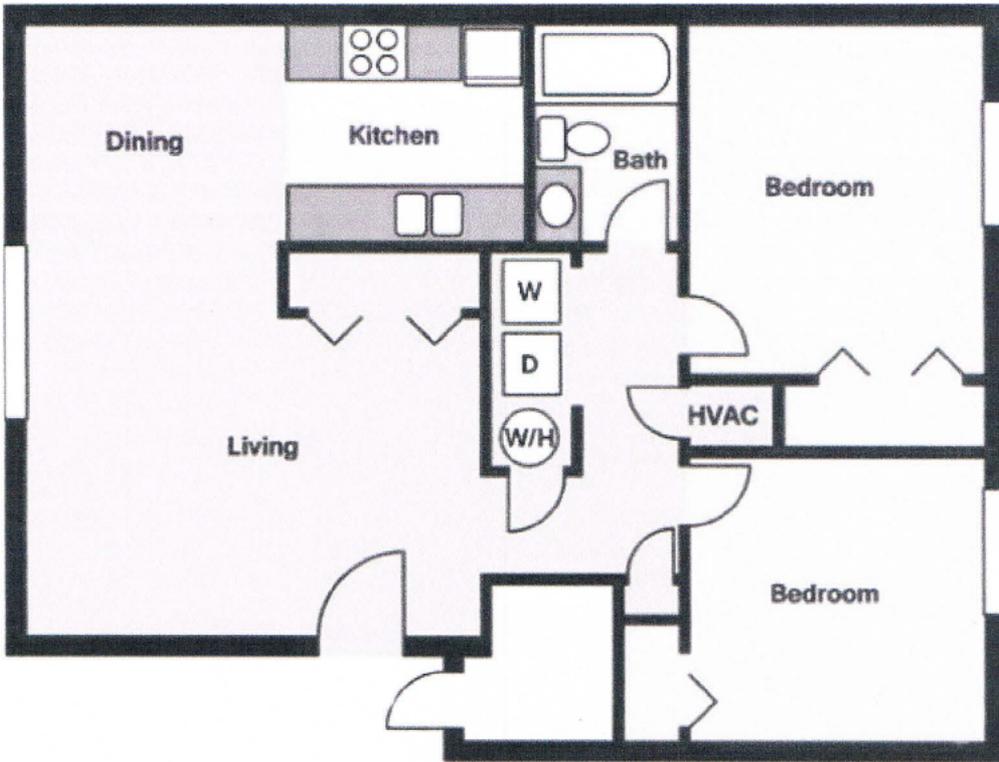
Attachment 2 - modified survey showing 2nd floor garage footprint and underground easements

Attachment 3 - rough floor plan for 2nd floor

Attachment 4 - preliminary rendering of 2nd floor living space



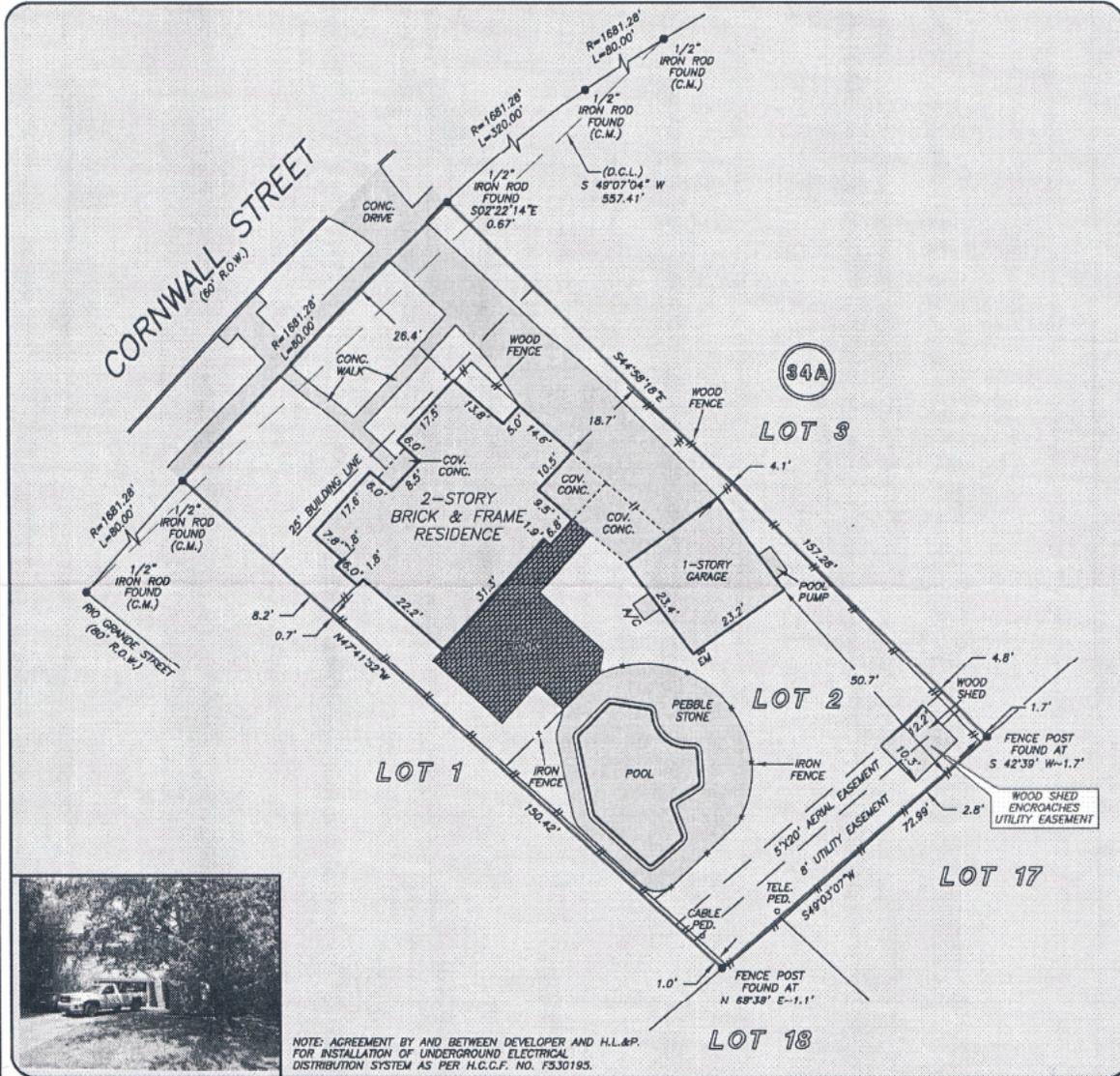
ATTACHMENT 3



GF NO. 510-344634 STEWART TITLE
 ADDRESS: 16517 CORNWALL STREET
 JERSEY VILLAGE, TEXAS 77040
 BORROWER: JEFFREY MOORE

**LOT 2, BLOCK 34-A
 REPLAT OF COUNTRY CLUB ESTATES
 SECTION 3**

A SUBDIVISION IN HARRIS COUNTY, TEXAS
 ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
 IN VOLUME 247, PAGE 119 OF THE MAP RECORDS
 OF HARRIS COUNTY, TEXAS



THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FIRM PANEL NO. 48201C 0440 M MAP REVISION: 06/09/2014 ZONE X BASED ONLY ON VISUAL EXAMINATION OF MAPS. INACCURACIES OF FEMA MAPS PREVENT EXACT DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION WAS BEYOND THE SCOPE OF THIS SURVEY

D.C.L. = DIRECTIONAL CONTROL LINE RECORD BEARING: VOL. 247, PG. 119, H.C.M.R.

DRAWN BY: DC

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY AND ABSTRACTING PROVIDED IN THE ABOVE REFERENCED TITLE COMMITMENT WAS RELIED UPON IN PREPARATION OF THIS SURVEY.

GEORGE GALE
 PROFESSIONAL LAND SURVEYOR
 NO. 4878
 JOB NO. 19-06406
 JULY 19, 2019



PRECISION
 surveyors

1-800-LANDSURVEY
 www.precision-surveyors.com
 281-496-1586 FAX 281-496-1867 210-829-4941 FAX 210-829-1555
 950 THREADNEEDLE STREET SUITE 150 HOUSTON, TEXAS 77079 1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
 FIRM NO. 10063700

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
1074530000002

Tax Year: 2022



Owner and Property Information								
Owner Name & Mailing Address: MOORE JEFFREY S 16517 CORNWALL ST JERSEY VILLAGE TX 77040-2045				Legal Description: LT 2 BLK 34A JERSEY VILLAGE COUNTRY CLUB ESTATES SEC 3 R/P				
				Property Address: 16517 CORNWALL ST JERSEY VILLAGE TX 77040				
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map ^{i 1/2}
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	12,000 SF	2,387 SF	159	4015	224 -- ISD 04 - Northwest, btwn Beltway 8 and Hwy 6	4862B	409L

Value Status Information

Value Status	Notice Date	Hearing Status	Shared CAD
Noticed	3/31/2022	Protest Received	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2021 Rate	2022 Rate
Residential Homestead	004	CYPRESS-FAIRBANKS ISD	101,097	Not Certified	1.339200	
	040	HARRIS COUNTY	61,097	Not Certified	0.376930	
	041	HARRIS CO FLOOD CNTRL	61,097	Not Certified	0.033490	
	042	PORT OF HOUSTON AUTHY	61,097	Not Certified	0.008720	
	043	HARRIS CO HOSP DIST	61,097	Not Certified	0.162210	
	044	HARRIS CO EDUC DEPT	61,097	Not Certified	0.004990	
	045	LONE STAR COLLEGE SYS	5,000	Not Certified	0.107800	
	070	JERSEY VILLAGE	42,768	Not Certified	0.742500	

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.](#)

Valuations

Value as of January 1, 2021			Value as of January 1, 2022		
	Market	Appraised		Market	Appraised
Land	99,000		Land	99,000	
Improvement	181,797		Improvement	241,939	

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

Total	280,797	277,712	Total	340,939	305,483
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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	1001 -- Res Improved Table Value	SF1	SF	10,000	1.00	1.00	1.00	--	1.00	9.00	9.00	90,000.00
2	1001 -- Res Improved Table Value	SF3	SF	2,000	1.00	0.50	1.00	--	0.50	9.00	4.50	9,000.00

Building

Building	Year Built	Remodeled	Type	Style	Quality	Impr Sq Ft	Building Details
1	1979	1990	Residential Single Family	Residential 1 Family	Average	2,387 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Cost and Design	Extensive
Cond / Desir / Util	Very Good
Foundation Type	Slab
Grade Adjustment	C+
Heating / AC	Central Heat/AC
Physical Condition	Very Good
Exterior Wall	Brick / Veneer
Element	Units
Room: Total	7
Room: Rec	1
Room: Half Bath	1
Room: Full Bath	2
Room: Bedroom	3
Fireplace: Masonry Firebrick	1

Building Areas	
Description	Area
ATTIC FINISHED	699
BASE AREA PRI	699
STONE/TILE PATIO PRI	570
OPEN FRAME PORCH PRI	72
FRAME OVERHANG UPR	28
OPEN MAS PORCH PRI	77
ONE STORY MAS PRI	884
OPEN FRAME PORCH PRI	48
ONE STORY FRAME UPR	77

Extra Features

Line	Description	Quality	Condition	Units	Year Built
1	Frame Detached Garage	Average	Average	529.00	1979
2	Gunite Pool	Average	Average	480.00	1982

BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

NT MEETING PACKET FOR THE MEETING TO BE

DATE : 5/12/2022 12:04 PM
OPER : MG
TKBY : MG
TERM : 9
REC# : R00811464

192.0000 MISC. REVENUE 300.00
Jeff and Michelle Moore - 16517
Cornwall

Paid By:Jeff and Michelle Moore - 16517
2-CK 300.00 REF:1031

APPLIED 300.00
TENDERED 300.00

CHANGE 0.00

MEETING PACKET FOR THE MEETING TO B

DATE : 5/24/2022 9:44 AM
OPER : PB
TERM : 1
REC# : R00812640
=====

192.0000 MISC. REVENUE 300.00
MOORE 16517 CORNWALL VARIANCE 300.00

Paid By:MOORE 16517 CORNWALL VARIANCE
2-CK 300.00 REF:1032

APPLIED 300.00
TENDERED 300.00

CHANGE 0.00



BBG CONSULTING, INC.

Project Address	16517 Cornwall	
Date	May 18, 2022	
Square Footage (Lot)	12,000 SF	
Flood Zone	X	
Zoning:	Zone A – Single Family Residential	
Requirement	Code Reference	Comment
Detached Garage Setback > 70'	<p>..detached private garages and other freestanding structures shall not be located on any lot closer than 70 feet to the front lot line, three feet to a side lot line, ten feet to a rear lot line, ten feet to a side street line or ten feet to the single-family dwelling.</p> <p>Detached private garages and other freestanding structures exceeding one story in height shall not have second story openings facing the nearest side or rear lot line, except as may be required to comply with standards for emergency access and egress.</p>	Complies
Garage maximum SF	Detached private garages shall not exceed four-car capacity or 1,000 square feet of ground floor area.	Does not comply
Single-family dwellings	Sec. 14-101 – Single-family dwelling (1)	Does not comply accessory structure has a kitchenette.

Plan Review Comments

Plans are disapproved based on the following comments:

1. Detached garages can have a maximum of 1,000 SF, where this proposal has over the maximum permitted. Existing garage is 529 SF, second story addition is at of 800 SF, 1329 SF planned.

Sec. 14-101(b)(2)(a) Detached private garages shall not exceed four-car capacity or 1,000 square feet of ground floor area.

2. The residential district A allows for only one single-family dwelling per lot. The proposed kitchenette would have to be removed to have just one single-family dwelling unit on this property. Sec. 14-101, Permitted Uses.

**CITY OF JERSEY VILLAGE
 CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS
 BOARD OF ADJUSTMENT - PUBLIC HEARING
 June 20, 2022 at 12:00 P.M.**

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

Owner	Street Address	City, State, Zip
Jersey Village Baptist	16518 Jersey Drive	Houston, TX 77040
Marilyn A Johnson	16526 Cornwall Street	Jersey Village, TX 77040
Dennis W Petersen	16522 Cornwall Street	Jersey Village, TX 77040
Wayne O & Sheryl Huebner	16518 Cornwall Street	Jersey Village, TX 77040
Catalina Salinas	16514 Cornwall Street	Jersey Village, TX 77040
Andrew J Arsham	16510 Cornwall Street	Jersey Village, TX 77040
Zachery Moore	16521 Cornwall Street	Jersey Village, TX 77040
Regan M Ray	16513 Cornwall Street	Jersey Village, TX 77040
Todd Allen & Mary Running	16509 Cornwall Street	Jersey Village, TX 77040
Cassandra & Tyler Moore	16505 Cornwall Street	Jersey Village, TX 77040
Gary A & Karen McIntyre	16518 Saint Helier Street	Jersey Village, TX 77040
Francis & Sandra Maher	16514 Saint Helier Street	Jersey Village, TX 77040
Michael A & Sharon Atzenhoffer	16510 Saint Helier Street	Jersey Village, TX 77040
Terry S Okelley	16506 Saint Helier Street	Jersey Village, TX 77040
Current Owner	16502 Saint Helier Street	Jersey Village, TX 77040
Michael Taylor Foley	16517 Saint Helier Street	Jersey Village, TX 77040
RW Aston	16513 Saint Helier Street	Jersey Village, TX 77040
Current Owner	16509 Saint Helier Street	Jersey Village, TX 77040
Joshua & Jennifer Normand	16505 Saint Helier Street	Jersey Village, TX 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 May 25, 2022, 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:

Witness my hand and seal of the City this 25th day of May, 2022.

 Lorri Coody, City Secretary



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

CITY OF JERSEY VILLAGE
APPLICANT CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS
BOARD OF ADJUSTMENT – June 20, 2022 - 12:00 P.M.

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

I, Jeff & Michelle Moore, applicant and/or property owner, do hereby certify that:

On May 25, 2022, at least ten days prior to the date of the hearing, placed on the property at **16517 Cornwall, 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 25th day of May, 2022.



Jeff Moore - Appellant

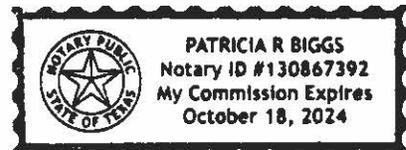
THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, this day personally appeared Jeff Moore, 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 25 day of May, 2022.



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



BOARD OF ADJUSTMENT MEETING PACKET FOR THE MEETING TO BE HELD ON JULY 20, 2022

Lorri Coody

From: Dennis W. Peteren
Sent: Wednesday, June 1, 2022 4:40 PM
To: Lorri Coody
Subject: Written Comments - 16517 Cornwall St.

As property owners within 200 feet of the proposed additions at 16517 Cornwall, we have no objections to either awarding a variance on square footage or including a stove/oven in the addition.

Dennis & Beverly Petersen
16522 Cornwall St.



This email has been checked for viruses by Avast antivirus software.

www.avast.com

Script for BOA Public Hearings on June 20 2022

Read Item F on the Agenda and 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 the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, 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 the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

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

AGENDA DATE: June 20, 2022

AGENDA ITEM: F1

AGENDA SUBJECT: Discuss and take appropriate action on the request of Jeff and Michelle Moore, owners, Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official’s ruling denying the applicants’ request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

Department/Prepared By: Lorri Coody, City Secretary

EXHIBITS: Application and Other Documents Included in PH Item
Section 14-101 – Regulations for District F

BACKGROUND INFORMATION:

Jeff and Michelle Moore, owners, have filed a request for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section 14-101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official’s ruling denying the applicants’ request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, 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 the 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.

In exercising its authority, the Board may consider the following as grounds, as presented by the applicant, to determine whether compliance with the ordinance as applied to a structure would result in unnecessary hardship:

- (1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
- (2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- (3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (5) the municipality considers the structure to be a nonconforming structure.

The Board must also act upon the appeal of the Building Official’s ruling denying the applicants’ request to include a stove/oven in a small kitchenette in the garage addition.

RECOMMENDED ACTION:

Discuss and take appropriate action on the request of Jeff and Michelle Moore, owners, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article IV, Division 2, Section **54**

101(b)(2)(b), to allow the applicants to exceed the 1,000 square feet of ground floor area for detached garages by 343 sq feet; and to appeal the Building Official's ruling denying the applicants' request to include a stove/oven in a small kitchenette in the garage addition for the property located at 16517 Cornwall, Jersey Village, Texas 77040.

Sec. 14-101. - Regulations for district A (single-family dwelling district).

- (a) *Use regulations.* No building or land shall be used and no building shall be hereafter erected, moved or altered in district A except for one or more of the following uses:
- (1) Single-family dwellings.
 - (2) Public parks and playgrounds, public recreational facilities, public schools, community buildings and public museums not operated for profit.
 - (3) Municipal government buildings, police stations, fire stations, and public libraries.
 - (4) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.
 - (5) *Home occupations.*
 - a. *Intent.* This section provides standards for the establishment of a home occupation in a neighborhood and regulates the operation of a home occupation so that the average neighbor will be unaware of its existence.
 - b. *Definition.* Home occupation means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants that is clearly incidental to the use of the structure for residential purposes and that does not change the residential character of the site. A home occupation may include an operation in which members of the immediate family sell or offer for sale articles which they produce on the premises; but home occupation does not include operations that use persons who do not reside on the premises to either (1) sell or offer for sale such articles, or (2) produce such articles. Additionally, animal hospitals, animal kennels, barber shops, beauty shops, clinics, doctor's offices, dress shops, hospitals, insurance offices, millinery shops, real estate offices, tearooms, tourist homes, palm readers, fortune tellers, among others and as examples only, are not home occupations.
 - c. *Standards.* To operate a home occupation, the following standards shall be met:
 1. The home occupation must be clearly incidental to the use of the dwelling as a residence;
 2. No outdoor sign, display or storage of materials, goods, supplies or equipment shall be allowed;
 3. There shall be no change to the exterior of the building nor any visible evidence or signs that the residence contains a home occupation;
 4. A home occupation shall not generate a nuisance such as traffic, on-street parking, noise, and electrical interference or hazards;
 5. The maximum area devoted to a home occupation shall be 25 percent of the gross floor area of the dwelling unit;
 6. The home occupation shall not use employees who do not reside on the premises.
 - (6) *Additional structures.* Accessory uses and freestanding structures in addition to the single-family dwelling:
 - a. One detached private garage; and

- b. Other freestanding structures:
 - 1. Utility structure;
 - 2. Greenhouse;
 - 3. Hobby structure;
 - 4. Pet house;
 - 5. Playhouse;
 - 6. Gazebo;
 - 7. Cabana or dressing room; and
 - 8. Pool cover.
 - (7) Freestanding structures in addition to the single-family dwelling:
 - a. One detached private garage; and
 - b. Other freestanding structures:
 - 1. Utility structure;
 - 2. Greenhouse;
 - 3. Hobby structure;
 - 4. Pet house;
 - 5. Playhouse;
 - 6. Gazebo;
 - 7. Cabana or dressing room; and
 - 8. Pool cover.
 - (8) Churches or other places of worship and related schools.
 - (9) Golf courses and country clubs.
 - (10) Electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed by this subsection.
 - (11) Model homes, provided that a builder may have no more than one model home in a subdivision. A model home must have a temporary certificate of occupancy and may be open for business only between the hours of 6:00 a.m. and 9:00 p.m. Use of a structure as a model home shall terminate on the first of the following events to occur: (i) the expiration of 30 days after building permits have been issued for 90 percent of the lots in the subdivision; or (ii) the expiration of 30 days after building permits have been issued for all lots owned by the builder in the subdivision; or (iii) the expiration of 180 days after issuance of the latest building permit to the builder for a lot in the subdivision.
- (b) *Height and area regulations.* The height of buildings, the minimum area of buildings, the minimum lot size

and the minimum dimensions of yards in district A shall be as follows:

(1) *Height.*

- a. Single-family residences shall not exceed 2½ stories in height, except for Blocks 26, 38, 41, 42 and 47, which shall not exceed 1½ stories.
 1. When a new single-family residence in district A conforms with the limitation on number of stories above, but exceeds 35 feet in height, one foot of additional side setback and one foot of additional rear setback from the minimum required shall be provided for each one foot of additional building height above 35 feet.
 2. Add-on construction to an existing single-family residence shall not result in building height greater than 35 feet unless:
 - i. The existing residence was constructed farther from the side and rear property lines than the minimum required setbacks, to where the additional setback is sufficient to enable the improved residence to satisfy the requirement of this subsection for additional side and rear setback to offset additional height above 35 feet; or
 - ii. The proposed construction work on the existing residence will change the location of the side and/or rear exterior walls to where the improved residence will satisfy the requirement of this subsection for additional side and rear setback to offset additional height above 35 feet.
- b. Detached private garages and freestanding structures other than those freestanding structures listed in subsection (b)(1)c of this section, shall not exceed in height the roof peak of the residence.
- c. The height of all freestanding structures except residential structures and freestanding garages shall conform to table 14-1 of this article.
- d. Nonresidential structures shall not exceed 35 feet in height.

TABLE 14-1

		Height (feet)	Maximum Size (square feet)
1.	Utility structure	8	100
2.	Greenhouse	12	200
3.	Pet house	<u>4</u>	50
4.	Hobby structure	12	200
5.	Playhouse	12	200
6.	Gazebo	15	500
7.	Cabana or dressing room	12	200
8.	Pool cover	15	not applicable

(2) *Building area.*

- a. Single-family dwellings shall have a building area of at least 1,750 square feet for single-floor

residences, or 1,200 square feet on the ground floor for multistory residences.

- b. Detached private garages shall not exceed four-car capacity or 1,000 square feet of ground floor area.
- c. On residential lots the total ground floor area of all freestanding structures within a required rear yard shall not exceed 25 percent of the area of the rear yard.
 - 1. This limitation on rear yard coverage shall increase to 40 percent of the area of the rear yard in cases where a detached private garage that is partially or entirely situated within the rear yard area does not exceed one story or 20 feet in height, whichever is less.
- d. Nonresidential buildings shall contain not less than 1,000 square feet of ground floor area, except for churches or other places of worship which shall contain not less than 4,000 square feet of ground floor area.
- e. The maximum size of all freestanding structures except residential structures and freestanding garages shall conform to the standards contained in table 14-1.

(3) *Location on lot.*

- a. The setbacks established in section 14-88(b) may be modified as follows: Except as provided by subsections b, c and d hereof, detached private garages and other freestanding structures shall not be located on any lot closer than 70 feet to the front lot line, three feet to a side lot line, ten feet to a rear lot line, ten feet to a side street line or ten feet to the single-family dwelling. Detached private garages and other freestanding structures exceeding one story in height shall not have second story openings facing the nearest side or rear lot line, except as may be required to comply with standards for emergency access and egress.
- b. The setbacks established in section 14-88(b) may be modified as follows: A nonresidential building shall not be located closer than 25 feet to the front lot line, 25 feet to a side lot line, or 25 feet to a rear lot line.
- c. A carport shall not be located closer than three feet to a side lot line, ten feet to a rear lot line or ten feet to a side street line; provided that a carport which loads from a side street shall not be located closer than 20 feet to the side street line.
- d. An attached or detached private garage which loads from a side street shall not be located closer than 20 feet to the side street line.
- e. An attached private garage oriented for front loading shall be set back at least 25 feet from the front building line. If the single-family dwelling is set back farther on the lot than the minimum required front setback, then the attached private garage shall be set back at least 25 feet from the point on the front façade of the dwelling that is closest to the front building line. In no case may the vehicular access doors of an attached private garage be located closer to the front building line than any other point on the front façade of the dwelling, unless the dwelling is on an interior lot within a block and the attached private garage is oriented for side loading.

- (4) *Lot size.* No lot in this district shall have less than 10,000 square feet of total area, and no lot shall be less than 70 feet wide at the front building line; provided, however, that no church or other place of

worship shall be constructed on a lot having less than five acres of total area.

- a. No lot in this district for a single-family detached dwelling shall have a total area that exceeds by more than 20 percent the total area of any other lot for a single-family detached dwelling on the same blockface.
 - b. No lot in this district for a single-family detached dwelling shall have a width that exceeds by more than 20 percent the width of any other lot for a single-family detached dwelling on the same blockface.
- (5) *Open areas.*
- a. Residential lots shall have a minimum of 50 percent of the required front yard and required side yards adjacent to a side street devoted to landscaping.
 - b. Nonresidential lots shall have a minimum of ten percent of the total lot area devoted to landscaping. All open unpaved or uncovered space shall be devoted to landscaping.
- (c) *Construction.* The exterior walls on all residences in district A shall be a least 75 percent masonry construction to the top elevation line of the building sides of the first floor. Slab on grade home elevations must install masonry skirts to cover the sub-slab void or crawlspace, below exterior walls. The style and quality of all carports, detached private garages and freestanding structures constructed after a certificate of occupancy shall conform to the original structure; provided, however, that only utility structures may have metal facades.
- (1) Masonry construction may include brick, stucco, or stone material. Stucco must be integrally colored or otherwise finished with a coating.
 - (2) Use of CMU for exterior wall veneers is prohibited in this district, except that split-face concrete blocks, integrally colored or otherwise finished with a coating, may be utilized for the construction of veneer skirts for slab on grade home elevations. EIFS is prohibited.
- (d) *Other regulations; fences and hedges.*
- (1) No fence in district A shall be permitted in the front yard, extending past the building setback line. For side street fencing, where one or more lots have frontage on the street, wrought iron style fencing may be installed to within two feet of the public sidewalk and shall not encroach beyond the side lot line.
 - (2) Fences in district A may not be erected and hedges may not be planted directly on a property line without the express agreement of the property owners on both sides of the property line.
 - (3) Fences in district A shall not exceed eight feet in height, and shall be of a permanent type, such as chainlink, redwood, cedar, wrought iron, brick or other approved material of equal quality.
 - (4) Refuse containers or similar equipment on nonresidential lots in district A shall be screened from public view, and from adjacent buildings or property, whether public or private. Such screening shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, but in no event shall be less than six feet in height.

(Ord. No. 95-04, § 1(303.1), 2-20-95; Ord. No. 98-15, §§ 1, 2, 6-15-98; Ord. No. 99-31, §§ 6, 7, 11-15-99; Ord. No. 01-02, § 1, 1-15-01; Ord. No. 03-04, § 1, 1-20-03; Ord. No. 03-28, § 1, 7-21-03; Ord. No. 2013-46, § 3(Exh. A), 12-16-13; Ord. No. 2017-54, § 2, 12-18-17; Ord. No. 2017-58, § 2, 12-18-17; Ord. No. 2019-26, § 2, 6-17-19; Ord. No. 2019-28, § 2, 5-17-19)