

NOTICE is hereby given that the City of Jersey Village Board of Adjustment will hold a meeting on March 12, 2019 at 12:00 p.m in the Municipal Civic Center Meeting Room 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.

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. Consider approval of the minutes for the meeting held on December 10, 2018. *Danielle Amason, Assistant City Secretary*
- **D.** Conduct a public hearing on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas. *Board Chairman*
 - (1) Discuss and take appropriate action on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas. *Christian Somers, Building Official*
- E. 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 Hanning 727 Lakeview, Jersey Village, TX 77040, a place convenient and readily accessible to the general public at all times, and said Notee was posted on the following date and time: March 5, 2019 at 1:00 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.jerseyvillage.info

MINUTES OF THE MEETING OF THE JERSEY VILLAGE BOARD OF ADJUSTMENT

December 10, 2018 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on December 10, 2018, at 12:00 p.m. in the Municipal Civic Center Meeting Room at 16327 Lakeview Drive, Jersey Village, Texas 77040.

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

Thomas G. Simchak, Chairman Henry Hermis, Vice Chairman Joe Pennington, Board Member Joyce Berube, Alternate Place 1

Ken Nguyen, Board Member M. Reza Khalili, Board Member Doyle Stuckey, Alternate Place 2

Council Liaison, Gary Wubbenhorst was present.

City Staff in attendance: Leah Hayes, City Attorney; Lorri Coody, City Secretary; Danielle Amason, Assistant City Secretary; Kevin T. Hagerich, Public Works Director; Christian Somers, Building Official; and Jim Bridges, Engineering Technician.

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

Chairman Simchak indicated that all Board Members were present and there was no need for the appointment of alternate members.

C. Election of chairperson and vice-chairperson for one-year term beginning October 1, 2018 and ending September 30, 2019.

Chairman Simchak opened nominations for Chair of the Board for a one year term beginning October 1, 2018 and ending September 30, 2019. Board Member Khalili nominated Board Member Thomas G. Simchak. Board Member Hermis seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili

Nays: None

Abstained: Chairman Simchak

The motion carried.

Chairman Simchak opened nominations for the office of Vice Chair for a one year term beginning October 1, 2018 and ending September 30, 2019. Chairman Simchak nominated Board Member Hermis. Board Member Khalili seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Pennington, Nguyen, Khalili Chairman Simchak

Nays: None

Abstained: Vice Chairman Hermis

The motion carried.

D. Consider approval of the minutes for the meeting held on August 15, 2018.

Board Member Hermis moved to approve the minutes for the meeting held on August 15, 2018. Board Member Pennington seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili Chairman Simchak

Nays: None

The motion carried.

E. Conduct a public hearing on William Dewayne Ashdown's requests for variances to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-88 (b) to allow the applicant to construct an addition to the primary structure encroaching the rear setback by 12.5' and the side setback by 2' for the property located at 16225 Tahoe Drive, Jersey Village, Texas.

Chairman Simchak opened the public hearing at 12:02 p.m. in order to receive written and oral comments from any interested person(s) concerning William Dewayne Ashdown's requests for variances to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-88 (b) to allow the applicant to construct an addition to the primary structure encroaching the rear setback by 12.5' and the side setback by 2' for the property located at 16225 Tahoe Drive, Jersey Village, Texas.

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

Christian Somers, Building Official, provided background information on the request as follows:

- 1) Existing garage was originally constructed in violation of the setback requirements;
- 2) Setbacks vary for detached and attached garages; and
- 3) The addition to the structure will be a new attached garage, which encroaches the 25' rear setback by 12.5' and the 7.5' side setback by 2'.

City Attorney, Leah Hayes, verified that the existing garage is a non-conforming structure and explained that new standards do not apply to construction that has already been built.

The applicant, William Dewayne Ashdown, clarified that he did not realize that the home was in violation when he purchased the property in 2016. However, the plan for the garage will be no closer to the rear setback than the existing structure and will encroach the side setback by 2'.

With no other input from the applicant, Chairman Simchak called upon those signing up to speak at the public hearing as follows:

Robert Harper, 16218 Capri Drive, Jersey Village, Texas (713) 466-8262: Mr. Harper suggested the Board deny the variance request. He expressed concern that the appearance of the proposed addition would not match the rest of the neighborhood and that the lot would appear to have more house than green space.

Kathleen Offner, 16222 Capri Drive, Jersey Village, Texas (716) 466-8862: Ms. Offner suggested the Board deny the variance request. She explained that variances weaken the code and only benefit the applicant. She also expressed concern of flooding and stated that more concrete will result in less ground for absorption.

Jerry Offner, 16222 Capri Drive, Jersey Village, Texas (713) 466-8862: Mr. Offner suggested the Board deny the variance request. He felt that the applicant should have known the conditions of the property before purchasing. He stated that the requested variance would diminish the appeal of the neighborhood, decrease property values, and increase flooding risks.

Anna Lewandowski, 16226 Capri Drive, Jersey Village, Texas (281) 787-4465: Ms. Lewandowski suggested the Board deny the variance request. She felt that the variance would result in her home being enclosed and did not wish to be any closer to her neighbor's property. She also stated that the living space of Mr. Ashdown's home is currently 25% of the property and that granting the variance would increase that percentage to 35%. She too is concerned about flooding.

City Attorney Hayes addressed the public comments by clarifying that City standards are different from Home Owner Association standards and that the characteristics of Mr. Ashdown's lot cause the home to be different from others nearby, a condition to be considered by the Board in granting a variance. She also stated that the addition would have to conform to current building requirements that meet City, County and FEMA criteria. Ms. Hayes was of the assumption that the home was built to the standards of that time and recapped the notion that Texas is a strong property rights state and it is the City's right to provide a variance process.

Building Official Somers spoke on drainage concerns. He stated that in accordance with current city codes, the garage addition could be built below base flood elevation; however, it would require proper flood venting. He also indicated that approximately 60 square foot of permeable surface would be improved.

Mr. Ashdown clarified that his plans were to remove the existing driveway and increase permeability. His desire was to use the existing garage as a workshop/storage area.

With no one else desiring to speak at this public hearing, Chairman Simchak closed the public hearing concerning William Dewayne Ashdown's requests for variances to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-88 (b) to allow the applicant to construct an addition to the primary structure encroaching the rear setback by 12.5' and the side setback by 2' for the property located at 16225 Tahoe Drive, Jersey Village, Texas at 12:34 p.m.

E1. Discuss and take appropriate action on William Dewayne Ashdown's requests for variances to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-88 (b) to allow the applicant to construct an addition to the primary structure encroaching the rear setback by 12.5' and the side setback by 2' for the property located at 16225 Tahoe Drive, Jersey Village, Texas.

The Board discussed the issue of hardship in connection with Mr. Ashdown's request along with the fact that the existing structure already encroaches the rear setback by 12.5'. Some members wondered about granting a variance with conditions.

City Attorney Hayes explained that the Board could grant the requests for variances with conditions. She also explained hardship, stating that the Board, in making its decision, 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.

She explained that the special conditions requirement can be applied to the shape and contour of the lot. Accordingly, she stated that the hardship in this case was the nature of the current location of the garage and that its angle, due to the shape of the lot, made it difficult for a vehicle to enter. She stated that the reason for the hardship, the oddly shaped lot, is not of the applicant's own doing. She further explained that the expense of conforming to new building requirements should not be considered as a hardship.

Council Liaison Wubbenhorst suggested that the applicant's plan to construct an addition to the property could not have been known at the time the home was purchased; therefore, a rationale for hardship exists.

The Board discussed the three (3) criteria for granting the variance. Some members felt that while the rationale for hardship exists, the encroachment would be substantial and did not support the granting of the requested variances.

The Board then discussed detached versus attached garages. Building Official Somers explained that the requirements for a detached garage are 10' from the rear setback and only 3' from the side setback, which would make it closer to the lot lines than the attached garage being requested. For this reason, he suggested that the variance requests are reasonable.

The Board then discussed public interest and the comments made during the public hearing, which led to a discussion about possible conditions to be placed upon the homeowner if the variances were granted. Some members wondered about the legality of placing conditions such as requiring a certain number of shrubs and trees. City Attorney Hayes explained that it is legal to place conditions and may be a way of finding a middle ground or compromise to create a win/win situation. However, she did state that she had never heard of additional responsibilities being placed upon a homeowner in similar instances in case law.

To aid in the discussion, the applicant stated that the 50-foot oak tree would remain a part of the landscaping. It was also pointed out that the new structure/plan would result in improved lot permeability.

With no further discussion on the matter, Board Member Hermis moved to deny the requests of William Dewayne Ashdown for variances to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Section 14-88(b) to allow the applicant to construct an addition to the primary structure encroaching the rear setback by 12.5' and the side setback by 2' for the property located at 16225 Tahoe Drive, Jersey Village, Texas. Board Member Pennington seconded the motion. The vote follows:

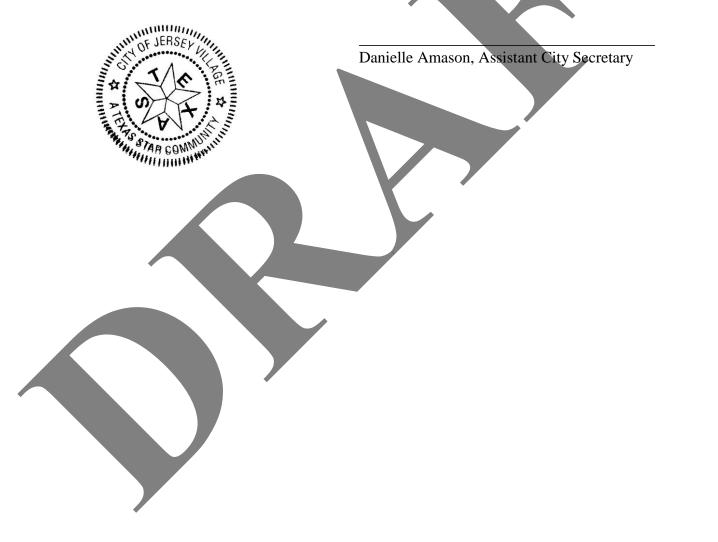
Ayes: Board Members Hermis, Pennington, Khalili

Nays: Chairman Simchak and Board Member Nguyen

The motion carried.

F. Adjourn

With no other business before the Board, Chairman Simchak adjourned the meeting at 1:04 p.m.



BOARD OF ADJUSTMENT CITY OF JERSEY VILLAGE, TEXAS AGENDA REQUEST

AGENDA DATE: March 12, 2019 AGENDA ITEM: D

AGENDA SUBJECT: Conduct a public hearing on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas

Department/Prepared By: Christian Somers, Building Official & Scott Bounds, Olson & Olson, LLP

EXHIBITS: <u>EX A</u> – Appeal Application by James and Deborah (Gilchrist) Finlay

- <u>EX B</u> Section 14-88
- EX C City's Certification of Public Hearing Posting Requirements
- EX D Certification of Public Hearing Posting Requirements
- <u>EX E</u> Owner's Site Plan Documents
- EX F Phase I Permit
- EX G Draft Order
- PH Script

BACKGROUND INFORMATION:

On February 19, 2019, James & Deborah (Gilchrist) Finlay ("Applicants") filed an appeal to this Board of Adjustment alleging error in one or more decisions of the administrative officials of the City in the enforcement of the City's zoning ordinances at 17300 Jersey Meadow Drive, Jersey Village, Texas., also known as Lots 1 and 2, Gulf Coast Jersey Village (the "Property"). See Exhibit A, the application for appeal including attachments.

Applicants allege that the administrative officials incorrectly determined the side lot line of the Property, thus applying incorrect setbacks to the construction of improvements on the Property. In particular, Applicants allege an error in the application of Jersey Village Code of Ordinances Section 14-88(a) (18) and (19). Concerning Buffering and development of nonresidential lots directly abutting and adjacent to residential lots. A copy of this portion of the Code of Ordinances has been included in the meeting packet for your review.

The alleged error in the application of the ordinances arises from the use of site plans provided by the Owner showing the east boundary line of the Property. Applicants claim to own all the property east of a masonry fence that lies approximately two (2) feet west of the property line claimed by Owner and used by the City's administrative officials to determine the setback line for the Property. The Owner's plans provided to the City show that the masonry fence (or wall) is an encroachment on the Owner's property. See Exhibit E, Nikolay N. Nikolov's Sheet C.3 Grading & Drainage Plan, Sheet C.4 Utility Plan and Sheet C.7 Dimension Site Plan, all dated 10/30/2018, with the P.E.'s stamp dated 11/01/2018 and the last revision in the revision block dated 11/15/18 and Ngoc Nguyen's Sheet No. A-1.0 Site Plan I stamped / signed 23 Nov. 2018, with the revision block correctly pre-dating @ 30 Oct. 2018.

The Property is owned by E. Seattle Plaza, LLC ("Owner"), whose business address is 9818 Sandtown Circle, Houston, Texas.

Applicants own Lot 3, Block 1, Lakes of Jersey Village, also known as 30 Cherry Hills Drive, which lot immediately abuts the Property on the east property line of the Property.

The administrative officials of the City reasonably relied upon site the plans of the Owner showing a masonry fence encroaching upon the Owner's Property, and on January 10, 2019, the City issued Owner a Phase I permit (Exhibit F) to construct site improvements consistent with the site plans. The site plan permit approved and issued by the City is not contrary to the public interest and is consistent with the spirit of the ordinance.

The administrative officials of the City do not have authority or jurisdiction to determine a boundary line dispute. The issuance of permit by the City does not alter or change any boundary lines or ownership of real property owned by Applicant, Owner or others.

City requests that the Board adopt an Order affirming the decision of the City's zoning officials in the application of the City's zoning ordinances. See Exhibit G; draft **Final Order On An Appeal That Alleges Error In A Decision of An Administrative Official in the Enforcement of the City's Zoning Ordinances at 17300 Jersey Meadow Drive, Jersey Village, Texas.**

RECOMMENDED ACTION:

Conduct a public hearing on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas

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

	w Drive Jersey Village,			
Legal Description: Lot	Block: 1 Subdivision:	see exhibit	A & B	
APPLICANT INFORMATION (If different than owner, application must be a Applicant: James & Deborah	 (i) (i) (i) 		13-816-2088	
Address: 30 Cherry Hills Dr		Phone: <u>·</u>		
	State: TX	Zip: <u>770</u>	64	
City:	State	z.p		
OWNER INFORMATION				
Maria Monreal (E-Seattle P	laza)	281-897-	8996	
Property Owner		Telephone 1	Number	
9585 Jones Road	Jersey Village	ТХ	77065	
Street Address	City	State	Zip Code	
State the specific ordinance requirem Sec 14-88 (a) (18) Sec 14-88 (a) (19) plus Example Location of concrete parking/drive	14-7			
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Page 2 Finlay Application for Appeal to the Board of Adjustments

The owner is using an incorrect survey. Owner claims to own 2 feet into the residential property erroneously identified on this survey. Owner also claims Lakes of Jersey Village perimeter masonry wall is located on owner's property. This impacts approximately 6 lots in Lakes of Jersey Village described as Block 1, Lots 3, 4,5,6 and 7 being approximately 590.14 square feet of land (290.14' x 2').

City never communicated the owner was making such claims to the Lakes of Jersey Village HOA or residents. The impact of this claim causes a cloud on title for each residential lot impacted. It would indicate all certified survey plats previously prepared using deeds and maps, filed of record in Harris County, all resident plats and legal documents describing the property are incorrect.

If this claim was legitimate it would have serious consequences as to trespass claims and title defects.

HOWEVER, the applicant claims and attest all previous certified survey plats attached as Exhibit(s) A, B, C and D are the correct survey lines as it pertains to the West boundary line and masonry wall being approximately 1099.85' is correct and owner is in violation of city codes as to the 2' encroachment and removal and damage to trees located on the 15' Buffer Landscape Easement.

CITY OF JERSEY VILLAGE

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

CITY CO

EACH INDIVIDUAL TRADE MUST CALL THEIR OWN INSPECTION

APPEAL TO THE BOARD OF ADJUSTMENT

PERMIT #: 00000	07281	DATE ISSUED: 2/18/2019	
JOB ADDRESS: PARCEL ID: SUBDIVISION:	30 CHERRY HILLS	LOT #: BLK #: ZONING:	
ISSUED TO: ADDRESS: CITY, STATE ZIP: PHONE:	JAMES FINLAY 30 CHERRY HILLS DR JERSEY VILLAGE TX 77064-40	CONTRACTOR: JAMES FINLAY ADDRESS: 30 CHERRY HILLS DR 2 CITY, STATE ZIP: JERSEY VILLAGE TX 77064-4072 PHONE:	
STRUCTURE USE: FLOOR AREAS; LIVING SPACE: BASEMENT/STO GARAGE: DECKS: PORCHES: OTHER: TOTAL AREA:	0.00	VALUATION: \$ 0.00 IMPERVIOUS SURFACES: HOUSE: GARAGE: DRIVEWAYS: PORCH/WALK: OTHER: TOTAL:	
STRUCTURE AREA:	SITE AREA: DESCRIPTION	PERCENTAGE OF SITE:	
Z-999	OTHER FEE		300.00
•	8 •	RECEIPTS	300.00 0.00 300.00

CONDITIONS:

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

218119 DATE 218119 CONTRACTOR OR AUTHORIZED AGENT) (SIGNATUR OF CITY OF JERSEY VILLAGE REC#: 00629951 2/18/2019 4:35 PM (APPROVED BY OPER: PB TERM: 001 REF#: 1176 TRAN: 153.0000 BUILDING PERMITS 0000007281 300.00CR FINLAY, JAMES **30 CHERRY HILLS** Z-MISC 300,00CR **TENDERED:** 300,00 CHECK 300.00-APPLIED: CHANGE: 0.00

Total

Tax Year: 2019

Pending

Pending

Bprint

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1261050010005

			0	wner and	l Property	/ Informati	on			
Owner Name Mailing Addro		NDTOWN	CIR	i35		Address:		T JERSEY VILL	AGE R/I	P
State Class Code	Land Use Code	Building Class	Total Units		Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map®
C2 Real, Vacant Commercial	8003 Land Neighborhood Section 3	E	0	48,038 SF	0	0	9145.07	224 ISD 04 - Northwest, btwn Beltway 8 and Hwy 6	4863D	409F

Value Status Information

Value Status	Shared CAD
All Values Pending	No

Exemptions and Jurisdictions

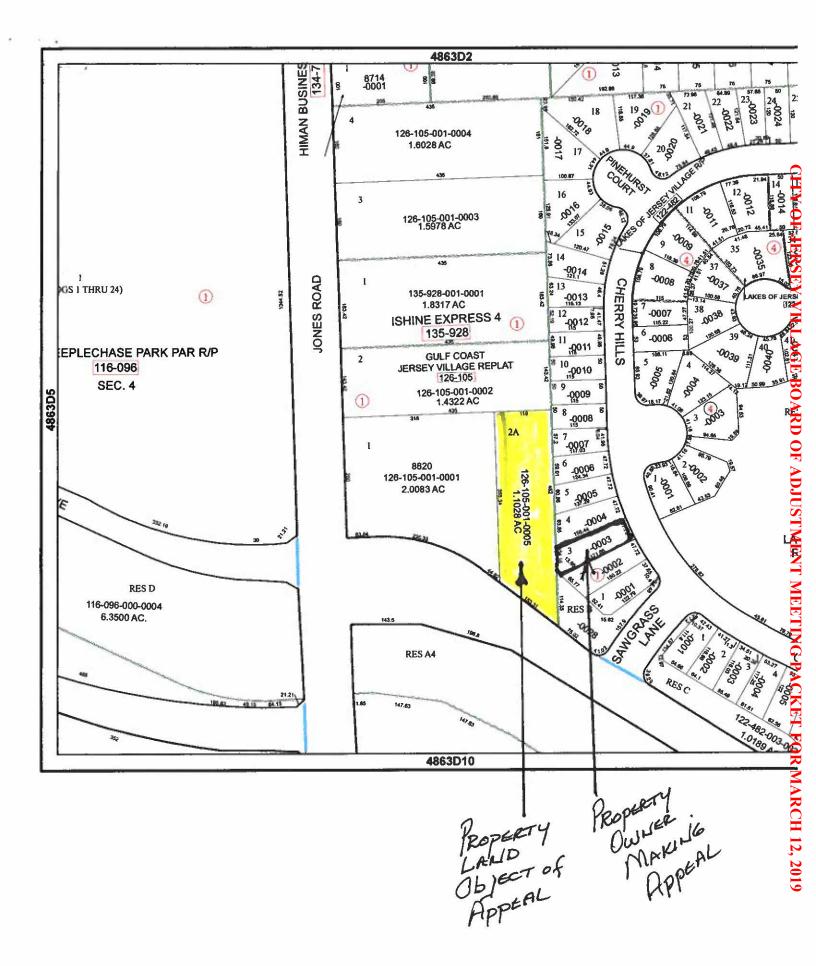
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2018 Rate	2019 Rate
None	004	CYPRESS-FAIRBANKS ISD	Pending	Pending	1.440000	
~	040	HARRIS COUNTY	Pending	Pending	0.418580	
	041	HARRIS CO FLOOD CNTRL	Pending	Pending	0.028770	
	042	PORT OF HOUSTON AUTHY	Pending	Pending	0.011550	
	043	HARRIS CO HOSP DIST	Pending	Pending	0.171080	
	044	HARRIS CO EDUC DEPT	Pending	Pending	0.005190	
	045	LONE STAR COLLEGE SYS	Pending	Pending	0.107800	
	070	JERSEY VILLAGE	Pending	Pending	0.742500	
Texas law prohibit of a property own	er on our	displaying residential photogra website. You can inspect this in 13013 NM	phs, sketches, floor pl formation or get a cop / Freeway.	ans, or inform by at HCAD's	nation indicat information	ing the age center at

Valuations Value as of January 1, 2018 Value as of January 1, 2019 Market Market Appraised Appraised 288,228 Land Land Improvement Improvement 0 288,228

288,228 Total

					Land	±t						
				Marl	ket Valı	ue Land						
Line	Description	Site Code	Unit Type		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	4300	SF	48,038	1.00	1.00	1.00		1.00	Pending	Pending	Pending

Building Vacant (No Building Data)



STATE OF TEXAS COUNTY OF HARRIS

We GC-Jones/Jersey, L.P., a Texas Limited Partnership, acting by and through Gulf Coast GP, Inc., its general partner, Nancy C. Seitz, Vice-President, and HSPNT, LTD. acting by and through Harry Shani, President, the undersigned, hereinafter referred to as Owners, of the 9.5756 acres of land shown on this plat, and designated as GULF COAST JERSEY VILLAGE in the City of Jersey Village, Harris County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, parks, watercourses, drains, easements, and public places shown thereon for the purpose and consideration therein expressed.

FURTHER, Owners do hereby covenant and agree that those private streets or emergency access easements located within the boundaries of this plat shall be hereby established and maintained by the owners, their heirs, and assigns to the property located within the boundaries of this plat and to the public for firefighters, firefighting equipment, witness my hand in the city of Jersey Village, Texas this 28 day of September 2005

GC-Jones/Jersey, L.P., a Texas Limited Partnership

By Gulf Coast GP, Inc., General Partner Mas C Lever Nancy C. Seitz, Vice-President

STATE OF Kansas COUNTY OF Shawnere

BEFORE ME, the undersigned authority, on this day personally appeared Nancy C. Seitz, Vice-President of Gulf Coast GP, Inc., the general partner of GC-Jones/Jersey, L.P., a Texas Limited Partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28th day of September



Signature Elde &. Sharburgh PRINT NAME Edith L. Thornburgh Notary Public in and for the State of <u>Karsas</u> My Commission Expires <u>12/1/05</u>

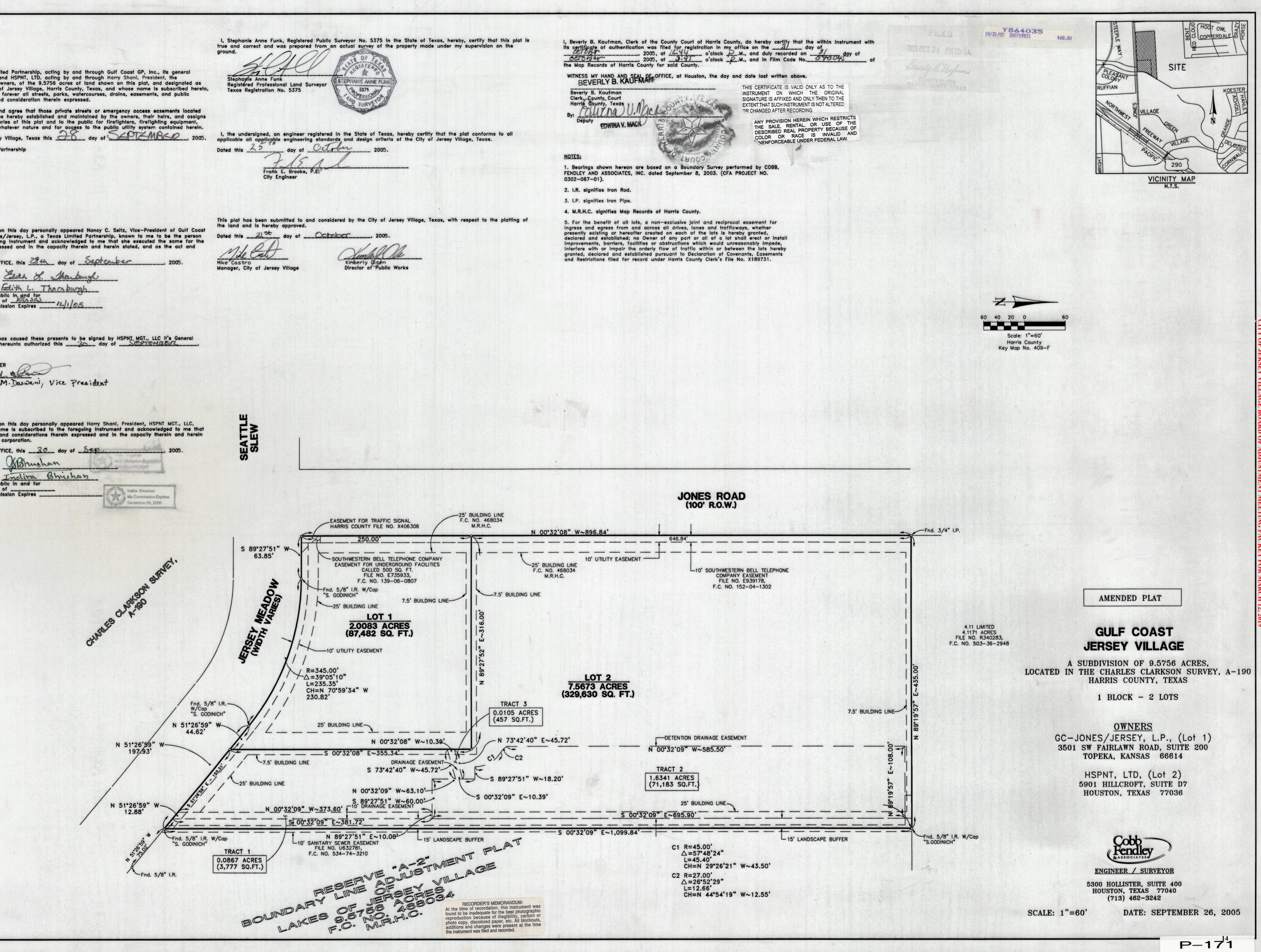
IN TESTIMONY WHEREOF, HSPNT, LTD., has caused these presents to be signed by HSPNT MGT., LLC it's General Partner, Harry Shani, its President, and thereunto authorized this ______ day of _______ day of __________2005.

HSPNT, LTD. BY: HSPNT MGT., LLC, GENI	Nash M. Daswani, Vice President	
By: Harry Shani, President	Nash M. Daswani, Vice President	100 million 100

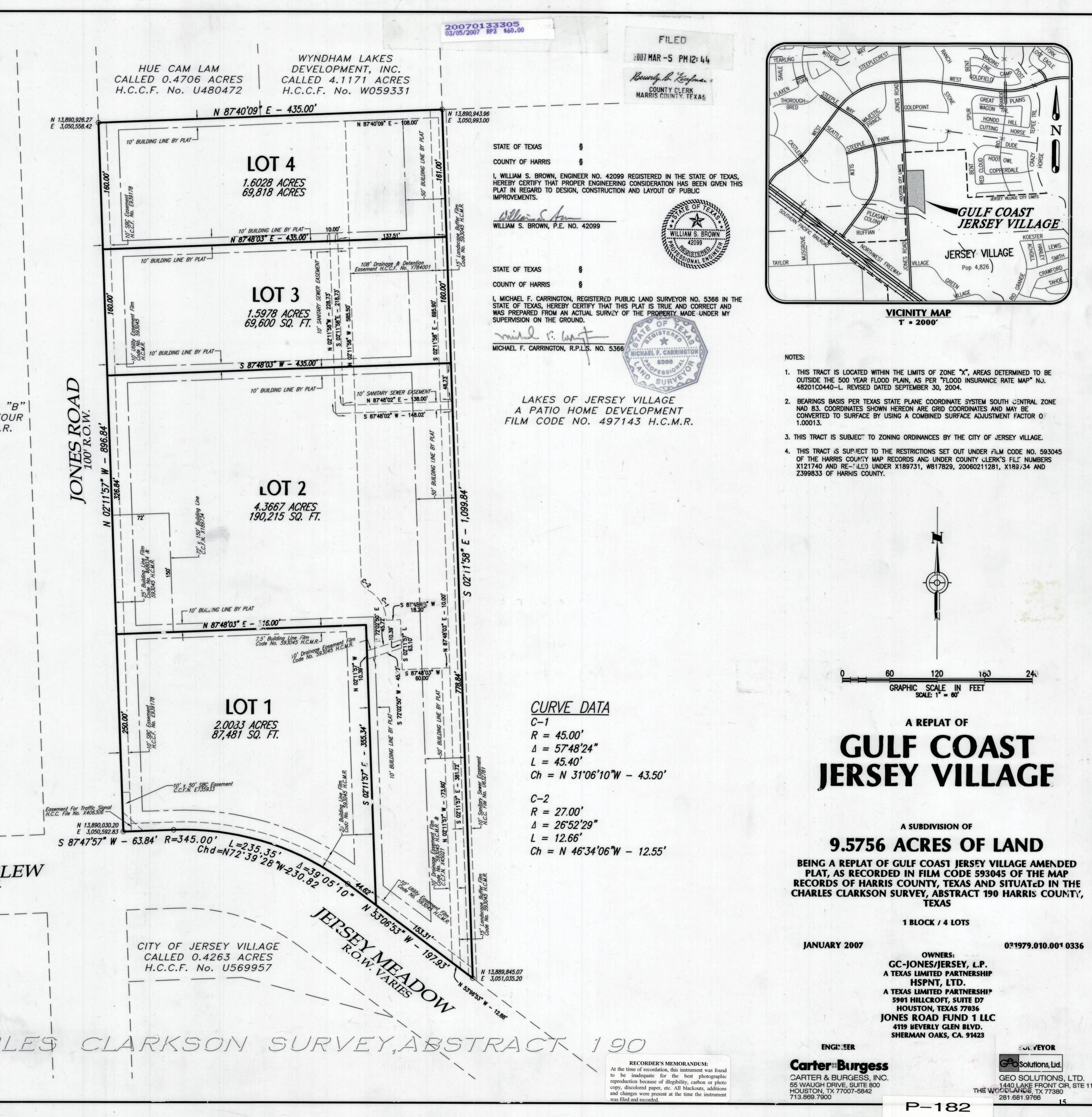
STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Harry Shani, President, HSPNT MGT., LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _ 30_ day of Sep . ABhushan Signature PRINT NAME <u>Indiva</u> <u>Bhushan</u> Notary Public in and for the State of ______ My Commission Expires _____ (AFFIX NOTARY SEAL) Indira Bhushen



STATE OF TEXAS KANSAS COUNTY OF HARRIS SHALLINGS WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE GULF COAST JERSEY VILLAGE, SUBDIVISION IN THE CITY OF JERSEY VILLAGE, HARRIS COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. OWNER: GC-JONES/JERSEY, L.P. A TEXAS LIMITED PARTNERSHIP BY: hawas C. Derk NAME: NIANCY C. SEITZ STATE OF TEXAS KANSAS & COUNTY OF HARRIS SHAWSEL THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE Ast DAY OF February 2007, BY Nancy C. Seitz. NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS-KANSAS PRINT NAME: Edith L. Thornburgh MY COMMISSION EXPIRES 12/12/09 **OWNER:** HSPNT, LTD. A TEXAS LIMITED PARTNERSHIP NAME: HARRAS Strang Nersh Daswani STATE OF TEXAS COUNTY OF HARRIS THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 26 DAY OF JANUARY 2007, BY HARRY SHANI Anaha NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS DEVELOPMENT PLAT OF RESERVE "B" PRINT NAME: STEEPLECHASE PARK, SECTION FOUR FILM CODE NO. 401017 H.C.M.R. MY COMMISSION EXPIRES JANUALY 31, 2010 ANNA NG X Notary Public, State of Texas My Commission Expires January 31, 2010 OWNER: JONES ROAD FUND 1 LLC NAME: MICHEL ROY STATE OF CALIFORNIA COUNTY OF LOS ANGELES § THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 15th DAY OF January 2007, BY Michael F. Kay Marah -NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA PRINT NAME: Alirica Mazaha ALIREZA MAZAHR Commission # 1639914 Notary Public - California MY COMMISSION EXPIRES Los Angeles County My Comm. Expires Jan 21, 20 and the second se I, THE UNDERSIGNED CITY MANAGER OF THE CITY OF JERSEY VILLAGE, TEXAS, CERTIFY THAT THE PLAT CONFORMS TO THE CITY COMPREHENSIVE PLAN, AND ALL APPLICABLE DESIGN CRITERIA AND STANDARDS OF THE CITY OF JERSEY VILLAGE, TEXAS DATED THIS 3 DAY OF March . 2007 STATE OF TEXAS COUNTY OF HARRIS , THE UNDERSIGNED, DIRECTOR OF PUBLIC WORKS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT, IN REGARD TO THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS AND RELATED EASEMENTS AND RIGHTS OF WAY. DATED THIS ____ DAY OF _____, 2007. BY: Danny Squardo, DIRECTOR OF PUBLIC WORKS THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF JERSEY VILLAGE, TEXAS, WITH RESPECT TO THE PLATTING THE LAND AND IS HEREBY APPROVED. 2007 SEATTLE SLEW ED HEATHCOTT. AND ZONING COMMISSION ACREAGE STATE OF TEXAS COUNTY OF HARRIS I, BEVERLY B. KAUFMAN, CLERK OF THE COUNTY COURT OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THIS PLAT TOGETHER WITH ITS CERTIFICATES OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE DAY OF MARCH 2007, AT 12:44 O'CLOCK, P.M., AND AT FILM CODE NO. 071700 OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY. WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN. 2007, AT THIS CERTIFICATE IS VALID ONLY AS TO THE ANY PROVISION HEREIN WHICH RESTRICTS CHARLES BEVERLY B. KAUFMAN 🗢 INSTRUMENT ON WHICH THE ORIGINAL THE SALE, RENTAL, OR USE OF THE SIGNATURE IS AFFIXED AND ONLY THEN TO THE DESCRIBED REAL PROPERTY BECAUSE OF BEVERLY B. KAUFMAN COLOR OR RACE IS INVALID AND EXTENT THAT SUCH INSTRUMENT IS NOT ALTERED HARRIS COUNTY, TEXAS UNENFORCEABLE UNDER FEDERAL LAW. OR CHANGED AFTER RECORDING. awana U.I pais EDWINA V. MACK DEPUTY



BEING A REPLAT OF GULF COAST JERSEY VILLAGE AMENDED **RECORDS OF HARRIS COUNTY, TEXAS AND SITUATED IN THE** CHARLES CLARKSON SURVEY, ABSTRACT 190 HARRIS COUNTY,

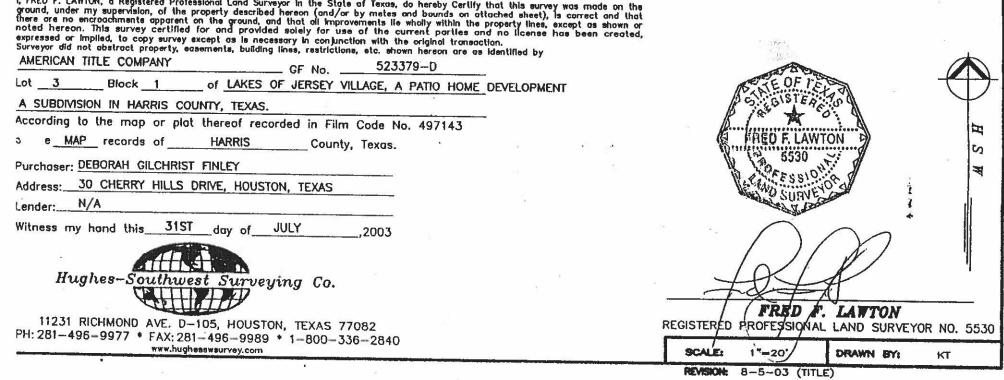
031979.010.001 0336

EXNIB / T N COPYRIGHT 2003

JOB NO .: DS0018

GRAPHIC PLOTTING ONLY THIS PROPERTY IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO N.F.I.P. MAP NO. 2010 0440K REV. APRIL 20, 2000. ZONE "X". WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION. DPERTY SUBJECT TO LOCAL MUNICIPALITIES AND ORDINANCES, ZONING REQUIREMENTS AND SUBDIVISION COVENANTS, **IDITIONS AND RESTRICTIONS.** OPERTY SUBJECT TO AN AGREEMENT WITH HL&P FOR UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM ED FOR RECORD UNDER H.C.C.F. No. V-701192. Richard's Spas, Pools & Decks 国 1701 Hwy 6 South Houston, TX 77077 101.07 × 101.54 26. 156 LOT 4 CONC 101.21 69-27'17' ASSUMED ONE 100.51 FNO 101.97 BRICK X 101.51 P. 6. 10 101.27 S. **N** 02.40 54.1 171.66 LOT 3 C. NU. - U-032/01 **BLOCK 1** 101.53 3 00.32,09 LOT 2 S 64 17 41 SUS FND 5/8" CIR BRICK z 101.95 UNITY ESAT SANGADO 2.00 delle policiant RESERVE "B"

FRED F. LAWTON, a Registered Professional Land Surveyor in the State of Texas, do hereby Cerlify that this survey was made on the



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ABBREVIATIONS

F.C. ———	
F.K.A	- FORMERLY KNOWN AS
H.C.C.F	- HARRIS COUNTY CLERK'S FILE
H.C.D.R	- HARRIS COUNTY DEED RECORDS
H.C.F.C.D	- HARRIS COUNTY FLOOD CONTROL DISTRICT
H.C.M.R	- HARRIS COUNTY MAP RECORDS
H L & P	- HOUSTON LIGHTING & POWER
INC.	- INCORPORATED
LTD.	- LIMITED
No	- NUMBER
0.R.P.R.H.C	- OFFICIAL REAL PROPERTY RECORDS HARRIS COUNTY
R.O.W	- RIGHT-OF-WAY
Sq. Ft	- SQUARE FEET
S.W.B.T	- SOUTHWESTERN BELL TELEPHONE

RESERVE NOTES

- (A) RESTRICTED RESERVE "A" DETENTION/OPEN SPACE 6.3343 ACRES
- B RESTRICTED RESERVE "B" LANDSCAPE/OPEN SPACE 0.3370 ACRES
- C RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE 1.0189 ACRES
- D RESTRICTED RESERVE "D" LANDSCAPE/OPEN SPACE 0.2247 ACRES

Lakes of Jersey Village a Patio Home Development

A SUBDIVISION OF 53.9568 ACRES OF LAND BEING RESERVE "A-2" OUT OF THE 71.5270 ACRES OF THE BOUNDARY LINE ADJUSTMENT PLAT OF LAKES OF JERSEY VILLAGE ALSO BEING OUT OF 150.370 ACRES LOCATED IN THE CHARLES CLARKSON SURVEY, A-190 AS RECORDED IN CLERK'S FILE NO. U860740 H.C.D.R. AND

FILM CODE NO. 468034 H.C.M.R. HARRIS COUNTY, TEXAS

212 LOTS 4 BLOCKS 4 RESERVES SCALE: 1" = 100' DATE: JULY, 2001 JOB NO. 345-0101-06

OWNER:

LAKES OF JERSEY VILLAGE OF TEXAS, LTD. 1717 W. 34th HOUSTON, TEXAS 77018 (713) 522-4547

PLANNER KERRY R. GILBERT & ASSOCIATES LAND PLANNING CONSULTANTS 15810 PARK TEN PLACE SUITE 160 HOUSTON, TEXAS 77084 (281) 579-0340 ENGINEER / SURVEYOR THE LANDTECH GROUP, INC. MUNICIPAL & LAND DEVELOPMENT ENGINEERING ARENA TOWERS I 7322 SOUTHWEST FREEWAY, SUITE 1810 HOUSTON, TEXAS 77074 (713) 541-5591

SHEET 2 OF 2

P - 150

- Sec. 14-88. Regulations that apply to all districts.
- (a) General regulations.
 - (1) No use of private or public property, whether it be residential, business, commercial or industrial, shall be permitted if that use is so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
 - (2) No use of public street right-of-way or public sidewalk or adjacent property, either private or public, shall be permitted if that use inhibits or hinders the movement of normal traffic on that street or sidewalk.
 - (3) City maintenance personnel must be allowed free access to utility easement and street rightsof-way so they can perform maintenance and repair of utility systems.
 - No buildings or structures of any type or size, other than fences, shall be permitted on utility easements.
 - b. If fences are located on utility easements, city maintenance personnel may remove such fences at any time for the purpose of gaining access to utility systems, and no liability will be incurred for damages to, repair of or replacement of such fences.
 - (4) Any building which has been damaged by fire or other causes to the extent of more than 50 percent of its value shall be rebuilt in conformity with this article, as though it were a new building, or removed. This shall not apply to damaged structures outside the 100-year (one percent probability) floodplain, in regards to slab height, where the footprint of a structure is not modified and the slab is intact. The building shall be secured from entrance by any unauthorized persons within 24 hours after all embers are extinguished. A building permit is required before removal, repair or reconstruction commences which shall be started within 60 days of the date the damage occurs and shall be completed within a reasonable time, but not later than 150 days after the damage occurs. Before occupancy will be permitted a certificate of occupancy shall be required.
 - (5) Whenever any street is abandoned, the boundaries of any districts that lie along one side of each street are automatically extended to the centerline of such street.
 - (6) a. Recreational vehicles (manufactured or home-made) including, but not limited to, motor homes, mini-motor homes, travel trailers, 5th wheel trailers, camping trailers, boat trailers, other trailers used for recreational purposes only, truck campers, all terrain vehicles and all types of watercraft including boats (motorized or propelled by any other means) shall not be parked or stored in front or side yards in zoning districts A, C, C-2, or D except for temporary periods of time not exceeding seven days within a 30-day period. A recreational vehicle shall not be parked or stored in a rear yard in zoning districts A, C, C-2, or D unless such vehicle is screened from public view by a solid wood or opaque fence. Nothing in this ordinance is intended to preclude the construction of a properly permitted building that will enclose and screen recreational vehicles.
 - b. A recreational vehicle or watercraft less than eight feet in height lawfully parked or stored on a lot in zoning districts A, C, C-2, or D on May 1, 2009 may continue to be parked or stored at such location until January 1, 2010. A recreational vehicle or watercraft greater than eight feet in height lawfully parked or stored on a lot in zoning districts A, C, C-2, or D on May 1, 2009 may continue to be parked or stored at such location until July 1, 2019. The owner of the recreational vehicle or watercraft must be the owner of the lot on which it is parked or stored; the recreational vehicle or watercraft must continue to be registered by the state; and a recreational vehicle must have a valid motor vehicle inspection certificate. The owner of a lot upon which a recreational vehicle or watercraft greater than eight feet in height was lawfully parked or stored on May 1, 2009 shall register such recreational vehicle or watercraft with the city secretary not later than July 15, 2009. Registration shall be under oath on a form furnished by the city secretary and shall be accompanied by photographs

showing the recreational vehicle or watercraft, its location on the lot and its license plate or registration information. The owner may replace a recreational vehicle or watercraft registered under this section with another recreational vehicle or watercraft. The owner shall be issued a certificate with a brief description of the nonconformity which shall thereafter be considered evidence of the lawful continuation of the parking or storage of such recreational vehicle or watercraft.

- (7) a. Trucks and vans, larger than one ton in capacity, and self-propelled, self-powered, or pulltype equipment that weighs at least 3,000 pounds and that are intended to be used for commercial, agricultural, construction, or industrial uses, trailers and towed vehicles shall not be parked or stored in a front, side, or rear yard in zoning districts A, C, C-2, or D except during the act of loading or unloading and except in connection with the provision of services to the property at which it is parked.
 - b. Truck tractors shall not be stored or parked in zoning districts A, B, C, C-2, M or D except during the act of loading or unloading.
- (8) No vehicle shall be parked or stored on an unpaved surface in a front or side yard in zoning districts A, B, C, C-2, M or D.
- (9) Vehicles held for sale, lease or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.
- (10) No platted lot shall be reduced in size and no lot area shall be reduced or diminished so that the lot size or the yards shall be smaller than prescribed by this chapter. These regulations shall not apply in District D.
- (11) No individual water well or piping for such system shall be connected in any way to any public water supply system.
- (12) No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H (industrial district).
- (13) Add-on construction. After a certificate of occupancy has been issued for a building in accordance with section 14-7(b), no add-on type of construction such as patio covers, carports, balconies, stoops, porches or any structural alteration of the building shall be made unless a new building permit is first obtained from the development officer in accordance with Chapter 14. The plans must be submitted to and approved by the development officer. Requests for a building permit to allow add-on type construction or structural alteration of a building shall indicate that the proposed construction will be in harmony with the style of the original building.
 - a. Where add-on construction to a single-family detached dwelling in district A involves structural alternation that will increase the square feet of enclosed living area on the ground floor, such add-on construction shall be permitted only to the side or rear of the existing dwelling, as space on the lot may allow while maintain conformance with the applicable standards for minimum side and rear building setbacks.
 - 1. Where such add-on construction will result in a finished building height that at any point exceeds the height of the front façade of the existing dwelling at any point, the add-on construction shall be permitted only to the rear of the existing dwelling.
- (14) No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the development officer unless the plan required by Chapter 14 provides for a sidewalk to be constructed on all street sides of such building. This subsection shall apply to all districts of the city, with the exception of Block 42.
- (15) Reserved.
- (16) Reserved.
- (17) Reserved.

- (18) Buffering. Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below. Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas. Bufferyards shall be provided according to the standards provided in Example 14-7. See also sections 14-310 and 14-311 for landscaping standards. These regulations shall not apply in District D.
- (19) Screening.
 - a. For development of nonresidential lots directly abutting and adjacent to residential lots, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential lots; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
 - b. All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
 - c. No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
 - d. The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
 - e. Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
 - f. Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
 - g. If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.
 - h. The use of barbed wire, razor wire or any other similar material is not allowed.

These regulations shall not apply in District D.

(20) Lighting of off-street parking areas and/or for external illumination of any building and grounds shall be arranged so that the source of light is concealed or shielded from public view and from adjacent residential properties and does not interfere with traffic. These regulations shall not apply in District D.

- (21) Temporary buildings shall be permitted only in connection with construction on the premises on which located, which buildings shall be removed upon completion or abandonment of the construction; real estate sales offices during development of residential subdivision in which they are located and limited to sales of property in such subdivisions; and educational, municipal or church functions operated for the benefit of the public. It shall be unlawful for any person to erect, construct, enlarge, place, locate or relocate any temporary building on premises within the city, or cause the same to be done, without first obtaining a building permit therefor in accordance with section 14-114. It shall be unlawful for any person to use or occupy a temporary building without first obtaining a certificate of occupancy therefor in accordance with section 14-7(b). A certificate of occupancy shall be limited to the duration of the intended use not to exceed one year; provided, however, that the certificate of occupancy may be extended as follows:
 - a. Where the temporary building is used for the contractors' offices, equipment storage, model homes and real estate sales offices for residential projects, the certificate of occupancy may be extended at one-year intervals until the project is 90 percent constructed; and
 - b. Where the temporary building is for a use other than described in subsection (21)a of this section, the certificate of occupancy may be extended for one additional one-year period.

A temporary building shall be in compliance with the terms of the building code and all other applicable laws and ordinances. A temporary building shall not be used in any manner constituting a nuisance or interfering with the quiet enjoyment of the neighborhood. These regulations shall not apply in District D.

- (22) Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
- (23) Garbage and refuse containers in commercial and industrial zoning districts shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high. These regulations shall not apply in District D.
- (24) Building permits are not required for "other free standing structures" as listed in subsection 14-101(6)b. provided that such structures shall have a building area of less than 25 square feet and provided that no utilities are installed. These regulations shall not apply in District D.
- (25) Fencing standards. Where chain link fencing is constructed within the city, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11 gauge galvanized material and all fencing higher than four feet shall be a minimum of nine gauge galvanized material. The use of barbed wired, razor wire or similar material shall not be allowed in residential zoning districts. Barbed wire and razor wire may be used in commercial and industrial districts in combination with the above approved fencing material and shall be installed on top of the fence with the total height above ground not to exceed seven feet. These regulations shall not apply in District D.
- (26) A nonresidential building may not be erected on a lot abutting a subdivision containing residential structures closer to the subdivision than 50 feet for a one-story building, 100 feet for a two-story building, or 150 feet for a three or more-story building. These regulations shall not apply in District D.
- (27) No sleeping quarters other than those within a permanent residential structure, hotel or motel shall be used for longer than seven days within a 30-day period; provided that a recreational vehicle or portable building may be used for temporary housing and sleeping quarters by a person whose residence is uninhabitable as a result of flood, fire or environmental conditions if parked on a paved surface on a private property and with appropriate sewer and electrical connections. No person shall occupy a recreational vehicle or portable building for temporary

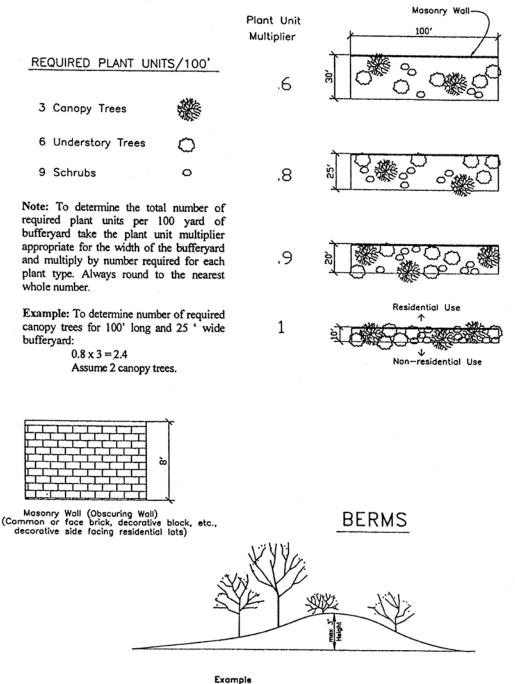
housing and sleeping quarters without first receiving a permit for such use from the building official. The building official shall issue a permit if the conditions set forth herein are met. The permit shall be valid for the period of time necessary to restore the residence to habitability, as determined by the building official, but not to exceed 120 days. Any extension to such permit will require approval of the building official and director of public works. These regulations shall not apply in District D.

- (28) Any finished floor that is elevated more than 12 inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.
- (b) *Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

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

(Ord. No. 95-04, § 1(302), 2-20-95; Ord. No. 96-08, § 2, 6-17-96; Ord. No. 97-04, §§ 1, 2, 4-21-97; Ord. No. 99-05, §§ 2—4, 2-15-99; Ord. No. 99-31, §§ 2—5, 11-15-99; Ord. No. 00-26, § 1, 8-21-00; Ord. No. 01-30, §§ 3, 7, 10-15-01; Ord. No. 02-16, § 1, 7-15-02; Ord. No. 03-17, §§ 1, 2, 4-21-03; Ord. No. 04-06, § 1, 3-15-04; Ord. No. 04-08, § 2, 5-17-04; Ord. No. 04-25, § 1, 12-20-04; Ord. No. 2006-5, § 1, 3-20-06; Ord. No. 2006-8, § 1, 2-20-06; Ord. No. 2008-22, § 1, 7-21-08; Ord. No. 2009-22, §§ 1, 2, 5-18-09; Ord. No. 2011-14, § 1(Exh. A), 3-21-11; Ord. No. 2011-25, §§ 9—11, 5-23-11; Ord. No. 2013-46, § 2(Exh. A), 12-16-13; Ord. No. 2017-55, § 2, 12-18-17)

BUFFERYARD STANDARDS



14 - 7

Example 14-7 Bufferyard Standards

CITY OF JERSEY VILLAGE CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS BOARD OF ADJUSTMENT - PUBLIC HEARING - MARCH 12, 2019 at 12:00 P.M.

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.

I, <u>Lorri Coody</u>, 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 February 25, 2019, 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:

owner_name	mailing address	city	state	zip code
JONES ROAD ISHINE4 LLC	4901 PINE ST	BELLAIRE	TX	77401-5330
HSPNT LTD	PO BOX 771804	HOUSTON	TX	77215-1804
JERSEY VILLAGE REALTY LLC	PO BOX 487	CHESTER	NJ	07930-0487
E SEATTLE PLAZA LLC	9818 SANDTOWN CIR	HOUSTON	TX	77064-2635
LAKES OF JERSEY VILLAGE COMMUNITY ASSN % VAN MOR PROPERTIES INC	8711 HIGHWAY 6 N STE 270	HOUSTON	ТХ	77095-2272
DANY PUNG / SAVUN CHHIN	26 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
MARIE HARTSOUGH	13327 CORZATT DR	HOUSTON	TX	77065-3163
DEBORAH GILCHRIST / JAMESY FINLAY	30 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
JOY PRIEST	32 CHERRY HILLS DR	JERSEY VILLAGE	ТХ	77064-4072
JUSTINE NGO / BURTON NGUYEN	34 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
TUYET THI NGO / MAI PHUONG NGO	36 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
PHILIP & ANGELLA EVANS	38 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
BICH NGUYEN	1905 GRAYSTONE HILLS DR	CONROE	TX	77304-2336
MAZEN GHATTAS	42 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
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THANONGSACK NHOISAYKHAM / MICHELLE TRUONG	48 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4072
DILIP AMIN	33 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4055
KHALED & BRANDY TALGE	41 CHERRY HILLS DR	JERSEY VILLAGE	TX	77064-4055
WILLIAM & MARILYN SCHUSTER	8 PEACH TREE CT	JERSEY VILLAGE	TX	77064-4072

minimu

Witness my hand and seal of the City this 25th day of February, 2019



Lorri Coody, City Secretary

CITY OF JERSEY VILLAGE APPLICANT CERTIFICATION OF PUBLIC HEARING POSTING REQUIREMENTS BOARD OF ADJUSTMENT – March 12, 2019 - 12:00 P.M.

Reason for Public Hearing:

To receive written and oral comments from any interested person(s) concerning James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village, Texas.

I, Christian Somers, Building Official for the City of Jersey Village do hereby certify that:

On February 28 2019, at least ten days prior to the date of the hearing, placed on the property at **17300 Jersey Meadow Drive, 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 28th day of February, 2019.

Christian Somers, Building Official

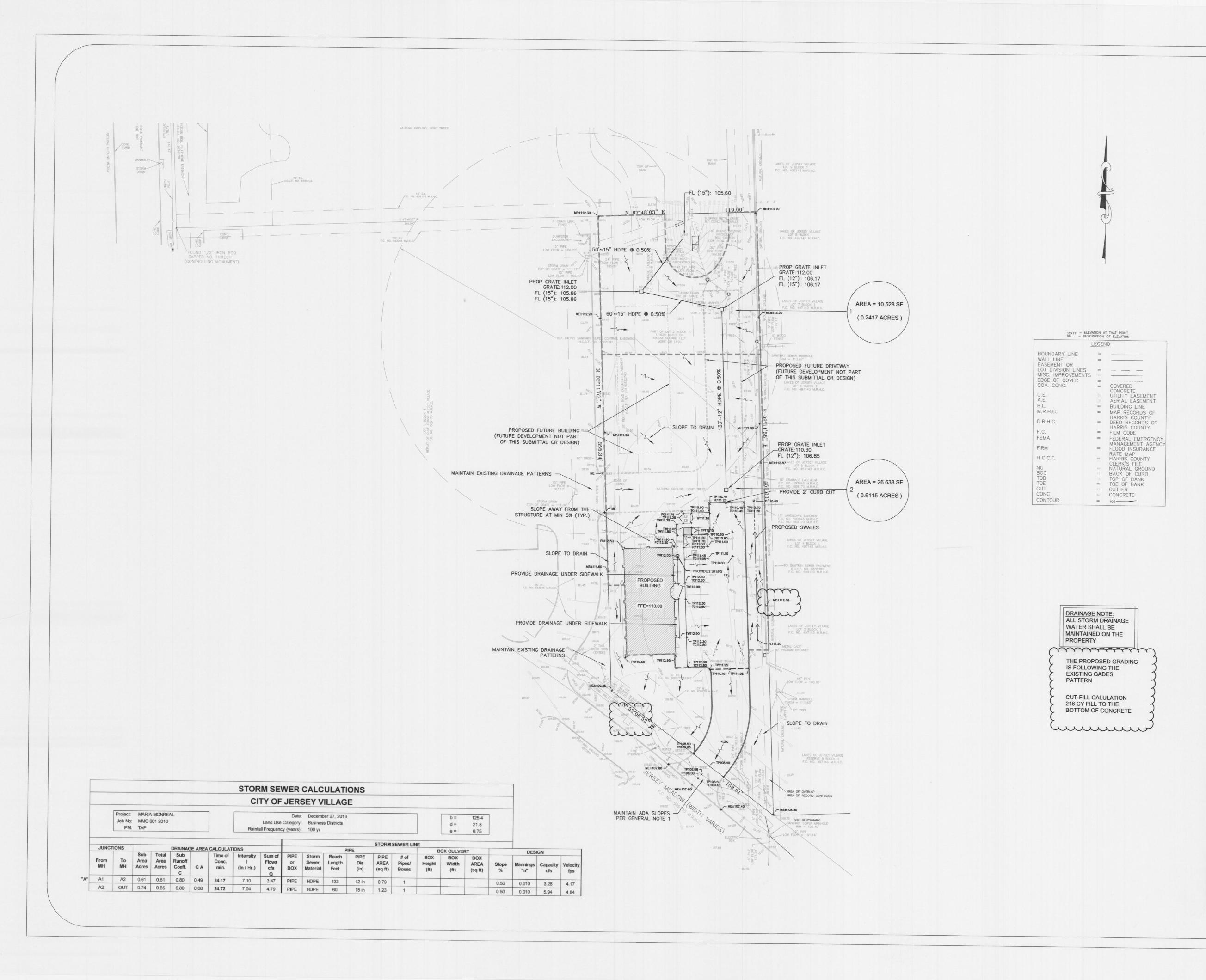
THE STATE OF TEXAS § COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, this day personally appeared Christian Somers, 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.

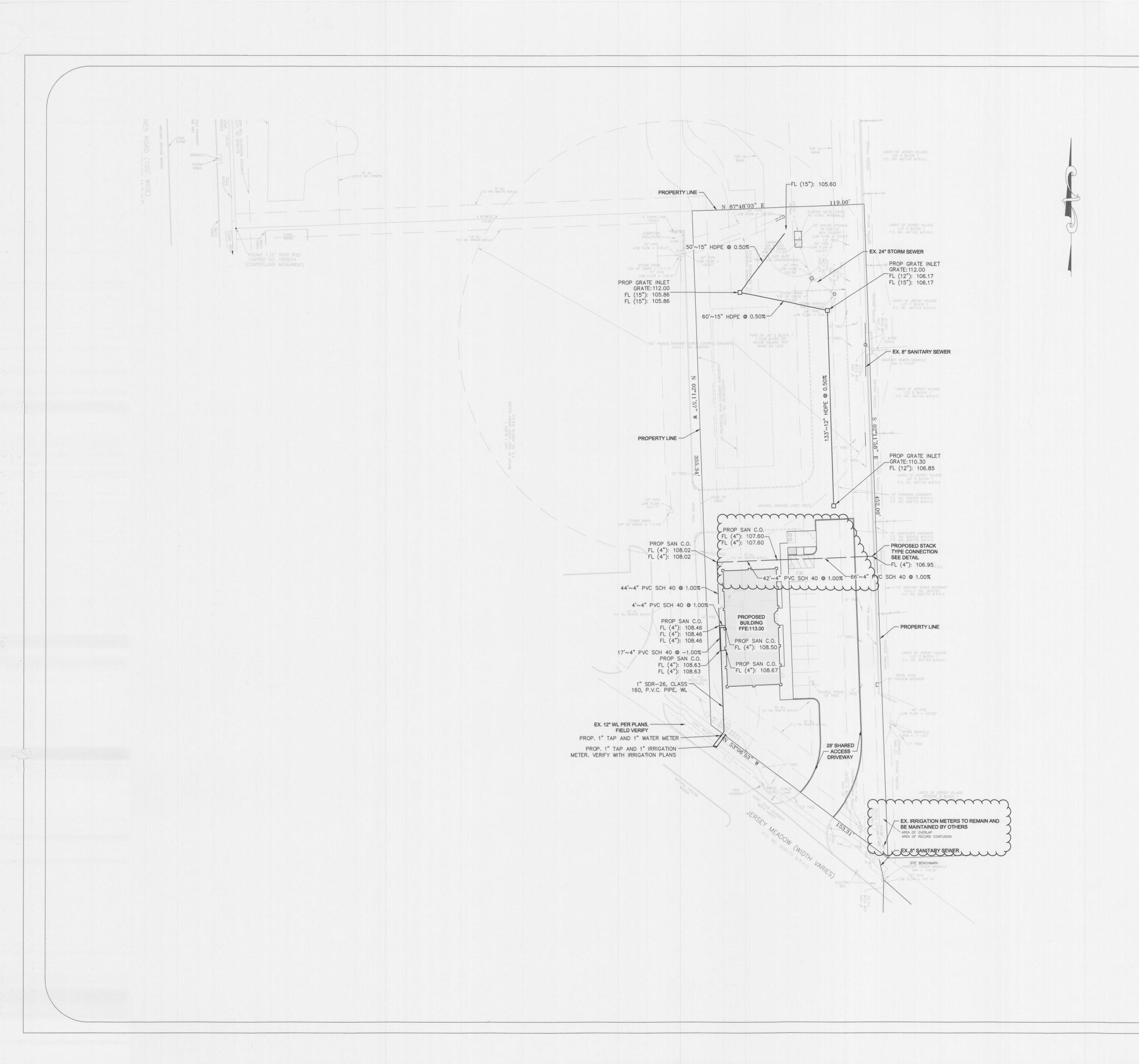
GIVENUNDER my hand and seal of office this 28th day of February 2019.

Lorri Coody, City Secretary, City of Jersey Village

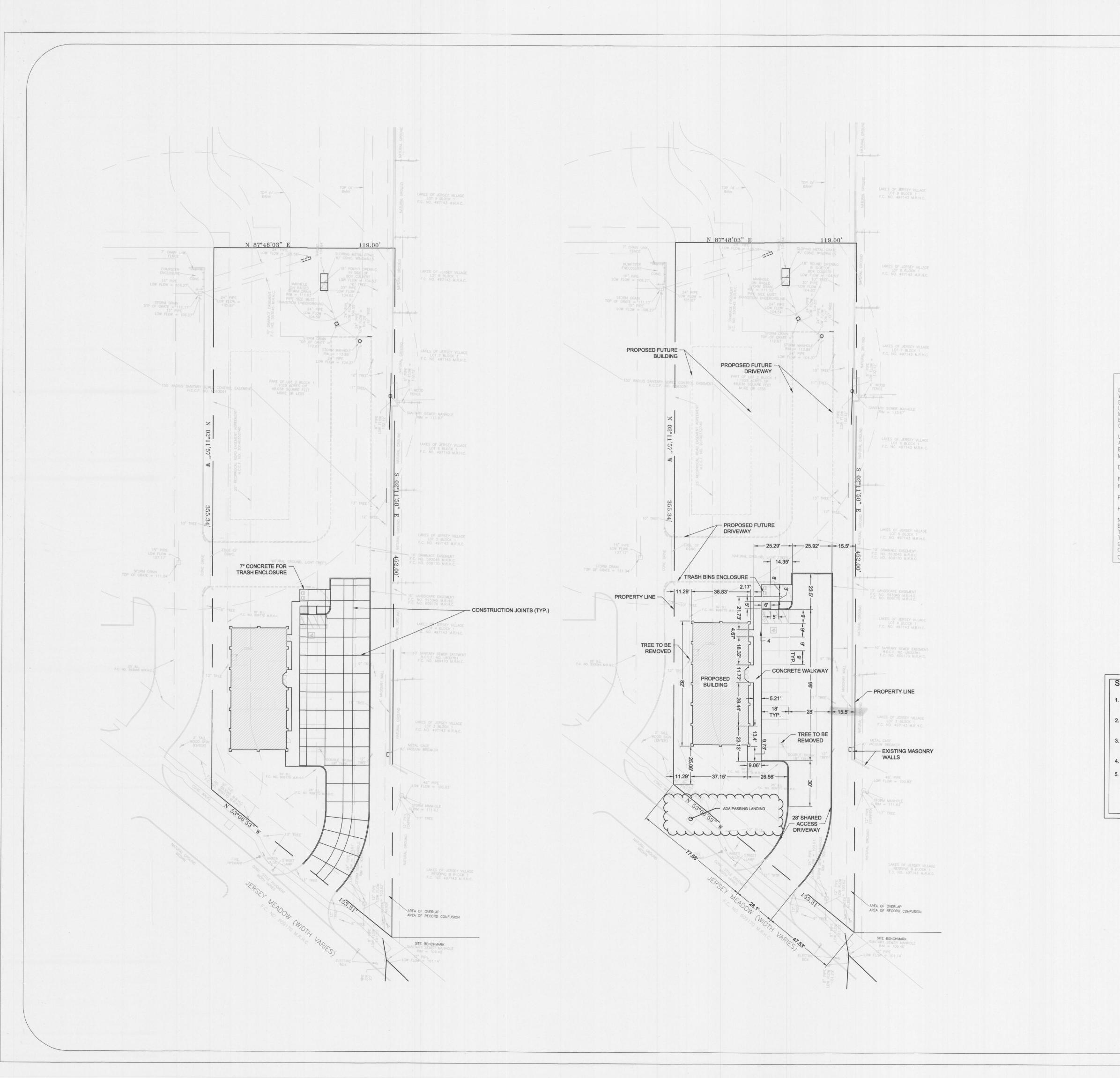




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LEGEND _____ STORM SEWER — — — — — SANITARY SEWER WATER SUPPLY LINE E ---- OVERHEAD ELECTRIC PROPOSED BUILDING × 112.30 EXISTING GRADE W WATER METER EXISTING MANHOLE EXISTING GRATE INLET CJV PERMIT COMMENTS 1/15/18 Revision/Issue **NNE** INC 25422 Alverstone Dr, Katy, TX 77494 PHONE: 281.795.2357 Texas PE Firm Reg. #-12676 SEAL × NIKOLAY N. NIKOLO 98348 11/01/2018 Project Name and Address 18002 BRASS THIMBLE BLDG 17300 Jersey Meadow JERSEY MEADOWS DRIVE, HOUSTON, TX 77064 ____ UTILITY PLAN Project Sheet MMO 001 2018 Date \cap C. 4 10/30/2018 Scale 1"=30'



 TION AT THAT POINT IPTION OF ELEVATION EGEND = = = COVERED COVERED CONCRETE = UTILITY EASEMENT = AERIAL EASEMENT = BUILDING LINE = MAP RECORDS OF HARRIS COUNTY = DEED RECORDS OF HARRIS COUNTY = FILM CODE = FEDERAL EMERGENCY MANAGEMENT AGENCY MANAGEMENT AGENCY MANAGEMENT AGENCY MANAGEMENT AGENCY MANAGEMENT AGENCY = FLOOD INSURANCE RATE MAP = HARRIS COUNTY CLERK'S FILE = NATURAL GROUND = BACK OF CURB = TOP OF BANK = TOP OF BANK = TOP OF BANK = TOP OF BANK = TOP OF BANK = TOP OF BANK = TOP OF BANK	

SHEET NOTES:

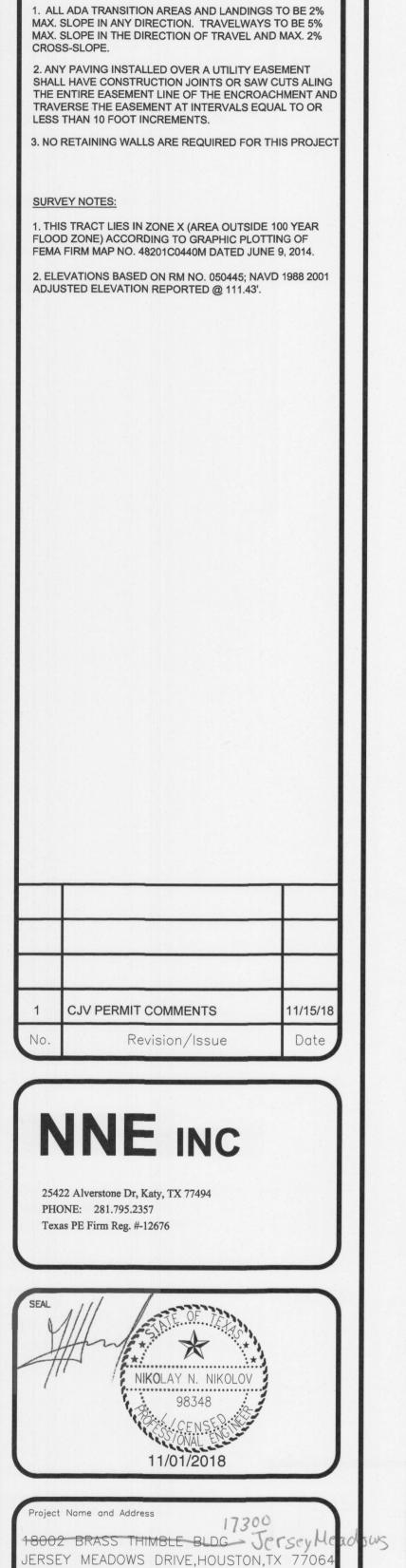
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

2. REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.

3. ALL CURB RADII TO BE 3' (FEET) UNLESS OTHERWISE SHOWN ON PLAN.

4. PROPOSED HANDICAP SIGN SEE PAVEMENT DETAILS.5. EXISTING SURVEY WAS DONE BY B&B SURVEYING, WITH THEIR CONTACT INFORMATION AS FOLLOWS:

> B&B SURVEYING CO. 6652 ANTOINE DRIVE HOUSTON, TEXAS 77091 (713) 942-2000



DIMENSION SITE PLAN

MM 001 2018

10/30/2018

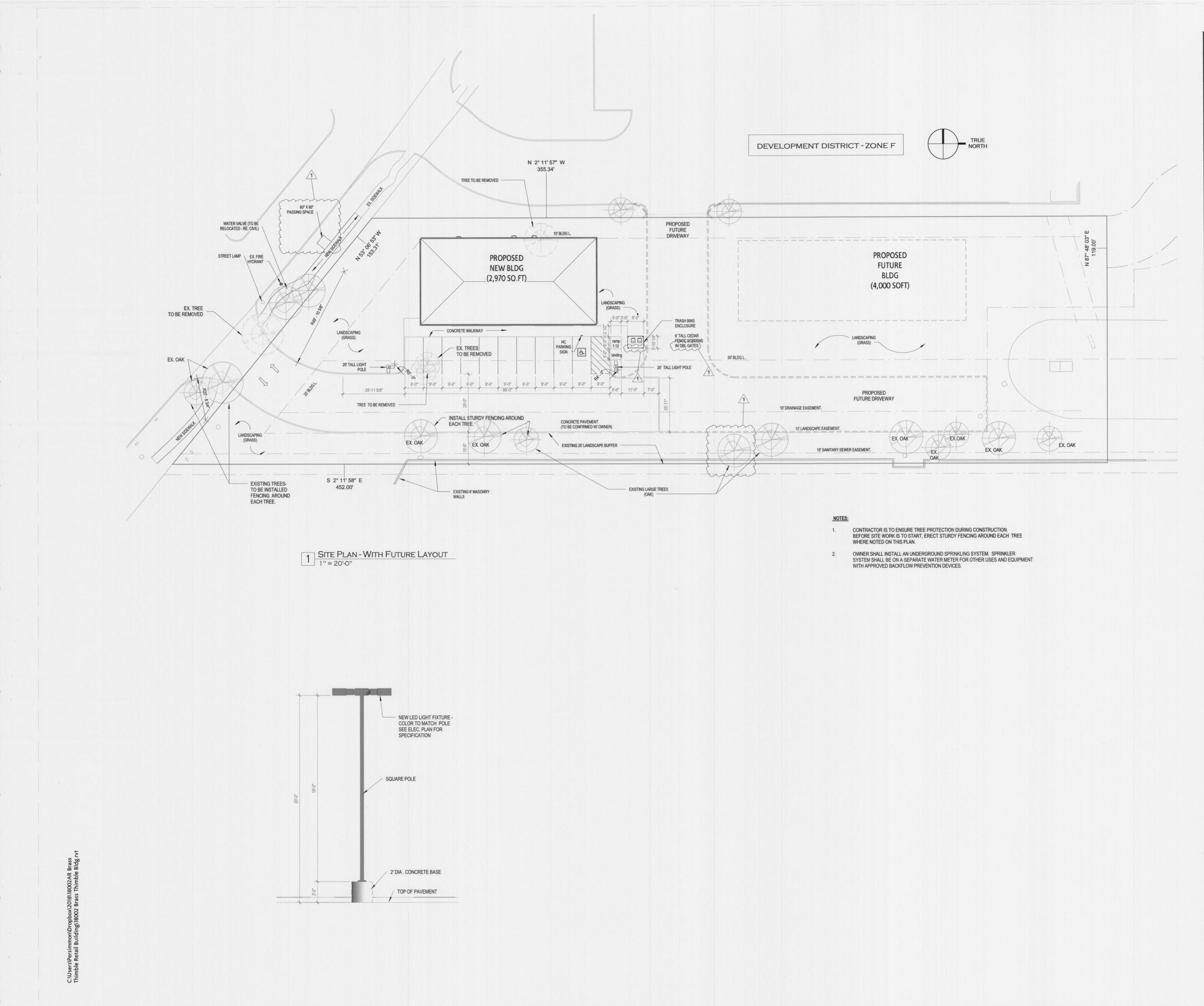
1"=30'

heet

U. /

GENERAL NOTES

OF JERSEY VILLAGE BOARD OF ADJUSTMENT MEETING PACKET FOR MARCH 12



NOTES

Site Plan General Notes:

1. PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ORDINANCES OF LOCAL AND STATE CODES.

2. LOCATION OF EXISTING UTILITIES IS APPROXIMATE. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO DETERMINE EXACT LOCATIONS.

3. ALL DIMENSIONS GIVEN ARE TO FACE OF BUILDING, FRONT SIDE OF CURB, EDGE OF WALK OR CENTER LINE OF PIPE. CONSULT ARCHITECT IF DIMENSIONING IS UNCLEAR OR INSUFFICIENT.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH ALL NECESSARY UTILITY COMPANIES FOR PROVIDING TEMPORARY UTILITY SERVICES DURING CONSTRUCTION.

5. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ANY REQUIRED INSTALLATION OF GAS, CABLE, TELEPHONE AND ELECTRIC LINE WITH APPROPRIATE UTILITY OWNER.

6. INSPECT THE SITE BEFORE BEGINNING OF WORK AND IDENTIFY ANY CONFLICTS OR INCONSISTENCIES BETWEEN THE CONTRACT DOCUMENTS AND EXISTING CONDITIONS.

6. POSITIVE DRAINAGE SHALL BE MAINTAINED ON ALL SURFACE AREAS WITHIN THE SCOPE OF THIS PROJECT. CONTRACTOR SHOULD TAKE PRECAUTIONS NOT TO ALLOW ANY PONDING OF WATER.

SITE NOTES:

1.	TOTAL AREA:		48,037 SQ.FT.			
2.	ZONING:		DISTRICT - F			
3.	SITE RESTRICTIONS :		PER ZONING REGULATIONS OF THE CITY OF JERSEY VILLAGE, CHAPTER 14			
	Α.	MINIMUM BUILDING FRONT: PROVIDED: SIDE: PROVIDED: REAR: PROVIDED:	25' 26.4' 10' 11.4'			
	В.	MINIMUM LOT SIZE:	N/A		PROVIDED:	
	C.	MINIMUM LOT FROM	NTAGE: N	J/A	PROVIDED:	
	D.	MAXIMUM BLDG HE	IGHT: 4	10'	PROVIDED: 14' T.O. PLATE	

E. MAXIMUM FLOOR AREA : 9,000 S.F

SITE COVERAGE: 24% IMPERVIOUS COVER (11,515 S.F.)

PARKING REQUIREMENTS

PARKING ANALYSIS: OFF-STREET PARKING
PARKING TABULATION:
BUSINESS SERVICE - 3.3 SPACES PER 1000 SQUARE FEET OF GROSS AREA
TOTAL REQUIRED PARKING SPACES = 10 SPACES
PARKING PROVIED = 10 SPACES

PROVIDED:

2,970 s.f.

10 TREES REQUIRED

3 REQUIRED

10 OAK TREES

13 EXISTING TREES OF 8" OR LARGER CALIPER

LANDSCAPE REQUIREMENTS

LAND AREA
10% REQUIRED LANDSCAPING48,037 S.F
4,804 S.FLAWN AREA (NOT INCLUDED - LANDSCAPE
ADJACENT TO STREET RIGHT OF WAY)35,331 S.FTOTAL LANDSCAPING PROPOSED35,331 S.F (74%)TREES REQUIREMENTS:35,331 S.F

IN LOT CONTAINING MORE THAN 20,000 S.F AND LESS THAN 100,000 S.F PROJECT PROVIDED

CANOPY TREE

PROJECT PROVIDED

KEYS NOTES X

Project Status NEW RETAIL BUILDING FOR BRASS THIMBLE 17300 Jersey Meadows Dr. Jersey Village, Texas 77065	
<section-header> FOR PERMIT SEPT 10, 2018 LSEUE Date COPYRIGHT 2018 All Right Reserved. These Drawings are instruments of service and are the property instruments of service and are the property orgoduced in any form for any purpose without previous written permission. REVISIONS NO. DATE</section-header>	
1 30 Oct 2018 City Comments City Comments	2718

A-1.0

SHEET ____ OF__

 \mathbf{Y}

CITY OF JERSEY VILLAGE

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

EACH INDIVIDUAL TRADE MUST CALL THEIR OWN INSPECTION

COMMERCIAL BUILDING PERMIT

PERMIT #: 000	0006667	DATE ISSUE	D: 2/04/2019	
JOB ADDRESS: PARCEL ID: SUBDIVISION:	17300 JERSEY MEADOWS	LOT #: BLK #: ZONING:		
ISSUED TO: ADDRESS: CITY, STATE ZIP: PHONE:	BRASS THIMBLE 17300 JERSEY MEADOWS JERSEY VILLAGE TX 77065	CONTRACTOR: ADDRESS: CITY, STATE ZIP: PHONE:	BRASS THIMBLE 17300 JERSEY MEADOWS JERSEY VILLAGE TX 77065	
STRUCTURE USE: FLOOR AREAS; LIVING SPACE BASEMENT/ST GARAGE: DECKS: PORCHES: OTHER: TOTAL AREA: STRUCTURE AREA:	2,970.00	VALUATION: IMPERVIOUS SURF. GARAGE: DRIVEWAYS: PORCH/WALK: OTHER: TOTAL: PERCENTA	\$ 250,000.00 ACES: GE OF SITE:	
FEE CODE BLD10 BLD12 IMPACT01 IMPACT02 PR15	DESCRIPTION RES/COMM NEW/REMODEL 100,001-50 ZONING DISTRICT CRITERIA REVIEW IMPACT WATER 1 SERVICE UNIT IMPACT WASTE 1 SERVICE UNIT PLAN REVIEW COMMERCIAL		TOTAL	AMOUNT \$1,137.50 \$ 10.00 \$7,827.30 \$2,778.30 \$ 445.50 \$12,198.60
IMPACT01 IMPACT02	IMPACT WATER 1 SERVICE UNIT IMPACT WASTE 1 SERVICE UNIT		TOTAL RECEIPTS	\$7,8 \$2,7 \$ 4

CONDITIONS:

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

Monreo 5 (SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT) PPROVED BY

214119 DATE 214110

BALANCE

\$10,605.60



CITY OF JERSEY VILLAGE BOARD OF ADJUSTMENT ORDER NO. 2019-01

Final Order On An Appeal That Alleges Error In A Decision of An Administrative Official in the Enforcement of the City's Zoning Ordinances at <u>17300 Jersey Meadow Drive, Jersey Village, Texas</u>

1. On March 12, 2019, the Zoning Board of Adjustment of the City of Jersey Village, Texas, (the "Board") met to consider an appeal filed by James & Deborah (Gilchrist) Finlay ("Applicant") alleging error in one or more decisions of the administrative officials of the City in the enforcement of the City's zoning ordinances at 17300 Jersey Meadow Drive, Jersey Village, Texas., also known as Lots 1 and 2, Gulf Coast Jersey Village (the "Property"). In particular, Applicant alleges that the administrative officials incorrectly determined the side lot line of the Property, thus applying incorrect setbacks to the construction of improvements on the Property.

2. In particular, Applicant alleges an error in the application of Jersey Village Code of Ordinances Section 14-88(a)(18) and (a)(19) which read as follows:

"14-88. - Regulations that apply to all districts.(a)

(a) General regulations.

(18) Buffering. Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below. Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas. Bufferyards shall be provided according to the standards provided in Example <u>14-7</u>. See also sections <u>14-310</u> and <u>14-311</u> for landscaping standards. These regulations shall not apply in District D.

(19) Screening.

a. For development of nonresidential lots directly abutting and adjacent to residential lots, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential lots; provided, however, where a masonry wall has been constructed in a residential

subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

b. All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

c. No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

d. The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

e. Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

f. Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

g. If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

h. The use of barbed wire, razor wire or any other similar material is not allowed.

These regulations shall not apply in District D."

3. Applicants allege that the error in the application of the ordinances arises from the use of site plans that incorrectly state the east boundary line of the Property. Applicants claim to own all the property east of a masonry fence that lies approximately two (2) feet west of the property line claimed by Owner and used by the City's administrative officials to determine the setback line for the Property.

4. The Property is owned by E. Seattle Plaza, LLC ("Owner"), whose business address is 9818 Sandtown Circle, Houston, Texas.

5. Applicants own Lot 3, Block 1, Lakes of Jersey Village, also known as 30 Cherry Hills Drive, which lot immediately abuts the Property on the east property line of the Property.

6. After due notice to the parties in interest, the Board conducted a public hearing to decide the Applicant's appeal. All persons present were permitted to participate in the public hearing.

7. The Board, having considered the evidence and arguments presented, is of the opinion that the appeal of Applicant should be denied because the administrative officials of the City did not make an error in their decisions regarding the enforcement of Sections 14-88(a)(18) and 14-88(a)(19) of the zoning ordinances of the City.

8. In addition the Board makes the following findings and decisions:

A. (A.1) On May 3, 2018, Owner presented the earliest site plans to the City prepared by Nikoly N. Nikolov, a registered professional engineer, showing a masonry fence encroaching upon the Owner's Property.

(A.2) The administrative officials of the City reasonably relied upon site the plans of the Owner showing a masonry fence encroaching upon the Owner's Property.

(A.3) On January 10, 2019, the City issued Owner a Phase I permit to construct site improvements consistent with the site plans (Grading, Drainage and Utility and Dimension Site Plans) with the last revision dated of 11/15/2018. There were also Architectural Site Plans therein dated 11/23/2018.

B. The administrative officials of the City do not have authority or jurisdiction to determine a boundary line dispute.

C. The Board does not have authority or jurisdiction to determine a boundary line dispute. This decision of the Board does not alter or change any boundary lines or ownership of real property owned by Applicant, Owner or others.

D. The Owner shall maintain the existing fence.

E. Additionally, the Owner shall provide the Applicant reasonable access to maintain the existing fence.

F. Applicants are not aggrieved by the decision of the administrative official because the Applicants have no property interest in the City's bufferyard and screening requirements provided for by Section 14-88.

G. The Applicants appeal is not timely because it is filed more than thirty (30) days after the decision of the City's zoning administrator approving the site plans.

9. In exercising its authority in this appeal, the Board may reverse, affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and may make the correct order, requirement, decision or determination, and for that purpose has the same authority as the administrative official. The concurring vote of 75 percent of the members of the Board is necessary to: (1) reverse an order, requirement, decision, or determination of an administrative official; or (2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance.

10. All other relief not granted is denied.

Chairman, Board of Adjustment City of Jersey Village, Texas

Date of Signature: _____

This written decision is filed in the office of the Board in accordance with Texas Local Government Code Section 211.011(b) on ______, 2019.

Lorri Coody, Board Secretary

4

CHAIRMAN

Script for BOA Public Hearings on March 12, 2019

Read Item D on the Agenda and <u>confirm that all meeting posting</u> <u>requirements have been met</u> - 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 James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.

Call the first person signing up to speak.

(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 James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.

BOARD OF ADJUSTMENT CITY OF JERSEY VILLAGE, TEXAS AGENDA REQUEST

AGENDA DATE: March 12, 2019 AGENDA ITEM: D1

AGENDA SUBJECT: Discuss and take appropriate action on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.

Department/Prepared By: Christian Somers, Building Official & Scott Bounds, Olson & Olson, LLP

EXHIBITS: Application and Other Documents Included in PH Item

BACKGROUND INFORMATION:

James and Deborah (Gilchrist) Finlay filed a request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.

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

The Board, in making its decision on this request for appeal, may reverse, affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and may make the correct order, requirement, decision or determination, and for that purpose has the same authority as the administrative official.

RECOMMENDED ACTION:

Discuss and take appropriate action on James and Deborah (Gilchrist) Finlay's request for an appeal of the City of Jersey Village's decision that the 15' wide landscaping buffer yard along 54.15 lineal feet contiguous to Lot 3, Block 1, Lakes of Jersey Village was acceptably delineated within the approved construction documents and in accordance with Section 14-88(a)18 and Section 14-88(a)19(a) of the Jersey Village Code of Ordinances, for the property located at 17300 Jersey Meadow Drive, Jersey Village, Texas.