AGENDA
MONDAY JUNE 6, 2022
BOARD OF ADJUSTMENT
7:00 P M
TAB
JUNE 6, 2022

BOARD OF ADJUSTMENT MEETING

## 1. CALL TO ORDER MEETING

1.1 Roll Call

## 2. ACTION ITEMS:

## 2. ACTION ITEM:

2.1 Administer Oaths of Office for two (2) Alternate Board of Adjustment Member for a term of two (2) years
2.2 Approving the Minutes for the Board of Adjustment Meeting of February 24, 2020.

## 3. PUBLIC HEARING - 7919 HILSHIRE GREEN

The Board will hold a public hearing on Case Number BOA-22-001: A request by John and Courtney Chenoweth, at 7919 Hilshire Green. They are requesting to allow an expansion to a detached garage with a 5' side yard setback where 10' setback is required and to allow the expansion of said detached garage to be located within 3 feet of the main building. The original house was built in accordance to the Zoning Ordinance in effect at the time of construction.

## 4. ACTION ITEMS:

4.1 Board Discussion and Possible Action to grant a variance to Section 12:02:04 of the City's Zoning Ordinance to allow the expansion a detached garage with a 5' side yard setback where 10' setback required
4.2 Board Discussion and Possible Action to grant a variance to Section 02:G-03 of the City's Zoning Ordinance to allow the expansion of a detached garage to be located within 3 feet of the main building.

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## 4. ANNOUNCEMENTS

## 5. ADJOURNMENT

NOTE: Agenda items may not necessarily be considered in the order that they appear. With regard to any item, the Committee may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time.

NOTE: IN THE EVENT A QUORUM OF THE BOARD OF ADJUSTMENT IS NOT PRESENT, THE REPORTING MEMBERS WHO ARE PRESENT WILL MEET AS A SUB-COMMITTEE, FOR DISCUSSION PURPOSE ONLY, REGARDING THE ABOVE AGENDA ITEM(S).

I, Susan Blevins, do hereby certify that the above Notice of Meeting and Agenda for the Board of Adjustment of the City of Hilshire Village was posted in a place convenient and readily accessible at all times to the general public in compliance with Chapter 551, TEXAS GOVERNMENT CODE, June 1, 2022 @ 9:30 PM.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative service must be made 48 hours prior to this meeting. Please contact the City Hall at 713-973-1779 or FAX -713-973-7793 for further information.

## Cover Letter

May 10, 2022

Dear City of Hilshire Village Board of Adjustment,
In this package we have included the following materials to apply for two (2) variance approvals for our proposed home addition at 7919 Hilshire Green Drive:

- Applications for Variance Approvals
- Ordinance 12:02:04 - Side yard set back
- Ordinance 02:G-03 - Detached garage
- Justification Letter (applicable to both variance requests)
- Disapproval Letter from Building Officials
- Existing and Proposed Home Designs
- Support Letters from our Neighbors

Thank you for your time and consideration. Should you need any additional information, please



John \& Courtney Chenoweth


APPLICATIONFOR APPEAL:
Appeal No. $\qquad$
Date Filed: $\qquad$
Fee Paid: $\qquad$
Date Hearing Advertised: $\qquad$
Date Notice Mailed: $\qquad$
Date of Hearing: $\qquad$
BOARD OF ADJUSTMENT
CITY OF HILSHIRE VILLAGE, TEXAS
8301 WESTVIEW
Houston, Texas 77055
(I) (WE) John \& Courtney Chenoweth

OF 7919 Hilshire Green Dr. TEL NO 832-715-1530

Mailing Address: 7919 Hilshire Green Dr. Houston, TX 77055
REQUEST THAT A DETERMINATION BE MADE BY THE BOARD OF ADJUSTMENT ON THE FOLLOWING REQUEST(S).
( ) An interpretation - DECISION MADE BY CITY OFFICIAL ON DATE $\qquad$ .
( ) A special exception - SECTION 90.04 SUBSECTION $\qquad$ OF THE ZONING ORDINANCE.
(X) A variance - TO SECTION 12 , SUBSECTION 02 , PARAGRAPH 4 , SUB-PARAGRAPH, N/A , ITEMSide-yard, OF THE ZONING ORDINANCE.

WE SPECIFICALLY REQUEST:(State specific request below or attach an addendum) This is a request for an expansion of an existing 2 nd floor of a detached garage at the existing side-yard setback of the garage and 2nd floor.

THE DESCRIPTION OF THE PROPERTY IN THIS APPEAL IS AS FOLLOWS:
Location: 7919 Hilshire Green Dr.
Zoning District (R-1) (R-2) (R-3) (R-4) (C-1) (C-2)
(Circle Appropriate One)
Lot Size: 8321 sq ft.
Present Use: HOMESTEAD
Present Improvements upon Land: Home with concrete driveway
Proposed Use or Improvements: Addition to primary dwelling for additional living space

WHAT IS THE APPROXIMATE COST OF THE WORK INVOLVED (IF ANY)?
$\sim \$ 150,000-\$ 170,000$
WHAT IS THE APPLICANT'S INTEREST IN THE PREMISES AFFECTED?
OWNER $\qquad$ (OWNER, AGENT, LESSEE, ETC.)
HAS ANY PREVIOUS APPLICATION FOR APPEAL BEEN FILED IN CONNECTION WITH THESE PREMISES?

Yes $\qquad$ NO X

I (OR WE) BELIEVE THAT THE BOARD SHOULD APPROVE THIS REQUEST BECAUSE: (State the grounds for appeal, or reasons both with respect to law and fact for granting the appeal or special exception or variance, and if hardship is claimed, state the specific hardship)
Please refer to the amended justification letter included in this package.
We have also included letters from my neighbors expressing their support for our proposed addition for your reference.

As requested, we have included the names and addresses of our neighbors with property approximately $\sim 200$ feet from our property.

# ATTACH NAMES AND ADDRESSES OF OWNERS OF PROPERTY WITHIN A DISTANCE OF TWO HUNDRED FEET (200 FEET) FROM THE EXTERIOR LIMITS (North, South, East and West) are listed below and on addendum attached (if necessary), which is attached to and considered part of this application). (a letter will be prepared and mailed out by the City Office) 

I hereby certify that all of the above statements and the statements contained in any


Date_05/04/2022

NOTE: This application must be filled out by applicant with 12 duplicate copies. The original shall be deposited with the City Secretary (with a check to cover the advertising cost plus $\$ 25.00$ filing fee). A copy of the plan of real estate affected showing location and size of lot, the size of improvements now erected or proposed to be erected, or other change desired, together with any other information pertinent to the appeal or required by the Board of Adjustment, must be attached to each copy of this application. If more space is required, attach a separate sheet to each copy of this application and make specific reference to the question being answered.

APPLICATION FOR APPEAL:Appeal No.
$\qquad$ Date Filed: $\qquad$ Fee Paid:Date Hearing Advertised:
$\qquad$ Date Notice Mailed: $\qquad$ Date of Hearing: $\qquad$
BOARD OF ADJUSTMENT
CITY OF HILSHIRE VILLAGE, TEXAS
8301 WESTVIEW
Houston, Texas 77055
(I) (WE) John \& Courtney Chenoweth
OF 7919 Hilshire Green Dr.TEL NO 832-715-1530
Mailing Address: 7919 Hilshire Green Dr. Houston, TX 77055
REQUEST THAT A DETERMINATION BE MADE BY THE BOARD OFADJUSTMENT ON THE FOLLOWING REQUEST(S).
( ) An interpretation - DECISION MADE BY CITY OFFICIAL ON DATE $\qquad$ .
( ) A special exception - SECTION 90.04 SUBSECTION $\qquad$ OF THE ZONING ORDINANCE.
(X) A variance - TO SECTION 02 , SUBSECTION G , PARAGRAPH 03_, SUB-PARAGRAPH, N/A , ITEMGarage, Detacher, OF THE ZONING ORDINANCE.

WE SPECIFICALLY REQUEST:(State specific request below or attach an addendum) This is a request for an expansion of the existing 2 nd floor of a detached garage with living space to have less than a three-foot setback from the existing home.

THE DESCRIPTION OF THE PROPERTY IN THIS APPEAL IS AS FOLLOWS:
Location: 7919 Hilshire Green Dr.
Zoning District (R-1) (R-2) (R-3) (R-4) (C-1) (C-2)
(Circle Appropriate One)
Lot Size: 8321 sq ft .
Present Use: HOMESTEAD
Present Improvements upon Land: Home with concrete driveway
Proposed Use or Improvements: Addition to primary dwelling for additional living space

# WHAT IS THE APPROXIMATE COST OF THE WORK INVOLVED (IF ANY)? - \$150,000-\$170,000 

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WHAT IS THE APPLICANT'S INTEREST IN THE PREMISES AFFECTED? OWNER
``` \(\qquad\)
``` (OWNER, AGENT, LESSEE, ETC.)
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## HAS ANY PREVIOUS APPLICATION FOR APPEAL BEEN FILED IN CONNECTION WITH THESE PREMISES?

Yes $\qquad$ NO X

I (OR WE) BELIEVE THAT THE BOARD SHOULD APPROVE THIS REQUEST BECAUSE: (State the grounds for appeal, or reasons both with respect to law and fact for granting the appeal or special exception or variance, and if hardship is claimed, state the specific hardship)
Please refer to the amended justification letter included in this package.
We have also included letters from our neighbors expressing their support for our proposed addition for your reference.

As requested, we have included the names and addresses of our neighbors with property approximately $\sim 200$ feet from our property.

ATTACH NAMES AND ADDRESSES OF OWNERS OF PROPERTY WITHIN A DISTANCE OF TWO HUNDRED FEET (200 FEET) FROM THE EXTERIOR LIMITS (North, South, East and West) are listed below and on addendum attached (if necessary), which is attached to and considered part of this application). (a letter will be prepared and mailed out by the City Office)

I hereby certify that all of the above statements and the statements contained in any


Date 05/04/2022

NOTE: This application must be filled out by applicant with 12 duplicate copies. The original shall be deposited with the City Secretary (with a check to cover the advertising cost plus $\$ 25.00$ filing fee). A copy of the plan of real estate affected showing location and size of lot, the size of improvements now erected or proposed to be erected, or other change desired, together with any other information pertinent to the appeal or required by the Board of Adjustment, must be attached to each copy of this application. If more space is required, attach a separate sheet to each copy of this application and make specific reference to the question being answered.

John \& Courtney Chenoweth
7919 Hilshire Green Dr. Houston, Texas 77055

## Justification Letter

May 10,2022

Dear City of Hilshire Village Board of Adjustment,

In March 2022 we attended a pre-development meeting with Mr. Javier Vasquez (City Engineer) and Mr. Evan DuVall (Deputy Building Official) to discuss the proposed addition (the "Proposed Addition") to our home at 7919 Hilshire Green Drive. After reviewing our plans Mr. Vasquez and Mr. DuVall concluded that, with respect to the Proposed Addition, (i) the impervious-coverage ratio on our property would remain compliant with applicable ordinances, (ii) the engineering designs, including drainage, would comply with applicable ordinances, and (iii) with the exception of the two ordinances discussed below, the design of the Proposed Addition would comply with applicable ordinances. Mr. DuVall thus recommended that we request two variances to then proceed with the permitting process. .

This letter sets forth our legal and factual grounds for appeal and why we are requesting a variance to the Hilshire Village, Texas - Code of Ordinances (the "Ordinances"). We are requesting a variance to (a) Ordinance 12:02:04, from a required 8 -foot setback to 5 -foot setback, and (b) Ordinance 02:G-03 so we can attach the proposed structure to our existing structure.

Requested variance to Ordinance 12:02:04: We purchased our home in February 2022 because we love the neighborhood and the surrounding community. We felt it was a wonderful home in which to raise our two young children. But when we discovered that we'd be having a third child, we immediately felt that we would soon outgrow our home, especially because we both work from home. Instead of moving, we decided to expand our existing living area, and therefore devoted a substantial amount of time, energy, and money developing our building plans. We strongly believe the Proposed Addition will complement the existing aesthetic appearance in the neighborhood (in fact, we designed it with that specific purpose in mind). Our seven neighbors feel the same way. I have included a copy of their letters with my application; I believe some of them have sent a copy directly to the Board.

Moreover, the Proposed Addition will remain consistent with the building line set back requirements (as applied to the side property line) when the Ordinances were place in 1977-when our home was built. In addition, the existing two-story garage apartment on our property sits five feet from our side lot line; the Proposed Addition will remain consistent with the five-foot setback.

Finally, if the Proposed Addition were installed at an 8 -foot setback (as required by the Ordinance), we would need to install a structural pillar 3 feet towards the middle of our driveway. This would render half of our driveway unusable for vehicle access in and out of our garage.

Requested variance to Ordinance 02:G-03: We wish to attach the Proposed Addition to the roof of the existing structure for several reasons:

First, attaching the Proposed Addition to the main structure would not impact the required impervious percentage ranges, as the addition will be built over our existing driveway (which already counts towards the impervious requirements).

Second, attaching the Proposed Addition to the existing structure will allow us to use and enjoy the additional space as intended (a bedroom). If the two Ordinances in issue were applied as written, two sides of the proposed structure would be reduced by 3 feet each, resulting in a loss of $\sim 90$ square feet. As a result, the bedroom would be an irregular shape, making it difficult to orient furniture in the space.

Third, attaching the Proposed Addition to the roof of the existing structure will maintain the symmetry of elevation design on our property. This will not only enhance the aesthetics of our property, but also increase the value of our property, our street, and Hilshire Village.

Finally, as discussed above, if the proposed addition were installed as a detached structure, it would require us to install a structural pillar 3 feet towards the middle of the driveway. This would render half of our driveway unusable for vehicle access in and out of our garage.

Conclusion: For the reasons above, we do not believe the two requested variances are contrary to any known public interest. Indeed, a variance would respect our rights as property owners; and by the same token, our neighbors have expressed support. Literal enforcement of the Ordinances would result in unnecessary hardship on our (growing) family because we do not feel that the existing structure could comfortably accommodate a family of five (especially during gatherings with extended family). We have invested a substantial amount of time and resources preparing the plans for the Board's consideration. Given the rather de minimis impact of the two requested variances, we strongly believe that the spirit of the Ordinances will be observed, and substantial justice will be done.

Thank you for your consideration.

Neighbors Names \& Addresses
Neighbors within Approximately 200 ft of property
Note: Names were pulled from HCAD.
Glennie Scott Allen
7923 Hilshire Green Dr.
Houston TX. 77055
Sushanta \& Minakshi Ghosh
7922 Hilshire Green Dr.
Houston TX, 77055
Fred \& Joann Buri
7918 Hilshire Green Dr.
Houston TX, 77055
John \& Cathy Shamon
7914 Hilshire (ireen Dr.
Houston TX, 77055
Ben \& Megan Carey
7910 Hilshire Green Dr.
Houston TX, 77055
Jerry G Bridges
7915 Hilshire Green Dr.
Houston TX, 77055
Boyd Consuelo
7911 Hilshire Green Dr.
Houston TX. 77055

## Matthew \& Mendie Elliot

9 Hilshire Oaks Ct.
Houston, TX 77055

## Ignacio \& Cynthia Pujol

10 Hilshire Oaks Ct.
Houston, TX 77055

## Matthew \& Chloc Butts

12 Hilshire Oaks Ct.
flouston. TX 77055

Other neighbors on Street (Hilshire Green Dr.)
Note: Names were pulled from HCAD.

Huy Bui
7906 Hilshire Green Dr.
Houston TX. 77055

Khoi \& Linda Luu
7907 Hilshire Green Dr.
Houston, TX 77055

Sid \& Florence Rewari
7902 Hilshire Green Dr.
Houston, TX 77055

Michael \& Susan Autenreith
7903 Hilshire Green Dr.
Ilouston. TX 77055

## bBGCONSUlting. Inc.

| Project Address |  |
| :--- | :---: |
| Date | 7919 Hilshixe Green |
| Flood Plain | April 13,2022 |
| Zoning Map | Zone X |

## Plans are disapproved with the following comments:

1. Revise plans to show an eight-foot side-yard setback according to 12:02:04.

12:02:04 Side yard building setbacks:
Eight (8) feet from any side lot line;
2. Revise plans to show a three-foot setback between the main structure according to 02:G-03.

02:G-03 Garage, detached: "Detached garage" shall mean a garage which is not an attached garage; provided, further, a detached garage shall not mean or include a carport. No wall of a detached garage shall be located less than three (3) feet from an outside wall of the main building. A detached garage may be connected to the main building by a walkway covering; provided, however, such covering shall not be more than six (6) feet in width. Any garage or projection thereof located within less than three (3) feet of the main building or any projection thereof shall be deemed to constitute a portion of such main building.
3. Revise plans to not increase the number of bathrooms within this accessory building.







April 21, 2022

## To: Hilshire Village Board of Adjustments

Re: Proposed addition to 7919 Hilshire Green Dr.
From: John and Cathy Shannon
7914 Hilshire Green Dr.

## Dear Board:

We ask that you approve the plans submitted for the addition to the property at 7919 Hilshire Green Dr. We have seen the proposed plans and have no objection to their approval. The planned addition is attractive and will fit in well with our neighborhood.

Sincerely,

## John \& Cathy Shannon



Wharf t ur?

Hilshire Village Board of Adjustments
8301 Westview
Houston, TX 77055

Dear Board Members.
Mr. John Chenoweth and his family, living at $791 \%$ Hilshire Green Dr., have informed me of their plans to expand their house on the west side. Patricia and I live at 7915 Hilshire Green Dr. which is the next home on the east side of their house. We appreciate the opportunity to provide the Board our opinion in regard to their plans. We have no objection to their home expansion and cannot see where it would interfere with the homes, including ours, on Hilshire Green Drive.

Should the Board desire additional information please feel free to contact me.
Sincerely,


Jerry G. Bridges
Tel: 713-906-3705

April 21, 2022

To whom it may concern:
Board of Adjustments and/or City of Hilshire Village
1 am the owner of my home and property at 7923 Hilshire Green Dr., to the west side of the home of John and Courtney Chenoweth at 7919 Hilshire Green Dr.

I understand that, due to another expansion of their family, they need to extend their home from their garage and the space above toward the north to accommodate a new bedroom. on the west side of their home.

I have no objections to that plan, as John has described it to me. It will not interfere in any way with my use of my home, yard, or driveway, provided the contractors and workman do no use my parking spaces.

The Chenoweths are delightful neighbors and positive additions to our street. I would hate to see them have to leave to accommodate their need for addilional space.

Sincerely,

Glennie Scott Allen
cl: 713-419-3818
ho: 713-468-3635
glenniepiano@aol.com

## To whom it may concern,

My name is Andy Carey and I live at 7910 Hilshire Green, on the north side of Hilshire Green two doors to the east of John Chenowith's residence at 7919 Hilshire Green. I have served on City Council since the Fall of 2020 and participated in Planning and Zoning meetings from the same time through December of 2021. I have been a resident on Hilshire Green since 2014.

John has reached out for guidance on his desire to extend the living area above his garage which would require an additional 450 square feet to be added to his existing square footage. I have advised John to work with the city and then seek a variance from the Board of Adjustments which to date, from my understanding, he has.

I am writing this letter to express support for John's home renovation project. As we've discussed on numerous occasions in City Council meetings the overall state of Hilshire Green is sub par compared to the remaining village. I believe that any effort to uplift the street's cosmetics within reason should be welcome and encouraged by Hilshire Village. Furthermore, I believe that new investment into our city's real estate supports neighborliness, civic interaction, and promotes a positive neighborhood identity. I remain excited by John's project and fully anticipate more change for Hilshire Green in the near future given the underlying land value relative to the state of several existing homes.

Should you like to discuss in more detail please feel free to reach out. My mobile number is 713.885 .8272 .

Kind regards,
Andy Carey

# Michael Autenreith \& Susan Oehl-Autenreith 

7903 Hilshire Green Dr.
Houston, TX 77055

April 23, 2022

Dear City of Hilshire Village Board of Adjustment,

My wife and I wholeheartedly support the residential addition project proposed by John \& Courtney Chenoweth, who reside at 7919 Hilshire Green Drive.

The addition they are proposing would further enhance our street. If the project was to be built in conformity with the current ordinances, a potential detriment - or, "eye sore" if you will - might present an issue for our fellow neighbors. We firmly believe that enhancing and/or keeping symmetry with the existing structure as much as possible will result in the greatest benefit for our street and Hilshire Village. So, it is our humble request that the Board take swift action to issue variance approval for the Chenoweth's project.

It is our understanding that each project stands on its own. Meaning, if the Board approves a variance for the Chenoweth project, such approval in this singular circumstance would not necessarily commit the Board to take further action to amend the ordinances, nor would it create precedent to grant other requests for variance approval in the future.

We are extremely fortunate to have the Chenoweth's as neighbors. Please join us in helping them expand their home to support their growing family in this wonderful City of ours!


## Dear City of Hilshire Village Board of Adjustments,


#### Abstract

Sid and I wanted to reach out to let you know that we have spoken with our neighbors John \& Courtney Chenoweth who live at 7919 Hilshire Green Dr. and we are supportive of the residential addition project that they are proposing which involves the expansion of their second story over their existing driveway.

The addition they are proposing would further enhance our street and improve the value of the neighborhood. We understand that one of the variances they are requesting an exception for is regarding the distance of the new structure from their side property line. We have a concern that if the new structure were built line with the ordinance requiring it to be 8 ft from their property line that it would be value decretive for our street and the neighborhood. We believe that the proposal to enhance their home while keeping symmetry with the existing structure as well as improving other aesthetic aspects will result in the greatest benefit for our street and Hilshire Village.


We hope you join us in supporting the Chenoweth's expand their home to support their growing family.
Thank you for your consideration.


## Sid \& Florence Rewari

$4 / 27 / 22$

## 832-623.4971

sREwARI@GMAIL.com

