

**MAYOR**  
*Jim Pappas*

# CITY OF HUNTERS CREEK VILLAGE

**CITY COUNCIL**  
*Stuart Marks*  
*Fidel Sapien*  
*Linda Knox*  
*Chip Cowell*  
*Jay Carlton*



**CITY ADMINISTRATOR**  
*Tom Fullen, MPA, CPM*

## **PLANNING AND ZONING COMMISSION MEETING AGENDA**

Notice is hereby given of a regular meeting of the Planning and Zoning Commission of Hunters Creek Village, Texas, to be held on **Monday, August 1, 2022 at 6:00 p.m.** in the City Hall at #1 Hunters Creek Place, for the purpose of considering the following agenda items.

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- A. Call the meeting to order and the roll of appointed officers will be taken.
- B. **PUBLIC HEARING** Public hearings will be held before the Planning & Zoning Commission for the purpose of receiving testimony for or against the following proposed zoning amendments.
1. A proposal to amend the zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods of less than 30 consecutive days.
- C. **AGENDA ITEMS**
1. Discussion and possible action to consider approval of the minutes of the July 11, 2022 meeting.
  2. Discussion and possible action to make a final report and recommendation to City Council on amending the zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods of less than 30 consecutive days.
  3. Discussion and possible action to consider any future agenda items.
- D. Adjourn Open Meeting.
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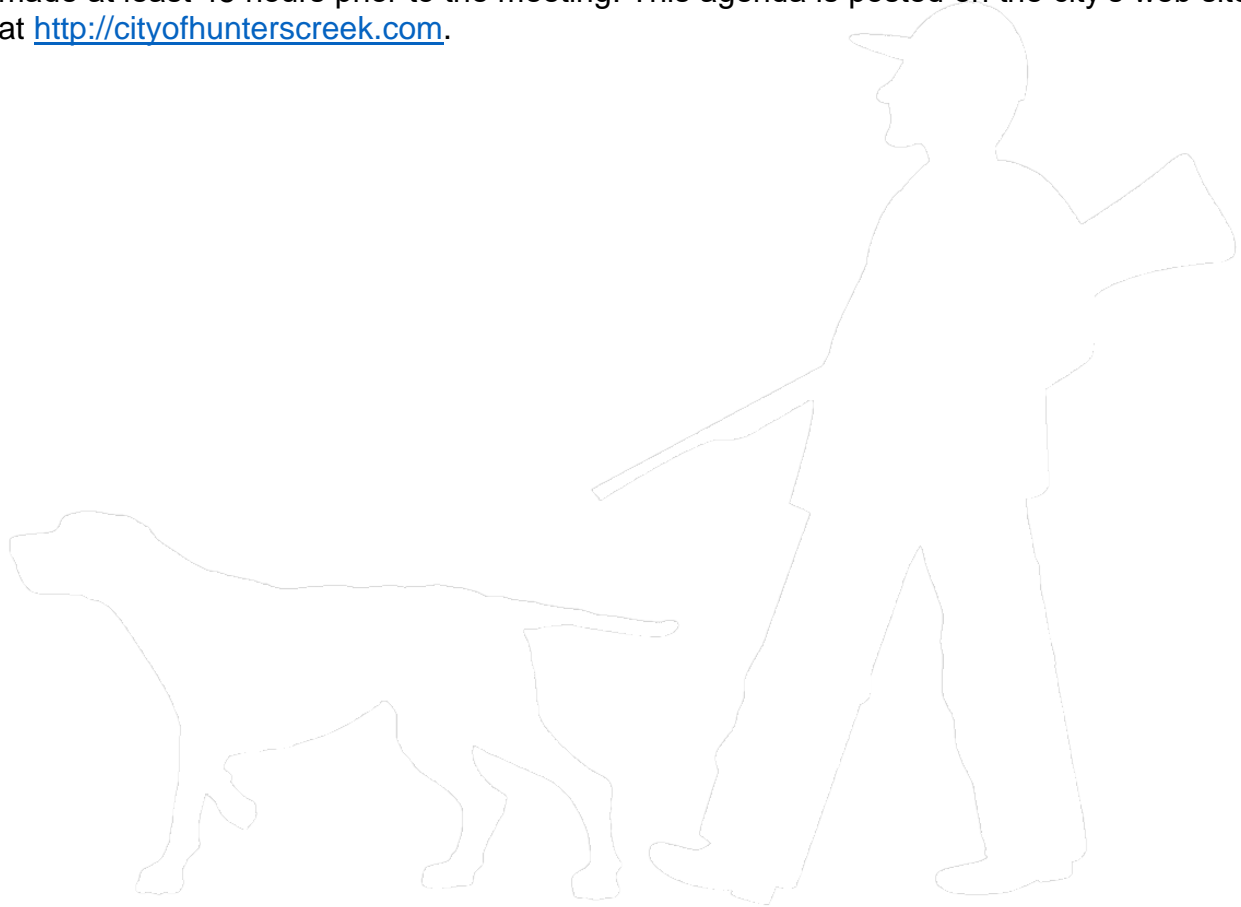
### **CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of a Meeting was posted on the bulletin board at City Hall, #1 Hunters Creek Place, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: July 28, 2022 at 3:30 pm, and remained so posted continuously for at least 72 hours before said meeting was convened.

/s/

Tom Fullen, City Administrator  
Acting City Secretary

The City Hall is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Administrator's Office at 713.465.2150, by fax at 713.465.8357, or by email at [tfullen@cityofhunterscreek.com](mailto:tfullen@cityofhunterscreek.com). Requests should be made at least 48 hours prior to the meeting. This agenda is posted on the city's web site at <http://cityofhunterscreek.com>.





**CITY OF HUNTERS CREEK VILLAGE  
AGENDA DISCUSSION FORM**

**AGENDA DATE:** August 1, 2022  
**AGENDA SUBJECT:** Discussion and possible action to consider approval of the minutes of the July 11, 2022 meeting.

**EXHIBITS:** Draft minutes

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**CITY OF HUNTERS CREEK VILLAGE, TEXAS**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**  
**July 11, 2022**

The Planning and Zoning Commission of the City of Hunters Creek Village, Texas, convened a regular meeting on July 11, 2022, at 6:00 p.m. in the City Hall at #1 Hunters Creek Place, Hunters Creek Village, Texas. Members of the public were invited to attend the meeting in person.

A. **The meeting was called to order at 6:00 p.m. by Chairman Bill Dalton. In attendance were Commissioners Bill Dalton, David Childers, John Abercrombie, Brent Fredricks and Charles Martin. Also, in attendance were John Hightower, City Attorney, Tom Fullen, City Administrator, and Henry Rivas, Building Official.**

B. AGENDA ITEMS

1. Discussion and possible action to consider approval of the minutes of the June 6, 2022 meeting.

**Commissioner Fredricks made a motion to approve the minutes of the June 6, 2022 meeting. Commissioner Abercrombie seconded the motion and the motion carried unanimously.**

2. Discussion and possible action to consider approval of an application filed on behalf of Julio & Amber Garcia for the approval of a final replat which divides the lot located at **205 Fleetway Drive** (Lot 1, Block 1, of Fisher Burns Plaza Amending Plat, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Vol. 696, Page 296 of the map records of Harris County, Texas) into two single-family residential conforming lots.

**Commissioner Abercrombie made a motion to approve the final replat which divides the lot located at 205 Fleetway Drive (Lot 1, Block 1, of Fisher Burns Plaza Amending Plat, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Vol. 696, Page 296 of the map records of Harris County, Texas) into two single-family residential conforming lots. Commissioner Fredricks seconded the motion and the motion carried unanimously.**

3. Discussion and possible action to consider and make recommendation to City Council on a request from First Congregational Church to amend their Specific Use Permit to reconstruct the primary sign.

**Commissioner Martin made a motion to approve a preliminary report and call a public hearing on a proposal from First Congregational Church to amend their Specific Use Permit to reconstruct the primary sign. Commissioner Fredricks seconded the motion and the motion carried unanimously.**

4. Discussion and possible action to consider and make recommendation to city council on a proposal to amend the zoning chapter to prohibit short-term rentals in the Single-Family Residential District.

**Commissioner Abercrombie made a motion that the Commission issue a preliminary report recommending approval of a proposal to amend the zoning chapter to prohibit short-term rentals (rentals of less than 30 days) in the Single-Family Residential District. Commissioner Martin seconded the motion and the motion carried unanimously.**

5. Discussion and possible action to consider any future agenda items.

**No action was taken on this item.**

C. ADJOURN OPEN MEETING

**Commissioner Fredricks made a motion to adjourn. Commissioner Childers seconded the motion and the motion carried unanimously.**

**The meeting adjourned at 6:22 pm.**

Respectfully Submitted,

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Tom Fullen, City Administrator  
Acting City Secretary

These minutes were approved on the \_\_\_ day of \_\_\_\_\_, 2022.



**CITY OF HUNTERS CREEK VILLAGE  
AGENDA DISCUSSION FORM**

**AGENDA DATE:** August 1, 2022  
**AGENDA SUBJECT:** Discussion and possible action to make a final report and recommendation to City Council on amending the zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods of less than 30 consecutive days.

**EXHIBITS:** Draft Ordinance and resident letters

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 44 (THE ZONING CHAPTER) OF THE CODE OF ORDINANCES OF THE CITY OF HUNTERS CREEK VILLAGE TO PROHIBIT THE LEASE OR RENTAL OF SINGLE-FAMILY RESIDENCES FOR PERIODS OF LESS THAN THIRTY CONSECUTIVE DAYS; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY OF UP TO \$2000 FOR EACH OFFENSE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.**

**WHEREAS**, the City Council finds that the use of a single-family dwelling for leases or rentals of 30 consecutive days or less is inconsistent with the residential character of the City’s existing single-family residential neighborhoods;

**WHEREAS**, the City Council finds that a single-family dwelling that is leased or rented for 30 consecutive days or less has many of the undesirable characteristics of a commercial hotel or motel, including increased traffic and noise.

**WHEREAS**, the City Council finds that a single-family dwelling that is operated as a time-share, where any share owner is entitled to occupy the dwelling for periods of less than 30 consecutive days has many of the undesirable characteristics of a commercial hotel or motel, including increased traffic and noise and is inconsistent with the residential character of the City’s existing single-family residential neighborhoods.

**WHEREAS**, the City Council finds that limiting short term rentals and similar forms of transitory lodging is consistent with the City’s comprehensive plan and its principal goal of the preserving the city's high quality residential neighborhoods and protecting those neighborhoods from the negative effects of urban development; and

**WHEREAS**, the City Council has received the final report from the Planning & Zoning Commission recommending adoption of the proposed amendment:

\* \* \* \* \*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:**

**Section 1. Amendment.** Section 44-157 (1) of Chapter 44 (the Zoning Chapter) of the Code of Ordinances of the City of Hunters Creek Village is hereby amended to read as shown in the attached Exhibit “A”.

**Section 2. Pre-existing non-conforming uses.** Any pre-existing use of a single-family dwelling that would otherwise be prohibited by this ordinance may continue as provided in section 44-221 of the City’s Code of Ordinances.

**Section 3. Publication and effective date.** This ordinance shall become effective immediately after publication in accordance with the requirements of state law.

**Section 4. Penalty for violation.** A violation of Section 1 of this Ordinance shall be punishable by a fine of up to \$2000.00 for each offense as more specifically provided in Section 1-8 of the Code of Ordinances.

**Section 5. Repeal.** This Ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

**Section 6. Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance, or its application to any person or circumstance, shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional. The City Council declares that it would have passed each and every part of this Ordinance notwithstanding the omission of any part that might be declared to be invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this, the \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jim Pappas, Mayor  
City of Hunters Creek Village, Texas

ATTEST:

\_\_\_\_\_  
Tom Fullen, City Administrator/acting City Secretary  
City of Hunters Creek Village, Texas



**EXHIBIT A**

**Sec. 44-157. Use regulations.**

Buildings and premises in district R shall be used for the following purposes:

- (1) Single-family dwellings, whether owner occupied or leased or rented. Provided however, that: a) the lease or rental of a single-family dwelling, for any period of less than 30 consecutive days, is prohibited; and b) any division of ownership into partial shares that limits the occupancy of individual share owners to any period of less than 30 consecutive days is prohibited.

DRAFT

Graham Frank Neuhaus  
10906 Little Lisa Lane  
Houston, Texas 77024  
[geneuhaus@aol.com](mailto:geneuhaus@aol.com)

Hunter's Creek City Council  
Hunter's Creek, Texas 77024

RE:

Amendment to the zoning ordinance to prohibit home rental for less than 30 days.

To Whom it May Concern:

I am in favor of regulation of all homes in Hunter's Creek that are put into business as rental properties. I believe that it is not in the best interest of the home owners in our village to have strangers using homes as hotels, but if they were used as such, I think that Hunter's Creek City leaders have the obligation to consider them to be hotels and implement such regulation that protects hotel occupants. Additionally, a hotel tax should be charged to pay for the necessary inspections of properties that need to occur to insure safety of the occupants.. Additionally, fire codes probably need to be tightened for any home that is used as a commercial establishment, as many occupants may be in the house to use it for parties or celebrations. Maximum occupancy should also be established for each house put into the rental pool, and a permit should be required before any home is allowed to be used for a short term rental. . Additionally, in order to really to limit rental of homes to more than 30 days the ordinance should stipulate that any rental should be to the same person, and the subletting to others for shorter periods of time within the rental time is prohibited.

Thank you very much for your concern.

Sincerely,



Graham Neuhaus

Mr. Edward Neuhaus  
10906 Little Lisa Lane  
Houston, Texas 77024  
[ekneuhaus@gmail.com](mailto:ekneuhaus@gmail.com)

Hunter's Creek City Council  
Hunter's Creek, Texas 77024

RE:

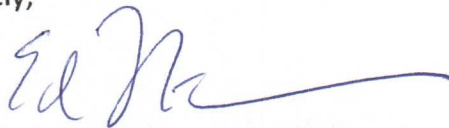
Amendment to the zoning ordinance to prohibit home rental for less than 30 days.

To Whom it May Concern:

I stand firmly in favor of passing the ordinance to regulate all rental of homes in Hunter's Creek as soon as possible, and to limit rental of homes to more than 30 days to the same person without subletting for shorter periods of time.

Thank you very much,

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Neuhaus', with a long horizontal flourish extending to the right.

Ed Neuhaus

Linda and M. Michael Shabot, M.D.  
647 Shartle Circle  
Hunters Creek Village, Texas 77024

July 18, 2022

Office of the City Secretary  
City of Hunters Creek Village  
#1 Hunters Creek Place  
Hunters Creek Village, TX 77024

**RE: Proposal to amend the zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods less than 30 days**

Dear City Secretary and City Officers:

We are writing to provide our **strong support** for the motion to amend the City of Hunters Creek Village zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods less than 30 days. We believe that short-term rentals may adversely affect the residents of Hunters Creek Village and make us less safe.

We plan to attend the August 1 Public Hearing to express our opinion on this matter.

Sincerely,



M. Michael Shabot, M.D.



Linda Ann Shabot

Charles & Karyl White  
10905 Little Lisa Lane  
Houston, Texas 77024

July 20, 2022

City of Hunters Creek Village  
Planning & Zoning Commission  
#1 Hunters Creek Place  
Houston, Texas 77024

Re: Amendment to Zoning Chapter regarding short term rental of residential housing

Dear Planning & Zoning Commission,

We recently received notice of a public hearing to take place on August 1, 2022, concerning a proposed amendment to the city's zoning chapter, which would limit the short-term rental of homes within Hunters Creek Village to no less than thirty (30) consecutive days. Unfortunately, we will not be able to attend this hearing; however, we do want to express our full support for this change to the zoning chapter.

Too many neighborhoods have suffered significant disruption due to the presence of short-term renters who hold loud parties until late hours, damage adjoining property, have far more people in and around the premises than would be the case if the owners of the property were present, and do not honor local rules and regulations.

There are many instances around the country and in Houston of people buying homes for the sole purpose of renting them on a short-term basis, rather than living in them or renting them on a long-term basis. Such short-term rentals should be considered engaging in business activities rather than the historic residential use of such homes. While we are sympathetic to people who for other reasons - such as while they try to sell the home or because they intend to return to the area in the future and want to maintain their holdings in this area - find the need to rent out their home, we believe that limiting short-term rentals to a minimum of thirty (30) consecutive days allows such holdings to take place and helps to avoid the commercialization of our residential area.

We have rented homes in other cities which have such thirty (30) day minimum requirements and those cities do not experience the problems inherent in short-term rentals of less than thirty (30) consecutive days.

We believe that such a thirty (30) consecutive days minimum rental period is a reasonable compromise that benefits people who are intending to use their homes for the intended residential purpose verses those who intend to engage in a commercial enterprise.

Please enact an amendment to the zoning chapter which requires a minimum thirty (30) consecutive days for rentals of residential properties.

Sincerely,

Charles & Karyl White



10914 Pifer Way  
Houston, Texas 77024  
July 28, 2022

Tom Fullen, City Administrator and Acting City Secretary

Mayor Jim Pappas

City of Hunters Creek Village Council Members

Stuart Marks  
Fidel Sapien  
Linda Knox  
Chip Cowell  
Jay Carlton

City of Hunters Creek Village Planning and Zoning Commission Members

Bill Dalton  
David Childers  
Charles Martin  
John Abercrombie  
Brent Fredricks  
Rob Adams, Alternate  
Dan Boyles, Alternate

Dear Sirs and Madam,

As a 40-year owner of residential property in Hunters Creek Village, I am **strongly in favor** of the following proposed amendment to the City of Hunters Creek Village zoning chapter:

"A. A proposal to amend the zoning chapter to prohibit the rental of homes in the Single-Family Residential District for time periods of less than 30 days."

I believe this amendment is essential for the peace, quiet, and safety of all residents of Hunters Creek Village.

There is already a parking and safety problem on Pifer Road and its cul-de-sacs due to lawn and landscaping crews, Saturday market visitors, and construction vehicles that park on both sides of the streets. Large graduation parties in May and holiday parties in December exacerbate these problems. This summer, there have routinely been a dozen or more construction vehicles parked on both sides of Beinhorn between Voss and Piney Point. We do not need more non-residents blocking our personal and emergency vehicle access and egress.

Sincerely,




Nancy Peterson

Dear Mayor Pappas,

In this note, I want to voice my support for the amendment prohibiting rentals for less than 30 days.

I will not be in the city on 1 August 2022 for the hearing.

Sincerely yours,

A handwritten signature in black ink that reads "Tom Woodell". The signature is written in a cursive, slightly slanted style.

Thomas Woodell  
10951 Beinhorn Rd.  
Houston, TX 77024



**CITY OF HUNTERS CREEK VILLAGE  
AGENDA DISCUSSION FORM**

**AGENDA DATE:** August 1, 2022  
**AGENDA SUBJECT:** Discussion and possible action to consider any future agenda items.

**EXHIBITS:**

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