

MINUTES
BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE
HARRIS COUNTY, TEXAS

At a regular meeting held on August 13, 2020, via Zoom, the following members of the Board of Adjustment were present:

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Larry Chapman	Present
Roland Sauermann	Present
John Brennan	Present
Vicki Driscoll	Present
Zeb Nash	Present

Those in attendance included the Applicant and other interested parties.

- I. The meeting was called to order at 7:03 P.M.
- II. Board's actions and comments on scheduled appeals are attached hereto. The number of appeals considered was two.

The action taken by the Board on any application (i) is limited solely to such application, (ii) shall not be applicable to any other application whether on the property involved with such application or any other property and (iii) shall not alter or modify any of the terms and provisions of Chapter 74, Zoning, of the Code of Ordinance of the City, or any other ordinance.

- III. The Board's actions on the above stated appeal(s) are attached hereto and incorporated herein by this reference for all purposes.
- IV. The meeting was adjourned at 7:56 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: August 6, 2020

1. Scheduled Appeal No: 20-5 Order No. 20-5
2. Applicant: John and Karen Baerenstecher
3. Address: 11215 Lacewood Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(4) Generator
5. Applicant was present: Yes
Represented by John Baerenstecher
6. After presentation of the appeal by applicant, discussion by all interested parties either for or against and deliberation by the Board, the Board voted to grant the appeal to permit a generator to be installed in the West side yard of the property at 20.50 feet instead of the required 22.50 feet, thereby permitting a 2.00 feet variance, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c).
7. The vote of each Board Member was as follows:


Member	Vote (Granted/Denied)
Brennan	granted
Chapman	granted
Sauermann	granted
Nash	granted
Driscoll	granted

1. Scheduled Appeal No: 20-6 Order No. 20-6
2. Applicant: Rob and Erin Famulare
3. Address: 11325 Surrey Oaks Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(c)(2)
5. Applicant was present: Yes
Represented by Rob Famulare

6. After presentation of the appeal by applicant, discussion by all interested parties either for or against and deliberation by the Board, the Board voted to grant the appeal as to side yard variance from 15 feet to 9 feet 10.5 inches setback (9 feet 10.5 inches as opposed to 10 feet since the currently constructed house is set back 9 feet 10.5 inches so the add on will be the same as the existing house), such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c).

7. The vote of each Board Member was as follows:

Member	Vote (Granted/Denied)
Brennan	granted
Chapman	granted
Sauermann	granted
Nash	granted
Driscoll	granted


Chair

ORDER NO. 20-5
VARIANCE

BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF PINEY POINT VILLAGE:

Section 1. The appeal of John and Karen Baerenstecher for a variance for 11215 Lacewood Lane to permit a generator to be installed in the West side yard of the property at 20.50 feet instead of the required 22.50 feet, thereby permitting a 2.00 feet variance, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c).

Section 2. The Board hereby finds and determines as follows:

(a) The variance for 11215 Lacewood Lane to permit a generator to be installed in the West side yard of the property at 20.50 feet instead of the required 22.50 feet, thereby permitting a 2.00 feet variance, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Sections 74-244(a)(4) will result in unnecessary hardship;

(c) The granting of the requested variance for 11215 Lacewood Lane to permit a generator to be installed in the West side yard of the property at 20.50 feet instead of the required 22.50 feet, thereby permitting a 2.00 feet variance, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c), is consistent with the spirit of the Ordinance and its general purpose and intent.

Section 3. The action taken by the Board (i) is limited solely to this appeal and the improvements under consideration, (ii) shall not be applicable to any other appeal whether on this property or any other property and (iii) shall not alter or modify any of the terms and provisions of Chapter 74, Zoning, of the Code of Ordinances of the City or any other ordinance.

PASSED, APPROVED, and ORDERED August 13, 2020 (transmitted to offices of the City of Piney Point on August 14, 2020).


Chair

ORDER NO. 20-6
VARIANCE

BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF PINEY POINT VILLAGE:

Section 1. The appeal of Rob and Erin Famulare, for the following variance as to 11325 Surrey Oaks Lane: a variance from Section 74-244 (c) (2) as to side yard variance from 15 feet to 9 feet 10.5 inches setback (9 feet 10.5 inches as opposed to 10 feet since the currently constructed house is set back 9 feet 10.5 inches so the add on will be the same as the existing house), such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c).

Section 2. The Board hereby finds and determines as follows:

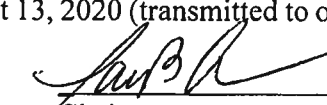
(a) The variance requested as to Section 74-244 (c) (2) as to side yard variance from 15 feet to 9 feet 10.5 inches setback (9 feet 10.5 inches as opposed to 10 feet since the currently constructed house is set back 9 feet 10.5 inches so the add on will be the same as the existing house), such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244 (c)(2) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244 (c)(2) as to side yard variance from 15 feet to 9 feet 10.5 inches setback (9 feet 10.5 inches as opposed to 10 feet since the currently constructed house is set back 9 feet 10.5 inches so the add on will be the same as the existing house), such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c), for new construction is consistent with the spirit of the Ordinance and its general purpose and intent.

Section 3. The action taken by the Board (i) is limited solely to this appeal and the improvements under consideration, (ii) shall not be applicable to any other appeal whether on this property or any other property and (iii) shall not alter or modify any of the terms and provisions of Chapter 74, Zoning, of the Code of Ordinances of the City or any other ordinance.

PASSED, APPROVED, and ORDERED August 13, 2020 (transmitted to offices of the City of Piney Point on August 14, 2020).


Chair