

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

At a regular meeting held on August 8, 2019, at City Offices, 7676 Woodway, Suite 300, the following members of the Board of Adjustment were present:

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Larry Chapman	Present
John Brennan	Present
Michael Cooper	Present
Zeb Nash	Present

Those in attendance included the Applicant and other interested parties as set out on the Registration Sheet for this meeting.

- 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 one. 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 8:34 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: August 8, 2019

1. Scheduled Appeal No: 19-5 Order No. 19-5
2. Applicant: Jeff Gaston with Concord Builders
3. Address: 11315 Coloma Lane
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(c)(1) front yard
5. Applicant was present: Yes
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 allow the applicant to present new evidence in regards to the 11315 Coloma Lane property to allow the applicant to present the variance request again to the Board to seek approval for a variance from the 50' front setback line at 11315 Coloma to a 40' front setback line.
7. The vote of each Board Member was as follows to allow the applicant to present new evidence regarding the 11315 Coloma Lane property request for a variance:

Member	Vote (Granted/Denied)
Brennan	yes/granted
Chapman	yes/granted
Cooper	yes/granted
Nash	yes/granted

8. The vote of each Board Member was as follows to allow a variance from the 50' front setback line at 11315 Coloma to a 40' front setback line:

Member	Vote (Granted/Denied)
Nash	no/denied
Brennan	no/denied
Chapman	no/denied
Cooper	yes/granted

  
Chair

ORDER NO. 19-5  
**BOARD OF ADJUSTMENT**  
**CITY OF PINEY POINT VILLAGE, TEXAS**

**Final Order on a Variance Request**  
**For 11315 Coloma Lane**

**Section 1.** On August 8, 2019, the Zoning Board of Adjustment of the City of Piney Point Village, Texas (the "Board") considered new evidence and unanimously voted to allow the owners of the property located at 11315 Coloma Lane to present, for a second time, a variance request to the Board.

**Section 2.** On August 8, 2019, the Board reconsidered an application dated March 27, 2019 updated to July 31, 2019 (the "Application") filed for 11315 Coloma Lane, LLC, Alan Sadeghpour & David Sadeghpour (the "Owner") to allow a forty feet (40') front yard setback for 11315 Coloma Lane (Lot 23, Block I, Tynewood Subdivision) (the "Property") in violation of the Zoning Ordinances of the City of Piney Point that provide, in part, as follows:

Section 74-244-Regulations. (c) *Area regulations; size of yards.* (1) *Front yard.* There shall be a front yard having a depth of not less than 50 feet. Where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard depth of not less than 25 feet.


**Section 3.** The Board, having considered the application, the evidence and the arguments presented, is of the opinion that the requested variance to the front yard setback line for the Property should be denied.

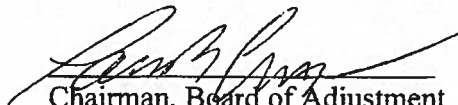
**Section 4.** The Board finds that: a) the granting of the variance to the terms of the City's Zoning Ordinances regarding the minimum front yard setback for this Property is contrary to the public interest; b) a literal enforcement of the Zoning Ordinances in this case would not result in unnecessary hardship to the Property Owner; and c) that the granting of a variance in this case is not within the spirit of the Zoning Ordinances.

**Section 5.** The Board, by a vote of 3-1 at the Board's meeting on August 8, 2019, (3 to deny the variance/ 1 to approve the variance) denies the Owner's request for a variance to Section 74-244(c)(1) of the Code of Ordinances of the City of Piney Point Village.

**Section 6.** 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 or provisions of Chapter 74, Zoning, of the Code of Ordinances of the City or any other ordinance of the City.

**Section 7.** All other relief not granted is denied.

PASSED, APPROVED AND ORDERED August , 2019.

  
Chairman, Board of Adjustment  
City of Piney Point

Aug 9 2019  
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 \_\_\_\_\_ (date).

\_\_\_\_\_  
Signature  
Printed name: \_\_\_\_\_