

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

At a regular meeting held on January 12, 2017, 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
Kevin Risley	Present
Michael Cooper	Present
John Brennan	Present
Vickie Driscoll	Present

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

- I. The meeting was called to order at 7:00 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 meeting was adjourned at 7:25 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: January 12, 2017

1. Scheduled Appeal No: 17-1
2. Applicant: Hieu and Amy Huynh
3. Address: 418 Gingham Drive
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(c)(1)
5. Applicant was present: yes  
Represented by: Amy Huynh
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 the foundation of the existing house to remain where it currently is situated resulting in a front yard having a depth of less than 50 feet (being approximately 32 feet) for the sole purpose of remodeling the existing house and not for the demolition of the existing slab or house or the construction of a new 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

Brennan	yes/granted
Risley	yes/granted
Chapman	yes/granted
Cooper	yes/granted
Driscoll	yes/granted

8. Scheduled Appeal No: 17-2
9. Applicant: Matthew and Kelly Cubbage
10. Address: 613 Grecian Way Lane
11. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(c)(2)
12. Applicant was present: yes

Represented by: Mario Colina with Probsfeld and Associates

13. 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 the house to remain situated where it is currently situated thereby allowing a side yard setback from the north property line of 29.7 feet as opposed to 30 feet, 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).
14. The vote of each Board Member was as follows:

Member Vote

Brennan	yes/granted
Risley	yes/granted
Chapman	yes/granted
Cooper	yes/granted
Driscoll	yes/granted

  
Chair

ORDER NO. 17-1  
VARIANCE

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

Section 1. The appeal of Hieu and Amy Huynh for the following variance as to 418 Gingham: a variance from Section 74-244(c)(1) to permit the foundation of the existing house to remain where it currently is situated resulting in a front yard having a depth of less than 50 feet (being approximately 32 feet) for the sole purpose of remodeling the existing house and not for the demolition of the existing slab or house or the construction of a new 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:

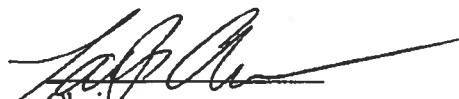
(a) The variance requested as to Section 74-244(c)(1) to permit the foundation of the existing house to remain where it currently is situated resulting in a front yard having a depth of less than 50 feet (being approximately 32 feet) for the sole purpose of remodeling the existing house and not for the demolition of the existing slab or house or the construction of a new 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)(1) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244(c)(1) to permit the foundation of the existing house to remain where it currently is situated resulting in a front yard having a depth of less than 50 feet (being approximately 32 feet) for the sole purpose of remodeling the existing house and not for the demolition of the existing slab or house or the construction of a new 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), 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 January 12, 2017 (transmitted to offices of the City of Piney Point on January 13, 2017).

  
Chair

ORDER NO. 17-2  
VARIANCE

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

Section 1. The appeal of Matthew and Kelly Cabbage for the following variance as to 613 Grecian Way Lane: a variance from Section 74-244(c)(2) to permit the house to remain situated where it is currently situated thereby allowing a side yard setback from the north property line of 29.7 feet as opposed to 30 feet, 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) to permit the house to remain situated where it is currently situated thereby allowing a side yard setback from the north property line of 29.7 feet as opposed to 30 feet, 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) to permit the house to remain situated where it is currently situated thereby allowing a side yard setback from the north property line of 29.7 feet as opposed to 30 feet, 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 January 12, 2017 (transmitted to offices of the City of Piney Point on January 13, 2017).

  
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