

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

At a regular meeting held on March 10, 2016, 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
Vicki 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 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 meeting was adjourned at 7:40 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: March 10, 2016


1. Scheduled Appeal No: 16-2
2. Applicant: Bahador Shekaru
3. Address: 518 Lanecrest
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244 (c)(1)
And Applicable Zoning Ordinance Section 74-245(b)
5. Applicant was present: no
Represented by: Fabian Duran, Architect
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 (i) grant the appeal as to front yard variance from 50 feet to 30 feet setback, for new construction, 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); and (ii) not grant the appeal to permit the concrete driveway spacing on the rear one-third of the lot in the rear north side at 1.5 feet from property line as opposed to the 10-foot requirement of Section 74-245(b).
7. The vote of each Board Member was as follows:

Member	Vote ;	as to 74-244(c)(1);	as to 74-245(b)
Brennan		yes/granted	no/denied
Driscoll		yes/granted	no/denied
Chapman		yes/granted	no/denied
Cooper		yes/granted	no/denied

1. Scheduled Appeal No: 16-3
2. Applicant: Ana and Victor Zurita
3. Address: 11103 Memorial Drive
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(i)(1)

5. Applicant was present: no
Represented by: Mily Ramos
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 a variance permitting the installation of a new fence not exceeding 6' in height above the natural grade of the lot with the fence to be set back at least three feet from the adjacent front lot line and the fence must be an 80 percent fence, 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:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Driscoll	yes/granted
Brennan	yes/granted
Cooper	yes/granted


Chair

ORDER NO. 16-2
VARIANCE

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

Section 1. The appeal of Bahador Shekaru, for the following variance as to 518 Lanecrest: a variance from Section 74-244 (c) (1) as to front yard variance from 50 feet to 30 feet setback, for new construction, 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) as to front yard variance from 50 feet to 30 feet setback, for new construction, 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) as to front yard variance from 50 feet to 30 feet setback, 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.

Section 4. The appeal of Bahador Shekaru, for the following variance as to 518 Lanecrest: a variance from Section 74-245 (b) as to permit the concrete driveway spacing on the rear one-third of the lot in the rear north side at 1.5 feet from property line as opposed to the 10-foot requirement of Section 74-245(b).

Section 5. The Board hereby finds and determines as follows:

(a) The variance requested as to Section 74-245 (b) as to permit the concrete driveway spacing on the rear one-third of the lot in the rear north side at 1.5 feet from property line as opposed to the 10-foot requirement of Section 74-245(b), will be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245 (b) of Chapter 74 will not result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245 (b) as to permit the concrete driveway spacing on the rear one-third of the lot in the rear north side at 1.5 feet from property line as opposed to the 10-foot requirement of Section 74-245(b), is not consistent with the spirit of the Ordinance and its general purpose and intent.

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 and provisions of Chapter 74, Zoning, of the Code of Ordinances of the City or any other ordinance.

PASSED, APPROVED, and ORDERED March 10, 2016 (transmitted to offices of the City of Piney Point on March 11, 2016).


Chair

ORDER NO. 16-3
VARIANCE

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

Section 1. The appeal of Ana and Victor Zurita, for the following variance as to 11095 Memorial:

For new construction of a residence, a variance permitting the installation of a new fence not exceeding 6 feet in height above the natural grade of the lot with the fence to be set back at least three feet from the adjacent front lot line and the fence must be an 80 percent fence, 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),

from Section 74-245(i) (1) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby granted.

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

(a) The variance requested as to Section 74-245(i) (1) will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245(i) (1) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245(i) (1) 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 March 10, 2016 (transmitted to offices of the City of Piney Point on March 11, 2016).


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