

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

At a regular meeting held on April 9, 2015, 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
Scott Bender	Present
Michael Cooper	Present
John Brennan	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 7:20 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: April 9, 2015

1. Scheduled Appeal No: 15-04 Order No. 15-04
2. Applicant: Victoria Hawes with Jamestown Estate Homes
3. Address: 11323 Surrey Oaks Lane
4. Type of Appeal: 90-day extension of Variance per Order No. 14-13
Applicable Zoning Ordinance Section 74-244 (c) (1) and (2)
5. Applicant was present: yes
Represented by: self
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 a 90-day extension of the variance previously granted in Order No. 14-13 from Section 74-244 (c)(1) and (2) for new construction to allow a front yard depth of not less than 25 feet, and as to the two side yards each shall be not less than 10 feet.
7. The vote of each Board Member was as follows:

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

1. Scheduled Appeal No: 15-05 Order No. 15-05
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
Bender	yes/granted
Brennan	yes/granted
Cooper	yes/granted


Chair

ORDER NO. 15-04
VARIANCE

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

Section 1. The appeal of Victoria Hawes with Jamestown Estate Homes, for the 90-day extension of the following variance as to 11323 Surrey Oaks Lane (Order No. 14-13):

a variance from Section 74-244 (c)(1) and (2) for new construction to allow a front yard depth of not less than 25 feet, and as to the two side yards each shall be not less than 10 feet. This variance does not permit any encroachment on any adjoining property or within any easements.

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

(a) The 90-day extension of the variance previously granted under Order No. 14-13 as to Section 74-244 (c)(1) and (2) for new construction to allow a front yard depth of not less than 25 feet, and as to the two side yards each shall be not less than 10 feet, will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244 (c) (1) and (2) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested 90-day extension of the variance previously granted as to Section 74-244 (c)(1) and (2) for new construction to allow a front yard depth of not less than 25 feet, and as to the two side yards each shall be not less than 10 feet, 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 April 9, 2015 (transmitted to offices of the City of Piney Point on April 10, 2015).


Chair

ORDER NO. 15-05
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 April 9, 2015 (transmitted to offices of the City of Piney Point on April 10, 2015).


Chair