

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

At a regular meeting held on October 10, 2013, 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
Vicki Driscoll	Present
Scott Bender	Present
Michael Cooper	Present
Kevin Risley	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 7:05 P.M.
- II. Board's actions and comments on scheduled appeals are attached hereto. The number of appeals considered was five. 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 8:10 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: October 10, 2013

1. Scheduled Appeal No: 13-12 Order No. 13-12
2. Applicant: Michael and Edwina Casid
3. Address: 11527 Green Oaks
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(b)(2)(c)
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 the appeal as to permit the existing wood side rails on the platform for the water slide to be 18 feet 7 inches above existing grade, being 3 feet 8 inches higher than the allowable height and being 3 feet 8 inches above the platform for the water slide, and such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of subsequent construction or remodeling or destruction as described in Section 74-212(b) or (c). This variance does not permit any encroachment on any adjoining property or within any easements.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Risley	no/denied
Driscoll	yes/granted
Cooper	yes/granted
Bender	yes/granted

1. Scheduled Appeal No: 13-13 Order No. 13-13
2. Applicant: Vincent and Mary Mandola
3. Address: 11212 Wilding Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(1)

5. Applicant was present: yes
Represented by: Jake Housberg
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 permit the existing BBQ pit and attending patio to be 4 feet 6 inches from the rear property line, and such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of subsequent construction or remodeling or destruction as described in Section 74-212(b) or (c). This variance does not permit any encroachment on any adjoining property or within any easements.
7. The vote of each Board Member was as follows:

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

1. Scheduled Appeal No: 13-14 Order No. 13-14
2. Applicant: Tod and Amy Greenwood
3. Address: 11319 Greenbay Street
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(i)(1)
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 deny the appeal to permit the construction of a 6 feet tall iron fence in the front yard.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	no/denied
Risley	no/denied
Driscoll	no/denied
Cooper	no/denied
Bender	no/denied

1. Scheduled Appeal No: 13-15 Order No. 13-15
2. Applicant: Aida and Henrik Nazarian
3. Address: 11302 Greenbay Street
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(i)(1)
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 deny the appeal to permit the construction of a 6 feet tall iron fence in the front yard.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	no/denied
Risley	no/denied
Driscoll	no/denied
Cooper	no/denied
Bender	no/denied

1. Scheduled Appeal No: 13-16 Order No. 13-16
2. Applicant: Brian and Katherine Thompson
3. Address: 11401 Quail Hollow Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(i)(3) and (5)(b)
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 deny the appeal to permit the construction of a 8 feet tall wood fence 7 feet off the side yard property line.
7. The vote of each Board Member was as follows:

Member

Vote (Granted/Denied)

Chapman
Risley
Driscoll
Cooper
Bender

no/denied
no/denied
yes/granted
no/denied
no/denied


Chair

ORDER NO. 13-12
VARIANCE

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

Section 1. The appeal of Michael and Edwina Casid, for the following variance at 11527 Green Oaks:

to permit the existing wood side rails on the platform for the water slide to be 18 feet 7 inches above existing grade, being 3 feet 8 inches higher than the allowable height and being 3 feet 8 inches above the platform for the water slide,

from Section 74-244(b)(2)(c) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby granted, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of subsequent construction or remodeling or destruction as described in Section 74-212(b) or (c). 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 variance requested as to Section 74-244(b)(2)(c) will not be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244(b)(2)(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 October 10, 2013 (transmitted to offices of the City of Piney Point on October 11, 2013).


Chair

ORDER NO. 13-13
VARIANCE

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

Section 1. The appeal of Vincent and Mary Mandola, for the following variance at 11212 Wilding Lane:

to permit the existing BBQ pit and attending patio to be 4 feet 6 inches from the rear property line,

from Section 74-244(a)(1) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby granted, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of subsequent construction or remodeling or destruction as described in Section 74-212(b) or (c). 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 variance requested as to Section 74-244(a)(1) will not be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244(a)(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 October 10, 2013 (transmitted to offices of the City of Piney Point on October 11, 2013).


Chair

ORDER NO. 13-14
VARIANCE

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

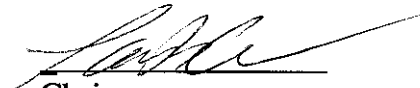
Section 1. The appeal of Tod and Amy Greenwood, for the following variance at 11319 Greenbay:
to permit the construction of a 6 feet tall iron fence in the front yard,
from Section 74-245(i)(1) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is
attached hereto, is hereby denied.

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

- (a) The variance requested as to Section 74-245(i)(1) will be contrary to the public interest;
- (b) A literal enforcement of the provisions of Section 74-245(i)(1) of Chapter 74 will not result in unnecessary hardship;
- (c) The granting of the requested variance as to Section 74-245(i)(1) is not 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 October 10, 2013 (transmitted to offices of the City of Piney Point on October 11, 2013).


Chair

ORDER NO. 13-15
VARIANCE

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

Section 1. The appeal of Aida and Henrik Nazarian, for the following variance at 11302 Greenbay:

to permit the construction of a 6 feet tall iron fence in the front yard,

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 denied.

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


(a) The variance requested as to Section 74-245(i)(1) will be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245(i)(1) of Chapter 74 will not result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245(i)(1) is not 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 October 10, 2013 (transmitted to offices of the City of Piney Point on October 11, 2013).


Chair

ORDER NO. 13-16
VARIANCE

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

Section 1. The appeal of Brian and Katherine Thompson, for the following variance at 11401 Quail Hollow Lane:

to permit the construction of a 8 feet tall wood fence 7 feet off the side yard property line,

from Section 74-245(i)(3) and (5)(b) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby denied.

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


(a) The variance requested as to Section 74-245(i)(3) and (5)(b) will be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245(i)(3) and (5)(b) of Chapter 74 will not result in unnecessary hardship;

(c) The granting of the requested variance as to 74-245(i)(3) and (5)(b) is not 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 October 10, 2013 (transmitted to offices of the City of Piney Point on October 11, 2013).


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