

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

At a regular meeting held on February 14, 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
Zeb Nash	Present
Roland Sauermann	Present
Scott Bender	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 is 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 7:35 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

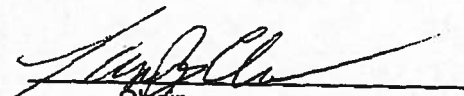
Action on Appeals
Meeting Date: February 14, 2013

1. Scheduled Appeal No: 13-1 Order No. 13-1
2. Applicant: Matthew and Julla Rigdon
3. Address: 420 Oak Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(b)
5. Applicant was present: no
Represented by: Dillon Kyle Architects, Russell Morse
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 as to a variance for new construction permitting the driveway to be situated in the rear third of the lot closer than ten feet to the side lot line.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	no/denied
Bender	no/denied
Nash	no/denied
Sauermann	no/denied
8. Scheduled Appeal No: 13-2 Order No. 13-2
9. Applicant: William and Kandy Brittain
10. Address: 11203 Tynewood Drive
11. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(c) (2) and Section 74-245(b)
12. Applicant was present: yes
Represented by: Russ Thomas
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 as to variances, for new construction of a residence, for a side yard setback from 26 feet 4 inches on the west side to 21 feet 8 inches and a side yard setback from 26 feet 4 inches on the southeast side to 23 feet, and for a variance to the extent (if any) required, for new construction, for a driveway in the rear third of the lot (as the rear third was designated by the City) as shown on the drawing presented to the Board to be closer to the side lot line (along the southeast lot line which is along Memorial Drive) than the required ten feet.

14. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Bender	yes/granted
Nash	yes/granted
Sauermann	yes/granted


Chair

ORDER NO. 13-2
VARIANCE

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

Section 1. The appeal of William and Kandy Brittain, for the following variance as to 11203 Tynewood Drive:

variances, for new construction of a residence, for a side yard setback from 26 feet 4 inches on the west side to 21 feet 8 inches and a side yard setback from 26 feet 4 inches on the southeast side to 23 feet, and for a variance to the extent (if any) required, for new construction, for a driveway in the rear third of the lot (as the rear third was designated by the City) as shown on the drawing presented to the Board to be closer to the side lot line (along the southeast lot line which is along Memorial Drive) than the required ten feet,

from Section 74-244(c) (2) and Section 74-245(b) 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 variances requested as to Section 74-244(c) (2) and Section 74-245(b) will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244(c) (2) and Section 74-245(b) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variances as to Section 74-244(c) (2) and Section 74-245(b) 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 February 14, 2013 (transmitted to offices of the City of Piney Point on February 15, 2013).


Chair

ORDER NO. 13-1
VARIANCE

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

Section 1. The appeal of Matthew and Julia Rigdon, for the following variance as to 420 Oak Lane:
variance for new construction permitting the driveway to be situated in the rear third of the lot closer than ten feet to the side lot line,

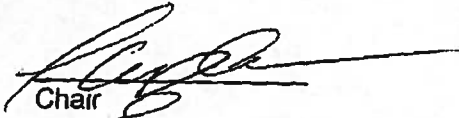
from Section 74-245(b) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby denied.

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

- (a) The variance requested as to Section 74-245(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) 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 February 14, 2013 (transmitted to offices of the City of Piney Point on February 15, 2013).


Chair