

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

At a regular meeting held on April 11, 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
Kevin Risley	Present
Michael Cooper	Present
Scott Bender	Present
Roland Sauermann	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 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 7:10 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: April 11, 2013

1. Scheduled Appeal No: 13-5 Order No. 13-5
2. Applicant: William Swinbank
3. Address: 442 Gingham Drive
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(c)(1)
5. Applicant was present: yes
Represented by: Shane Cupic with Cupic Custom Homes
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 front yard setback, for new construction of a residence, from 50 feet to 40 feet setback, 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).

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

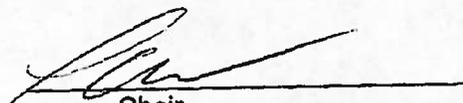
<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Bender	yes/granted
Risley	yes/granted
Cooper	yes/granted
Sauermann	yes/granted

8. Scheduled Appeal No: 13-6 Order No. 13-6
9. Applicant: John W. and Emily T. Mecom
10. Address: 4 Mott Lane
11. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(b) (2)
12. Applicant was present: no
Represented by: Jeff Patrizi
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 a variance, to permit the currently existing accessory structure to remain in its current location as presently constructed, being two stories and 24 feet in height, with no kitchen existing or permitted in said structure, 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).

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

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


Chair

ORDER NO. 13-5
VARIANCE

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

Section 1. The appeal of William Swinbank, for the following variance as to 442 Gingham Drive: variance, for new construction of a residence, for a front yard setback of 40 feet rather than the required 50 feet,

from Section 74-244(c) (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).

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

(a) The variance requested as to Section 74-244(c) (1) 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) 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 11, 2013 (transmitted to offices of the City of Piney Point on April 12, 2013).


Chair

ORDER NO. 13-6
VARIANCE

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

Section 1. The appeal of John W. and Emily T. Mecom, for the following variance as to 4 Mott Lane: variance, to permit the currently existing accessory structure to remain in its current location as presently constructed, being two stories and 24 feet in height, with no kitchen existing or permitted in said structure, from Section 74-244(b) (2) 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).

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

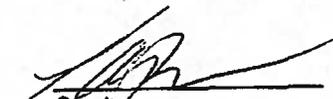
(a) The variance requested as to Section 74-244(b) (2) will not be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244(b) (2) 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 11, 2013 (transmitted to offices of the City of Piney Point on April 12, 2013).


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