

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

At a regular meeting held on May 7, 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
Roland Sauermann	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 is three. 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 8:05 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: May 7, 2013

1. Scheduled Appeal No: 13-7 Order No. 13-7
2. Applicant: Myra and Randy Pullin
3. Address: 149 Quail Creek Court
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(1)
5. Applicant was present: yes
Represented by: Self and Bill Pruitt
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 replacing concrete flat work so as to remain in its current location (the two retaining walls to go to existing fence and the concrete flooring between the retaining walls to be *approximately eight feet from existing fence*) without enlarging the current 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).
7. The vote of each Board Member was as follows:

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

8. Scheduled Appeal No: 13-8 Order No. 13-8
9. Applicant: Mark Harvie/19 Lacewood Ltd.
10. Address: 19 Lacewood Lane
11. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(c)(2)
12. Applicant was present: no

Represented by: Helen Peter

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 allow a 20 foot side yard setbacks on the East and West sides of the lot to the extent shown on the drawing presented to the Board (such that the 20 foot side setbacks are to be on the lot only where the new home is to be constructed and the 20 foot side setback on the West side is to not extend to the rear of the lot past where the "Building Line" is shown on the drawing labeled "Area Regulations: Size of Yards"), for new construction of a residence, 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
Driscoll	yes/granted
Sauermann	yes/granted
Cooper	yes/granted
Brennan	no/denied

15. Scheduled Appeal No: 13-9 Order No. 13-9

16. Applicant: Basil Saab

17. Address: 11434 Memorial

18. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(g) and (h)

19. Applicant was present: no
Represented by: Rodney Black

20. 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 allow Turfstone with voids to be considered for satisfaction of the pervious surface requirement to the extent that the area in the voids be interpreted as pervious cover instead of the entire area of the paver block being considered impervious.

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

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	no/denied
Driscoll	no/denied
Sauermann	no/denied

Cooper
Brennan

yes/granted
yes/granted



Chair

ORDER NO. 13-7
VARIANCE

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

Section 1. The appeal of Myra and Randy Pullin, for the following variance at 149 Quail Creek Court:

permit replacing concrete flat work so as to remain in its current location (the two retaining walls to go to existing fence and the concrete flooring between the retaining walls to be approximately eight feet from existing fence) without enlarging the current structure,

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).

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 May 7, 2013 (transmitted to offices of the City of Piney Point on 5-27-13).


Chair

ORDER NO. 13-8
VARIANCE

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

Section 1. The appeal of Mark Harvie/19 Lacewood Ltd., for the following variance at 19 Lacewood:

to allow a 20 foot side yard setbacks on the East and West sides of the lot to the extent shown on the drawing presented to the Board (such that the 20 foot side setbacks are to be on the lot only where the new home is to be constructed and the 20 foot side setback on the West side is to not extend to the rear of the lot past where the "Building Line" is shown on the drawing labeled "Area Regulations: Size of Yards"), for new construction of a residence,

from Section 74-244(c)(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(c)(2) will not be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244(c)(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 May 7, 2013 (transmitted to offices of the City of Piney Point on 5-27-13).


Chair

ORDER NO. 13-9
VARIANCE

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

Section 1. The appeal of Basil Saab, for the following variance at 11434 Memorial:

allow Turfstone with voids to be considered for satisfaction of the pervious surface requirement to the extent that the area in the voids be interpreted as pervious cover instead of the entire area of the paver block being considered impervious, for new construction of a residence,

from Section 74-244(g) and (h) 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 74-244(g) and (h) will be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244(g) and(h) of Chapter 74 will not result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244(g) and (h) 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 May 7, 2013 (transmitted to offices of the City of Piney Point on 5-27-13).


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