

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

At a regular meeting held on February 10, 2022, the following members of the Board of Adjustment were present:

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Larry Chapman	Present
Vicki Driscoll	Present
Michael Cooper	Present
Zeb Nash	Present

Those in attendance included the Applicant and other interested parties.

- I. The meeting was called to order at 7:10 P.M.
- II. Board's actions and comments on scheduled appeals are attached hereto. The number of appeals considered was one.

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 Board's actions on the above stated appeal(s) are attached hereto and incorporated herein by this reference for all purposes.
- IV. The meeting was adjourned at 7:35 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: February 10, 2022

1. Scheduled Appeal No: 22-04
2. Applicant: Vincent Chen and Francesc Ribas
3. Address: 10 Windermere Lane
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(a)(4) Generator
5. Applicant was present: yes  
Represented by Vincent Chen
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 to permit a generator to be placed 10 feet from the property line, alongside the south side of the existing home, screened from neighbors by a pre-existing 8-foot brick wall to the south and pre-existing 6-foot wrought iron fence and shrubbery to the west, leaving 5 feet of clearance from the existing air conditioning unit and also meeting the NFPA code for the distance from the home which is a minimum of 5 feet, said generator to be the Generac Guardian Quiet-Test G0070429 generator which is 48" long and 25" wide and 29" high and will be secured on a concrete slab, but otherwise in accordance with the requirements of Section 74-244(a)(4).
7. The vote of each Board Member was as follows:

Member	Vote (Granted/Denied)
Nash	Granted
Chapman	Granted
Cooper	Granted
Driscoll	Granted

  
Chair

ORDER NO. 22-04  
VARIANCE

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

Section 1. The appeal of Vincent Chen and Francesc Ribas for the following variance as to 10 Windermere Lane: a variance permitting a generator to be placed 10 feet from the property line, alongside the south side of the existing home, screened from neighbors by a pre-existing 8-foot brick wall to the south and pre-existing 6-foot wrought iron fence and shrubbery to the west, leaving 5 feet of clearance from the existing air conditioning unit and also meeting the NFPA code for the distance from the home which is a minimum of 5 feet, said generator to be the Generac Guardian Quiet-Test G0070429 generator which is 48" long and 25" wide and 29" high and will be secured on a concrete slab, but otherwise in accordance with the requirements of Section 74-244(a)(4).

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

(a) The variance requested as to Section 74-244(a)(4) as to permit a generator to be placed 10 feet from the property line, alongside the south side of the existing home, screened from neighbors by a pre-existing 8-foot brick wall to the south and pre-existing 6-foot wrought iron fence and shrubbery to the west, leaving 5 feet of clearance from the existing air conditioning unit and also meeting the NFPA code for the distance from the home which is a minimum of 5 feet, said generator to be the Generac Guardian Quiet-Test G0070429 generator which is 48" long and 25" wide and 29" high and will be secured on a concrete slab, but otherwise in accordance with the requirements of Section 74-244(a)(4), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244 (a)(4) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244(a)(4) to permit a generator to be placed 10 feet from the property line, alongside the south side of the existing home, screened from neighbors by a pre-existing 8-foot brick wall to the south and pre-existing 6-foot wrought iron fence and shrubbery to the west, leaving 5 feet of clearance from the existing air conditioning unit and also meeting the NFPA code for the distance from the home which is a minimum of 5 feet, said generator to be the Generac Guardian Quiet-Test G0070429 generator which is 48" long and 25" wide and 29" high and will be secured on a concrete slab, but otherwise in accordance with the requirements of Section 74-244(a)(4), 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 10, 2022 (transmitted to offices of the City of Piney Point on February 11, 2022).

  
Chair