

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

At a regular meeting held on November 8, 2012, 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
Michael Cooper	Present
Kevin Risley	Present
Rob Potosky	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; as there were three, but Mr. Brian Thompson withdrew his variance request as to 455 Jan Kelly Lane. 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 8:30 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: November 8, 2012

1. Scheduled Appeal No: 12-10 Order No. 12-10
2. Applicant: Philip Bahr
3. Address: 107 Radney Road
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(c)(2)
5. Applicant was present: no  
Represented by: Probstfeld and Associates, Mr. Probstfeld
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 a variance permitting the existing house to remain in its current location, 14.2 feet from the side yard property line on the west side, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of 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
Cooper	yes/granted
Nash	yes/granted
Risley	yes/granted
Potosky	yes/granted

8. Scheduled Appeal No: 12-11 Order No. 12-11
9. Applicant: David and Dianne Wadler
10. Address: 11670 Arrowwood Circle
11. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(c)(2) or (3)
12. Applicant was present: yes  
Represented by: Mr. Wadler and Steven Hann
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 deny the appeal as to a variance permitting the construction of a new structure to be a part of the main residence 15 feet from the property line.

ORDER NO. 12-10  
VARIANCE

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

Section 1. The appeal of Philip Bahr, for the following variance as to 107 Radney Road:

variance permitting the existing house to remain in its current location, 14.2 feet from the side yard property line on the west side, such variance being subject to Section 74-212 such that the variance will terminate upon the occurrence of any of the events of construction or remodeling or destruction as described in Section 74-212(b) or (c),

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.

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.

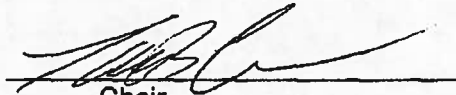
Section 3. The action taken by the Board (i) is limited solely to this appeal and the improvements under consideration, (ii) shall not be applicable to any other appeal whether on this property or any other property and (iii) shall not alter or modify any of the terms and provisions of Chapter 74, Zoning, of the Code of Ordinances of the City or any other ordinance.

PASSED, APPROVED, and ORDERED November 8, 2012 (transmitted to offices of the City of Piney Point on November 9, 2012).

  
Chair

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

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

  
Chair

ORDER NO. 12-11  
VARIANCE

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

Section 1. The appeal of David and Dianne Wadler, for the following variance as to 11670 Arrowwood Circle:

variance permitting the construction of a new structure to be a part of the main residence 15 feet from the property line,

from Section 74-244(c)(2) or (3) 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:

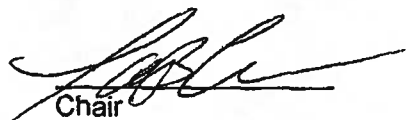
(a) The variance requested as to Section 74-244(c)(2) or (3) will be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244(c)(2) or (3) of Chapter 74 will not result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244(c)(2) or (3) 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 November 8, 2012 (transmitted to offices of the City of Piney Point on November 9, 2012).

  
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