

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

At a regular meeting held on September 9, 2021, 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
Vickie Driscoll	Present

Those in attendance included the Applicant and other interested parties.

- I. The meeting was called to order at 7:12 P.M.
- II. Board's actions and comments on scheduled appeals are attached hereto. The number of appeals considered was 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 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 8:02 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: September 9, 2021

1. Scheduled Appeal No: 21-05
2. Applicant: Timothy and Rachel Dash.
3. Address: 1 S. Cheska Lane
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(a)(4) Generator
5. Applicant was present: Yes  
Represented by Timothy Dash
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 less than 5 feet from the existing garage structure (approximately 4.5 feet from the garage) near Southeast corner of the garage approximately 13 feet from the East property line, 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)
Cooper	granted
Chapman	granted
Risley	granted
Bender	granted
Driscoll	granted

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: September 9, 2021

1. Scheduled Appeal No: 21-06
2. Applicant: Henry and Jenny Wu.
3. Address: 1 Lazy Wood Lane
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-244(a)(4) Generator
5. Applicant was present: No  
Represented by Randy Meyer of Generator Power Systems, LLC
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 in the 25 foot side yard setback 11 feet off the West side of the existing house 10 feet off the West property line, 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)
Cooper	granted
Chapman	granted
Risley	granted
Bender	granted
Driscoll	granted

  
Chair

ORDER NO. 21-05  
VARIANCE

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

Section 1. The appeal of Timothy and Rachel Dash for the following variance as to 1 S. Cheska Lane: a variance permitting a generator to be placed less than 5 feet from the existing garage structure (approximately 4.5 feet from the garage) near Southeast corner of the garage approximately 13 feet from the East property line, 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 less than 5 feet from the existing garage structure (approximately 4.5 feet from the garage) near Southeast corner of the garage approximately 13 feet from the East property line, 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) as to permit a generator to be placed less than 5 feet from the existing garage structure (approximately 4.5 feet from the garage) near Southeast corner of the garage approximately 13 feet from the East property line, 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 September 9, 2021 (transmitted to offices of the City of Piney Point on September 10, 2021).

  
Chair

ORDER NO. 21-06  
VARIANCE

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

Section 1. The appeal of Henry and Jenny Wu for the following variance as to 1 Lazy Wood Lane: a variance permitting a generator to be placed in the 25 foot side yard setback 11 feet off the West side of the existing house 10 feet off the West property line, 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 in the 25 foot side yard setback 11 feet off the West side of the existing house 10 feet off the West property line, 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) as to permit a generator to be placed in the 25 foot side yard setback 11 feet off the West side of the existing house 10 feet off the West property line, 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 September 9, 2021 (transmitted to offices of the City of Piney Point on September 10, 2021).

  
Chair