

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

At a regular meeting held on February 9, 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
Kevin Risley	Absent
Vicky Driscoll	Absent
Scott Bender	Absent
Roland Sauermann	Absent
John Brennan	Present
Michael Cooper	Present
Rob Potosky	Present
Zeb Nash	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 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 meeting was adjourned at approximately 7:50 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: February 9, 2012

1. Scheduled Appeal No: 12-01 Order No. 12-01
2. Applicant: Michael and Jean Phillips
3. Address: 16 Windermere Lane
4. Type of Appeal: Variance, and Challenge to the interpretation of the Building Official as it relates to the driveway being in the rear third of the lot.
Applicable Zoning Ordinance Section: 74-245(b) Driveways, walkways and sidewalks.
5. Applicant was present: yes
Represented by: Mr. Michael Phillips
6. After presentation of the appeal by applicant, discussion by all interested parties either for or against and deliberation by the Board, the Board determined that the driveway is not in the rear third of the lot. Therefore, there was no need to consider the request for the variance.

The vote of each Board Member was as follows:

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


Chair

ORDER NO. 12-01
VARIANCE

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

Section 1. The appeal of Michael and Jean Phillips, as to the challenge to the interpretation of the Building Official as it relates to the driveway being in the rear third of the lot

relative to Section 74-245(b) 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 Board disagrees with the interpretation of the Building Official that the driveway is in the rear third of the lot.

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 9, 2012 (transmitted to offices of the City of Piney Point on February 10, 2012).


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: February 9, 2012

1. Scheduled Appeal No: 12-02 Order No. 12-02
2. Applicant: Michael and Natalya Bleyzer
3. Address: 27 Mott Lane
4. Type of Appeal: Variance as to location of Generator.
Applicable Zoning Ordinance Section: 74-244(a)(4) Generator
5. Applicant was present: yes
Represented by: Mr. Ray Mancias
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 the requested variance from Section 74-244(a)(4) Generator.

The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes
Brennan	yes
Cooper	yes
Nash	yes
Potosky	yes, subject to review of the generator specifications by the City and the City's determination that it is a low pressure system.


Chair

ORDER NO. 12-02
VARIANCE

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

Section 1. The appeal of Michael and Natalya Bleyzer, for the following variance as to 27 Mott Lane:

For new home construction, allow the generator to remain exactly where it is currently placed as shown on the survey presented to the Board, subject to the review of the generator specifications by the City and the City's determination that it is a low pressure system,

from Section 74-244(a) (4) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached hereto, is hereby granted, subject to the following limitations, conditions or safeguards (if there be any): No permission is given to violate any impervious cover requirements.

Unless a building permit is issued pursuant to this variance within 90 days after the date hereof, or 180 days after the date hereof if extended by the Board at its discretion (only one extension being permitted), this variance will expire and be of no further force or effect.

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

(a) The variance requested as to Section 74-244(a)(4) will not be contrary to the public interest;

(b) A literal enforcement of the provisions of from 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) 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 9, 2012 (transmitted to offices of the City of Piney Point on February 10, 2012).


Chair