

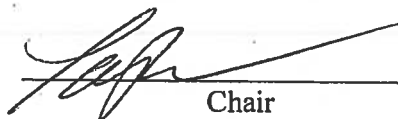
MINUTES
BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE
HARRIS COUNTY, TEXAS

At a regular meeting held on February 8, 2018, 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
John Brennan	Present
Michael Cooper	Present
Vicki Driscoll	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 7:20 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 meeting was adjourned at 7:45 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: February 8, 2018

1. Scheduled Appeal No: 18-1 Order No. 18-1
2. Applicant: Emad and Fatin Makiya
3. Address: 11306 Surrey Oaks Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244 (c)(1) and (2)
5. Applicant was present: no
Represented by: Sasha Yuksek
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 side yards variance from 15 feet to 10 feet setback and grant the appeal as to front yard variance from 50 feet to 25 feet setback, for new construction, 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:

Member	Vote (Granted/Denied)
Driscoll	yes/granted
Brennan	yes/granted
Chapman	yes/granted
Cooper	yes/granted

8. Scheduled Appeal No: 18-2 Order No. 18-2
9. Applicant: Joe and Shay Lamelas
10. Address: 2020 S. Piney Point Road
11. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(4) and (c)(2)
12. Applicant was present: no
Represented by: Michael Bell with Fish Electric/Generator Power Systems
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 request for a variance to

Section 74-244(a)(4) and (c)(2) to permit, subject to the review by the City of generator specifications, sound shielding and screening, a conforming generator to be located within the existing building lines but with a variance for up to nine (9) inches into the north side yard setback as follows: the north side yard setback at the building line is 22 feet from the fence to the building line, and the generator is to be placed within the building line except that there is to be a 9-inch encroachment into the side yard setback on the north side of the house, in the place marked on the diagram presented to the meeting of the Board, 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
Brennan	yes/granted
Driscoll	yes/granted
Cooper	yes/granted


Chair

ORDER NO. 18-1
VARIANCE

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

Section 1. The appeal of Emad and Fatin Makiya, for the following variance as to 11306 Surrey Oaks Lane: a variance from Section 74-244 (c)(1) and (2) as to side yards variance from 15 feet to 10 feet setback and as to front yard variance from 50 feet to 25 feet setback, for new construction, 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).

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

(a) The variance requested as to Section 74-244 (c)(1) and (2) as to side yards variance from 15 feet to 10 feet setback and as to front yard variance from 50 feet to 25 feet setback, for new construction, 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), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244 (c)(1) and (2) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244 (c)(1) and (2) for new construction to side yards variance from 15 feet to 10 feet setback and as to front yard variance from 50 feet to 25 feet setback, for new construction, 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), 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 8, 2018 (transmitted to offices of the City of Piney Point on February 10, 2018).


Chair

ORDER NO. 18-2
VARIANCE

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

Section 1. The appeal of Joe and Shay Lamelas, for a variance for 2020 S. Piney Point Road as to Section 74-244(a)(4) and (c)(2) to permit, subject to the review by the City of generator specifications, sound shielding and screening, a conforming generator to be located within the existing building lines but with a variance for up to nine (9) inches into the north side yard setback as follows: the north side yard setback at the building line is 22 feet from the fence to the building line, and the generator is to be placed within the building line except that there is to be a 9-inch encroachment into the side yard setback on the north side of the house, in the place marked on the diagram presented to the meeting of the Board, 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:

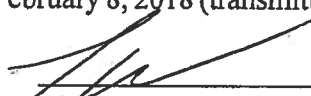
(a) The variance granted as to Section 74-244 (a)(4) and (c)(2) for a variance to Section 74-244(a)(4) and (c)(2) to permit, subject to the review by the City of generator specifications, sound shielding and screening, a conforming generator to be located within the existing building lines but with a variance for up to nine (9) inches into the north side yard setback as follows: the north side yard setback at the building line is 22 feet from the fence to the building line, and the generator is to be placed within the building line except that there is to be a 9-inch encroachment into the side yard setback on the north side of the house, in the place marked on the diagram presented to the meeting of the Board, 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), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244 (a)(4) and (c)(2) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance to Section 74-244(a)(4) and (c)(2) to permit, subject to the review by the City of generator specifications, sound shielding and screening, a conforming generator to be located within the existing building lines but with a variance for up to nine (9) inches into the north side yard setback as follows: the north side yard setback at the building line is 22 feet from the fence to the building line, and the generator is to be placed within the building line except that there is to be a 9-inch encroachment into the side yard setback on the north side of the house, in the place marked on the diagram presented to the meeting of the Board, 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), 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 8, 2018 (transmitted to offices of the City of Piney Point on February 10, 2018).



Chair