

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

At a regular meeting held on June 10, 2021, via Zoom, the following members of the Board of Adjustment were present:

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Larry Chapman	Present
Kevin Risley	Present
John Brennan	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 7:03 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 7:55 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: June 10, 2021

1. Scheduled Appeal No: 21-03 Order No. 21-03
2. Applicant: Ryan and Kate Droll.
3. Address: 230 Blalock Road
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(2) Side Yard for Accessory Structure and Section 74-244(c)(2) Side Yards
5. Applicant was present: Yes
Represented by self
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 the existing pool to continue to be set back at 14.6 feet instead of the required 22 feet and to allow for an 8 feet side yard at the pool instead of the required 10 feet due to a portion of the pool being located in the rear 1/3 of the property, all so to allow the existing swimming pool to remain where it is currently situated and for no other purpose.
7. The vote of each Board Member was as follows:

Member	Vote (Granted/Denied)
Brennan	granted
Chapman	granted
Risley	granted
Bender	granted
Driscoll	granted


Chair

ORDER NO. 21-03
VARIANCE

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

Section 1. The appeal of Ryan and Kate Droll for the following variance as to 230 Blalock: a variance permitting the existing pool to continue to be set back at 14.6 feet instead of the required 22 feet and to allow for an 8 feet side yard at the pool instead of the required 10 feet due to a portion of the pool being located in the rear 1/3 of the property, all so to allow the existing swimming pool to remain where it is currently situated and for no other purpose.

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

(a) The variance requested as to Section 74-244(a)(2) Side Yard for Accessory Structure and Section 74-244(c)(2) Side Yards permitting the existing pool to continue to be set back at 14.6 feet instead of the required 22 feet and to allow for an 8 feet side yard at the pool instead of the required 10 feet due to a portion of the pool being located in the rear 1/3 of the property, all so to allow the existing swimming pool to remain where it is currently situated and for no other purpose, will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-244(a)(2) Side Yard for Accessory Structure and Section 74-244(c)(2) Side Yards of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-244(a)(2) Side Yard for Accessory Structure and Section 74-244(c)(2) Side Yards permitting the existing pool to continue to be set back at 14.6 feet instead of the required 22 feet and to allow for an 8 feet side yard at the pool instead of the required 10 feet due to a portion of the pool being located in the rear 1/3 of the property, all so to allow the existing swimming pool to remain where it is currently situated and for no other purpose, 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 June 10, 2021 (transmitted to offices of the City of Piney Point on June 11, 2021).


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: June 10, 2021

1. Scheduled Appeal No: 21-04; Order No. 21-04-1 and Order No. 21-04-2
2. Applicant: Mario Colina with Probstfeld and Associates on behalf of Owners Ajay and Ruchira Damani.
3. Address: 210 Merrie Way Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(c)(1) Front Yard, and Section 74-244(c)(2) Side Yards
5. Applicant was present: Yes
Represented by Probstfeld and Associates
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 front yard depth of 35 feet rather than 50 feet; and the Board voted to deny the appeal to permit a 20.8 ft. side set back instead of the required 25.7 ft. setback.
7. The vote of each Board Member was as follows:

As to the appeal to permit a front yard depth of 35 feet rather than 50 feet:

Member	Vote (Granted/Denied)
Brennan	granted
Chapman	granted
Risley	granted
Bender	granted
Driscoll	granted

As to the appeal to permit a 20.8 ft. side set back instead of the required 25.7 ft. setback:

Member	Vote (Granted/Denied)
Brennan	denied
Chapman	granted
Risley	denied
Bender	granted
Driscoll	granted


Chair

ORDER NO. 21-04-1
VARIANCE

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

Section 1. The appeal of Mario Colina with Probstfeld and Associates on behalf of Owners Ajay and Ruchira Damani for the following variance as to 210 Merrie Way Lane: a variance permitting a front yard depth of 35 feet rather than 50 feet.

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

(a) The variance requested as to Section 74-244 (c) (1) as to a front yard depth of 35 feet rather than 50 feet will not be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244 (c) (1) as to a front yard depth of 35 feet rather than 50 feet 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 June 10, 2021 (transmitted to offices of the City of Piney Point on June 11, 2021).


Chair

ORDER NO. 21-04-2
VARIANCE

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

Section 1. The appeal of Mario Colina with Probstfeld and Associates on behalf of Owners Ajay and Ruchira Damani for the following variance as to 210 Merrie Way Lane: a variance permitting a 20.8 ft. side yard setback instead of the required 25.7 ft. setback.

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

(a) The variance requested as to Section 74-244 (c) (2) as to a 20.8 ft. side yard setback instead of the required 25.7 ft. setback will be contrary to the public interest;

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

(c) The granting of the requested variance as to Section 74-244 (c) (2) as to a 20.8 ft. side yard setback instead of the required 25.7 ft. setback 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 June 10, 2021 (transmitted to offices of the City of Piney Point on June 11, 2021).


Chair