

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

At a regular meeting held on April 10, 2014, 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
Vicki Driscoll	Present
Roland Sauermann	Present
Scott Bender	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 7:01 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 7:20 P.M.


Chair

**BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE**

**Action on Appeals
Meeting Date: April 10, 2014**

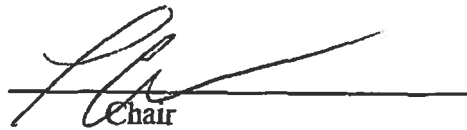
1. Scheduled Appeal No: 14-6 Order No. 14-6
2. Applicant: Jim and Franny Gray
3. Address: 11543 Raintree Circle
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(b)
5. Applicant was present: no
Represented by: Bill Prewett
6. After presentation of the appeal by applicant, discussion by all interested parties either for or against and deliberation by the Board, the Board voted to grant a 90-day extension of Order 14-1 in accordance with Section 74-71, and 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). This variance does not permit any encroachment on any adjoining property or within any easements.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Sauermann	yes/granted
Driscoll	yes/granted
Bender	yes/granted

1. Scheduled Appeal No: 14-7 Order No. 14-7
2. Applicant: Guy and Carolyn Matthews
3. Address: 464 Oak Lane
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245(b)
5. Applicant was present: no
Represented by: Dan Boylan and Jared Jackson

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 variance requested from Section 74-245(b) so as to allow the driveway to be placed no nearer than 5 feet from the property line in the rear 1/3 of the lot, and 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). This variance does not permit any encroachment on any adjoining property or within any easements.
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Sauermann	yes/granted
Driscoll	yes/granted
Bender	yes/granted


Chair

ORDER NO. 14-6
VARIANCE

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

Section 1. The variance previously granted to Jim and Franny Gray, being for the following variance at 11543 Raintree Circle:

to permit the driveway to be one foot from the East property line for a distance of 23 feet South into the rear 1/3 of the property, so the permitted encroachment into the rear 1/3 of the side yard on the East side of the property is 9 feet wide (from East to West) by 23 feet long (from North to South),

from Section 74-245(b) of Chapter 74, Zoning, Code of Ordinances of the City, a copy of which appeal is attached to Order No. 14-1, is hereby extended for the 90-day period permitted under Section 74-71, 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). This variance does not permit any encroachment on any adjoining property or within any easements.

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


(a) The variance requested as to Section 74-245(b) and the 90-day extension will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245(b) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245(b) and the 90-day extension under Section 74-71 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 April 10, 2014 (transmitted to offices of the City of Piney Point on April 11, 2014).


Chair

ORDER NO. 14-7
VARIANCE

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

Section 1. The appeal of Guy and Carolyn Matthews, for the following variance as to 464 Oak Lane:

a variance from Section 74-245(b), Chapter 74, Zoning, Code of Ordinances of the City, so as to allow the driveway to be placed no nearer than 5 feet from the property line in the rear 1/3 of the lot, a copy of which appeal is attached hereto, is hereby granted, 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). This variance does not permit any encroachment on any adjoining property on within any easements..

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

(a) The variance requested as to Section 74-245(b) to allow the driveway to be placed no nearer than 5 feet from the property line in the rear 1/3 of the lot will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245(b) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245(b) to allow the driveway to be placed no nearer than 5 feet from the property line in the rear 1/3 of the lot 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 April 10, 2014 (transmitted to offices of the City of Piney Point on April 11, 2014).


Chair