

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

At a regular meeting held on July 14, 2016, 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
Roland Sauermann	Present
Michael Cooper	Present
Vicki Driscoll	Present
John Brennan	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 was 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 8:15 P.M.


Chair

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

Action on Appeals
Meeting Date: July 14, 2016

1. Scheduled Appeal No: 16-5
2. Applicant: Michalson Builders on behalf of 2020 S. Piney Point Equity, LLC (owner)
3. Address: 2020 S. Piney Point Road
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-245 (i)(1)
5. Applicant was present: no
Represented by: Michalson Builders
6. After presentation of the appeal by applicant, discussion by all interested parties either for or against and deliberation by the Board, and representation by the applicant that the front lot line is at least 44 feet West of the Western edge of the pavement of the street (S. Piney Point Road), the Board voted to (i) grant the appeal to permit the installation of a new fence not exceeding 6 feet in height above the natural grade of the lot with the fence to be set back at least three feet from the front lot line and the fence must be an 80 percent fence, 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

Brennan	yes/granted
Driscoll	yes/granted
Chapman	yes/granted
Cooper	yes/granted
Sauermann	yes/granted


Chair

ORDER NO. 16-5
VARIANCE

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

Section 1. The appeal of Michalson Builders on behalf of 2020 S. Piney Point Equity, LLC (owner), for the following variance as to 2020 S. Piney Point Road: based on the representation by the owner that the front lot line is at least 44 feet West of the Western edge of the pavement of the street (S. Piney Point Road), a variance from Section 74-245 (i) (1) to permit the installation of a new fence not exceeding 6 feet in height above the natural grade of the lot with the fence to be set back at least three feet from the front lot line and the fence must be an 80 percent fence, 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 74-245 (i)(1) as to permit the installation of a new fence not exceeding 6 feet in height above the natural grade of the lot with the fence to be set back at least three feet from the front lot line and the fence must be an 80 percent fence, 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), will not be contrary to the public interest;

(b) A literal enforcement of the provisions of Section 74-245 (i) (1) of Chapter 74 will result in unnecessary hardship;

(c) The granting of the requested variance as to Section 74-245 (i)(1) to permit the installation of a new fence not exceeding 6 feet in height above the natural grade of the lot with the fence to be set back at least three feet from the front lot line and the fence must be an 80 percent fence, 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), 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 July 14, 2016 (transmitted to offices of the City of Piney Point on July 15, 2016).


Chair