

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

At a regular meeting held on November 9, 2017, 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	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 7:00 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 7:15 P.M.


Chair

BOARD OF ADJUSTMENT
CITY OF PINEY POINT VILLAGE

Action on Appeals
Meeting Date: November 9, 2017

1. Scheduled Appeal No: 17-9 Order No. 17-9
2. Applicant: Mark and Deborah Kobelan
3. Address: 12 Memorial Point
4. Type of Appeal: Variance
Applicable Zoning Ordinance Section 74-244(a)(4)
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 request for a variance to Section 74-244(a)(4) to permit, subject to the review of generator specifications by the City, the approximately 3-foot wide generator to be located on the north side of the house 3 feet from the house and 9 feet from the north property line, so as to not visible from the street, in the place marked on the diagram presented to the meeting of the Board (approximately 75 feet from the front property line), 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).
7. The vote of each Board Member was as follows:

<u>Member</u>	<u>Vote (Granted/Denied)</u>
Chapman	yes/granted
Risley	yes/granted
Driscoll	yes/granted
Cooper	yes/granted


Chair

ORDER NO. 17-9
VARIANCE

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

Section 1. The appeal of Mark and Deborah Kobelan, for a variance to Section 74-244(a)(4) to permit, subject to the review of generator specifications by the City, the approximately 3-foot wide generator to be located on the north side of the house 3 feet from the house and 9 feet from the north property line, so as to not visible from the street, in the place marked on the diagram presented to the meeting of the Board (approximately 75 feet from the front property line), 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:

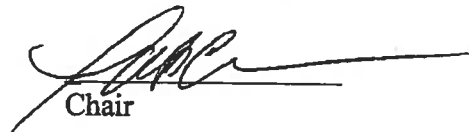
(a) The variance granted as to Section 74-244 (a)(4) for a variance to Section 74-244(a)(4) to permit, subject to the review of generator specifications by the City, the approximately 3-foot wide generator to be located on the north side of the house 3 feet from the house and 9 feet from the north property line, so as to not visible from the street, in the place marked on the diagram presented to the meeting of the Board (approximately 75 feet from the front property line), will not be contrary to the public interest;

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

(c) The granting of the requested variance to Section 74-244(a)(4) to permit, subject to the review of generator specifications by the City, the approximately 3-foot wide generator to be located on the north side of the house 3 feet from the house and 9 feet from the north property line, so as to not visible from the street, in the place marked on the diagram presented to the meeting of the Board (approximately 75 feet from the front property line), 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 November 9, 2017 (transmitted to offices of the City of Piney Point on November 10, 2017).


Chair