

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

At a regular meeting held on October 18, 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               |
| Zeb Nash       | Present               |
| Michael Cooper | Present               |
| Kevin Risley   | Present               |
| Scott Bender   | Present               |

Those in attendance included the Applicant and other interested parties as set out on the Registration Sheet for this meeting.

- I. The meeting was called to order at 7:17 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 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 9:30 P.M.

  
Chair

BOARD OF ADJUSTMENT  
CITY OF PINEY POINT VILLAGE

Action on Appeals  
Meeting Date: September 13, 2018

1. Scheduled Appeal No: 18-9 Order No. 18-9
2. Applicant: Brett Moody
3. Address: 5 Derham Parc Street
4. Type of Appeal: Variance  
Applicable Zoning Ordinance Section 74-245(k)(1)
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 as to a variance for 5 Derham Parc Street as to Section 74-245(k)(1) to permit keeping the existing driveway curbcut and improvements to the driveway and gate area off of Taylorcrest Road so long as (1) no vehicles will back out onto Taylorcrest and vehicles may only enter Taylorcrest through the gate and curbcut going in a forward direction, (2) the gate separating Taylorcrest from the property will be kept closed at all times, and may be opened only for the time necessary for a vehicle to exit onto Taylorcrest (or for a maintenance person to enter the back yard of the residence); (3) vehicles may exit from the gate onto Taylorcrest only when not able to exit onto Durham Parc Street; and (4) no vehicles may use the curbcut to enter the property except only maintenance personnel to access only the back yard of the residence and not to go through the property to Derham Parc Street.
7. The vote of each Board Member was as follows:

| Member  | Vote (Granted/Denied) |
|---------|-----------------------|
| Risley  | yes/granted           |
| Nash    | yes/granted           |
| Chapman | yes/granted           |
| Cooper  | yes/granted           |
| Bender  | yes/granted           |

  
Chair

ORDER NO. 18-9  
VARIANCE

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

Section 1. The appeal of Brett Moody is for a variance for 5 Durham Parc Street as to Section 74-245(k)(1) to permit keeping the existing driveway curbcut and improvements to the driveway and gate area off of Taylorcrest Road so long as (1) no vehicles will back out onto Taylorcrest and vehicles may only enter Taylorcrest through the gate and curbcut going in a forward direction, (2) the gate separating Taylorcrest from the property will be kept closed at all times, and may be opened only for the time necessary for a vehicle to exit onto Taylorcrest (or for a maintenance person to enter the back yard of the residence); (3) vehicles may exit from the gate onto Taylorcrest only when not able to exit onto Durham Parc Street; and (4) no vehicles may use the curbcut to enter the property except only maintenance personnel to access only the back yard of the residence and not to go through the property to Derham Parc Street.

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

(a) The variance for 5 Durham Parc Street as to Section 74-245(k)(1) to permit keeping the existing driveway curbcut and improvements to the driveway and gate area off of Taylorcrest Road so long as (1) no vehicles will back out onto Taylorcrest and vehicles may only enter Taylorcrest through the gate and curbcut going in a forward direction, (2) the gate separating Taylorcrest from the property will be kept closed at all times, and may be opened only for the time necessary for a vehicle to exit onto Taylorcrest (or for a maintenance person to enter the back yard of the residence); (3) vehicles may exit from the gate onto Taylorcrest only when not able to exit onto Durham Parc Street; and (4) no vehicles may use the curbcut to enter the property except only maintenance personnel to access only the back yard of the residence and not to go through the property to Derham Parc Street, will not be contrary to the public interest;

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

(c) The granting of the requested variance 5 Durham Parc Street as to Section 74-245(k)(1) to permit keeping the existing driveway curbcut and improvements to the driveway and gate area off of Taylorcrest Road so long as (1) no vehicles will back out onto Taylorcrest and vehicles may only enter Taylorcrest through the gate and curbcut going in a forward direction, (2) the gate separating Taylorcrest from the property will be kept closed at all times, and may be opened only for the time necessary for a vehicle to exit onto Taylorcrest (or for a maintenance person to enter the back yard of the residence); (3) vehicles may exit from the gate onto Taylorcrest only when not able to exit onto Durham Parc Street; and (4) no vehicles may use the curbcut to enter the property except only maintenance personnel to access only the back yard of the residence and not to go through the property to Derham Parc Street, 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 October 18, 2018 (transmitted to offices of the City of Piney Point on October 22, 2018).



Chair