

ROBRYAN

CUSTOM BUILDERS

FENCE VARIANCE

5 MEMORIAL POINT

Ryan Harris, RobRyan Custom Builders

Marcelo Lopez Borges de Oliveira and Giuliana Mie Nakashima, Owners

City of Piney Point
Board of Adjustment Meeting
Thursday, February 13th, 2020
Piney Point City Hall

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LETTER TO THE BOARD OF ADJUSTMENTS



February 7th, 2020

Board of Adjustment
City of Piney Point Village
7676 Woodway, Suite 300
Houston, TX 77063

Re: Variance request for 5 Memorial Point, Houston TX 77024

Dear Board of Adjustments Members,

On behalf of the owners of the referenced property, Marcelo Lopez Borges de Oliveira and Giuliana Mie Nakashima, I would like to request a fence variance from the Piney Point Board of Adjustment. We are seeking a variance to the following portion of the Piney Point Code of Ordinance:

City of Piney Point Village, Chapter 74, Section 245. Supplementary district regulations, Section D, part 3. The section of the code states in reference to fences, side and rear yard adjacent to a street:

Fences may be constructed within a required side or rear yard adjacent to a street if such a fence does not exceed six feet in height above the natural grade of the lot at the lot line adjacent to such fence, and the fence is an 80 percent fence. Any fence constructed between the main building and an adjacent street, but not within a required yard, shall have the finished exterior side facing the adjacent street, and shall have no posts or rails visible from such adjacent street, irrespective of the distance from the fence and the adjacent lot line or street.

We are asking to be allowed to construct an 8-foot, solid cedar fence on the east property line along South Piney Point Drive. The fence will stretch the entire 105 feet of the property and would not extend beyond the property line.

This property is unique in that the rear property line backs up to an area that is adjacent to a heavily vegetated ditch that runs parallel to a publicly accessible sidewalk. The security risk is that currently, someone could easily conceal themselves within these trees and bushes with full view of not only the residences back yard, but the inside coming and goings of the home as well. The street elevation is also 5 feet higher than the starting elevation of the property, which is why we are requesting the 2 foot extension to an eight foot tall fence. Furthermore, the family has two young teenage girls that are occasionally home alone in the home. By allowing this fence, it would provide much needed privacy and security for the family with much less direct visibility into the property. This would also provide the appearance of neighborhood conformity as all surrounding properties have been approved for the same privacy fences. This current lack of coverage makes this particular home a much more appealing target for observation from the outside public and potential criminal activity.

Additionally, The Board has addressed that in order to be able to grant a variance, there must be a hardship of this particular property apart from all others. In reference to noise violations, the City of Piney Point Code of Ordinance states:

City of Piney Point Village, Chapter 26, Section 2. Generator noise.

It shall be unlawful for any person within the city to allow or cause to allow a generator to exceed 75DBA at 23 feet from the generator unit.

LETTER TO THE BOARD OF ADJUSTMENTS

In the photos following this letter you will see four different decibel readings. Two that are taken in the subject property's backyard, forty feet from the fence line, registering a 70.4DBA reading, only 4.6 decibels less than the max reading permitted from a generator, 23 feet away from the unit. This is essentially like the property owner living with a running generator in the backyard all day long. You will also see two photos taken of decibel readings at the property along the fence line that we are wanting to build the exact same, a full 20DBA lower than subject property. The declination of the fencing improvement is what is creating this hardship for the property owner.

Our desire is to maintain the privacy, consideration and respect for the entire community. We would greatly appreciate a variance. If you have any question, comments or observations, please feel free to call or e-mail me any time. Thank you in advance.

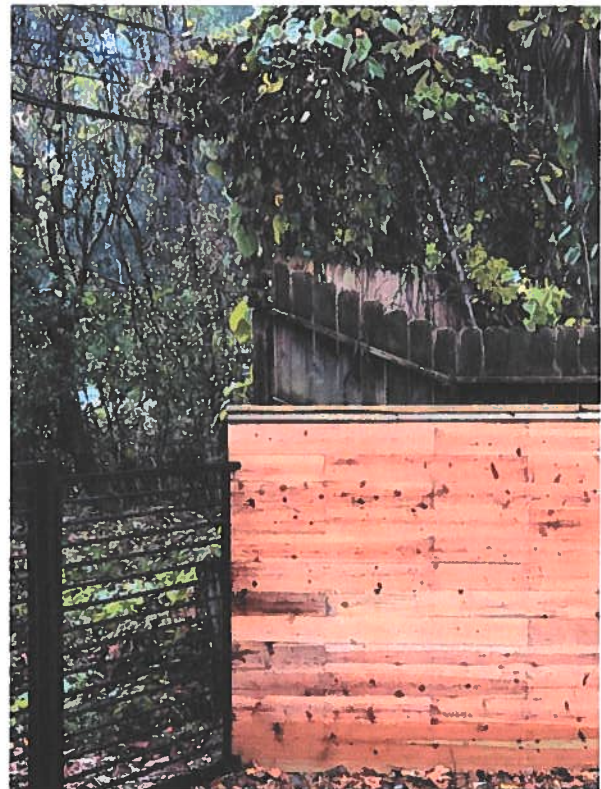
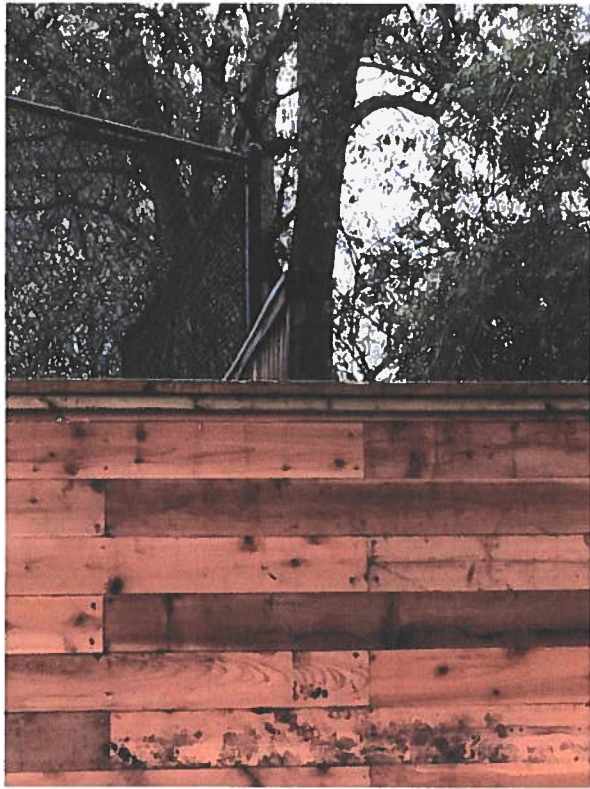
Best Regards,

Ryan Harris
President

PHOTOS



Proximity of main road to property fence line, clear viewpoint into backyard from street



Variations in size of adjacent neighboring fence lines.

Construction of higher fence provides added security to neighbor's properties.

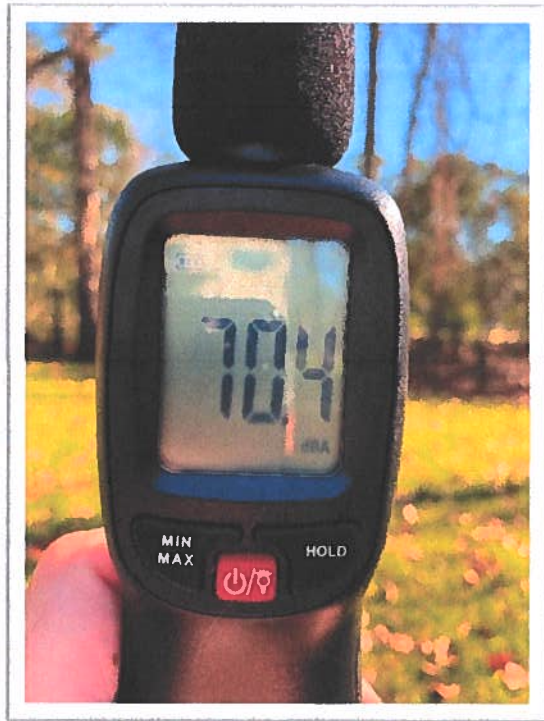


Vegetation where someone can observe property in hidden coverage

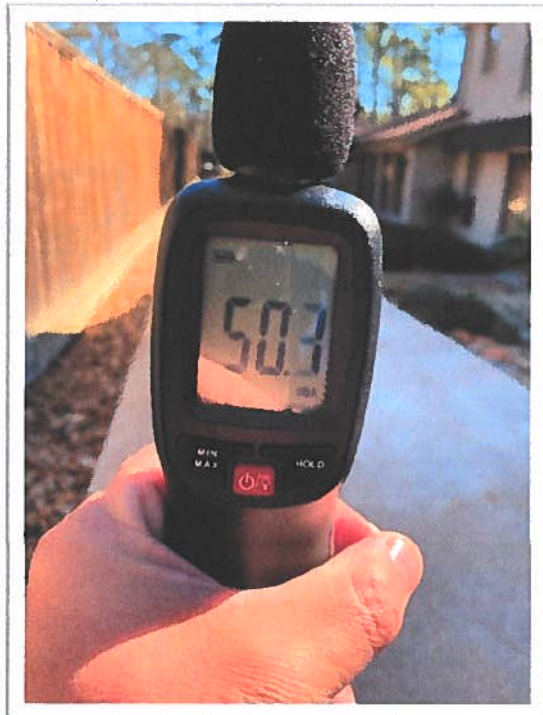
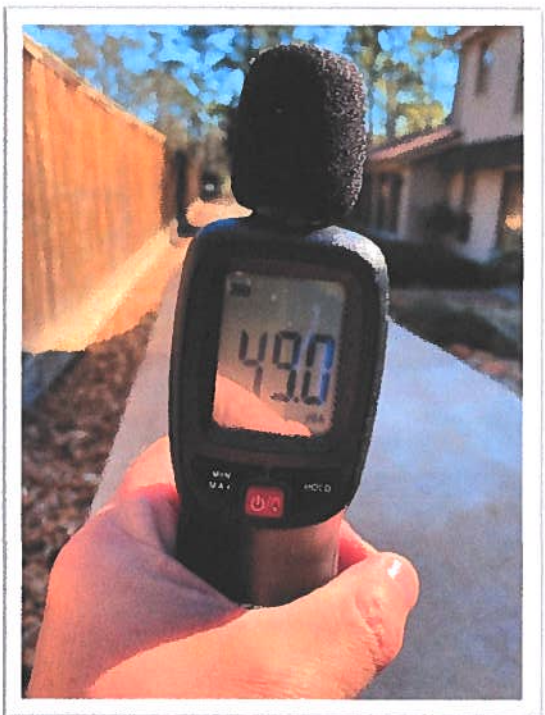


Clear view of property from vegetation at fence line

DECIBAL READINGS

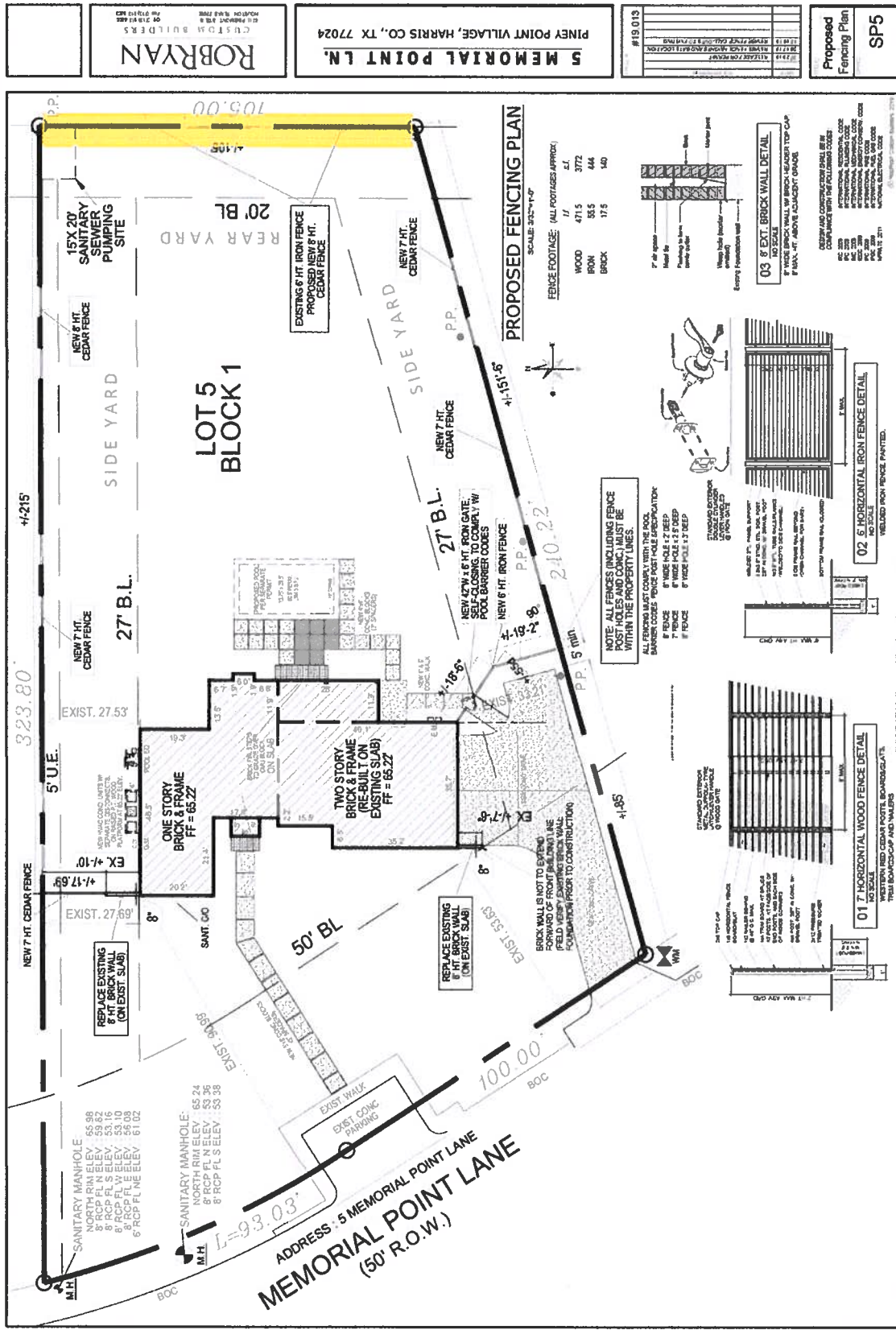


Backyard Decibel Reading 40 feet from back fence line
(70.6DBA and 70.4DBA)



Decibel Reading from adjoining neighbor's property at same fence line with 8 foot high fencing
(49.0DBA and 50.3DBA)

SITE PLAN



4715 PINEMONT DR. STE B ~ HOUSTON, TX 77092 T: 713-812-8800 F: 713-812-8802
 WWW.ROBRYANBUILDERS.COM

LETTER TO RESIDENTS

ROBRYAN

CUSTOM BUILDERS

January 28th, 2020

Piney Point Neighbor
Street Address
Houston, TX 77024

Re: Variance request for 5 Memorial Point, Houston TX 77024

Dear Neighbor,

We would like to inform you that we will be seeking a fence variance from the Piney Point Board of Adjustment for the property located at 5 Memorial Point. We are asking to be allowed to construct an 8-foot, solid cedar fence on the southern property line along South Piney Point. We are seeking a variance to the following portion of the Piney Point Code of Ordinance:

City of Piney Point Village, Chapter 74, Section 245. Supplementary district regulations, Section D, part 3. The section of the code states in reference to fences, side and rear yard adjacent to a street:

Fences may be constructed within a required side or rear yard adjacent to a street if such a fence does not exceed six feet in height above the natural grade of the lot at the lot line adjacent to such fence, and the fence is an 80 percent fence. Any fence constructed between the main building and an adjacent street, but not within a required yard, shall have the finished exterior side facing the adjacent street, and shall have no posts or rails visible from such adjacent street, irrespective of the distance from the fence and the adjacent lot line or street.

We would like to invite you to attend the hearing for the Board of Adjustment, which is to take place on Thursday, February 13^h, at 7 pm at the following address:

Piney Point City Hall
7676 Woodway Drive, Suite 300
Houston TX 77063

For more information, a more detailed packet will be available for review on the City of Piney Point website, www.cityofpineypoint.com, on February 7th. If you have any questions, please don't hesitate to call me on my cell phone at (832) 473-1833.

Best Regards,

Ryan Harris
President